

# 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

Date:	19 <sup>th</sup> January 2015	NON-EXEMPT
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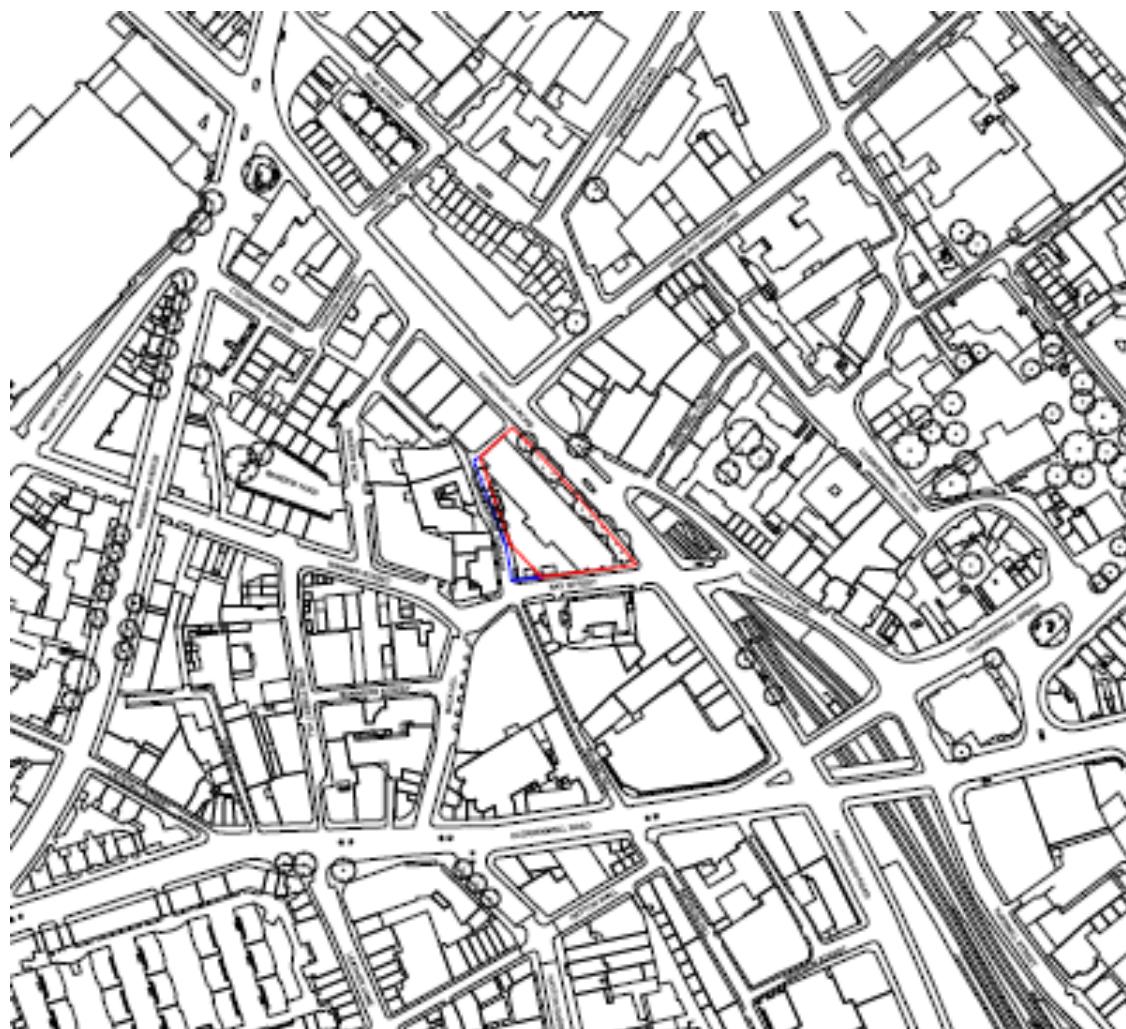
Application number	P2015/4143/FUL
Application type	Full Planning Application
Ward	Clerkenwell
Listed building	None on site.
Conservation area	Clerkenwell Green Conservation Area
Development Plan Context	<ul style="list-style-type: none"><li>- Core Strategy Key Area – Bunhill and Clerkenwell</li><li>- Central Activities Zone (CAZ)</li><li>- Employment Priority Area (general)</li><li>- Within 50m of listed buildings – 113 Farringdon Road (Grade II); 3 Ray Street (Grade II); 11 Ray Street (Grade II) and 1 Herbal Hill (Grade II)</li><li>- Site Allocation BC43</li><li>- Clerkenwell Green Conservation Area</li><li>- Protected Vista – Kenwood viewing gazebo to St Paul's Cathedral &amp; Parliament Hill summit to St Paul's Cathedral</li><li>- Within 100m of TLRN Farringdon/Smithfield Intensification Area</li></ul>
Licensing Implications	In the event of the flexible ground floor use being taken up by an A3 use, a licence may need to be applied for.
Site Address	119 Farringdon Road, London, EC1R 3DA
Proposal	Demolition and redevelopment of the existing office building (Class B1) to provide an 8 storey (plus lower ground floor) building with office use (Class B1) at part lower ground, part ground and upper floors and flexible commercial uses (Class A1,A3,D1) at part lower ground and part ground floor level along with associated landscaping and a new area of public realm.
Case Officer	Stefan Sanctuary
Applicant	Viridis Properties

## 1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;
3. where applicable, subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

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



### 3.

## PHOTOS OF SITE/STREET



*Birds-eye view of site*



*View of site looking north-west*



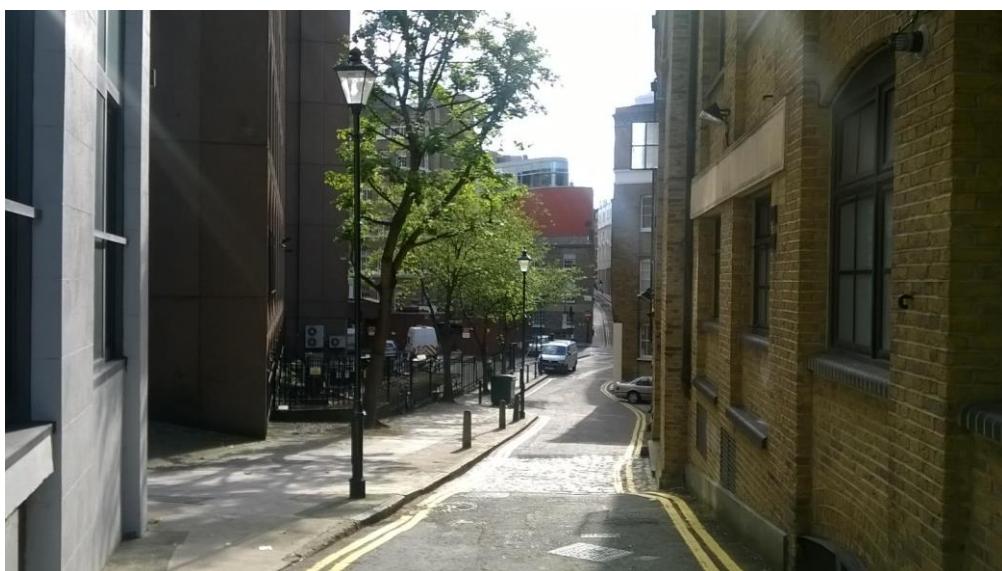
*Rear of subject building from Ray Street*



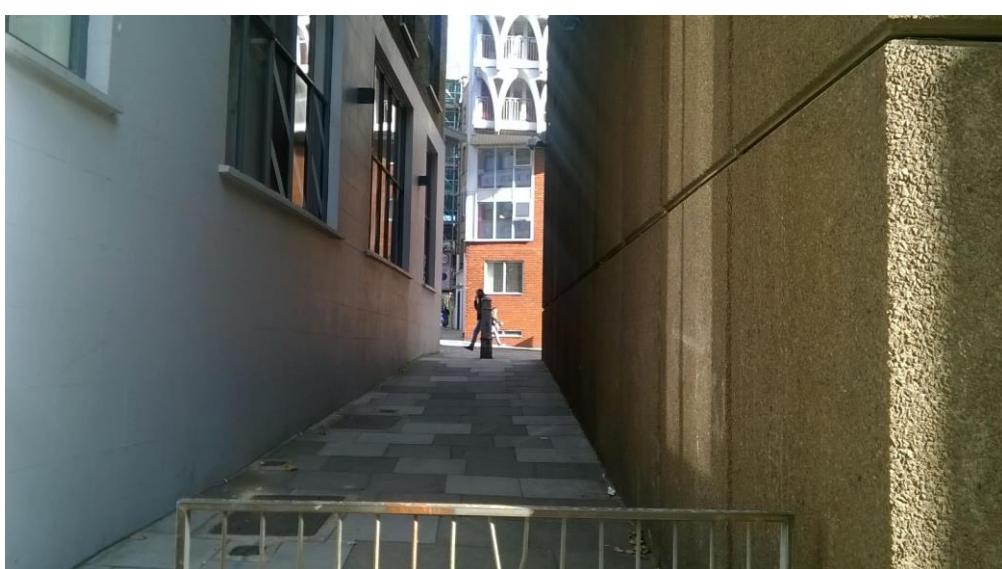
*Looking north along Crawford Passage*



*View from Crawford Passage*



*Looking south down Crawford Passage*



*Looking east along Dabb's Lane*



*View of service yard at the rear*



*View of London Plane trees along the front*

#### 4.

## SUMMARY

- 4.1 The application site is located on the western side of Farringdon Road, between Ray Street, Crawford Passage and Dabb's Lane and is situated within the Clerkenwell Green Conservation Area. The area has a special character and appearance, which stems from its mix of uses, its architecture and its history. The site is occupied by a 7-storey office building dating from the 1970s, formerly occupied by the Guardian newspaper media group and most recently occupied by a theatre company. The existing seven storey building is slightly taller than the surrounding buildings, does not follow the typical architecture of the street and offers very little in terms of architectural merit.

- 4.2 The application proposes the demolition of the existing office building and redevelopment of the site to provide an 8 storey (plus lower ground floor) building with office use (Class B1) at part lower ground, part ground and upper floors and flexible commercial uses (Class A1,A3,D1) at part lower ground and part ground floor level along with associated landscaping and a new area of public realm. The proposal also includes servicing and delivery space, plant room, cycle storage facilities and accommodates the substation at lower ground floor level. Further plant room as well as affordable workspace suitable for small and medium enterprises (SMEs) is located at ground floor level.
- 4.3 The land-use element of the proposal is considered to be acceptable through delivering a thoroughly mixed-use development that would increase and improve the existing office (B1a) floorspace on the site, increase the amount of retail floorspace, provide for SMEs and contribute to the borough's housing stock by making a financial contribution towards the delivery of affordable housing.
- 4.4 The proposal is considered to be of the highest quality in terms of architecture and urban design. The architecture proposed would make a positive contribution to a coherent public realm, streetscape and wider cityspace and would enhance and protect Islington's built environment. The application is considered to reinforce the borough's unique character by reintroducing more traditional street patterns and adopting traditional as well as contextual materials and articulation. As such, the proposal is considered to be in accordance with London Plan Policy 7.6, Islington Core Strategy Policy CS7 and Islington's Development Management Policy DM2.1.
- 4.5 The planning application, due to its high quality landscaping, planting scheme and replacement tree canopy cover is considered to be consistent with Policy 7.21 of the London Plan and Islington Core Strategy CS15. Whilst the proposal to remove some of the trees protected by tree preservation order (TPO) on site goes against the aims of Development Management Policy DM6.5, an exception can be made in this because of the particularly good quality and quantity of the re-provision proposed.
- 4.6 The proposal is not considered to have an unacceptable impact on neighbouring amenity in terms of loss of sunlight, daylight, privacy, or an increased sense of enclosure; and the replacement trees proposed are considered to contribute positively to air quality in the local area. Finally, the application proposes a sustainable building in a highly sustainable location that would effectively reduce future carbon emissions through the use of energy efficiency measures, clean and renewable energy and sustainable design methods.

## 5.

### SITE AND SURROUNDING

- 5.1 The application site is located on the western side of Farringdon Road, between Ray Street, Crawford Passage and Dabb's Lane and is situated within the Clerkenwell Green Conservation Area. The site is occupied by a 7-storey office building dating from the 1970s, formerly occupied by the Guardian newspaper media group and most recently occupied by a theatre company.

- 5.2 The existing building is set back from Farringdon Road and has a row of 10 London Plane trees, subject to tree preservation order, along its frontage. The rear of the site is currently used as a service yard with a substation and a service / delivery bay occupying ground level. The existing building is slightly taller than its surrounding buildings, does not follow the typical architecture of the street and offers very little in terms of architectural merit.
- 5.3 The nearest buildings to the south, on the junction of Farringdon Road and Ray Street, are 111-117 Farringdon Road and 3-7 Ray Street, 6-storey grade II listed former warehouse buildings that are currently in use as offices. These buildings date from the 1860s and are characteristic of the 19<sup>th</sup> century warehouse and vernacular architecture along Farringdon Road and the surrounding area. Further west along Ray Street on the junction of Herbal Hill are a 3-storey grade II listed residential property and Herbal House, a 6-storey former warehouse building currently being refurbished to provide a mix of residential and commercial uses.
- 5.4 Bordering the site to the north are further warehouse buildings of six storeys in height. On the opposite site of Farringdon Road is a more modern red-brick building used as student accommodation, while more 19<sup>th</sup> century brick-built buildings characterise the remainder of the Farringdon Road streetscape. To the rear of the site along Crawford Passage are a number of 19<sup>th</sup> century warehouse buildings that have more recently been converted to residential accommodation.
- 5.5 Located at the northern edge of the Fleet Valley on the west side of Farringdon Road and to the north of Clerkenwell Road, the site occupies an important location at the western edge of the historic Clerkenwell Green area. The Clerkenwell Green Conservation Area has a special character and appearance which stems from its mix of uses, its architecture and its history. A wide variety of medieval, Victorian and contemporary residential and commercial buildings make up the area's built environment.

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

- 6.1 The planning application proposes the demolition of the existing office building and redevelopment of the site to provide an 8 storey (plus lower ground floor) building with office use (Class B1) at part lower ground, part ground and upper floors and flexible commercial uses (Class A1,A3,D1) at part lower ground and part ground floor level along with associated landscaping and a new area of public realm. The proposal also includes servicing and delivery space, plant room, cycle storage facilities and accommodates the substation at lower ground floor level. Further plant room and affordable workspace suitable for SMEs is located at ground floor level.
- 6.2 The proposed building is served by a main entrance from Farringdon Road towards the centre of the building. The main entrance provides access to the office floorspace above via a lift and stair core. A secondary entrance, approximately 20 metres further north along the building's Farringdon Road frontage provides access to the SME space. A further entrance on the junction of Farringdon Road and Ray Street provides access to the restaurant / café space at ground and lower ground floor level. Finally, a new area of landscaping is proposed along the Farringdon Road frontage with three of the

existing trees retained and seven others replaced by eight new companion trees.

- 6.3 To the rear of the site on Crawford Passage, at lower ground floor level, the proposed café / restaurant use opens out onto a new area of public realm with new hard and soft landscaping features. A further entrance at the rear provides access to the lift/stair core, bicycle storage area and changing facilities. Further up Crawford Passage a new vehicular entrance is proposed which provides access for servicing and delivery vehicles. Internally, this space provides the site's substation and the relocated UKPN substation as well as plant room and a refuse storage area.
- 6.4 The upper storeys of the proposed buildings provide further B1a office accommodation. The Crawford Passage elevation is progressively set back on each floor so that the building form gradually begins to taper and the office floorplates decrease in size. The top floor of the proposed office building, which is narrower than the existing building, provides further office accommodation and a plant enclosure.
- 6.5 In terms of the elevations, the composition of the facades takes its cue from the surrounding urban context and the proposed building thus constitutes a modern interpretation of the traditional vernacular architecture typical of the area. The symmetrical rhythm of the fenestration and openings follows the symmetrical nature of the surrounding Victorian warehouse buildings, whilst the brick facades reference the type of brick and bonds used in the surrounding area.
- 6.6 The chamfered corner on Ray Street is typical of many other buildings along Farringdon Road. The Crawford Passage elevation provides a more intimate scale as the building tapers towards the upper storeys, providing a series of landscaped terraces. A similar approach to materials is adopted on this elevation with large windows separated by brick sections.

## 7. RELEVANT HISTORY:

- 7.1 There is quite an extensive planning application history for the building 119 Farringdon Road and a separate application history for the trees at the front of the building. The following is the most recent history for the building:

Application Ref(s)	Proposal	Decision	Date
991240	Single storey forward extension to incorporate entrance waiting area and canopy.	Approved with conditions	26/08/1999
P001810	Lower basement, basement, ground and part four/part seven storey office extension to rear and additional plant enclosure to roof of existing building.	Withdrawn	17/12/2000
P021051	Erection of single storey	Approved with	10/07/2002

	rear entrance lobby.	conditions	
P022509	To temporarily site a portacabin in the rear yard for use as a courier collection point.	Approve with conditions	05/12/2002
P031394	Extension of time for the siting of a portacabin in the rear yard for use as a courier collection point.	Approved with conditions	27/08/2003
P050299	Change of use, conversion, and extension of the existing building to provide 1,867 square metres B1 (business) space at lower ground and ground floor levels, an A3/A4 (restaurant/bar) unit at ground floor level at the corner of Ray Street and Farringdon Road, 118 residential units and 27 car parking spaces at lower ground floor level accessed via a new vehicular access from Ray Street.	Approved with conditions	06/04/2005
P080854	Demolition of existing building and felling of trees and erection of a 9-storey building plus basement level for A1 (retail) use at ground floor level and B1 (office) use at part basement and ground and wholly to upper floors together with associated onsite servicing, plant rooms, cycle storage.	Withdrawn	18/09/2008
P080855	Conservation Area Consent application in connection with the felling of trees to the Farringdon Road frontage, demolition of the existing building and erection of a nine storey building for A1 (retail) and B1 (office) use.	Withdrawn	14/08/2008
P082074	Conservation area consent application in connection with the felling of trees to the Farringdon Road frontage, demolition of the existing building and erection of an 8-storey building for B1 (business)	Withdrawn	09/03/2009

	and A1 (shop) use.		
P082075	Demolition of existing building and felling of trees and erection of an 8-storey building plus basement level for A1 (shop) use at ground floor level and B1 (business) use at part basement and ground and wholly to upper floors together with associated onsite servicing, plant rooms and cycle storage.	Withdrawn	09/03/2009
P090352	Erection of new public call box	Prior Approval required – refused	17/04/2009
P120542	Application to extend the time for the implementation of planning permission reference P050299 dated 7 March 2007 for the Change of use, conversion, and extension of the existing building to provide 1,867 square metres B1 (business) space at lower ground and ground floor levels, an A3/A4 (restaurant/bar) unit at ground floor level at the corner of Ray Street and Farringdon Road, 118 residential units and 27 car parking spaces at lower ground floor level accessed via a new vehicular access from Ray Street.	Withdrawn	20/08/2012
P2014/2897/FUL	A temporary change of use from B1 to dual use comprising B1 and Sui Generis Use for the provision of a theatre space, with ancillary studios/workshops and retail cafe/bar.	Approval recommended. Use now ceased.	

7.2 The following is the application history involving the trees at the front:

Application Ref(s)	Proposal	Decision	Date
970151	Tree works in front garden. Planes (9): Crown lift 4m	Approved with	11/03/1997

	crown thin 35% and deadwood. Broken plane: Fell.	conditions	
981870	Pruning of trees in front.  10 x PLANES: Thin extremeties of crowns by up to 30%. Cut back to clear building by 2.5m. Lift to 4m over pavement and 6m over road.	Approved with conditions	05/11/1998
P000726	Tree works in frontage area. Works: Planes (10): Crown reduce 20-25%, clear building by one metre, deadwood.	Approved with conditions	16/05/2000
T080458	Tree Pruning works in the Clerkenwell Green Conservation Area.  X10 London Planes , crown reduce by up to 20%.	Approved with conditions	24/12/2008
P2012/0319/TRE	T1, T2, T3: Sorbus species 25% Crown reductions T4: Norwegian maple - prune back from building, 20% crown reduction.	Withdrawn	22/03/2012
P2013/0092/TRE	X10 London Plane - T1- T10 of LBI TPO (No.404) 2009 20% Crown reduction, back to previous pruning points	Withdrawn	22/03/2012
P2014/3861/TRE	10 x Plane trees  Crown lift sub-lateral branches to a height of 6m above ground level. Cut back from building to give a 3m clearance. Clear lamp column poles by 1m but clear lamp heads by 2-2.5m	Approve with conditions	05/11/2014

## ENFORCEMENT:

7.3 There are two historic and now closed enforcement cases related to the application site. They are:

- Installation of air-conditioning units on rear elevation at ground floor level. This case was closed on the 19<sup>th</sup> July 2000.
- Installation of a portacabin on the pavement. This case was closed on the 22<sup>nd</sup> January 2003.

## **PRE-APPLICATION ADVICE:**

- 7.4 A series of pre-application meetings and discussions have taken place since September 2013. These have included presentation and analysis of the proposal at Design Review Panel and Members' Forum. Further details of this are provided below.

**8.**

## **CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 323 adjoining and nearby properties on Crawford Passage, Ray Street, Warner Street, Herbal Hill, Farringdon Road, Pear Tree Court, Baker's Row, Bowling Green Lane, Farringdon Lane, Northampton Road and Clerkenwell Close on the 8<sup>th</sup> October 2015. A site notice and press advert were displayed on the 15<sup>th</sup> October 2015. The public consultation of the application therefore expired on the 5<sup>th</sup> November 2015, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report a total of 14 responses had been received from the public, including a letter from the Mount Pleasant Association, with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- All 10 London Plane trees at the front of the site should be retained [*paragraphs 11.37 – 11.43*];
  - The loss of the existing trees would be a detriment to air quality [*11.61 - 11.66*];
  - The design of the front elevation is uninspiring [*11.25 – 11.32*];
  - The proposal should include housing [*11.9 – 11.10*];
  - The proposed development would lead to an unacceptable impact in terms of sunlight / daylight [*11.50 – 11.54*];
  - The proximity of the proposed building would lead to increased overlooking and a loss of privacy [*11.55 – 11.56*];
  - Proposed servicing/delivery arrangements would lead to unacceptable noise and traffic safety impacts [*11.91 – 11.95*];
  - The position of the various entrances is ill-conceived and would lead to a loss in neighbouring amenity [*11.57 – 11.60*].
- 8.3 A number of other objections were raised that are not considered planning matters. They are the following:

- That the company making the planning application is registered offshore;
- The development would lead to impacts on the local amenity during the construction process (*conditions 24 and 26*)

### **External Consultees**

- 8.4 The Design Council (originally known as CABE) offered no comment on the proposal.
- 8.5 Lead Local Flood Authority raised no objection to the proposal subject to relevant conditions
- 8.6 Metropolitan Police (Crime Prevention) raised no objection to the proposal.
- 8.7 Thames Water raised no objection to the proposal subject to relevant conditions and informatives.
- 8.8 Transport for London are satisfied that the proposal would be unlikely to have a negative impact on the capacity of either public transport or the TLRN. TfL would expect a Delivery and Service Plan in order to manage servicing and delivery requirements for the site. The proposed changes to the public realm are welcomed subject to compliance with TfL's Streetscape guidance. Finally, while the loss of the trees along the Farringdon Road frontage is not welcome, mitigation in the form of new trees is supported.
- 8.9 The London Fire and Emergency Planning Authority raised no in principle objections subject to the installation of a sprinkler system.
- 8.10 The GLA issued their Stage 1 letter with the following points raised:
- Land-use principles: The principle of a commercial development with commercial and retail and cafe uses and SME space at lower ground and/or ground floor and office use above is acceptable in strategic planning terms. However, confirmation of the amount to be secured and further information on the housing to be provided and whether this is in line with local needs should be provided to the GLA. Furthermore, the Council should seek to secure a payment in lieu and the applicant should be made to address the residential shortfall through a s106 agreement.  
*Confirmation has been provided and the contribution of £185,360 towards affordable housing is line with policy.*
  - Strategic views: Whilst a TVIA has been submitted, it does not provide an assessment of the impact of the scheme upon this strategic view. The applicant should confirm the height of the proposed building and whether it falls below the threshold plane as set out in the LVMF SPG, and if it does exceed the threshold plan, should produce a visual impact assessment, including a verified view of the proposal from this position. This should be provided before the application is referred back to the Mayor at Stage II.

*The applicant has responded to this point. As the proposed building is +46.67 metres at its highest point, it would not encroach on any of the strategic and local viewing corridors.*

- Inclusive design: The inclusive design provisions are welcomed.
- Urban design: The overall design approach of the scheme is generally supported, however some urban design issues are to be addressed. Additional entrances should be added to the retail/cafe space along Ray Street to further activate this frontage. Further detail of the facade treatment at the location of the plant facilities should also be provided before the application is referred back to the Mayor at Stage II.

*The applicants have responded citing the level changes and narrow width of the pavement as obstacles to delivering entrance directly from Ray Street. Indeed the applicant and the LPA have previously discussed this point and it is considered that the chamfered corner on Ray Street, active uses on the corner of Crawford Passage and glazed frontage onto Ray Street would result in a more active frontage and an improved relationship between building and street.*

- Trees and woodlands: Although the loss of trees, particularly the London plane trees does not comply with policy, overall the scheme contributes and enhances the landscape, biodiversity value and growing conditions of the site and surrounding area, and re-provides the canopy that is proposed to be lost. The applicant should articulate the development constraints to justify the removal of the 7 London plane trees. A detailed assessment of whether T2 can be retained instead of T3, as recommended by the Council, should also be provided by the applicant.

*The applicants have submitted detailed justification for the removal of the London Plane trees. The trees chosen for retention are those farthest from the building line whose roots do not conflict the proposed building's structure*

- Transport: The application is generally acceptable in principle however falls short of some of the transport policies requirements of the London Plan subject to appropriate conditions and/or s106 obligations which should be secured in relation to deliveries and servicing, construction logistics, paving and vegetation, cycle infrastructure and parking, car parking, public transport and a travel plan (*conditions 5, 13, 16, 26*). Mayoral and local CIL payments will also need to be secured.
- Climate change: Though the carbon dioxide savings (35%) meet the target within Policy 5.2 of the London Plan, further information is required before compliance with London Plan energy policy can be verified. The applicant should consider the flood risk that exists at the site and supply information on the nature of the risk and to what extent it requires mitigation measures (*condition 10*). The applicant should also supply information about the proposed approach to sustainable drainage for this development.

*The applicants have provided further details of the SUDS strategy to the satisfaction of the Local Planning Authority.*

### **Internal Consultees**

8.11 The Access Officer raised the following points about the proposal:

- The retention of the kerb along Crawford Passage, the alignment of the street furniture to maintain clear unobstructed routes and the inclusion of tactile paving to highlight the crossover are all welcome features.
- The level changes across the site present a real challenge and a real attempt has been made to rationalise and resolve them.
- A ‘sitting wall’ is proposed as a means of addressing the level difference (between café forecourt and footway). This is welcome, however it is recommended that the wall be provided with some more supported seating. *New seating detail has now been provided which is considered acceptable.*
- The tactile paving at the head of the steps along the Farringdon Road frontage cut across the entrance to one of the commercial units. *Further details will be required by condition 17 to resolve this issue.*
- Caution is advised regarding the use of terrazzo mats as a paving material at the front of the building as the material has a high slip potential. *This will be further reviewed as part of condition 17 should permission be granted.*
- At present it is suggested that just two on-street bays would be secured, this is unlikely to be sufficient. *A total of six spaces have now been identified and a financial contribution would be required from the applicant in order to deliver them.*

8.12 Design and Conservation Officer has welcomed the proposal, adding that the current building is monolithic and makes no contribution to the conservation area. The overall design of the building is welcomed and will compliment and raise the quality of the street frontage along Farringdon Road and local townscape. Although a simple design to the front, it references the surrounding context and proposes a very sophisticated and elegant brickwork treatment. The tiered rear is unusual for the area but assists in reconciling the large scale of the Farringdon Road frontage with the more modest scale at the back by breaking down the mass. Subject to high quality materials and detailing, it is considered that the proposal will be a positive addition to local townscape.

8.13 The Energy Conservation Officer welcomed the financial contribution towards carbon off-setting and supported the objective of achieving a BREEAM rating of ‘Excellent’. The energy efficiency measures and renewable energy proposed are considered appropriate and in accordance with policy. Finally, though

connection to the DHN is not currently proposed, the development would need to be future-proofed to enable connection in the future.

- 8.14 The Tree Preservation/Landscape Officer raised concerns about the loss of the TPO trees but supported the overall proposal from an arboricultural and landscape point of view.
- 8.15 Public Protection Division raised no objections in principle, subject to relevant conditions on air quality, noise and land contamination.
- 8.16 Spatial Planning and Transport (Transport Officer) raised no objections to the proposal.
- 8.17 Street Environment Division raised no objections to the application.
- 8.18 The Sustainability Officer raised the following points:
  - Achieving a BREEAM 'Excellent' building is supported;
  - Financial contribution towards carbon offsetting is welcomed;
  - The applicants have explored the use of rainwater/grey water harvesting and achieve 100% credits for BREEAM on water;
  - A commitment to diverting 85% of demolition waste from landfill is supported;
  - The area of green roof should be maximised and the SUDS strategy has not yet been fully developed.

### Other Consultees

- 8.19 The application was presented to the Members' Pre-application Forum on the 20<sup>th</sup> April 2015.
- 8.20 The proposal was presented and reviewed at the Design Review Panel on the 12<sup>th</sup> May 2015 and on the 8<sup>th</sup> September 2015. At the first visit to DRP, the panel raised the following points:
  - The idea of set-backs at the rear and the differentiation between the rear and the front was welcomed but there were concerns about how the longevity of the stepped landscape terraces/set-backs would be ensured through defining details of set-backs;
  - It was felt that the rear elevation could be broken down further to respond to the change in scale at the back and mitigate overlooking;
  - The importance of Crawford Passage as a medieval route was highlighted and it was questioned whether more work could be done to reference the historic building line;
  - The full removal of the trees along Farringdon Road was questioned and retention of some of the trees should be incorporated into the scheme.

8.21 The proposal was presented to the Design Review Panel for a second review on the 8<sup>th</sup> September 2015. The scheme had been amended by the following changes;

- a clearer strategy regards tree retention and planting has been developed;
- more detail has been provided on proposed materials, particularly with regard to brick types and bonds;
- alterations have been made to the rear elevation to provide a better relationship with the street and neighbouring properties;

8.22 The following feedback was provided by DRP after the second review:

- The design approach was commended and no objections were raised to the massing;
- The changes to the form at the rear were welcomed as they assisted in addressing previous concerns about overlooking;
- The attention to detail and quality of materials proposed, in particular the refinement of the brickwork, was praised. Despite a clear contemporary scheme, it was felt that the proposed design was contextual;
- The Panel were supportive of the proposal to Crawford Passage and felt that there was now a better understanding of servicing requirements and solutions;
- The retention of three of the trees was welcomed and it was considered that the landscaping scheme in general provided a meaningful solution to the site.

The Design Review Panel letters for both the 12<sup>th</sup> May and 8<sup>th</sup> September are appended.

## 9.

## RELEVANT POLICIES

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

### National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.3 Under the Ministerial Statement of 18 December 2014, the government seeks to increase the weight given to SuDS being delivered in favour of traditional

drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

9.4 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via:

- Written Ministerial Statement issued 25th March 2015
- Deregulation Bill (amendments to Building Act 1984) – to enable 'optional requirements'
- Deregulation Bill received Royal Assent 26th March 2015

### **Development Plan**

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

### **Site Allocation**

9.6 The site is identified as site BC43 within the Finsbury Local Plan, which states that redevelopment of the existing building to provide a mix of uses, including office use, housing and retail / leisure at ground level. The site allocation requires for new development to:

- contribute to the existing character of buildings facing the Fleet Valley in terms of massing, geometry and materials;
- conserve and enhance the heritage setting, particularly with regard to the Grade II listed building at 113-117 Farringdon Road;
- retain several of the mature trees subject to Tree Preservation Order;
- proposals should be required to further assess and mitigate the risk of flooding.

### **Designations**

9.7 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:

- |                                       |   |
|---------------------------------------|---|
| - Central London Zone (CAZ)           | - Protected Vistas (Parliament Hill & Kenwood to St. Pauls Cathedral) |
| - Archaeological Priority Area        | - Adjacent to TLRN  |
| - Clerkenwell Green Conservation Area | - Employment Priority Area (General)                                  |
| - Cycle Routes (Local)                | - Bunhill & Clerkenwell Core Strategy                                 |

<ul style="list-style-type: none"> <li>- Farringdon/Smithfield Area of Intensification.</li> </ul>	<ul style="list-style-type: none"> <li>Key Area</li> <li>- Finsbury Local Plan Area</li> </ul>
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### **Supplementary Planning Guidance (SPG) / Document (SPD)**

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

## **10. ENVIRONMENTAL IMPACT ASSESSMENT**

10.1 No EIA is required for this development as the development proposed does not exceed the threshold of development required by Schedule 1 or 2 of the EIA regulations.

## **11. ASSESSMENT**

11.1 The main issues arising from this proposal relate to:

- Principle (Land Use)
- Demolition of buildings within a Conservation Area
- Design, Conservation and Heritage
- Landscaping and Trees
- Neighbouring Amenity
- Accessibility
- Energy and Sustainability
- Highways and Transportation
- Section 106 and CIL

### **Land-use**

11.2 The site falls within an Employment Priority Area (General). Policy BC8, part A of the Finsbury Local Plan (FLP) requires that in addition to protecting existing business floorspace, proposals should incorporate the maximum amount of business floorspace reasonably possible. The principle of an increase in office floorspace is therefore supported. The proposals would deliver an additional 2,351sqm (GEA) of B1a office floorspace across the site.

11.3 Policy BC8, part B states that the employment floorspace component of a development should not be unfettered commercial office uses, but, where appropriate, must also include retail or leisure uses at ground floor, alongside:

- i. A proportion of non-B1(a) business or business-related floorspace (e.g. light industrial workshops, galleries and exhibition space), and / or
- ii. Office (B1(a)) or retail (A1) floorspace that may be suitable for accommodation by micro and small enterprises by virtue of its design, size or management, and/or
- iii. Affordable workspace, to be managed for the benefit of occupants whose needs are not met by the market.

- 11.4 The proposal includes 1,413 sqm of flexible commercial (Class A1/A3/D1) floorspace at ground and lower ground floor level. The space is presented over two levels with two separate entrances, one towards the rear on Crawford Passage and one at the front on Farringdon Road. The space could accommodate café/restaurant uses at lower ground floor level (opening out onto the area of public realm to the rear) and a retail/gallery use at upper ground floor level with access from Farringdon Road. In any case, the floorspace is below the minimum 2,500sqm, at which point (in accordance with Development Management Policy DM4.3) a new retail development would need to incorporate a small shop premises.
- 11.5 The proposal for a café/restaurant use would also need to comply with Policy DM4.3, which resists such uses where they would result in negative cumulative impacts due to an unacceptable concentration of such uses in the area or if they would cause unacceptable disturbance or detrimentally affect the amenity, character and function of an area. The proposal's impact on amenity, character and function of the area will be considered in subsequent sections of the report.
- 11.6 In order to protect Town Centres, Development Management Policy DM4.4 requires for applications proposing more than 80sqm of A use class or D2 use floorspace within the Central Activities Zone to demonstrate the development would not individually, or cumulatively with other development, have a detrimental impact on the vitality and viability of Town Centres within Islington or in adjacent boroughs, or prejudice the prospect for further investment needed to safeguard their vitality and viability. It should also be demonstrated that the proposal would support and complement existing clusters of similar uses within or adjacent to Central Activities Zone, particularly important retail frontages.
- 11.7 The nearest town centre is half a mile away at the Angel Town Centre, which is considered to be at a sufficient distance from the application site for it not to be threatened by a medium-sized retail unit at this location. Moreover, a virtually unbroken cluster of retail and café/restaurant uses runs along Farringdon Road from the Exmouth Market Local Shopping Area to the application site. The proposed retail unit would form an integral part of this cluster and would be considered to complement its function. The proposal's new storefront along Farringdon Road is subject to an assessment against the Council's storefront policy DM4.8 in the subsequent sections of this report.
- 11.8 In accordance with Policy BC7 (Historic Clerkenwell) and BC8 (Achieving a balanced mix of uses), commercial developments of this nature and scale should provide business workspaces suitable for SMEs or affordable workspace managed for the benefit of occupants whose needs are not met by the market. The proposal includes an area of 461sqm of SME space reserved for small or medium enterprises or commercial start-ups. It is proposed that half of this floorspace will be offered as affordable workspace at a peppercorn rent for 10 years and secured through a legal agreement.
- 11.9 Turning to housing, policy BC8 part D states that where there is a net increase in office floorspace, proposals should incorporate housing consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for

provision of off-site housing. The inclusion of residential uses on site in addition to the other uses proposed, would further reduce the net increase in business floorspace.

- 11.10 It is not considered feasible to provide more than 10 residential units on site given site constraints and the additional circulation, entrance, core, plant room and ancillary space requirements necessitated by residential accommodation. The building is located in the Clerkenwell Green Conversation Area and there are a number of heritage considerations restricting the height and massing of the building. Given policy objectives of providing active non-office business uses at ground floor level, the objective of increasing the amount of office floorspace on site and design considerations, the provision of housing on site has become unfeasible. In this instance, it is considered more appropriate to require a financial contribution towards the off-site provision of affordable housing. Thus, the section 106 agreement would include a contribution of £185,360 towards affordable housing.
- 11.11 In summary, the land-use element of the proposal is considered to be acceptable through delivering a mixed-use development that would increase and improve the existing office (B1a) floorspace on the site, increase the amount of retail floorspace, provide for SMEs and contribute to the borough's housing stock via an off-site contribution.

### **Demolition of Buildings within a Conservation Area**

- 11.12 On the 1st October 2013, the Government brought in (under various legislature made under the Enterprise and Regulatory Reform Act 2013 (ERRA)), the removal of Conservation Area Consent requirements.
- 11.13 This legislation abolishes the need for conservation area consent where a full planning permission application is made under the Town and Country Planning Act 1990 and consequently the demolition of unlisted buildings in conservation areas will no longer be permitted development under Part 31 of the GDPO (General Permitted Development Order).
- 11.14 Notwithstanding the above, the existing building is not considered to contribute positively to the character and appearance of the Clerkenwell Green Conservation Area and its demolition is therefore supported in principle subject to a satisfactory replacement building of a sensitive scale and design. Permission would be subject to a condition (*condition 30*) ensuring that the demolition and construction is carried out without interruption.

### **Design, Conservation and Heritage Considerations**

- 11.15 The National Planning Policy Framework states that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development.
- 11.16 The London Plan (2015) Policy 7.6 expects architecture to make a positive contribution to a coherent public realm, streetscape and wider cityspace. It should incorporate the highest quality materials and design appropriate to its context. Moreover, buildings and structures should be of the highest

architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, not necessarily replicate, the local architecture.

- 11.17 Islington's Core Strategy Policy CS7 identifies the Bunhill and Clerkenwell area as having a rich character and significant historic value. This is particularly true of Clerkenwell, which has a street pattern that dates from medieval times. Policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. The borough's unique character will be protected by preserving the historic urban fabric and by promoting traditional street patterns in new developments. The aim is for new buildings to be sympathetic in scale and appearance and to be complementary to the local identity.
- 11.18 Finally, Islington's Development Management Policy DM2.1 requires all forms of development to be of a high quality, incorporating inclusive design principles while making positive contributions to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. All new developments are required to improve the quality, clarity and sense of space around or between buildings, reinforce and complement local distinctiveness and create a positive sense of place.
- 11.19 The site is located within the Clerkenwell Green Conservation Area and thus the site and its context needs to be treated sensitively in terms of heritage assets, strategic and local views. Moreover, Clerkenwell has been facing significant development pressure in recent years and as a result of its heritage significance it is vital that this is taken into account and respected when considering any new development proposals at this location.
- 11.20 The development proposals have been formulated through detailed pre-application discussions over a number of years. From the outset, it was determined that the existing building offers no positive contribution to the streetscape and conservation area. As a consequence the council has no objection in principle to the buildings demolition, subject to a satisfactory replacement building of sensitive scale and design being put forward.

### Scale and Massing

- 11.21 In terms of scale, massing and height, any development proposal at this location needs to have regard to the prevailing building heights in the immediate surroundings. Farringdon Road is generally characterised by a variety of 19<sup>th</sup> century warehouse buildings with building heights predominantly between 5 and 7 storeys. Within this context, the 7 storeys plus lower ground floor level of the existing building constitutes a slightly bulkier, if somewhat underwhelming, structure.
- 11.22 A number of views of the application site have been tested, in particular from points along Farringdon Road, Farringdon Lane, Clerkenwell Road as well as the back streets of Herbal Hill, Ray Street and Crawford Passage, in order to inform the height of the proposed building. As a result of this exercise it has been determined that the main bulk and parapet height of any proposed building should not exceed that of the parapet of the existing building. Moreover, the height and bulk to the rear of the site should more successfully

reflect the lower rise buildings along Crawford Passage and Ray Street. Finally, the proposal would need to have regard to the strategic views to St Paul's Cathedral as both the view from Kenwood House and from Parliament Hill intersect the site.

- 11.23 The proposal to essentially maintain the existing parapet height on the proposed building ensures that the bulk and perceived height of the proposal sits relatively comfortably in its surroundings. Although the overall height of the building would be increased by some 2 metres, from street level the proposed building would read as a 7-storey building consistent with the character of the surrounding area. The tiered rear elevation responds equally well with the lower rise character of Crawford Passage with a series of cut backs helping to break up the mass from views along Ray Street and Herbal Hill.

### Layout

- 11.24 The existing building is significantly set back from the street frontage and is thus behind the building line of its existing neighbours. The rear of the site is characterised by a large service yard which fronts onto Crawford Passage and the rectangular shape of the building does not follow the traditional curvature of the narrow medieval street pattern. The layout of the proposed building aims to more successfully reflect the historic urban grain. As such it is proposed to move the building line forward by 1.5 metres so that the new building's façade is more in line with adjacent buildings. The application also involves the removal of the existing rear servicing yard and proposes to bring the building line at ground level out towards the highway. In terms of the building's northern and southern boundary, the proposal largely maintains the building's relationship to the street.

### Materiality and Appearance

- 11.25 Farringdon Road has a rich context of Victorian warehouse buildings with varying degrees of scale, height and ornamentation. The immediate south of the subject site is characterised by a particularly eclectic stretch of elevations. The composition of the facades for the proposed building has gone through a number of iterations (and has been presented to the Design Review Panel on two separate occasions) in order to deliver a contextual yet contemporary building.

- 11.26 The applicants have carried out studies of the various materials and forms of articulation prevalent in the existing Farringdon Road streetscape and the wider Clerkenwell context. As a result, the elevational approach proposed involves well-detailed brickwork, articulated openings and a defined parapet line. The symmetrical rhythm of the fenestration and openings also responds well to the facades of surrounding buildings.

- 11.27 The application proposes four different brick bond types: Flemish bond, English bond, Stretcher Bond and headers. The headers are proposed at ground floor as a contemporary addition to the palette and the detail of the shopfront design at ground level would be required by condition (*condition 23*). Flemish bond is proposed at first and second floor levels, with English bond used at third and fourth floor. On the upper levels, a stretcher bond is proposed with the top floor finished in a glazed brick.

- 11.28 A variety of brick colours are used within each of the sections of the façade, emphasising the bond types, providing texture from longer views and detail when viewed close up. Individual bands of brick are separated by continuous concrete bands across each floor. A concrete base is provided beneath the ground level brickwork, affording the building a solid appearance. The overall tone of brickwork ranges from darker and earthier at ground level, to lighter and brighter, particularly with the glazed bricks at the uppermost level. The design concept has a rich aesthetic and is considered to successfully reference the existing context.
- 11.29 On the corner of Farringdon Road and Ray Street a chamfered elevation detail is employed to reflect other buildings in the surrounding area and to better articulate the corner. The Ray Street elevation follows the same principles as the one applied to the Farringdon Road frontage but in a more nuanced form with the building tapering down to the more domestic scale on Crawford Passage. The Crawford Passage elevation also follows the same concept, albeit with the brick bands and window openings at each level tailored to suit the section and terrace to which it relates.
- 11.30 A key component of the proposal's design is the proposed landscaping and public realm improvement works at the front and rear of the site (*condition 5*). Although the proposal involves the loss of a number of London Plane trees, bringing forward of the building line and the consequent reduction in the width of the space at the front, the proposal is considered to include overall improvements to Farringdon Road. The high quality paving and improved tree planting proposed with new entrances to the ground floor commercial uses providing active frontages would provide a more attractive space along Farringdon Road. Existing and new trees complement each other to provide a pleasant and visually attractive space in an otherwise busy and somewhat hostile section of Farringdon Road.
- 11.31 On Crawford Passage the electricity substation and service yard is replaced by a new public space. The public realm here is considered to build on the historic qualities of the area and provides an intimate and irregular space. While the proposed rear building line shifts out towards the highway resulting in a larger building footprint, the set-backs at upper level contribute to providing a more generous space. It is proposed to use natural high quality paving, with granite setts used on the carriageway and Yorkstone paving on the footway. A number of other features are included in the public realm which would contribute to its contextual and attractive aesthetic including existing and proposed setts, cast iron grilles and the reuse of traditional kerbs. The landscaping and trees will be considered in more detail in subsequent sections of this report.
- 11.32 The proposal is considered to be of the highest quality in terms of architecture and urban design (*condition 3*). The architecture proposed would make a positive contribution to a coherent public realm, streetscape and wider cityspace and would enhance and protect Islington's built environment. As such, the application is considered to reinforce the borough's unique character by reintroducing more traditional street patterns and adopting traditional and contextual materials and articulation. In this respect, the application is considered to be in accordance with London Plan Policy 7.6, Islington Core Strategy Policy CS7 and Islington's Development Management Policy DM2.1.

## Landscaping and Trees

- 11.33 London Plan Policy 7.21 states that existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.
- 11.34 Islington's Core Strategy identifies the importance of trees and open spaces in the borough with Policy CS15 "protecting all existing local open spaces, including open spaces of heritage value, as well as incidental green space, trees and private gardens".
- 11.35 Moreover, Islington Development Management Policy DM6.5 maintains that new developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of a development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitat and support the council's Biodiversity Action Plan.
- 11.36 Policy DM6.5 goes on to state that trees, shrubs and other vegetation of landscape and/or environmental significance must be considered holistically as part of the landscape plan. The following requirements shall be adhered to:
- i) *Developments are required to minimise any impacts on trees, shrubs and other significant vegetation. Any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits, must be agreed with the council and suitably reprovided. Developments within proximity of existing trees are required to provide protection from any damage during development. Where on-site re-provision is not possible, a financial contribution of the full cost of appropriate re-provision will be required.*
  - ii) *The council will refuse permission or consent for the removal of protected trees (TPO trees, and trees within a conservation area) and for proposals that would have a detrimental impact on the health of protected trees.*
- 11.37 The supporting text to the policy provides more detail on the matter of trees and states that in exceptional circumstances, where protected trees are proposed to be removed, suitable re-provision will require replacement and/or additional planting to reprovide at least equal canopy cover and/or equal environmental amenity and visual value. Where on-site re-provision cannot be provided, a financial contribution of the full cost of appropriate re-provision will be required. Further guidance on tree planting and retention is set out in the council's *Streetbook SPD*.
- 11.38 There are three Bird Cherries and a Norway Maple to the rear of the building in and adjacent to Crawford Passage. The application proposes to remove

these four trees. The three Bird Cherries are considered to have moderate growth vitality and to have a low landscape contribution, being categorised under BS5837 as "C" (Low). Furthermore these trees are exhibiting signs of stress through dieback and sparseness of the crown. It is considered that their rooting environment is poor and they do not have much future potential.

- 11.39 The remaining tree at the rear, a Norway Maple, which is in better condition, is exhibiting normal growth vitality and provides a medium landscape value with a BS 5837 categorization of "B" (Moderate). However it is in very close proximity to the proposed building and its retention would not be considered viable under the current proposal. The tree could potentially be retained by redesigning the building, but this would require a significant redesign and could result in the loss of the streetscape improvements which are seen as a positive contribution of the scheme. The proposal includes replacing these trees with 5 new Alders and 1 new Birch tree.
- 11.40 The proposal includes the construction of significantly sized planting pits with medium-mature and large sized trees proposed at the point of planting. It is considered that new trees planted in the advanced-designed tree pits proposed would provide healthier trees and a greater potential canopy in this area than currently provided for. The new tree planting proposed would be secured by condition (*condition 6*) to ensure their chance of survival and success of reaching maturity.
- 11.41 The most significant trees affected by this proposed development are the London Plane trees along the building's Farringdon Road frontage, of which seven are proposed to be removed. Within the applicant's documentation, these trees are categorised as exhibiting between normal and moderate growth vitality, providing medium to high landscape contribution. The Plane trees are broadly the same dimensions with a trunk diameter of between 250mm and 400mm. The tree classified as T6, near the existing entrance, appears somewhat weaker than the other trees, showing more deadwood and a sparser canopy. T8 and T9, towards the northern part of the site, are suppressed by T7 and T10. All trees have been reduced in height and have been subject to significant and regular pruning over the last 15 years because of conflicts with the existing building. That being said, the existing London Plane trees are on the whole healthy trees with moderate future potential.
- 11.42 As part of the application, detailed analysis has been undertaken in order to ascertain which of the existing trees could be safely retained given that the building line would be moved forward by 1.5 metres. Three of the largest London Plane trees along the front, which are also those at greatest distance from the proposed building line could be kept. The roots of the remaining trees along the front would be in conflict with the new building line and would have no realistic chance of survival. As such, following much design discussion including root and services surveys, the proposed development includes the removal of seven of the ten London Plane trees from Farringdon Road.



*Views of trees along existing frontage*

- 11.43 The three Plane trees to be retained along Farringdon Road have been selected for their largest separation from the building line, vitality and low impact upon roots. As part of the design process, research into the opportunities for realistic replacement tree planting has also been conducted. The results of the root investigations, which identify the roots uncovered during this assessment work have been provided by the applicant. A services survey has shown that underground utilities are confined almost exclusively to the land below the public pavement of both Farringdon Road and Crawford Passage.



*Views of trees along proposed frontage*

- 11.44 Concerns have been raised by residents that the replacement trees do not compensate for the loss of the existing London Plane trees. However all replacement trees are to be semi-mature with a minimum girth of 200mm.

The applicant's scheme goes a long way towards contributing and enhancing the landscape, biodiversity value and growing conditions of the development site and surrounding area and to re-providing the canopy that is proposed to be lost. It is welcomed that large sized planting pits, accommodating large sized trees both on site and off site are being proposed. The retention of three of the Plane trees at the front is welcomed and the proposed replanting would provide increased species diversity, whilst also delivering sustainable and successional planting.

- 11.45 On top of the replacement trees proposed on site, a number of new trees are proposed across three new sites across Clerkenwell. In St John Street, Warner Street and Britton Street which are all locations which would accommodate and benefit from new trees. The St John Street scheme in particular has the potential to provide a planting scheme that would make a significant improvement to the area and would allow for very large canopy trees to be planted in advanced designed tree pits. It can be confirmed that a sound approach to feasibility has been applied and the future maintenance of the trees within the application site would be secured by condition (*condition 5 and 6*) as well as within the section 106 agreement to ensure their survival and future potential.
- 11.46 Overall the proposed scheme would deliver increased tree canopy as well as advanced tree pit designs that should provide good quality, healthy and large canopy trees that have an increased future potential. Whilst the loss of TPO trees is in conflict with the aims of Development Management Policy DM6.5, the quality and size of the proposed replacement trees as well as the urban design logic behind moving the building line forward, provides sufficient justification to make an exception in this instance. The planning application, due to its high quality landscaping, planting scheme and replacement canopy cover is considered to be consistent with Policy 7.21 of the London Plan and Islington Core Strategy CS15.

### **Neighbouring Amenity**

- 11.47 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. In this regard, the proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 11.48 Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing. In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.

- 11.49 **Daylight**: The loss of daylight can be assessed by calculating the Vertical Sky Component (VSC) which measures the daylight at the external face of the building. Access to daylight is considered to be acceptable when windows receive at least 27% of their VSC value or retain at least 80% of their former value following the implementation of a development. The parameters of window size, glass transmissivity, room size and internal surface reflectance are then evaluated against the VSC for the window location to get the resulting average daylight factor (ADF). Whilst ADF is not the ordinary daylight test and normally used for assessing proposed developments' daylight receipt, it nevertheless can provide supplemental information of the likely impacts.
- 11.50 Daylight is also measured by the no sky-line or daylight distribution contour which shows the extent of light penetration into a room at working plane level, 850mm above floor level. If a substantial part of the room falls behind the no sky-line contour, the distribution of light within the room may be considered to be poor. A similar approach is adopted here in that a reduction to below 80% of the daylight distribution would constitute a noticeable and often unacceptable impact.
- 11.51 The loss of daylight to the neighbouring properties along Crawford Passage has been raised as an objection by several local residents. These residential properties are also in closest proximity to the application site so this requires closer scrutiny. In terms of the Vertical Sky Component, the most affected property would maintain 85% of its existing daylight (VSC and no-sky line). Given the tiered nature of the rear elevation and the fact that the parapet height of the proposed building would not exceed that of the existing building, it is clear that the building has been carefully designed to minimize impact on these adjoining neighbours.
- 11.52 The properties along Ray Street and Herbal Hill that are in closest proximity to the application building are all in office use and thus are not subject to the same protection as properties in residential use. So while some of the windows and rooms within Nos. 1, 5-7, 11 Ray Street and 1 and 2 Herbal Hill would suffer moderate levels of daylight loss, it would not result in a loss of amenity to local residents. The only other affected residential property is that of Kamen House on the opposite side of Farringdon Road. The property is in use as student accommodation and contains a number of windows to habitable rooms that overlook the application site. Due to the design of the building, a number of windows already experience poor daylighting as they are considerably recessed so that the building itself causes an obstruction to daylight. Whilst these windows would experience a reduction in their daylight, student accommodation is considered temporary accommodation with not the same levels of protection as permanent habitable accommodation.
- 11.53 **Sunlight**: In terms of sunlight, a window may be adversely affected by a new development if a point at the centre of the window receives in the year less than 25% of the annual probable sunlight hours including at least 5% of annual probable sunlight hours during the winter months and less than 0.8 times its former sunlight hours during either period. It should be noted that BRE guidance advises that sunlight is only an issue to a neighbouring

property where the new development is located within 90 degrees of due south.

- 11.54 All of the surrounding properties have been assessed and it can be confirmed that while some of the windows to habitable rooms along Crawford Passage would experience some losses of sunlight hours, the losses would not be considered significant. No other neighbouring residential properties would be affected in terms of loss of sunlight. Again, the design of the proposed building, particularly the set-back top floors and the tiered rear elevation, would protect the amenities of neighbouring residential properties.
- 11.55 Overlooking / Privacy – Policy DM2.1 identifies that ‘*to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy*’. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm. Habitable rooms provide the living accommodation of the dwelling. Habitable rooms are defined as any room used or intended to be used for sleeping, cooking, living or eating purposes. Enclosed spaces such as bath or toilet facilities, service rooms, corridors, laundries, hallways, or similar spaces are excluded from this definition. However, service/utility/store rooms larger than 8sqm within single dwellings will normally be considered as habitable rooms.
- 11.56 The proposal brings the rear building line in closer proximity to the neighbouring residential properties along Crawford Passage. At its closest point, the building itself comes to within 8 metres of the corner of 2-3 Crawford Passage. However, in terms of window-to-window distances, there is not considered to be any unacceptable overlooking or breach of privacy. That being said, a number of proposed roof terraces on 1<sup>st</sup> and 2<sup>nd</sup> floor would be within 18 metres of a number of windows within Nos. 1 and 2-3 Crawford Passage. While the overlooking would be across an existing highway, it is considered reasonable to ensure that overlooking is minimised to ensure residents’ privacy is maintained. As such, the applicants have proposed additional screening to these terraces and a condition would be attached to any permission in the event that consent is granted to ensure that suitable screening is implemented (*condition 22*).
- 11.57 Noise: In terms of noise, a noise survey was carried out at the site between the 15<sup>th</sup> and 17<sup>th</sup> March 2015 to assess existing noise levels in the area. It was determined that the average noise levels across the site were generally dictated by road traffic on Farringdon Road and from the surrounding area. Air and rail traffic noise were also present however both were generally insignificant considering the noise generated from the road traffic.
- 11.58 The potential noise from mechanical plant on the proposed building was identified as one of the main sources of noise during the operational phase of development. There is also mechanical plant proposed at lower ground floor level and at a roof level. In order to mitigate any noise impacts from

plant room, permission would be subject to conditions regulating noise transfer so that noise is kept to below existing background noise levels (*condition 21*).

- 11.59 While noise levels generated by the office spaces are not considered to be significant, there are retail and café uses at ground and lower ground floor level that have the potential of contributing to noise emissions to the detriment of residential amenity. It is important for these noise impacts to be tightly controlled and as such any permission would be subject to a condition (*condition 30*) which ensures that high acoustic performance separating walls are used on the external envelope of the building. Furthermore, noise limits would be imposed on commercial tenants and hours of operation would be controlled so as to reduce impact on neighbours (*condition 29*).
- 11.60 The delivery and servicing arrangements also have the potential of contributing to a noisy environment. As such, servicing and delivery will be limited to certain hours of the day and a servicing and delivery management strategy will ensure that a sensitive approach is upheld for the lifetime of the development (*condition 14*). Subject to these conditions being imposed, it is not considered that the application is likely to have an adverse impact on the neighbouring residential occupiers in terms of noise, sunlight/daylight, overlooking or privacy.

#### Air Quality

- 11.61 The issue of air quality has been raised by a number of residents. In particular, residents are concerned that the removal of the existing London Plane trees along the site's frontage would exacerbate existing air quality and pollution issues along Farringdon Road. This is a valid point and deserves further scrutiny. In relation to air quality, London Plan Policy 7.14 seeks to minimise increased exposure to existing poor air quality and make provision to address local problems of air quality.
- 11.62 The removal of 7 of the existing London Plane trees along the Farringdon Road frontage would indeed reduce local capacity for trapping or removing air pollutants. London Plane trees are particularly adept at absorbing pollutants through their bark and their leaves and their presence in London is invaluable in keeping London's air clean. The London Plane is also quite effective at trapping smaller particular pollutants such as PM 2.5 that pose a more significant health risk than larger particles. However, there are a number of other issues to be considered in order to ascertain whether the proposal does indeed exacerbate air pollution, particularly in consideration of the replacement tree species being proposed.
- 11.63 A growing body of research has shown the importance of selecting the right type, size and location of trees in order to counter air quality impacts. In particular, the evidence suggests that trees should be selected in order to prevent bridging over the street as this can prevent dispersal of pollutants. A mixture of shorter vegetation and larger trees can help distribute polluted air more effectively by stopping it from circulating in the street and preventing fumigation. In effect, the right balance has to be found between

what is known as deposition (the process by which particles deposit themselves on surfaces) on the one hand and air dispersal on the other.

- 11.64 On a related but separate point, one of the biggest air quality impacts from trees is the increased separation between pedestrians and road traffic, which reduces direct exposure. If this separation is maintained and suitable replacement trees are chosen to mitigate the loss of the existing trees, then there is unlikely to be real or quantifiable air quality impact.
- 11.65 While three of the largest London Planes canopies are being retained, a number of replacement trees are also proposed which would need to be carefully chosen in order to reduce air pollution. Trees most effective at particle deposition depend on a number of factors including leaf area, leaf size and the texture of the leaves with big, ridged, hairy leaves most effective in capturing particulate pollutants. A number of Birch and Alder trees, which are known for their effectiveness in reducing pollution, are proposed along Farringdon Road and Crawford Passage. Further details of tree species proposed should be provided in order to ensure that the most appropriate trees are chosen in order to protect air quality. As such, in the event of planning permission being granted, a condition requiring further details of tree species would be applied (*condition 5*).
- 11.66 The tree species and size of trees chosen would aid both air dispersal and deposition. Crucially, the proposed landscape strategy would maintain the separation between pedestrians and traffic. In summary, subject to a condition requiring further details on replacement tree species to ensure air quality is maintained, the proposal is not considered to have an impact on air quality. Permission would also be subject to a condition requiring the trees to be maintained and replaced if necessary over a 5 year period. As such, the proposal is considered to comply with the aims and objectives of London Plan Policy 7.14.

### **Accessibility**

- 11.67 The relevant policies are 7.2 of the London Plan 2015 and Development Management Policy DM2.2, which seeks inclusive, accessible and flexibly designed accommodation throughout the borough. The London Plan Policy requires all new development in London to achieve the highest standards of accessible and inclusive design, by ensuring that developments: (i) can be used safely, easily and with dignity by all members of society; (ii) are welcoming and convenient with no disabling barriers, (iii) are flexible and responsive to peoples' needs and (iv) are realistic, offering more than one solution to future users.
- 11.68 Islington's Development Management Policies require all developments to demonstrate that they provide for ease of and versatility in use; that they deliver safe, legible and logical environments and produce places and spaces that are convenient and enjoyable to use for everyone. Any development needs to be assessed against this policy background to ensure that they are genuinely inclusive from the outset and remain so for the lifetime of the development.

### **Public Realm:**

- 11.69 The Design & Access Statement describes the open space, not as a ‘square’ but as ‘part of the interconnected public realm’. Given this ambiguity, it is essential from an inclusive design point of view to ensure the space is legible and logical and to make a clear distinction between place and route. To that end, the retention of a kerb along Crawford Passage and street furniture aligned to maintain clear unobstructed routes is welcomed. It is also welcomed that delivery trucks can turn within the site and so leave in a forward gear and that the crossover is highlighted with tactile paving.
- 11.70 The level changes across the site present a real challenge and a real attempt has been made to rationalise and resolve them. The change in levels at the steps to the south west corner of the site is 330mm while the pavement on the Ray Street side of the retaining wall will be kept at existing levels. A ‘sitting wall’ is proposed as a means of addressing the level difference between café forecourt and footway. This is welcome, because it steers pedestrians away from and around the café seating.
- 11.71 The route along the Farringdon Road facade is not segregated from the wider footway areas, and the footway stretches from facade to the kerb, which is welcome from an inclusive design point of view. However, there are a number of objects between this route and the public pavement, such as trees, planting strips and cycle stands. Between these there are several opportunities to move between the strip along the facade and the public footway for pedestrians. In each case these transitions are unobstructed and deal with the small level changes through gradual falls of no more than 1:40.

Travel and transport:

- 11.72 The application is supported by an Accessible Parking Strategy which identifies six car parking spaces in the vicinity of the site which could be converted to accessible parking bays. A contribution towards their provision would be required the detail of which would be contained within the section 106 agreement.
- 11.73 Step free access to the cycle storage facility is provided, which is welcome. Space has been allocated for the use of ambulant disabled cyclists with circulation zones adjacent: 2150 x 2000mm to the south, 2050 x 1800mm to the east. These zones are shared with the general cycle parking circulation. The provision of an accessible WC/shower in the basement is welcome. The accessible WC/shower room has dimensions as per the Approved Document (Part) M diagram 24. The provision of a facility for the storage and charging of mobility scooters is welcome. The precise details of this provision would be secured by condition (*condition 17*).

Entrance:

- 11.74 While revolving doors are not normally accepted as they do not meet inclusive design criteria, the proposed specification and dimensions of the ‘drum doors’ are considered acceptable. The security gates appear to provide a clear opening width of around 800mm; 1000mm would be more

appropriate, given the fact that they are effectively an entrance. The specific detail of the security doors would be required by condition.

- 11.75 Subject to relevant conditions (*condition 17*), including further details on toilet facilities and fire escapes, the proposal is considered to meet the Council's inclusive design objectives in accordance with London Plan Policy 7.2 and Islington's Development Management Policy 2.2.

### **Energy and Sustainability**

- 11.76 The London Plan (adopted July 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.
- 11.77 Islington's Core Strategy Policy CS10 'Sustainable Design' requires all developments to minimise on-site carbon dioxide emissions and sets an overall target for all development to achieve a 40% reduction in comparison with total emissions from a building that complies with Building Regulations 2006 (or a 27% reduction compared to a Building Regulations 2013 compliant building), unless it can be demonstrated that such a target is not feasible. The Policy would require a 50% reduction (or 39% reduction compared to a Building Regulations 2013 compliant building) if connection to a local District Heat Network were feasible. The London Plan sets out a CO<sub>2</sub> reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. The Energy Statement does not propose connection to a District Energy Network in the short to medium term, as there is not a suitable network within 500m. It suggests that the site is on the periphery of opportunity areas, with little likelihood of imminent connection. However, the south of the borough continues to hold the highest potential for connections and as this is close to opportunity areas, it is important to future-proof for potential connection
- 11.78 The applicant proposes a reduction of 30.6% on total emissions, against a 2013 building regulations baseline, through energy efficiency measures, a Combined Heat and Power system (CHP) and renewable energy measures. The development is also expected to meet the London Plan target of a 35% reduction on regulated emissions. Solar photovoltaics have been identified as providing the most viable and appropriate form of on-site renewable energy. Details of PV panels and their orientation, mounted angle and the practicalities of installation and maintenance will be required by condition (27).
- 11.79 In accordance with the Council's Zero Carbon Policy, the council's Environmental Design SPD states "after minimising CO<sub>2</sub> emissions onsite, developments are required to offset all remaining CO<sub>2</sub> emissions (Policy CS10) through a financial contribution". The Environmental Design SPD

states “The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement.” The energy statement shows final total CO2 emissions of 418.4 tonnes.

- 11.80 Based on this and the current Islington rate of £920 / tonne, the development will be subject to an offset payment of £384,946. The applicants have confirmed their agreement to this contribution and this will be secured by section 106 agreement. All of the energy efficiency and carbon reduction measures are contained within the applicant’s Sustainable Design and Construction Statement and would be secured by condition (*conditions 8 – 11*).
- 11.81 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 for 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 and specifics are provided within Islington’s Environmental Design SPD, which is underpinned by the Mayor’s Sustainable Design and Construction Statement SPG.
- 11.82 Development Management Policy DM7.4 requires the achievement of BREEAM ‘Excellent’ on all non-residential major development. 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. The applicants have committed to provide a BREEAM ‘Excellent’ building, with an aspiration to achieving ‘Outstanding’. The achievement of all BREEAM credits for water efficiency is supported, as is the use of low flow fixtures and fittings proposed.
- 11.83 The commitment to target 50% of materials credits under BREEAM is policy compliant while the commitment to exceed 10% value materials from recycled material content is supported. A commitment to divert 85% from landfill is also supported. The applicants are encouraged to sign up to the Considerate Constructors Scheme and are required to comply with Islington’s Code of Construction Practice. The above measures would be secured by section 106 agreement or planning condition.
- 11.84 Biodiversity based extensive substrate green roofs with a minimum substrate depth of 80-150mm should be provided on all available roof space. The amount of green roof has been extended since the initial proposal and further details of species and substrate depths would be required by condition. The green roof would contribute towards reducing water run-off rates and the application also proposes underground attenuation storage in order to enhance on-site attenuation. However, more should be done to maximize sustainable methods of water attenuation that do not rely on hard solutions. Further details as well as a management and maintenance strategy will be required by condition (*condition 9*). Finally, the submitted draft Green Performance Plan is supported and would be included as part of the section 106 agreement.

- 11.85 Subject to appropriate conditions, the energy and sustainability measures proposed as part of this application are considered to meet the environmental objectives of the Council in accordance with London Plan Policies 5.1, 5.2 and 5.5, Islington Core Strategy Policy CS10, Development Management Policy DM7.1 as well as the aims and objections of Islington's Environmental Design SPD.

### **Highways and Transportation**

- 11.86 The application site is in a central London location, with very good links to public transport and a Public Transport Accessibility Level of 6b, the highest rating. The existing office building includes a service and delivery yard with loading bays, car parking facilities and vehicle access from Crawford Passage.
- 11.87 London Plan Policy 6.3 states that proposals should ensure that impacts on transport capacity and the transport network are fully assessed. Moreover Policies 6.9 and 6.10 state that the Mayor will work with all relevant partners to bring about a significant increase in cycling as well as walking across London.
- 11.88 Development Management Policy DM8.1 requires the design of developments to prioritise the transport needs of pedestrians, public transport users and cyclists above those of motor vehicles. Policy DM8.2 requires development to meet its own transport needs in a sustainable manner, while Policy DM8.5 states that vehicle parking will only be allowed for non-residential developments where it is essential for the operation of the business and need has been demonstrated.
- 11.89 The site is located on Farringdon Road within walking distance to Farringdon station. The site's high PTAL rating means that those travelling to and from the site are expected to use sustainable modes of transport. As such, the proposed development would be car-free which is supported by policy. A Transport Assessment has been submitted with the application which shows that the increase in office floorspace proposed would result in an increase in AM peak hour traffic from 259 trips to 322 trips and in PM peak hour traffic from 277 trips to 343 trips. It is expected that 71% of the person arrivals and departures to/from the building would be expected to travel predominantly by underground tube or train.
- 11.90 In terms of cycle parking provision, a total of 136 cycle parking spaces would be provided for office employees with a further 9 spaces provided for employees of the non-office uses (*condition 14*). On top of that, a further 24 cycle parking spaces would be provided for visitors to the new building. This provision is in accordance with policy and would provide a sufficient level of alternative sustainable modes of transport. In addition to this, a dedicated area for mobility scooters would be provided.
- 11.91 The application proposes to remove the existing service yard and vehicle access to the site as well as all car parking from the site. All servicing and delivery is proposed at a new location within the building with access provided to it from a new vehicular entrance further up Crawford Passage. A

new turning table is proposed to facilitate access and exit in forward gear. This would be in accordance with DM Policy 8.6 which states that provision for delivery and servicing should be provided off-street with vehicles entering and exiting the site in forward gear.



#### *Existing refuse arrangements*

- 11.92 The likely number of vehicles requiring access to the site has been modelled for the proposed building, based on other similar sites across London. An estimated 17 daily vehicle trips for the office floorspace and 7 vehicle trips for the non-office floorspace is predicted for the new building. Three of these vehicles would be HGV refuse vehicles, which would service the site on-street for the purpose of waste collection as is currently done for the refuse collection along Crawford Passage.
- 11.93 The remaining 21 vehicle trips would use the on-site service yard and would enter and reverse in forward gear. A swept path analysis has been submitted with the application which shows how the vehicles would successfully enter and exit the service yard. A Deliveries & Servicing Management Plan (DSMP) has also been submitted which identifies a series of measures in order to minimise the impact of the proposal. In terms of management and implementation of the DSMP, it is proposed that a representative of the building management based on site would be nominated to assume these responsibilities.
- 11.94 Through coordination with the tenants occupying the office and non-office floorspace, the servicing events or vehicle movements will be undertaken solely between 7am-12pm and 2pm-7pm with an aspiration to avoid vehicle movements during rush hour traffic. This would be reinforced and regulated through the adoption of a timetabling and booking system. All tenants and management representatives would be obliged to follow the DSMP management arrangements and this be secured as part of the section 106 agreement.
- 11.95 The proposal meets the objectives of Core Strategy Policy CS10, which aims to encourage sustainable transport choices by maximising opportunities for walking, cycling and public transport use. This is further reinforced by Development Management Policy DM8.2, which requires new

developments to maximise safe, convenient and inclusive accessibility to, from and within developments for pedestrians, cyclists and public transport users. Though the proposal meets these objectives in principle, further details regarding site management arrangements would be required by condition to ensure anti-social behaviour is prevented and the space is both functional and attractive.

- 11.96 The proposal would not give rise to any unacceptable impacts on transportation or the highway network and is considered to be acceptable, in accordance with relevant Islington Core Strategy Policy CS10 and Development Management Policies DM8.2 and DM8.6 subject to conditions (*condition 17*) and clauses within the s106 legal agreement.

#### **Planning Obligations, Community Infrastructure Levy and local finance considerations**

- 11.97 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development. This means that the measures required to mitigate the negative impacts of this development in terms of carbon emissions, lack of accessible parking spaces and local accessibility cannot be funded through Islington's CIL. Separate contributions are therefore needed to pay for the necessary carbon offset, accessible transport, highway reinstatement and local accessibility investment required to ensure that the development does not cause unacceptable impacts on the local area.
- 11.98 None of the financial contributions included in the heads of terms represent general infrastructure, so the pooling limit does not apply. Furthermore, none of the contributions represent items for which five or more previous contributions have been secured.
- 11.99 The carbon offset and accessible transport contributions are site-specific obligations, both with the purpose of mitigating the negative impacts of this specific development. The carbon offset contribution figure is directly related to the projected performance (in terms of operation emissions) of the building as designed, therefore being commensurate to the specifics of a particular development. This contribution does not therefore form a tariff-style payment. Furthermore, in the event that policy compliant on-site accessible car parking spaces had been provided by the development (or other accessibility measure) a financial contribution would not have been sought. Therefore this is also a site-specific contribution required in order to address a weakness of the development proposal, thus also not forming a tariff-style payment.
- 11.100 The public realm improvements and highway and footway reinstatement requirement is also very clearly site-specific. The total cost will partly depend on the damage caused by construction of this development, and these works cannot be funded through CIL receipts as the impacts are directly related to this specific development.
- 11.101 None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases

where relevant impacts would result from proposed developments. The CIL Examiner did not consider that these types of separate charges in addition to Islington's proposed CIL rates would result in unacceptable impacts on development in Islington due to cumulative viability implications or any other issue.

### **National Planning Policy Framework**

- 11.102 Paragraph 17 of the NPPF sets out 12 core planning principles that should underpin decision-taking. The current proposal is strong in relation to the principles relating to the reuse of land, and encouraging walking. Subject to conditions and the necessary S106 agreement, the proposed development is also largely in compliance with the principles relating to climate change, and the conservation and enhancement of the natural environment.
- 11.103 In the final balance of planning considerations officers have also considered the proposal in the context of the presumption in favour of sustainable development set out in the NPPF.

## **12. SUMMARY AND CONCLUSION**

### **Summary**

- 12.1 The application site is located on the western side of Farringdon Road, between Ray Street, Crawford Passage and Dabb's Lane and is situated within the Clerkenwell Green Conservation Area. The area has a special character and appearance, which stems from its mix of uses, its architecture and its history. The site is occupied by a 7-storey office building dating from the 1970s, formerly occupied by the Guardian newspaper media group and most recently occupied by a theatre company. The existing building is higher than its surrounding buildings, does not follow the typical architecture of the street and offers very little in terms architectural merit.
- 12.2 The application proposes the demolition of the existing office building and redevelopment of the site to provide an 8 storey (plus lower ground floor) building with office use (Class B1) at part lower ground, part ground and upper floors and flexible commercial uses (Class A1,A3,D1) at part lower ground and part ground floor level along with associated landscaping and a new area of public realm. The proposal also includes servicing and delivery space, plant room, cycle storage facilities and accommodates the substation at lower ground floor level. Further plant room and affordable workspace suitable for SMEs is located at ground floor level.
- 12.3 The land-use element of the proposal is considered to be acceptable through delivering a thoroughly mixed-use development that would increase and improve the existing office (B1a) floorspace on the site, increase the amount of retail floorspace, provide for SMEs and contribute to the borough's housing stock by making a financial contribution towards the delivery of affordable housing.

- 12.4 The proposal is considered to be of the highest quality in terms of architecture and urban design. The architecture proposed would make a positive contribution to a coherent public realm, streetscape and wider cityspace and would enhance and protect Islington's built environment. As such, the application is considered to reinforce the borough's unique character by reintroducing more traditional street patterns and adopting traditional and contextual materials and articulation. The application is thus considered to be in accordance with London Plan Policy 7.6, Islington Core Strategy Policy CS7 and Islington's Development Management Policy DM2.1.
- 12.5 The planning application, due to its high quality landscaping, planting scheme and replacement canopy cover is considered to be consistent with Policy 7.21 of the London Plan and Islington Core Strategy CS15. While the proposal to remove some of the TPO trees on site is contrary to Development Management Policy 6.5, an exception can be made in this instance, due to the quantity and quality of the replacement trees proposed.
- 12.6 The proposal is not considered to have an unacceptable impact on neighbouring amenity in terms of loss of sunlight, daylight, privacy, air quality or an increased sense of enclosure. The replacement trees proposed are considered to contribute positively to air quality in the local area. Finally, the application proposes a sustainable building in a highly sustainable location that would effectively reduce future carbon emissions through the use of energy efficiency measures, clean and renewable energy and sustainable design methods.

### **Conclusion**

- 12.7 The planning application delivers a well-designed and attractive commercial building that complies with local, regional and national planning policy and guidance. It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 – RECOMMENDATIONS.

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

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

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

## RECOMMENDATION B

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

1. The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Condition surveys may be required.
2. The repair and re-instatement of the footways and highways of any of the TfL road network.
3. Compliance with the Code of Employment and Training.
4. Facilitation of 13 work placements during the construction phase of the development. Each placement must last a minimum of 26 weeks.
5. Compliance with the Code of Local Procurement.
6. Compliance with the Code of Construction Practice, including a monitoring fee of £12,897.
7. The provision of 6 accessible parking bays or a contribution of £12,000 towards bays or other accessible transport initiatives.
8. A contribution of £384,946 towards offsetting any projected residual CO<sub>2</sub> emissions of the development.
9. Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect).
10. Submission of a Green Performance Plan.
11. 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.

12. Payment towards employment and training for local residents of a commuted sum of £16,496.
13. A contribution towards Crossrail of £443,360.
14. A contribution towards provision of off-site affordable housing of £185,360 where it is accepted that housing cannot be provided on site.
15. The off-site provision of new trees at three separate locations across Clerkenwell.
16. The delivery of public realm improvements around the site.
17. Submission of a final Delivery and Servicing Management Plan.
18. Provision of 451sqm of affordable workspace which shall be occupied by companies and organisations as per a nomination and approval mechanism to be agreed with the council.
19. A financial contribution of £82,992 towards cycle docking infrastructure in the vicinity of the site.
20. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.
21. Others as necessary.

All payments to the Council are to be index linked from the Committee Date and are due upon implementation of the planning permission.

The above list of Heads of Terms may be amended as a result of a process of internal consultation or further issues arising in the course of the application. Solicitors details will be needed, proof of title and an undertaking to meet the reasonable legal fees of the council.

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

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

## **RECOMMENDATION C**

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

### **List of Conditions:**

<b>1</b>	<b>Commencement (Compliance)</b>
	CONDITION: The development hereby permitted shall be begun not later than

	<p>three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<p><b>Approved plans list (compliance)</b></p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans unless otherwise agreed in writing by the Local Planning Authority:</p> <p>Drawing Numbers 001.001; P001P01; Existing Plans P002P01; P010P01; P011P01; P012P01; P013P01; P014P01; P015P01; P050P01; P051P01; P052P01; P053P01; P201P01; P211P01; P212P01; P2013P01 Proposed Plans P100P01; P101P01; P102P01; P103P01; P104P01; P105P01; P106P01; P107P01; P108P01; P109P01; P110P01; P221P01; P231P01; P232P01; P233P01; A(21)_6006Rev 1; P234P01; P311P02; P332P01; P333P01; P334P02; P401P01; P402P01.</p> <p>Accessible Parking Strategy TPHS/039/TN03;</p> <p>Daylight and Sunlight Report by GIA dated December 2015;</p> <p>Health Impact Assessment dated 8<sup>th</sup> October 2015;</p> <p>Air Quality Assessment by Air Quality Consultants dated September 2015;</p> <p>Arboricultural Assessment Report by ACS dated September 2015;</p> <p>Assessing the Suitability of Tree Species for Urban Use in Mitigating Air Pollution by Grontmij dated September 2015;</p> <p>Delivery and Servicing Management Plan (Draft) by TPHS dated September 2015;</p> <p>Design and Access Statement by Allford Hall Monaghan Morris dated September 2015;</p> <p>Ecological Appraisal by Grontmij dated September 2015;</p> <p>Full Travel Plan (Draft) by TPHS dated September 2015;</p> <p>Ground Investigations Report by Soiltechnics dated September 2015;</p> <p>Historical Environment Assessment by MOLA dated September 2015;</p> <p>Noise Impact Assessment by Cass Allen dated September 2015;</p> <p>Planning Statement by Gerald Eve dated September 2015;</p> <p>Statement of Community Involvement dated September 2015;</p> <p>Sustainable Design and Construction Statement – Including Energy Statement by Grontmij dated September 2015;</p> <p>Transport Assessment by TPHS dated September 2015;</p> <p>Townscape, Visual Impact and Heritage Assessment by Peter Stewart Consultancy dated September 2015;</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<p><b>Materials and Samples (Details)*</b></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 superstructure works commencing on site. The details and samples shall include:</p> <p>a) brickwork, bond and mortar courses;</p>

	<p>b) metal cladding, panels, frames and architectural metalwork (including details of seams, gaps, and any profiling);</p> <p>c) windows and doors;</p> <p>d) entrance and access gates;</p> <p>e) roofing materials;</p> <p>f) any other materials to be used on the exterior of the development; and</p> <p>g) 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 therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p><b>REASON:</b> In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>4</b>	<p><b>External pipes, cables and CCTV (Compliance/Details)</b></p> <p><b>CONDITION:</b> No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should CCTV or additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p><b>REASON:</b> To ensure that the resulting appearance and construction of the development is to a high standard.</p>
<b>5</b>	<p><b>Landscaping (Details)*</b></p> <p><b>CONDITION:</b> Notwithstanding the plans hereby approved, details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site (excluding demolition and piling). The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:</p> <ul style="list-style-type: none"> <li>a) a scaled plan showing vegetation to be retained and trees and plants to be planted;</li> <li>b) specification to ensure successful establishment and survival of new planting.</li> <li>c) a schedule detailing sizes, species and numbers of all new trees/plants;</li> <li>d) a biodiversity statement detailing how the landscaping scheme maximizes biodiversity;</li> <li>e) existing and proposed underground services and their relationship to both hard and soft landscaping;</li> <li>f) soft plantings: including grass and turf areas, shrub and herbaceous</li> </ul>

	<p>areas;</p> <p>g) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</p> <p>h) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>i) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and</p> <p>j) any other landscaping feature(s) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed during the first planting season after the date on which development in accordance with this permission has been completed. This landscaping and tree planting must have a two year maintenance/ watering provision following planting. Trees or shrubs which die within five years of completion of the development shall be replaced to the satisfaction of the Local Planning Authority with the same species or an approved alternative.</p> <p><b>REASON:</b> To ensure prior establishment and maturity of landscaping to enhance the visual amenity of the site. To avoid inappropriate excavations and damage to the trees, ensuring that disturbance to the roots of the tree is minimised and to maintain a healthy rooting area to ensure the long term health of the tree thereby its contribution to the amenity of the locality. In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2015, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013.</p>
<b>6</b>	<p><b>Arboricultural Method Statement (Details)*</b></p> <p><b>CONDITION:</b> Prior to superstructure works commencing on site, an amended Arboricultural Method Statement in accordance with BS 5837, 2012 'Trees in Relation to Design, Demolition and Construction' shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement must include a revised plan showing the location of the tree root protection area (RPA) for the trees on the site and include the tree and ground protection to be erected and details of all works within the RPA including the careful hand demolition of the current building/ surface treatment and specify in detail any tree pruning work. The Method Statement must also include a schedule of monitoring by a suitably qualified arboricultural consultant or landscape architect detailing arboricultural supervision for the various operations that are likely to impact or influence the health, wellbeing or amenity value of the tree, the details of the site inspections are to be recorded and passed to the Tree Preservation Officer.</p> <p><b>REASON:</b> To avoid inappropriate excavations and damage to the trees, ensuring that disturbance to the roots of the tree is minimised and to maintain a healthy rooting area to ensure the long term health of the tree thereby its contribution to the amenity of the locality.</p> <p>In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2015, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013.</p>

<b>7</b>	<b>Terrace and Roof planting (Details)*</b>
	<p>CONDITION: Notwithstanding the plans hereby approved, details of roof and terrace planting shall be submitted and approved in writing by the Local Planning Authority prior to the relevant part of the development commencing on site. The details shall include:</p> <ul style="list-style-type: none"> <li>a) details of location, species and numbers of all new plants;</li> <li>b) a maintenance strategy to ensure successful long-term management of all terrace and roof planting.</li> </ul> <p>REASON: To provide a satisfactory appearance to the development so as to safeguard and In the interest of biodiversity, sustainability, and to ensure a satisfactory standard of visual amenity.</p>
<b>8</b>	<b>BREEAM and Code for Sustainable Homes (Compliance)</b>
	<p>CONDITION: The development shall achieve a BREEAM New Construction rating (2011) of no less than 'Excellent' and shall use reasonable endeavours to achieve a rating of 'Outstanding'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
<b>9</b>	<b>Green/Brown Biodiversity Roofs (Compliance/Details)*</b>
	<p>CONDITION: Notwithstanding the plans hereby approved, details of green/living roofs to the development hereby approved (illustrating increased coverage and potential for run-off attenuation or including details and justification of the maximum extent of green/living roofs) and the species to be planted/seeded shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The green/living roofs shall:</p> <ul style="list-style-type: none"> <li>a) form biodiversity-based roofs with extensive substrate bases (depth 80-150mm);</li> <li>b) cover at least all of the areas shown in the drawings hereby approved, confirmed by a location/extent plan; and</li> <li>c) be planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works. An explanation as to why any areas of roof would not be covered with green/living roofs shall be included with the above details. Green/living roofs shall be expected to extend beneath any photovoltaic arrays proposed at roof level. The green/living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</li> </ul> <p>The development shall be carried out 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 the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>10</b>	<b>Flood Risk &amp; Sustainable urban Drainage (Details)*</b>

	<p><b>CONDITION:</b> No development shall take place unless and until a detailed Sustainable Urban Drainage System (SUDS) scheme inclusive of detailed implementation and a maintenance and management plan of the SUDS scheme has been submitted to and approved in writing by the Local Planning Authority. Those details shall include:</p> <ul style="list-style-type: none"> <li>II. a timetable for its implementation, and</li> <li>II. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.</li> </ul> <p>No building(s) hereby approved shall be occupied unless and until the approved sustainable drainage scheme for the site has been installed/completed strictly in accordance with the approved details. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at minimum achieve a post development run off rate of 50L/ha/sec.</p> <p>The scheme shall thereafter be managed and maintained in accordance with the approved details.</p> <p><b>REASON:</b> To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
<b>11</b>	<p><b>Energy Efficiency – CO2 Reduction (Compliance/Details)</b></p> <p><b>CONDITION:</b> The energy measures as outlined within the approved Energy Strategy shall together provide for no less than a 30.6% on-site total C02 emissions reduction in comparison with total emissions from a building which complies with Building Regulations 2013.</p> <p>Should, following further assessment, the approved energy measures be found to be no longer suitable, 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 provide for no less than a 30.6% on-site total C02 reduction in comparison with total emissions from a building which complies with Building Regulations 2010.</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><b>REASON:</b> In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that the C02 emission reduction targets are met.</p>
<b>12</b>	<p><b>REFUSE / RECYCLING (Compliance)</b></p> <p><b>CONDITION:</b> The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p>

	<p>The refuse and recycling enclosures and waste shall be managed and carried out at all times in accordance with the details of the approved ‘servicing and waste management plan’.</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>
<b>13</b>	<p><b>Cycle Parking (Compliance)</b></p> <p>CONDITION: The three bicycle storage areas hereby approved shall be covered, secure and provide for no less than:</p> <ul style="list-style-type: none"> <li>- 136 cycle spaces for the offices</li> <li>- 9 cycle spaces for the non-office</li> <li>- 24 cycle spaces for visitors (uncovered)</li> </ul> <p>These spaces shall be provided prior to the first occupation of the relevant part of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>14</b>	<p><b>Loading / unloading hours (Compliance)</b></p> <p>CONDITION: Deliveries, collections, unloading, loading of the commercial uses shall only be between the following hours:</p> <p style="text-align: center;">Monday to Saturday – 07:00 – 19:00 Sundays/Bank Holidays – not at all</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
<b>15</b>	<p><b>Maintain public access through the site (Compliance)</b></p> <p>CONDITION: The area of public realm shown on Public Realm Proposal plan 001.001 shall remain open at all times unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure the development does not compromise pedestrian movement through the site.</p>
<b>16</b>	<p><b>Inclusive Design (Details)*</b></p> <p>CONDITION: The development shall be designed in accordance with the principles of Inclusive Design. To achieve this, the following further details shall be submitted and approved in writing by the Local Planning Authority prior to superstructure works commencing on site:</p> <ul style="list-style-type: none"> <li>- details of wheelchair accessible WC and shower facilities;</li> <li>- location and details of mobility scooter storage and charging facilities;</li> <li>- details of security gates;</li> <li>- further details of fire evacuation lifts.</li> </ul> <p>The development shall be constructed carried out strictly in accordance with the</p>

	<p>details so approved, shall be maintained as such thereafter.</p> <p><b>REASON:</b> In order to facilitate and promote inclusive and sustainable communities.</p>
<b>17</b>	<p><b>Security &amp; General Lighting (Details)*</b></p> <p><b>CONDITION:</b> Details of any external general or security lighting (including full specification of all luminaries, lamps and support structures) shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on the site.</p> <p>The details shall be installed and operational prior to the first occupation of the development hereby approved and maintained as such permanently thereafter.</p> <p><b>REASON:</b> In the interest of protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
<b>18</b>	<p><b>Amalgamation of Retail and Office Units (Compliance)</b></p> <p><b>CONDITION:</b> The ground floor retail (use class A1, A3, D1) and B1 office units hereby approved shall be laid out as shown on the drawings hereby and shall not be amalgamated or separated without prior written approval of the Local Planning Authority.</p> <p><b>REASON:</b> The amalgamation of units would result in units of a size that may be less affordable to small and start-up businesses that are specifically aided in the design of these proposals.</p>
<b>19</b>	<p><b>Nesting Boxes (Details/Compliance)</b></p> <p><b>CONDITION:</b> At least four nesting boxes for birds or bats shall be provided within the development, installed prior to the first occupation of the building and shall be maintained as such thereafter.</p> <p><b>REASON:</b> To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>20</b>	<p><b>Plant noise (Compliance)</b></p> <p><b>CONDITION:</b> 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 façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:1997.</p> <p>The development shall be carried out strictly in accordance with the scheme so approved prior to first occupation, 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><b>REASON:</b> To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations</p>

<b>21</b>	<b>Privacy Screening (Details)</b>
	<p>CONDITION: Details of suitable screening or other design solution to prevent overlooking of neighbouring properties on Crawford Passage from terraces at levels 1 and 2 shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the balconies commencing.</p> <p>If suitable planting is agreed a maintenance strategy (in accordance with condition 7 part b) will ensure successful long-term management and maintenance of this thereafter.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved prior to first occupation, 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 prevent overlooking of and loss of privacy to neighbouring residential properties, to ensure that the resulting appearance and construction of the development is to a high standard.</p>
<b>22</b>	<b>Shopfronts (Details)*</b>
	<p>CONDITION: Typical elevations of the shopfronts hereby approved at scale 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the works commencing.</p> <p>The shopfronts shall be carried out strictly in accordance with the elevations so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>23</b>	<b>Piling Method Statement (Compliance / details)*</b>
	<p>CONDITION: No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: To ensure that works do not impact upon local underground water utility infrastructure, and to ensure that deformation of the ground by piling does not result in an increase in the risk of near-surface pollutants migrating to underlying aquifers. Previous industrial and/or commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment.</p>
<b>24</b>	<b>Vibration (Compliance)</b>
	<p>CONDITION: Internal vibration levels shall not exceed the category of "low probability of adverse comment" in Table 7 of Appendix A of BS 6472:2008.</p>

	<p>REASON: To ensure that the development does not have an adverse impact on amenity and / or quality of business accommodation.</p>
<b>25</b>	<p><b>Construction Management (Details)*</b></p> <p>CONDITION: A Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The report shall also secure that, during any period when concurrent construction is taking place of both the permitted development and of the Crossrail structures and tunnels in or adjacent to the site of the approved development, the construction of the Crossrail structures and tunnels is not impeded.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets.</p>
<b>26</b>	<p><b>Roof-Level Structures (Details)*</b></p> <p>CONDITION: 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 the relevant part of the development 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>
<b>27</b>	<p><b>Lifts (Compliance)</b></p> <p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the office floorspace hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the office floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
<b>28</b>	<p><b>Retail Opening Hours (Compliance)</b></p>

	<p><b>CONDITION:</b> The ground floor retail/café/restaurant uses (A1,A3,D1) hereby approved shall not operate except between the hours of 07:00 and 23:30 on any day unless otherwise agreed in writing with the Local Planning Authority.</p> <p>Outdoor tables and chairs associated with the A1, A3, D1 uses at ground floor level shall be used between 8am – 10pm only unless otherwise approved in writing by the Local Planning Authority.</p> <p><b>REASON:</b> To ensure that the operation of the retail units do not unduly impact on residential amenity.</p>
<b>29</b>	<p><b>Sound Insulation</b></p> <p><b>CONDITION:</b> Full particulars and details of a scheme for sound insulation for the retail / café / restaurant uses in the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works of the relevant phase of the development.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the relevant phase of development hereby 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><b>REASON:</b> To ensure that residential amenity of surrounding properties is appropriately minimised.</p>
<b>30</b>	<p><b>Demolition and Construction</b></p> <p><b>CONDITION:</b> No demolition (excluding soft strip) shall take place unless and until a contract for the associated re-development of the site has been secured and evidence of such contract(s) has been submitted to and approved in writing by the Local Planning Authority.</p> <p><b>REASON:</b> To prevent premature demolition in a Conservation Area, in order to protect the heritage asset including the character and appearance of the designated heritage asset (conservation area) and prevent a gap site from occurring.</p>

#### **List of Informatives:**

<b>1</b>	<b>S106</b>
	<p><b>SECTION 106 AGREEMENT</b></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>
<b>2</b>	<b>Superstructure</b>
	<p><b>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</b></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:</p>

	when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
<b>3</b>	<p><b>Community Infrastructure Levy (CIL) (Granting Consent)</b></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 <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. 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: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p> <p><b>Pre-Commencement Conditions:</b></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 scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
<b>4</b>	<b>Sustainable Sourcing of Materials</b>
	INFORMATIVE: Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
<b>5</b>	<b>Car-Free Development</b>
	INFORMATIVE: All new developments are to be car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
<b>6</b>	<b>Roller Shutters</b>
	<p><b>ROLLER SHUTTERS</b></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>
<b>7</b>	<b>NPPF</b>
	INFORMATIVE: The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages of the development to deliver an acceptable development in line with the NPPF.



## **APPENDIX 2: RELEVANT POLICIES**

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

### **1 National Guidance**

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

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

### **2. Development Plan**

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

#### **A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011**

##### **1 Context and strategy**

Policy 1.1 Delivering the strategic vision and objectives for London

##### **2 London's places**

Policy 2.1 London in its global, European and United Kingdom context  
Policy 2.2 London and the wider metropolitan area  
Policy 2.3 Growth areas and co-ordination corridors  
Policy 2.9 Inner London  
Policy 2.10 Central Activities Zone – strategic priorities  
Policy 2.11 Central Activities Zone – strategic functions  
Policy 2.12 Central Activities Zone – predominantly local activities

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

Policy 3.1 Ensuring equal life chances for all  
Policy 3.2 Improving health and addressing health inequalities  
Policy 3.3 Increasing housing supply

##### **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 6.10 Walking  
Policy 6.12 Road network capacity  
Policy 6.13 Parking

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

Policy 7.1 Building London's neighbourhoods and communities  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character

Policy 3.4 Optimising housing potential	Policy 7.5 Public realm
Policy 3.10 Definition of affordable housing	Policy 7.6 Architecture
	Policy 7.8 Heritage assets and archaeology
<b>4 London's economy</b>	Policy 7.11 London View Management Framework
Policy 4.1 Developing London's economy	Policy 7.12 Implementing the London View Management Framework
Policy 4.2 Offices	Policy 7.13 Safety, security and resilience to emergency
Policy 4.3 Mixed use development and offices	Policy 7.14 Improving air quality
Policy 4.8 Supporting a successful and diverse retail sector	Policy 7.15 Reducing noise and enhancing soundscapes
Policy 4.9 Small shops	Policy 7.19 Biodiversity and access to nature
Policy 4.11 Encouraging a connected economy	Policy 7.21 Trees and woodlands
Policy 4.12 Improving opportunities for all	
<b>5 London's response to climate change</b>	<b>8 Implementation, monitoring and review</b>
Policy 5.1 Climate change mitigation	Policy 8.1 Implementation
Policy 5.2 Minimising carbon dioxide emissions	Policy 8.2 Planning obligations
Policy 5.3 Sustainable design and construction	Policy 8.3 Community infrastructure levy
Policy 5.5 Decentralised energy networks	Policy 8.4 Monitoring and review for London
Policy 5.7 Renewable energy	
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 5.15 Water use and supplies	
Policy 5.17 Waste capacity	
Policy 5.18 Construction, excavation and demolition waste	
Policy 5.21 Contaminated land	

## B) Islington Core Strategy 2011

### Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)  
Policy CS8 (Enhancing Islington's Character)

### Strategic Policies

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

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

### 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
- DM2.5** Landmarks

**Shops, culture and services**

- DM4.1** Maintaining and promoting small and independent shops
- DM4.3** Location and concentration of uses
- DM4.6** Local shopping Areas
- DM4.8** Shopfronts

**Employment**

- DM5.1** New business floorspace
- DM5.4** Size and affordability of workspace

**Health and open space**

- DM6.1** Healthy development
- DM6.2** New and improved public open space
- DM6.5** Landscaping, trees and biodiversity
- DM6.6** Flood prevention

**Energy and Environmental Standards**

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

**Transport**

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

**Infrastructure**

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

**D) Finsbury Local Plan June 2013**

- BC8** Achieving a balanced mix of uses
- BC9** Tall Buildings and contextual considerations for building heights
- BC10** Implementation

**E) Site Allocations June 2013**

**Site BC43** Guardian Building – 119 Farringdon Road

**3. Designations**

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

- Central London Zone (CAZ)
- Archaeological Priority Area
- Clerkenwell Green Conservation Area
- Cycle Routes (Local)
- Farringdon/Smithfield Area of Intensification.
- Protected Vistas (Parliament Hill & Kenwood to St. Pauls Cathedral)
- Adjacent to TLRN
- Employment Priority Area (General)
- Bunhill & Clerkenwell Core Strategy Key Area
- Finsbury Local Plan Area

#### **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
- Sustainable Design & Construction
- Planning for Equality and Diversity in London