

PLANNING COMMITTEE REPORT

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

PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	17 th November 2015	NON-EXEMPT

Application number	P2015/1204/FUL
Application type	Full Planning
Ward	Caledonian
Listed building	NA
Conservation area	NA
Development Plan Context	Locally significant industrial site Local Views (LV7) Kings Cross and Pentonville Rd Key Area (CS6) Article 4 Direction: B1a (office) to C3 (residential)
Licensing Implications	None
Site Address	22- 23 Tileyard Road, London, N7 9AH
Proposal	Re-configuration and refurbishment of existing two storey office building, a three storey roof extension and five storey side extension to create a total of 2,072sqm (GIA) of Class B1 space (net increase of 1,159 sqm (GIA) of accommodation).

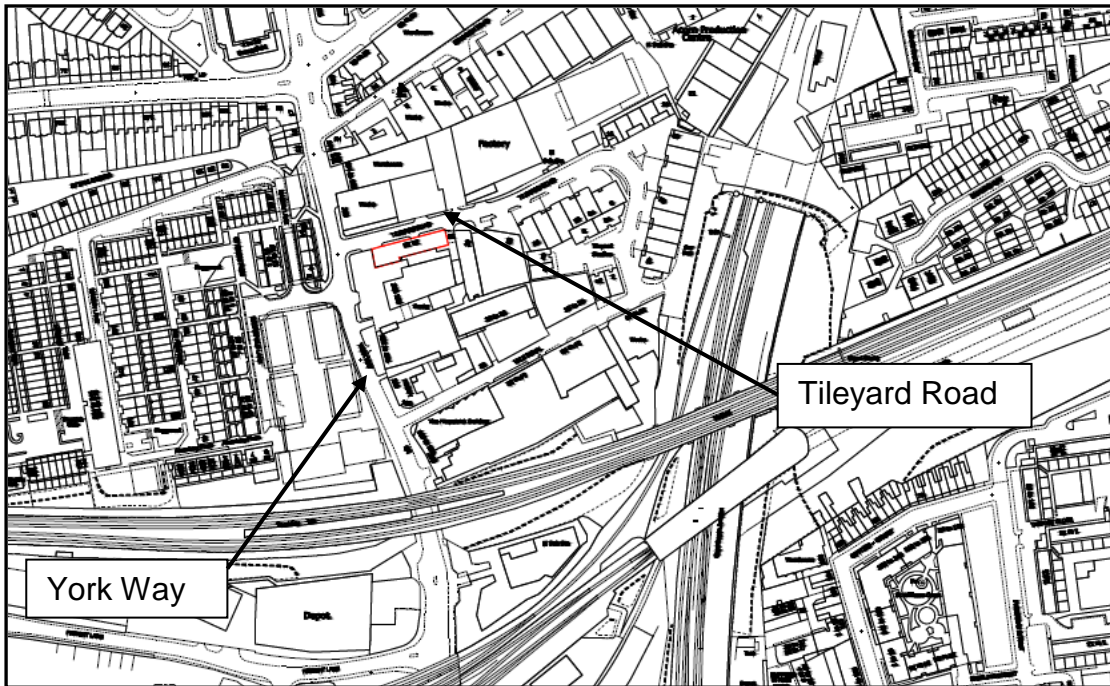
Case Officer	Sarah Wilson
Applicant	City & Provincial Properties Plc
Agent	CMA Planning: Charles Moran

1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1; and
2. conditional 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.

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



3. **PHOTOS OF SITE/STREET**



Tileyard Road (front) elevation



View along Tileyard Road, with the existing service bay to the right. York Way sits to the far right of site the right.



View from the site to the east and rear of the application site, looking at the rear elevation of the building.

4. SUMMARY

- 4.1 The proposed change of use from existing B2 (general industrial – as considered by the Council) or from B1c use class (as considered by the applicant) to use class B1a office floorspace has been demonstrated as permitted development and a certificate of lawful use has been issued. The applicant has indicated in their updated application form that this change has been implemented. As such, there is no policy objection to this proposal. The proposed increase by 1,152sqm of floorspace at this site for office use accords with planning policies that seek to increase employment opportunities within the borough. Additionally, the proposal delivers a small workspace unit that would measure 56sqm and provide for small enterprises and is designed in a manner to remain independent. The proposal therefore accords with policies CS13 (Core Strategy), DM5.1, DM5.2 DM5.3 and DM5.4 (Development Management Policies).
- 4.2 The proposed design of the building retains the existing two storey building of historic merit and whilst the resulting 6 storey height is taller than its immediate surroundings, the height is considered to sit comfortably within the emerging context along York Way and not entirely out of odds with some of the 4 storey buildings within the industrial area. The design would utilise materials that feature within the industrial area and are detailed to help the extensions both accord with the existing building and to the detailing within the industrial estate. Additionally, the proposal would provide level access throughout and would be highly accessible particularly in comparison to the existing building. In this regard, the proposal is considered to be of high quality and contextual and to meet with policies CS7 (Core Strategy), DM2.1 and DM2.3 (Development Management Policies).
- 4.3 The proposal would introduce some impacts on daylight receipt to the consented Maiden Lane Estate opposite on York Way. The losses are for the most part marginally above the BRE Guidelines and Camden Council, where the properties lie, has written in to state that they do not consider the impacts to those residents to be material. In this regard, the impacts are considered to generate some harm but not to such a degree as to warrant a refusal of the scheme, or a reduction in its scale or massing.
- 4.4 The proposed energy strategy is to build an efficient building (fabric) and secure a 35.9% reduction in regulated CO2 emissions and a total emissions reduction of 18.6% (against 2013 Building Regulations) which is supported. Non-provision of CHP is supported as the use does not present the demand, ventilation is supported given the conclusions of the overheating report, with the heating, ventilation and air conditioning (HVAC) system for the site will include a Low Temperature Hot Water circuit, served by gas boilers. A solar PV system (25sqm) is also proposed and supported. The remaining CO2 emissions are agreed to be off-set with a financial contribution of £79,672.
- 4.5 The scheme would be designed to achieve BREEAM Excellent, and planning conditions secure on-site planting and greening, bird and bat boxes and exploration of a sustainable urban drainage strategy (or if not found feasible then a financial contribution in-lieu of such provision). These measures secure

policy compliance and deliver a sustainable development that promotes biodiversity, water conservation and efficiency of developments.

- 4.6 The proposed development would result in a reduction of service vehicle movements to the site owing to the change from B2 use class to B1 use class, even taking into consideration intensification. The applicant has demonstrated with swept path diagrams that servicing can take place safely, however a condition is still recommended to secure this detail including times of servicing etc. Cycle parking and refuse storage meet policy requirements and would be shared by the main building and the small workspace unit. Construction details would be secured via condition. The proposal is acceptable in highways terms and accords with policies CS10, DM8.2, DM8.4, DM8.5 and DM8.6.

5. SITE AND SURROUNDING

- 5.1 The application site is located on the south-western end of Tileyard Road, very close to where it meets York Way. York Way marks the western edge of the borough boundary with Camden at this point, and runs from Kings Cross to Tufnell Park. The existing building on the site is a two storey industrial brick building with a pitched hip slate roof. There are later extensions to either end of the building that internalised the original external staircases. A small hardstanding yard is located within the site to the west of the building. The existing building is not locally or statutorily listed, nor is the site located within a conservation area.
- 5.2 The existing load-bearing masonry building includes a full basement storey with bricked-up high-level ventilation windows on the rear (south) elevation. The existing suspended ground and first floors are formed in clinker concrete and steel filler joists spanning between downstand primary steel beams that are propped by cast iron internal columns. The north façade fronts Tileyard Road and is punctuated by a steady rhythm of small windows.
- 5.3 Adjacent to the site to the west, is an undeveloped car parking area associated with Fayers Plumbing and Building Supplies. That building is two storeys in height and sits directly south of the application site and has a secondary access down the eastern side of the application site. Immediately adjacent to the east is a 2 storey building that appears to accommodate a catering business, with a vehicle route beneath its first floor immediately adjacent the application site. Slightly further along, buildings rise to 3 storeys in height on the same side of the road and 4 storeys on the opposite.
- 5.4 To the north of the site, on the opposite side of Tileyard Road, fronting York Way there is a 2 storey industrial building with a small pitched second storey floor and a large car park behind it with access from Tileyard Road. Opposite the site on York Way within the boundary of Camden Council, the Maiden Estate will be composed of 7 storey residential buildings for the most part (currently under construction) with a single 20 storey tower opposite the junction with Vale Royal.

- 5.5 The site is located within the Vale Royal/ Brewery Road locally significant industrial area, which is characterised by low rise buildings with an ad-hoc redevelopment and a robust industrial feel. The Maiden Lane Estate is located west of the application site in Camden.
- 5.6 South of the site is the Kings Cross regeneration area (within Camden) consisting of taller buildings.

6. PROPOSAL (IN DETAIL)

- 6.1 The application proposes to change the use of the existing building from a print works company (B2 use class) to office use (B1a use class). The proposal also seeks to secure permission for a three storey extension across the whole of the existing building, and a 5 storey side extension.
- 6.2 The existing building has a floorspace of 993sqm whereas the final floor area of the completed building would be 2,072sqm, resulting in an increase of 1,079sqm. The applicant proposes a small independently accessed workspace unit suitable for a small unit measuring 56sqm.
- 6.3 The proposal seeks to make good the existing (London stock) brickwork of the retained part of the building and replace windows at the ground and first floor level, dropping the cill heights to enable more light into the building (to match the size and fenestration patterns of the existing). Corten steel framed windows are proposed for the ground and first floors.
- 6.4 The proposed second and third floor extensions proposed above would be constructed of corten steel. The top storey is designed to have a pitched roof finished in dark metal, with a partially screened amenity space to the rear of the roof space.
- 6.5 The 5 storey side extension would be constructed of brick at ground and first floors to replicate the existing building, corten steel for two floors above that and the dark metal cladding for the top floor. The flank elevation wall facing towards York Way would be constructed of brick – to match the existing building. That brick elevation would be constructed with stepping and stacking of the bricks to add relief to the façade. The applicant is exploring the possibility of inserting lettering into the brickwork stating 'Tileyard'.
- 6.6 The proposal introduces a new main entrance into the western-most end of the existing building, and a secondary entrance slightly further to the west, within the extension. To the eastern end of the building a dedicated cycle entrance is proposed (sliding door), leading to a dedicated cycle lift taking cycles to the storage area in the basement. Adjacent to this, it is proposed to position the sliding door to the refuse store. Cycle parking spaces for 29 cycles, wheelchair accessible showers and WCs and various locations for the placement of plant are also to be located at basement level.

Revision 1

6.7 20 July 2015: Amended drawings to alter the design of the proposed extensions in order to address objections from the Design and Conservation Team. The amendments included:

- Alterations to the window sizes at the top floor;
- Alterations to the window configurations at second and third floors;

Revision 2

6.8 19 August 2015: Amended drawings and Design and Access Statement received in order to address concerns raised by the Accessibility Officer and Design and Conservation officer. The amendments included:

- Accessibility: Provision of additional EVAC (refuges) to enable mobility impaired fire / emergency escape for more than one disabled person per floor;
- Provision of mobility scooter storage and charging facilities;
- Increase in size of the wheelchair accessible WC and addition of a wheelchair accessible shower.
- Design: Amendments to the window design at second and third floors to introduce triple divisions to help them respond to the window widths of the existing (retained) ground and first floor windows of the building.
- Reorganisation of the internal floor layouts at basement and ground floor levels, including the introduction of an ancillary gallery space.

Revision 3

6.9 26 October 2015: Amended ground floor plan and front elevation to introduce a new micro workspace unit with its own separate entrance from Tileyard Road measuring (46.5sqm), amounting to 5% of the NIA uplift of floor area within the scheme. The front elevation was also amended to introduce a separate entrance door to this small unit.

Revision 4

6.10 2 November 2015: Amended ground floor plan and front elevation to increase the size of the micro workspace unit so as to measure 5% (GIA) of the uplift of the total floor area (56sqm). The proposal identifies a single unit, measuring 56sqm with its own individual entrance. No further changes to the front elevation were made further to the 26 October revisions, however a rear window has been shown to be blocked up in order to accommodate an internal dividing wall in its position.

6.11 Also corrected floor space figures (design development had seen wall thicknesses increase and therefore the overall floorspace figures adjust from

2,152sqm (initially stated on application forms) to 2,072sqm (as stated on updated application forms). The uplift floorspace therefore measures 1,079sqm.

7. RELEVANT HISTORY:

7.1 The following application history is considered relevant to this proposal:

PLANNING APPLICATIONS:

7.2 P2015/2933/COL: Certificate of Lawful Development (Proposed) for: Use of the building as offices (use class B1a). **GRANTED** 27.08.2015.

PRE-APPLICATION ADVICE:

7.3 Q2015/1845/MJR – Pre-application advice for roof extensions.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 5 adjoining and nearby properties at Tileyard Road, York Way and Vale Royal on 29 April 2015. A site notice and press advert were displayed on 7 May 2015. The public consultation of the application therefore expired on 28 May 2015, however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report no responses had been received from the public with regard to the application.

External Consultees

8.3 **Thames Water** raised no objections to the proposals, subject to informatives and conditions that are listed to the rear of this report. Thames Water does identify that public sewers run close to this site and therefore piling details would need to be approved prior to works commencing, and further details are given in relation to surface water drainage and other approvals in relation to the sewer.

8.4 **Camden Council** responded to the consultation to advise that they did not consider the proposals to generate a material adverse impact on the amenity of the Camden residents in Maiden Lane Estate, nearby commercial properties, nor adversely affect the nearby conservation area. They did request that a Construction Management Plan be secured as part of any permission that might be granted.

8.5 **London Fire and Emergency Planning** advised that fire brigade access must be available to the perimeter of the buildings. The Authority recommends that sprinklers are considered for new developments.

Internal Consultees

- 8.6 **Access Officer** welcomed the amendments made by the applicant in response to their original concerns. Concern is still raised regarding disabled persons' fire evacuation. Conditions are requested in relation to i) the size of the WC/ shower and ii) storage for mobility scooters. Amended plans were received 20 August 2015 to address these last points.
- 8.7 **Design and Conservation** raised no objections to the proposed height of the building but did raise concerns regarding how the extension integrates with the existing building (which has some historic interest). Concerns were also raised that the windows to the third and fourth storeys still didn't work – still needing to better integrate the fenestration throughout the elevation, and provide a rhythm that accords with the original windows at ground and first floors and less emphasis to the middle section of the building. Amended drawings were received from the applicant on 20 August to address these final concerns.
- 8.8 **Energy Conservation** in general supported the details provided within the applicants Energy Statement after a number of various clarifications and discussions. Conditions and s106 clauses are recommended to secure the energy efficiency savings and CO2 off-set contribution.
- 8.9 **Public Protection Division (Air Quality)** provided no response.
- 8.10 **Public Protection Division (Noise Team)** requested conditions to be imposed including design and installation of fixed plant (noise levels) and a condition relating to construction management details.
- 8.11 **Public Protection Division (Land Contamination)** advised that the site is not listed on the CL database. Additionally, it's a commercial building covered with hardstanding so a contaminated land condition is considered unnecessary.
- 8.12 **Highways** requested further information including a swept path analysis drawing showing a HGV in the parking places highlighted in the TSS with parking in the bays opposite. Dimensions must also be provided of the whole road width, width of bays and width of running lane and select a fire appliance or refuse vehicle from the palette for the running lane user. More general details of the deliveries themselves was also requested, particularly relating to the likely deliveries by HGV, dwell times and how would they get goods to the premises. Note: further information was received and a strategy for securing safe servicing was put to Highways Officers on 21 August 2015 advising that if no response had been received by 26 August 2015, then it would be taken that the proposed conditions and s106 items addressed outstanding matters. No response was received.
- 8.13 **Street Environment Division** requested that an updated Waste Management Plan be provided, including details of the amount of waste, where stored, how the waste is transported to the stores, the collection point and how the waste is transported to the collection point.

- 8.14 **Sustainability Officer** advised that the preference would be for the inclusion of a green roof to the development rather than a financial contribution in-lieu of sustainable urban drainage.

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. The National Planning Practice Guidance has also been considered with respect of these proposals.

Development Plan

- 9.2 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 policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011 and Development Management Policies 2013:
- Locally significant industrial site
 - Local Views (LV7)
 - Kings Cross and Pentonville Rd Key Area (CS6)
 - Article 4 Direction: B1a (office) to C3 (residential)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ENVIRONMENTAL IMPACT ASSESSMENT

- 10.1 EIA screening was not submitted, however whilst the scheme is considered to fall into Category 2 Development (urban development) the site area and floor areas proposed within this scheme fall significantly below the thresholds and the site is not located within a sensitive area therefore does not necessitate an Environmental Statement. No formal decision has been made to this effect.

11. ASSESSMENT

11.1 The main issues arising from this proposal relate to:

- Principle (Land Use)
- Design and Heritage considerations
- Landscaping, Trees and Biodiversity
- Neighbouring amenity
- Highways and Transportation
- Energy efficiency, renewable energy and sustainability
- Planning obligations and CIL

Land-use

11.2 The application site is located within the Vale Royal / Brewery Road Locally Significant Industrial Site and also within the Kings Cross Key Area. The site is not located within the Central Activities Zone. The existing building is currently vacant and is stated to have been vacant since 2011. Its previous use is stated by the applicant to be a former print works, which the applicant considers to fall within the B1c use class. However the Council is of the opinion that it falls within the B2 use class. There is no comprehensive planning history for the site that helps to determine this.

11.3 A print works can fall into either a B1c (light industrial) or a B2 (general industrial) use class. A B1c use class is normally a lighter industrial version of the B2, which can usually be located in a residential area. Given that this site is within a long established industrial area, it seems probable that the former print works could have fallen into the B2 use class.

11.4 Policy CS6D (King's Cross) of the Core Strategy confirms that the Vale Royal/Brewery Road area will be retained as the only locally significant concentration of industrial/warehousing/employment land in the borough.

11.5 Development Management Policies Document, policy DM5.3 - Vale Royal / Brewery Road Locally Significant Industrial Site is relevant to this site. Part B of the policy states that 'proposals that would result in a loss or reduction of floorspace in the B1c, B2 or B8 Use Classes will be refused unless the applicant can demonstrate exceptional circumstances, including through the submission of clear and robust evidence relating to the continuous marketing of vacant floorspace for a period of at least two years.

11.6 The policy goes onto the state at part (C) that the loss of or reduction of business floorspace will be resisted where the proposal would have a detrimental individual or cumulative impact on the area's primary economic function (including by constraining future growth of the primary economic function).

Assessment – Loss of existing use

11.7 The applicant has not submitted any marketing information to support their application, despite the building being vacant since 2011. However the applicant has identified and made a case that the proposal to change the use

of the existing building (be it either B1c or B2 as its previous use) to office floorspace (B1a use class) would in fact be permitted development and that this should be considered an exceptional circumstance.

- 11.8 Permitted Development: Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 deals with changes of use.
- 11.9 Class I 'Industrial and general business conversions' relates to: Development consisting of a change of use of a building—
- (a) *from any use falling within Class B2 (general industrial) or B8 (storage or distribution) of the Schedule to the Use Classes Order, to a use for any purpose falling within Class B1 (business) of that Schedule;*
 - (b) *from any use falling within Class B1 (business) or B2 (general industrial) of the Schedule to the Use Classes Order, to a use for any purpose falling within Class B8 (storage or distribution) of that Schedule.*
- 11.10 Taking the Council's view that the previous, lawful use of the building was B2 general industrial, it is clear that the proposed change of use to office use (B1a use class) meets the criteria of Schedule 2, Part 3, Class I(a) of the GDPO (above). There are no restrictions to the amount of floorspace that is permitted to change.
- 11.11 Taking the applicant's view that the use of the building was B1c (light industrial); the applicant, within their application for Certificate of Lawful Use (proposed), put the case forward that Section 55(2) of the Town and Country Planning Act 1990 confirms that a change in the primary use of land or buildings where the land before and after falls within the same use class, does not amount to development. This was agreed and the application was granted on 27 August 2015.
- 11.12 Section 55 relates to the meaning of "development" and "new development". Paragraph (2) sets out the 'operations or uses of land that shall not be taken to mean development for the purposes of the Act. Subsection (f) specifically states:
- "in the case of buildings or other land which are used for a purpose of any class specified in an order made by the Secretary of State under this section, the use of the buildings or other land or, subject to the provisions of the order, of any part of the buildings or the other land, for any other purpose of the same class".*
- 11.13 In this regard, changing from B1(c) to B1(a) does not constitute development and therefore does not require planning permission.
- 11.14 In light of the above, the loss of the existing use (be it B1c or B2 use class) cannot be resisted as it is permitted development and lawful as of the date of the Certificate of Lawful Use Application. The applicant has submitted an

updated planning application form that states that the change of use to office (B1a) has been implemented.

Assessment of Proposed Use

- 11.15 The proposal is to retain the existing building and add three extra floors, plus a 5 storey side extension in order to deliver a total of **2,152sqm** of office floorspace (B1a use class), a net increase of 1,159sqm (GIA).
- 11.16 Notwithstanding the loss of industrial use (general – B2, or light – B1c) which can't be resisted because it is permitted development, policy DM5.3 looks to preserve business floorspace within the LSIS, with non-business uses resisted. The proposed use of offices is consistent with this and is policy compliant.
- 11.17 DM5.1, part F, sets out the requirements for the design of new business floorspace to allow for future flexibility. Paragraph 5.10 of Development Management Policies clarifies what will be expected in terms of flexible design features to help ensure adaptability to changing economic conditions and occupants (including small and medium businesses), this includes:
- Adequate floor to ceiling heights (at least 3 metres of free space);
 - Strategic lay-out of entrances, cores, loading facilities and fire escapes to allow a mix of uses.
 - Flexible ground floor access systems.
 - Good standards of insulation to mitigate against any future alternative uses in the building (See Energy section).
- 11.18 The proposed floor to ceiling heights range from 3.0m to 3.6m which is generous and meets the policy intent to ensure the floorspace is flexible. The basement level is only 2.2m floor to ceiling, however this is an existing level and the ground floor is to be lowered to secure level thresholds throughout the building. Whilst this is a shortcoming, the basement is only to be utilised for plant, cycle parking and shower facilities and is therefore acceptable.
- 11.19 The building's core is positioned so that each floor plate is able to be subdivided into two separate units per floor, making it possible to accommodate up to 10 separate businesses. The smallest of these would be in the region of 117.85sqm (one per floor), protecting the buildings future flexibility.
- 11.20 Small/ micro or affordable workspace: As part of any major office development the council will look to secure workspace suitable for small businesses – either through the way it is designed/managed (such as small unit sizes) or through securing affordable workspace (policies CS6, CS13 and DM5.4). Small workspace units are defined as between 50 and 90sqm and micro units between 10 and 50sqm. In terms of the uplift of floor area within

this proposal, a guide floorspace amount (5% of GIA) would equate to 53.95sqm.

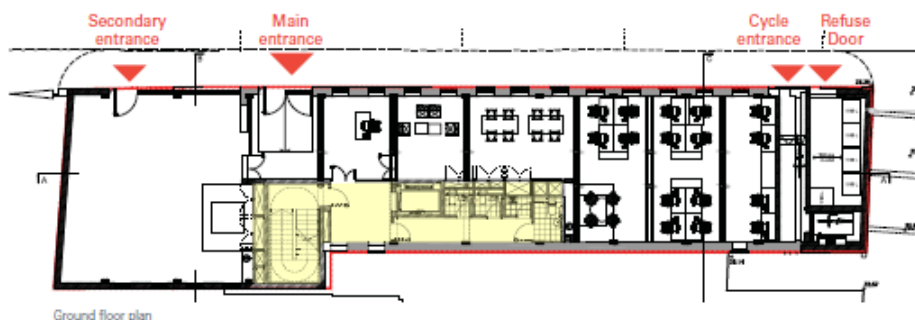
- 11.21 The applicant was initially unwilling to provide floorspace within the resulting building as suitable for either: micro / small units or an area of floorspace to be provided on affordable rent terms. However, revisions to the scheme have been made and the proposal now includes the creation of one unit suitable for small enterprises.
- 11.22 The unit is designed as a small unit, measuring 56sqm, designed with its own separate entrance from Tileyard Road, making it an individual, self-contained unit. In order to secure this, a condition is recommended (**condition 19**) stating that this unit shall be laid out in accordance with the details so approved and shall not be amalgamated with the remainder of the ground floor office unit. Additionally, this unit shall have access to the cycle storage and bin store of the main building and this access is secured by planning condition (**condition 20**). In this regard, the provision of a small unit meets the requirements of policy DM5.4 being affordable by virtue of its size.
- 11.23 Employment and Training Opportunities: Policy CS13C seeks to secure jobs and training opportunities, including apprenticeships for developments with uplift of 500sqm or more of business / employment floorspace. This development generates a requirement for a £11,590 financial contribution towards such measures and has been agreed by the applicant and would form part of the s106 agreement.
- 11.24 Additionally, the applicant has agreed to clauses within the s106 legal agreement including, the compliance with the Council's Code of Employment and Training and its Code of Local Procurement.
- 11.25 Onsite construction training opportunities: The same policy CS13C also seeks construction training opportunities. This development generates a requirement for a single work placement to last a minimum of 26 weeks, paid at the London Living wage at the least. In the event that the placement is not provided, a fee of £5,000 is sought in place. This has been agreed by the applicant and would form part of the s106 agreement.

Design, Conservation and Heritage Considerations

- 11.26 The site is not located within a conservation area, nor are there any listed buildings in the vicinity of the site, nor is it within an archaeological priority area. The location is not especially sensitive, being within a locally significant industrial area. The existing building is considered to have inherent historical interest owing to its original use and the proposal to retain the existing structure and extend it is welcomed.
- 11.27 Core Strategy (2011) policy CS9 seeks to secure new buildings that are sympathetic in scale and appearance and to be complementary to the local identity. It acknowledges that high quality contemporary design can achieve this as well as traditional architecture. Development Management Policies (2013) DM2.1 sets out further detail on design expectations, including

requiring development to respect and respond positively to existing buildings, the streetscape and the wider context, including local architectural language and character and locally distinctive patterns of development. The Islington Urban Design Guide (2006) is also of relevance.

- 11.28 The proposal seeks to retain the existing two storey brick built elevations, but introduce two new entrance doors, a set of doors for the refuse storage area and cycle parking storage. Additionally some amendments to existing window openings are proposed.
- 11.29 The new build proposal is to construct a 3 storey extension above that plus a 5 storey side extension that would be positioned on the western end of the site.
- 11.30 Site Layout: The retention of the existing building sets the footprint / building lines for the small extension to the building. The extension accords with the building line to the front. The rear building line steps slightly beyond the existing buildings rear line, but is considered appropriate. Windows are proposed along the boundary to the new extension and a condition is recommended stating that those windows would not prejudice the potential development of adjoining sites (**condition 18**). (Note this plan has been amended to provide a small workspace unit so is indicative only).



- 11.31 Height and Massing: The resulting proposal, reaching a total overall height of 5 storeys (20.4m) is considerably taller than the buildings within the Vale Royal / Brewery Road Locally Significant Industrial Estate. Buildings in the immediate vicinity of the site stand at 2, 3 or 4 storeys in height. However the nature of York Way is changing and it is accepted that buildings of closer to 6 storeys will be appropriate to the emerging context to York Way within Camden. Buildings at the opposite end of Tileyard Road on York Way, within the Maiden Lane Estate stand at 7 storeys.
- 11.32 Initially, it was sought to have the building step down to 4 storeys in height at its eastern end, towards its lower context. However that was likely to have resulted in an awkward resulting design above the retained existing building (two storey base). Given the further work to refine the buildings appearance, the height is considered (in the changing local context) and having regard to the breaking down on the buildings height and mass through detailed design, to be acceptable.

11.33 The image on the page overleaf shows an existing and proposed comparison of the wider view along Tileyard Road looking at the application site, with York Way on the right (illustrating the Maiden Lane Estate buildings).



11.34 Materials: The proposal is to be constructed of:

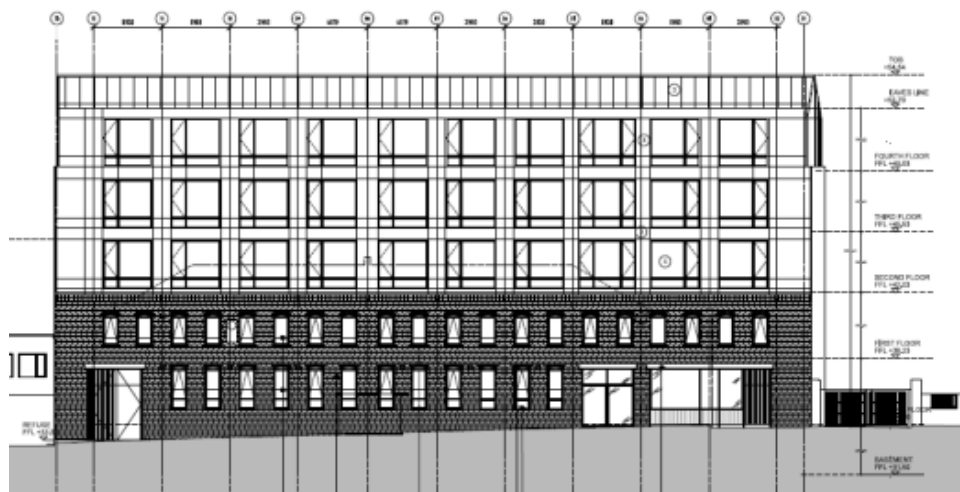
- Retained building (two storeys) brickwork to be made good and windows to be replaced, with lowered window cil heights (windows to be aluminium framed, double glazed and of a dark grey anodised finish);
- Ground and First Floors (of 5 storey extension): constructed to replicate the existing building at these levels (London stock brick), with windows to match;
- Second and Third floors: to be constructed of corten steel panels. Windows to be wider, but with window frames / divisions to match with the window placements in the floors below (aluminium framed, double glazed and dark grey anodised finish);
- Top floor: to be constructed of dark metal cladding system, with windows to accord with those in the lower two floors.
- The western façade was proposed to be constructed of brick, with steps, and stacking the bricks to provide a depth and interest. Graphic writing 'Tileyard' is proposed within the brickwork. The detailed design of the signage is yet to be developed, but it would be a contemporary design in cut brick set into the facade, that takes inspiration from the 'ghost' signage painted on industrial buildings.

11.35 Initially, the Design and Conservation Officer raised concerns that the use of corten steel (second and third floors) failed to integrate with the existing

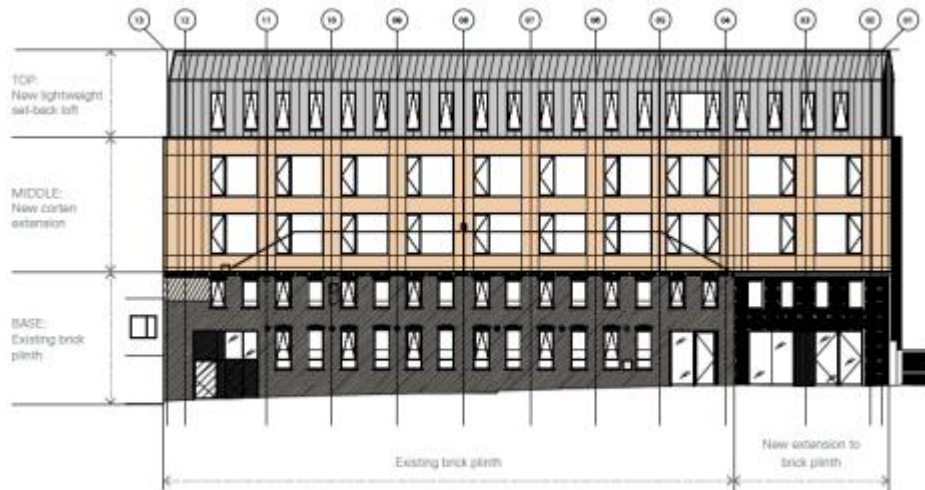
brickwork below. The architects responded advising that their approach had been one of identifying a strong base (retained building) middle (corten steel) and top (dark cladding system). The architect also justified their approach that they sought to avoid a pastiche replication of the existing building and instead to design extensions to positively mark the evolution of the building.

11.36 The Design and Conservation Officer now considers the proposed material strategy to be acceptable, subject to detailed conditions securing samples to be agreed (**condition 7**).

11.37 Windows: The initially proposed windows were considered by the Design and Conservation Officer to be “of a scale that alter the proportions of the building resulting in a top heavy appearance which is considered inappropriate. The lower levels with a much smaller fenestration pattern and overall scale are supporting the much larger storeys above, which is considered inappropriate in terms of design”. The initial proposal is illustrated below:



11.38 The scheme was amended to reduce the size of the windows in the top floor and to better respect general architectural hierarchy of windows moving to smaller windows moving up the façade of a building. That amended process is illustrated below:



11.39 Whilst the above amendments were felt to be an improvement, it was still felt by the Design and Conservation Officer that the middle floor windows still required further articulation, and would benefit from better referencing the narrower window widths above and below as a compromise on the size of windows had been agreed. In this regard, the image below illustrates how the middle floor windows were broken down into tripartite divisions. This change was also felt to retain references to the larger windows found in buildings within the surrounding industrial estate, and is the final proposal which is supported.

Current Proposal:



11.40 Local View LV7: Policy DM2.4. is clear that Protected Vistas and Local Views should be protected and enhanced. The site falls within Local View 7. The proposed height of the building would be 20.39m above pavement (ground) level (34.4 AOD). This has been reviewed as to whether the proposal would be likely to impact on the viewing threshold. The site is approximately 3.7km from the centre of St Paul's. Based on the view threshold for LV7 in this location the maximum height is 59.79m AOD. Given the ground level is 34.4, the maximum height of a building without encroaching onto the view would be around 25m. The proposal would therefore have no impact on this local view.

11.41 In summary, the proposed building is taller than its immediate surroundings, but at 6 storeys in height would not be out of place in the emerging context moving up York Way. There are no sensitive uses in the immediate area that this increase in height would harm. The design retains the existing building which is considered to have some historic merit and accommodates the additional floors in a manner that references both the retained buildings appearance and character as well as reflecting the character of the industrial surroundings. Subject to conditions to secure samples of materials, the design is considered to be of a high quality.

Accessibility

11.42 The proposed development seeks permission for a wholly business use within this part retained and altered and extended building. The proposal has been amended during processing to enable the ground floor to be made flush or level with the pavement level outside and this significantly improves the accessibility and inclusivity of the proposal, additionally making it more flexible for future uses. Additionally, level access is provided to all cycling facilities including storage and showers including provision of a dedicated cycle lift, with adequate manoeuvring space for wheelchair users in front of it which is welcomed.

11.43 Amended plans were submitted to provide a policy compliant wheelchair accessible WC/ shower and introduce mobility scooter storage (or for charging). A condition (**condition 10**) is recommended to secure compliance with these details.

11.44 Fire evacuation: The proposal increases the floor area within the building, whilst at the same time it reduces the number of fire exit stair cores from two to one. The applicant advises the design has been fire engineered, however in order to address concerns raised by the Accessibility Officer, the plans were amended to provide two escape refuges per floor.

11.45 Accessible parking: a financial contribution of £4,000 in order to create two new accessible parking bays within the local streetscene or for the creation of other accessible transport initiatives is secured by agreement with the applicant, within the legal agreement.

Landscaping and Trees and Biodiversity

11.46 The application site does not contain any tree planting or other soft landscaping within the site, nor are there any street trees adjacent to the site that could be impacted by the proposals. The application is accompanied by a Bat Survey report that has analysed the existing buildings potential for supporting bat roosts or other activity. A diurnal inspection was undertaken on 24th September 2014. A further survey was also undertaken to inform BREEAM ecology credits.

11.47 The results of the survey were that there were no signs of nesting birds, no vegetation and no connectivity to nearby semi-natural habitats. No evidence of bat activity or occupation was found in the building and potential for

roosting bats was considered to be negligible. No further surveys were recommended.

- 11.48 In order to protect birds that may be nesting in the building from construction works, a condition (3) is recommended to prevent any demolition or major refurbishment works from occurring within bird nesting season (March to August inclusive).
- 11.49 In order to maximise ecology credits (through BREEAM) the ecologist recommended (those appropriate are secured by **condition 12**):
- Installation of bird, bat and/or insect boxes at appropriate locations on the site;
 - Planting a single small tree in a tub / raised bed on the external terrace, either a: Olive, Cherry Crab, Jasmine or a Strawberry Trees; and
 - A mix of 9 flowering species and climbers and on trellising.
- 11.50 These measures, on this restricted site and development design are considered to maximise opportunities for greening and enhancing biodiversity at this site in accordance with policies CS15 (Core Strategy) and DM6.5 (Development Management Policies).

Neighbouring Amenity

- 11.51 The application site is located within a locally significant industrial area and therefore the majority of surrounding buildings are in some form of commercial use. In this regard, those properties are not considered to be sensitive and are not considered for the purposes of amenity assessment.
- 11.52 However, the recently approved residential development known as Maiden Lane Estate is located on the opposite side of York Way, and those consented residential properties are considered with respect of the likely impact of this proposal on their future amenity.
- 11.53 Privacy and Overlooking: As the Maiden Lane Estate is located on the opposite side of York Way, Islington Planning policy considers that there is no unacceptable loss of privacy or overlooking that occurs across a public highway and in this respect the scheme is policy compliant.
- 11.54 Daylight and Sunlight: The application has been submitted with a sunlight and daylight assessment. The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. 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'.
- 11.55 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);

The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.

11.56 It should be noted that whilst the BRE guidelines suggest a 20% reduction in NSL would represent an acceptable loss of daylight within a room, it is commonly held that losses in excess of 50% NSL are not acceptable.

11.57 Sunlight: the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. 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.

11.58 In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.

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

Sunlight and Daylight Losses for Affected Properties Analysis

11.60 Residential dwellings within the following properties have been considered for the purposes of sunlight and daylight impacts as a result of the proposed development:

- Maiden Lane Estate Blocks A, D and E.
- 2-16 Maiden Lane Estate

11.61 Sunlight: none of the properties face within 90 degrees of due south and therefore there is no requirement to test any windows for sunlight losses. The assessment below is therefore for daylight only.

11.62 Block A: has no failures for any of the daylight tests listed above.

11.63 Block D: at first floor level, this block has 5 windows that would marginally fail the BRE guidelines, with VSC losses of between 20.46% and 21.72%. The affected windows serve two bedrooms and one living room. The resulting

VSC is still very high being close to the 27% (which is considered particularly good daylighting).

- 11.64 There are three rooms affected in terms of Daylight Distribution, (R13/30 Bedroom) at first floor level which is stated to lose 36.25% of light within the room (but maintains complying VSC). However, this is a bedroom which has a lesser requirement for daylight than other rooms and is considered in this instance acceptable. A living room (R16/30) at first floor level is stated to lose 39.40% of its Daylight Distribution. The last room affected is a living room (R16/31) at second floor level that would lose 34.38% DD.
- 11.65 Block E: has three windows that marginally fail the VSC test ranging from 20.06 to 20.68% losses affecting two living rooms and a bedroom. These losses are considered acceptable. The block has 9 failures in relation to Daylight Distribution ranging from 28.83 to 55.56%. The BRE Guidelines set out the possibility of assessing a mirror image of development on opposite sides of a road to help inform acceptability of daylight impacts within more tightly woven urban forms. In this regard, the proposed 6 storey building would be one storey lower than the 7 storey Maiden Lane Estate opposite on York Way which (given the application site is set back one plot from the frontage to York Way), is considered to represent an appropriate townscape response, supporting the more flexibly approach to BRE impacts, as set out in the guidance.
- 11.66 Whilst the losses are high, the windows and rooms experience particularly unusual unrestricted access to daylight given the absence of any height along the Islington side of York Way. In this regard, the losses are not considered unacceptable.
- 11.67 Noise: The application is accompanied by a noise assessment that considers noise from local industry, but primarily impact from road traffic noise (York Way). The proposal seeks to locate plant on the roof, and assessments of noise were concluded not to impact on the locality due to the high level of background noise from York Way at a level of 52.8 dB LA90. However the ventilation / heat recovery units are suggested by the applicant to have appropriate sound attenuators on their inlet and discharge points to limit the noise to 65dN LWA at roof terminations, given the distance to the nearest residential. This limit was proposed as appropriate by the applicant. The Public Protection Officer has requested that a condition relating to fixed plant be imposed – this is recommended as **condition 9**.
- 11.68 Construction Impacts: The proposed development is likely to have impacts on the amenity and functioning of nearby occupiers. As such a condition is recommended to secure details of how the construction phase will minimise and mitigate any identified environmental impacts including noise, air quality, dust, smoke, odour vibration and TV reception impacts (**condition 5**).
- 11.69 The proposed development is located largely within an industrial estate with limited potential to impact on residential amenity. Where there are daylight impacts, this is largely as a result of the underdeveloped nature of the industrial estate creating an unusually high degree of existing daylight receipt

to the Maiden Lane Estate properties. Whilst the impacts appear great, room sizes are assumed for Daylight Distribution and actual VSC retained is high for an urban area. In this regard, the proposed impacts are in this particular instance considered acceptable.

Sustainability, Energy Efficiency and Renewable Energy

Energy

- 11.70 The London Plan (2015) Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 11.71 All development is required to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). Developments should achieve a total (regulated and unregulated) CO₂ emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically all remaining CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock (CS10).
- 11.72 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Development Management Policy DM7.3A requires all developments to be designed to be able to connect to a decentralised energy network (DEN) if/ when such a network becomes available. Specific design standards are set out in the councils Environmental Design SPD. DM7.4 requires the achievement of BREEAM 'Excellent' on all non-residential major developments. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.
- 11.73 The applicant proposes a reduction in regulated emissions of 35.9% and in total emissions of 18.6%, compared to a 2013 Building Regulations baseline. This exceeds the London policy requirement of 35% reduction in regulated emissions, but falls short of the Islington requirement of 27% reduction on total emissions. The Energy officer sought further clarification on this

performance level but concluded that these savings are supported and secured by **condition 8**.

- 11.74 Be Lean: The proposals seek to utilise efficient building fabric with the proposed U-values being: walls = 0.15, roof = 0.13, floor = 0.20 and glazing = 1.4. These values all represent good practice and are accepted. The proposed air tightness is 3m³/m²/hr @ 50pa. This is an appropriate number, since mechanical ventilation (with heat recovery) is to be used. The Energy Statement also proposes the use of LED lighting, alongside daylight sensor and PIR controls which is strongly supported.
- 11.75 Be Clean (Heating and Hot Water Systems and CHP): The energy statement rules out connection to a local heat network. There does not appear to be a network within 500m of the site and therefore, a connection is not required to be made. The next stage in the energy hierarchy is to consider on-site CHP. This has been ruled out on the basis that there is unlikely to be a sufficient heat demand for CHP to be viable which has been accepted by the Energy Team (as is often the case for office schemes).
- 11.76 The proposed heating, ventilation and air conditioning (HVAC) system for the site will include a Low Temperature Hot Water circuit, served by gas boilers. The energy statement mentions the possibility of future-proofing this part of the system for connection to a heat network. The King's Cross area is one which is seeing significant heat network development. In this regard, a condition is recommended to secure the future proofing of this system to be able to connect to future networks (**condition 15**).
- 11.77 Be Green (Renewable Energy): the proposal makes provision to include a solar PV system (25sqm stated as the area proposed) for the development and this is supported.
- 11.78 Overheating and Cooling: The applicant has carried out an overheating analysis that states that measures such as solar control glazing, exposed thermal mass, night cooling and the use of blinds to reduce heat gains - and these are supported. As it stands, the analysis indicates that mechanical ventilation and artificial cooling would be required for this site. We note that the mechanical ventilation system is specified to have heat recovery, which would be of most use during colder periods, and this is supported.
- 11.79 Artificial cooling via a refrigerant-based system is proposed. This system will have the ability to transfer heat from warmer to cooler areas of the building, at times of year when there would be simultaneous heating and cooling loads within the building. Heat is also provided via a LTHW circuit, supplied by gas boilers. The proposed cooling system is specified to deliver a 22°C internal temperature under current conditions and 23°C when modelled under future summer temperatures, which is also accepted.
- 11.80 CO₂ Off-setting: Based on the stated emissions of 86.6 tonnes and a rate of £920 / tonne, the development would attract an offset payment of £79,672 which is secured by legal agreement.

Sustainability

- 11.81 BREEAM: The applicant submitted a BREEAM 2014 (New Construction) pre-assessment review for the scheme that concludes a total of 71.89% score could easily be achieved. This is an 'Excellent' rating. The Sustainability Officer raised concerns that this does not leave much margin; however the applicant has demonstrated potential to achieve 84.17% (which would still be Excellent – but a very comfortable score). A condition **(10)** is recommended to secure a minimum of BREEAM Excellent be achieved.
- 11.82 Sustainable Urban Drainage (SUDs): the applicant has not proposed a SUDs strategy, but has requested a condition that would enable the applicant to further assess the feasibility of attenuation tanks, blue or green roof (or both). The proposal retains the main structure of the existing building which presents some restrictions in what can be achieved via SUDs for this site. However a 5 storey side extension is proposed and there is opportunity to locate a storage / attenuation tank beneath that part of the site, taking run-off from the main building as well as the extension itself.
- 11.83 Policy (DM6.6) seeks for developments to reduce flows to a 'greenfield rate' of run-off (8 litres/second/hectare for Islington), where feasible. The volume required to be stored should be calculated based on the 1 in 100 year flood event plus a 30% allowance for climate change (worst storm duration). Where greenfield runoff rates are not feasible runoff rates should be minimised. The maximum permitted runoff rate will be 50 litres/second/hectare. In the event SUDs are not able to be secured on site, part D of the policy seeks financial contributions towards provision on off-site SUDs schemes. In the event no SUDs strategy was achievable on this site, a contribution of £22,800 would be secured via s106 legal agreement to spend on off-site measures.
- 11.84 In this regard, a planning condition is recommended to be agreed in writing prior to commencement of any works on the site, detailing a SUDs attenuation proposal beneath the 5 storey extension to take water from the whole of the development (**condition 6**). In the event SUDs on site proves unfeasible, an in lieu financial contribution is sought by the policy – this is worded into the condition. Without this provision, the scheme would be unacceptable and fail to comply with planning policies CS10 (Core Strategy 2011) and DM6.6 'Flood prevention' of the Development Management Policies (2013), nor the Environmental Design SPD.
- 11.85 Green Performance Plan: is a plan that seeks to detail measurable outputs for the occupied building, particularly for energy consumption, CO2 emissions and water use and should set out arrangements for monitoring the progress of the plan over the first years of occupancy. The submitted plan is acceptable and its ongoing monitoring is secured as part of the s106 agreement.

Highways and Transportation

- 11.86 The application site is located within a Public Transport Accessibility Rating of 4. Tileyard Road is a single lane carriageway and subject to a 20mph speed limit zone. There are footways on both sides of the road and immediately in

front of the site there are two on-street parking bay areas, separated by a central location of double yellow lines that are subject to restrictions for use by business permit holders only between the hours of 08:30 – 17:30 Monday to Friday and 08:30 to 13:30 on Saturdays. There is a street light column and a parking information sign within the footway directly at the front of the application site.

11.87 Tileyard Road meets York Way with a T-junction arrangement. York Way is subject to a 30mph speed limit and it has an on-road cycle lane running north and south (both sides of the road).

11.88 Personal Injury Collision Data: During the last 5 year period, a total of 15 recorded collisions were reported to the police. Of those, 12 were classed as 'slight' and 3 classed as 'serious'. However the majority of those incidents were determined to be driver error rather than geometric highway design.

11.89 The proposal seeks to locate servicing and delivery from the street, utilising the business permit parking bays at the front of the site in the event of deliveries / servicing or refuse collection. The applicant does not propose to create a dedicated service bay mainly due to the relatively low number of anticipated service trips to the site, which would render the service bay largely unused, at the expense of business parking bays.

11.90 The proposal also seeks to:

- Remove the dropped kerb located in the centre of the site's road frontage.
- Remove the dropped kerb in the location of the proposed 5 storey extension at the western most end of the street frontage.

11.91 The proposal is considered to generate 70 two-way person trips in the morning peak (08:00 – 09:00) and 80 two-way person trips during the afternoon peak (05:00 – 18:00), generated by staff. The development is proposed to be car free and therefore none of those trips are anticipated to be by car.

11.92 Delivery and Servicing Plan: The existing building has a service yard that measures 10.3m by 6.3m at the western end of the site. This clearly is not a large enough space for vehicles to manoeuvre within and leave in a forward gear. It is used for informal off-street car parking. It is likely that light vans may have previously used this yard (the building is vacant and has been this way since 2011) but would have had to reverse either into or out of the spaces onto the highway.

11.93 The TRICS database was used to estimate the previous servicing and delivery vehicle movements that would have taken place for a printing company (light industrial). It estimates that over a 12 hour period, a total of 9 two-way Other Goods Vehicles (OGV) movements would have taken place.

- 11.94 The TRICS database was used to estimate the likely proposed service vehicle movements associated with B1a office uses. Over a 12 hour period the site would generate around 1 x two-way OGV movement i.e. one delivery every two days. As mentioned earlier in this section it is proposed to use parking bays on-street immediately adjacent to the existing building to facilitate this servicing.
- 11.95 The proposed development, moving away from a light industrial use to an office use, despite the almost doubling of floorspace would result in a reduction of service vehicle movements to the site and therefore on-street servicing is not in principle resisted.
- 11.96 The Highways Officer confirmed that there is no severe parking stress at this location, but that it should be noted there is limited time available to load. The Highways Officer raised some concerns relating to:
- the narrowness of the road at this location and concerns that emergency services vehicles and others could be hampered. A swept path analysis drawing showing an HGV in the parking places highlighted in the TSS with parking in the on-street bays opposite.
 - Further information of the deliveries themselves was requested particularly relating to the HGV. What will they be likely to deliver and what is the expected dwell time.
 - Confirmation as to how it is intended to get goods into the premises (pallets cages etc).
- 11.97 In response the applicant provided swept path diagrams demonstrating that a service vehicle could be in place and servicing, with vehicles parked on the opposite side of Tileyard Road and still enable a refuse vehicle to move through the road, therefore not causing obstruction. However, in order to ensure this is the case, a servicing and delivery plan is to be secured via planning condition (**condition 11**).
- 11.98 Cycle Parking: the proposal generates a policy requirement to provide 1 cycle parking space per 80sqm of office floorspace which equates to a need to provide 27 cycle parking spaces. The proposal is to provide a total of 29 cycle parking spaces to be located at basement level with a cycle lift proposed to be installed for step free access from street to storage (which would be secure adequately lit and conveniently located). Showers and changing facilities are also proposed at basement level. However the suggested planning condition relating to SUDs would require the relocation of the cycle parking – as such a condition is recommended to secure those updated details (**condition 13**).
- 11.99 Refuse collections: this is estimated to be the main servicing demand for the site with collection occurring twice a week. These would be by private company. Refuse is to be stored in a secure area at ground floor level within the building. A waste management strategy was requested by the Street Environment Officer and that is to be secured by **condition 16**.

- 11.100 Framework Travel Plan: This document was submitted with the application and seeks to influence sustainable forms of travel of staff before habits are formed. The report identifies public transport opportunities and confirms the scheme as car free. The statement identifies a Travel Plan coordinator, sets out the information that will be made available to staff when they are employed at the site. This document is secured as a living document as part of the s106 agreement and will require the submission of reviews at various stages after first occupation of the development.
- 11.101 Construction Management Plan: The applicant has submitted an Outline Construction Management Plan for the development. The site frontage has bays designated for business permit holders that can accommodate approximately 4 vehicles in two bays of 2 vehicle lengths. The applicant proposes to suspend 4 spaces for the duration of the works in order to accommodate the loading and skip holding areas for the development. The plan identifies the principal contractor details, and states that local community relations liaison officer would be appointed, with name and 24 hour contact details as well as works updates provided on the hoarding. Works is confirmed to be carried out in accordance with Islington working hours for noisy works and to adhere to the Code of Construction Practice Guidance. However further detail is required and this would be secured by **condition 5**.
- 11.102 Damage to the highway during construction: To ensure that any damage caused to footways and the highway during construction would be required to be rectified at the cost of the developer, conditions surveys recording the state of the highways and footways surrounding the site would be carried out prior to works commencing to form a baseline. These measures are agreed by the applicant and would be secured by a legal agreement.

Contaminated Land

- 11.103 The Public Protection Officer, advised that the site is not listed on the council's contaminated land (CL) database. Additionally, as it's a commercial building covered with hardstanding, albeit with just a small amount of extension on bare ground, that they would not request a contaminated land condition.

Planning Obligations and Community Infrastructure Levy

Community Infrastructure Levy:

- 11.104 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), both the Mayor's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the relevant adopted Community Infrastructure Levy Charging Schedules.
- 11.105 There would be no Islington CIL charge on this development because it is located within CIL charging area B which has a £0 rate for office use.

11.106 The Mayor's CIL charge on the 2,072sqm of office space would be £123,040 (indexation applied). The floorspace of the existing building is chargeable as well as the extensions because the existing building has not been in use for the required 6 months in the last three years.

Planning Obligations / S106 Agreement:

11.107 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.

11.108 The agreed heads of terms are set out in Appendix 1 to this report. All of those listed obligations are considered to meet the three tests set out above, including the updated requirements restricting the pool of more than five contributions towards a single project.

Other Matters

11.109 The application includes a Health Impact Assessment, screening document as part of the application. This is sufficient to address the requirements of Core Strategy (2011) policy CS19.

11.110 Thames water has provided advice in relation to surface water drainage, however a planning condition is recommended in any event to address SUDs and that condition would address the concerns raised.

11.111 Thames Water has advised that there are public sewers crossing or close to the development. An informative is recommended to advice the applicant on what Thames Water would require in order to give their approval for these works.

11.112 Thames Water has requested that a condition (**condition 4**) be imposed in order to prevent the commencement of works until a Piling Method Statement has been approved. This is because the proposed works will be in close proximity to underground sewerage utility infrastructure.

12. SUMMARY AND CONCLUSION

Summary

12.1 A summary of the proposals is provided at paragraphs 4.1-4.6.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

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. Costs to include removal of redundant dropped kerbs and temporary removal and costs for replacement street lighting column and business parking permit sign.
2. Compliance with the Code of Employment and Training.
3. Payment towards employment and training for local residents of a commuted sum of : £11,590
4. Facilitation, during the construction phase of the development, (1) one work to last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.15 as at 04/04/'15). If these placements are not provided, LBI will request a fee of :£5,000
5. Compliance with the Code of Construction Practice, including a monitoring fee of: £1159 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.
6. The provision of two accessible parking bays or a contribution towards bays or other accessible transport initiatives of: £4,000
7. 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: £79,672
8. 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.

9. Submission of a Green Performance Plan.
10. 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.
11. In the event that no Sustainable Urban Drainage scheme is achievable on this development (refer planning condition 6) then a financial contribution towards off-site mitigation measures of £22,800 would be secured, prior to first occupation of the development.
12. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

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

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	<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</p>

	Purchase Act 2004 (Chapter 5).
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>PL100 Rev 01; PL101 Rev 03; GF; PL102 Rev 01; PL103 Rev 01; PL104 Rev 01; PL105 Rev 01; PL106 Rev 01; PL200 Rev 03; PL 201 Rev 02; PL202 Rev 01; PL300 Rev P01; PL301 Rev 01;</p> <p>Daylight and Sunlight report prepared by GVA dated February 2015; BREEAM 2014 New Construction pre-assessment review Revision 3 dated 30 January 2015 prepared by Southfacing Services Ltd; Design & Access Statement prepared by Useful Studio dated March 2015; Response to Planning Officer Feedback London Borough of Islington prepared by Useful Studios dated July 2015; BREEAM Ecological Assessment & Bat Survey Report 1835-CWS-01 prepared by Cotswold Wildlife Surveys, dated 24th September 2014; Islington HIA screening; Noise Assessment Version 2 - prepared by Stilwell Limited Consulting Engineers dated February 2015; Outline Construction Management Plan prepared by Useful Studio dated March 2015; Planning Statement prepared by CMA Planning dated March 2015; Site Waste Management Plan prepared by DDC Limited dated March 2015; Transport Assessment (RM/NES\16473-01c) prepared by David Tucker Associates dated 24th February 2015; Framework Travel Plan & Delivery and Servicing Plan (RM/NES 16473-02b) prepared by David Tucker Associates dated 10th February 2015; Response to Consultee Comments to P2015/1204/FUL prepared by David Tucker Associates including Vehicle Tracking Drawing ref: 16473-03</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	Demolition outside of bird nesting season
	<p>CONDITION: in accordance with the recommendations of the applicants ecology consultant, no demolition or refurbishment works shall be undertaken during bird nesting season (March to August inclusive).</p> <p>Therefore these works shall only take place between September to February.</p> <p>REASON: In the interests of protecting nesting / breeding birds in accordance with policy CS10 of the Islington Core Strategy and policy DM6.5 of the Development Management Policies (2013).</p>
4	No Impact Piling – Thames Water
	<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</p>

	<p>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>
5	<p>Construction Environmental Management Plan & Construction Logistics Plan</p>
	<p>CONDITION: No development shall take place unless and until a Construction Environmental Management Plan (CMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) and a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The CLP shall update the <i>Draft Construction Management Plan as submitted</i> as part of the application hereby approved, while also providing the following additional information:</p> <ol style="list-style-type: none"> 1. identification of construction vehicle routes; 2. how construction related traffic would turn into and exit the site 3. details of banksmen to be used during construction works 4. the parking of vehicles of site operatives and visitors; 5. loading and unloading of plant and materials; 6. storage of plant and materials used in constructing the development; 7. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; 8. wheel washing facilities; 9. measures to control the emission of dust and dirt during construction; 10. a scheme for recycling/disposing of waste resulting from demolition and construction works. <p>The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p> <p>REASON: In order to secure highway safety and free flow of traffic, local residential amenity and mitigate the impacts of the development.</p>
6	<p>Sustainable Urban Drainage</p>
	<p>CONDITION: Notwithstanding the documents and drawings hereby approved, prior to any works starting on site details of a Sustainable Urban Drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:</p>

	<p>a) How the scheme reduces flows to a 'greenfield rate' of run-off (8 litres/second/hectare for Islington), where feasible.</p> <p>b) Details of the volume of water to be stored – which shall be calculated based on the 1 in 100 year flood event plus a 30% allowance for climate change (worst storm duration).</p> <p>c) If, greenfield runoff rates are shown and accepted to not be feasible, runoff rates should be minimised and the maximum permitted runoff rate will be 50 litres/second/hectare.</p> <p>d) The details shall include a maintenance strategy to cover the life of the development.</p> <p>In the event that it is satisfactorily demonstrated that SUDs are not able to be secured on site, part D of policy DM6.6 seeks financial contributions towards provision of off-site SUDs schemes. In that case the s106 agreement has a clause that would secure a financial contribution, in the event this condition is does not secure the SUDs strategy anticipated.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained in accordance with the approved maintenance strategy for the life of the development.</p> <p>REASON: The proposal includes no provision for any sustainable urban drainage features to be incorporated into the design. Whilst the retention of the existing building and the design of the proposed roof / top floor feature rule out green roof or other measures, the proposed new build 5 storey extension above the currently undeveloped service yard provides opportunity for SUDs storage / retention tanks in order to achieve or close to achieve the Islington Development Management Policies requirement at DM6.6 'Flood Prevention'. This also secures compliance with policy CS10 of the Islington Core Strategy 2011 and the Environment Design SPD.</p>
7	<p>Materials and Samples</p>
	<p>CONDITION: Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The details and samples shall include:</p> <p>a) brickwork (including mortar)</p> <p>b) corten steel cladding;</p> <p>c) dark steel cladding (top floor);</p> <p>d) windows and doors;</p> <p>e) any other materials to be used on the exterior of the development; and</p> <p>f) a Green Procurement Plan for sourcing the proposed materials.</p> <p>The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change</p>

	<p>therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <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>
8	Energy Efficiency – CO2 Reduction (Compliance/Details)
	<p>CONDITION: The energy measures as outlined within the approved Energy Strategy (including but not limited to energy efficient fabric shall provide for no less than 18.6% on-site total CO2 emissions reduction in comparison with total emissions from a building which complies with Building Regulations 2013.</p> <p>In the event the approved energy strategy proves unsuitable, a revised Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The revised energy strategy shall seek to achieve the policy target of 27% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2013.</p> <p>The final agreed scheme shall be installed and operational prior to the first occupation of the development.</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 sustainable development and to ensure that the Local Planning Authority may be satisfied that the CO2 emission reduction targets are met.</p>
9	Fixed Plant
	<p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg.</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 protect the amenities of the neighbouring occupiers.</p>
10	BREEAM - Compliance
	<p>CONDITION: The development shall be constructed to achieve at least the total number of BREEAM points (71.89%) as per the approved BREEAM 2014 (New Construction) pre-assessment review making it an 'Excellent' rating.</p> <p>The applicant should seek to achieve as close to 84.17% as possible (still an 'Excellent' rating).</p>

	<p>REASON: In the interest of promoting sustainable development and minimising the impacts of new development and business on climate change. To accord with policies CS10 (Core Strategy 2011), DM7.1 and 7.4 (Development Management Policies 2013).</p>
11	<p>Delivery and Servicing Plan</p> <p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements including the location, times and frequency, and details of the central loading system, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
12	<p>Inclusive Design</p> <p>CONDITION: The inclusive design features shown on the basement and ground floor plans PL100 Rev 01 and PL101 Rev 03 shall be installed prior to first occupation of the development. Those features shall include:</p> <ul style="list-style-type: none"> i) Provision of wheelchair accessible WC/ shower with an outward opening door; and ii) Storage for mobility scooters; iii) Refuge areas at each floor within the stair well. <p>REASON: In the interests of ensuring that the development is both accessible and inclusive for all staff and visitors to the building, in accordance with policy DM2.2 (Development Management Policies 2013).</p>
13	<p>Cycle Parking</p> <p>CONDITION: The cycle parking details shown on drawing PL100 Rev 01 shall be installed prior to first occupation of the development (including showering and changing areas).</p> <p>In the event that a SUDs strategy is found feasible in accordance with condition 6 a revised cycle parking (and ancillary showering and changing areas) layout plan shall be submitted to and approved in writing prior to any superstructure works commencing on the site.</p> <p>The details shall include provision for a minimum of 27 cycle spaces, provision of a cycle lift (or other accessible means of access to the storage location), and details of shower, WC and locker facilities.</p> <p>The approved cycle storage and ancillary showering and other facilities shall be installed and operational prior to first occupation of the development.</p>

	<p>REASON: In the interest of securing a development that maximises the sustainable and environmental credentials of the development, both to accommodate ability to reduce surface water runoff in accordance with policies CS10 (Core Strategy 2011) and DM6.6 (Development Management Policies 2013) and maximise opportunities for walking and cycling in accordance with policies CS10, DM8.4.</p>
14	<p>Ecology / Biodiversity Enhancements</p> <p>CONDITION: The following biodiversity enhancements shall be incorporated into the building:</p> <ul style="list-style-type: none"> a) installation of 2 bird boxes and 2 bat boxes at appropriate locations on the building; b) planting of seven (7) small trees shall be provided and maintained in a raised bed located on the external terrace (as per drawing PL105), consisting of either: Olive, Cherry Crab, Jasmine or a Strawberry Trees; and c) a mix of 9 flowering species and climbers to be planted within raised beds on the amenity spaces, to be grown up trellising. <p>REASON: In the interests of contributing to the enhancement of the landscape and biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats. In accordance with policies CS15 of the Core Strategy 2011 and DM6.5 of the Development Management Policies (2013).</p>
15	<p>Future Proofing to DEN</p> <p>CONDITION: Notwithstanding the approved HVAC system for the site, which shall include a Low Temperature Hot Water circuit, served by gas boilers, details confirming that the system and associated infrastructure shall be designed to allow for the future connection to any future neighbouring heating and cooling network shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</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: The King's Cross area is one which is seeing significant heat network development. The applicants' energy statement mentions the possibility of future proofing the HVAC part of the development for connection to a heat network. In this regard, this planning condition secures more detailed consideration of connection feasibility, in accordance with London Plan and Local Islington policies.</p>
16	<p>Waste Management Strategy</p> <p>CONDITION: Prior to first occupation of the development, an updated waste management strategy detailing the amount of waste, where stored, how the waste is transported to the stores, the collection point and how the waste is transported to the collection point shall be submitted to and approved in writing by the Local Planning Authority.</p>

	<p>The development shall be constructed and collection carried out in accordance with the approved updated waste management strategy.</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>
17	Roof Level Structures (Compliance / Details)
	<p>CONDITION: Notwithstanding the details hereby approved, details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding area.</p>
18	Windows not to prejudice adjoining site development
	<p>CONDITION: Notwithstanding the approved plans, the windows approved on the southern boundary within the new 5 storey extension shall not preclude the development of the adjoining site.</p> <p>The building achieves sufficient light from the windows fronting the street.</p> <p>REASON: In order to avoid prejudicing the potential future development of the adjoining site to the south.</p>
19	No Amalgamation of the small workspace unit
	<p>CONDITION: The small workspace unit, located in the western most location of the approved ground floor plan (PL101 Revision 3) shall be laid out in accordance with this approved drawing and shall not be amalgamated with the remainder of the ground floor office floorspace.</p> <p>REASON: In the interests of providing a mix of unit sizes and types to help support a varied and strong local economy and to facilitate the growth of new businesses. This condition secures compliance with policies CS13 of the Islington Core Strategy (2011), policy DM5.4 of the Development Management Policies (2013).</p>
20	Shared use of refuse and cycle store
	<p>CONDITION: Occupiers of the small workspace unit, located in the western most location of the approved ground floor plan (PL101 Revision 3) shall have</p>

	<p>unobstructed access at all times to the cycle store lobby (ground floor) and cycle storage space (basement floor) including showering facilities at all times.</p> <p>Additionally, occupiers of the small workspace unit shall also have unobstructed access at all times to the use of the refuse store located in the eastern most position of the ground floor plan.</p> <p>REASON: In the interests of promoting sustainable forms of travel and considered waste management practices in a manner that would safeguard the functioning of the surrounding area. The shared use of these facilities would safeguard the useable space of the small workspace unit whilst maintaining its marketability. This condition helps secure compliance with policies CS10 and CS11 of the Islington Core Strategy (2011) and policies DM2.1 and DM5.4 of the Development Management Policies (2013).</p>
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List of Informatives:

1	<p>S106</p> <p>SECTION 106 AGREEMENT</p> <p>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'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
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:</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a</p>

	scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.
4	Thames Water – Surface Water Drainage
	Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses 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.
5	Thames Water – Public Sewers
	<p>There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer.</p> <p>Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.</p>
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>

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 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

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 2.14 Areas for regeneration

Policy 2.17 Strategic industrial locations

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.4 Managing industrial land and premises

Policy 4.10 New and emerging economic sectors

Policy 4.11 Encouraging a connected economy

Policy 4.12 Improving opportunities for all

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

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 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

Policy 5.19 Hazardous waste

Policy 5.20 Aggregates

Policy 5.21 Contaminated land

Policy 5.22 Hazardous substances and installations

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 7.11 London View Management Framework
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 noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature

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
Policy 6.15 Strategic rail freight interchanges

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 CS6 (King's Cross)
Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)

Policy CS13 (Employment Spaces)

Infrastructure and Implementation

Policy CS18 (Delivery and 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

Employment

DM5.1 New business floorspace
DM5.2 Loss of existing business floorspace
DM5.3 Vale Royal / Brewery Road Locally Significant Industrial Site
DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development

Energy and Environmental Standards

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

Transport

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

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

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:

- Locally significant industrial site
- Local Views
- Kings Cross and Pentonville Rd Key Area (CS6)
- Article 4 Direction: B1a (office) to C3 (residential)

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide

London Plan

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