

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 th April 2016	

Application number	P2015/4816/FUL
Application type	Full Planning Application
Ward	Junction
Listed building	None
Conservation area	None (but within 50m of St Johns Conservation Area)
Development Plan Context	Archway Town District Centre, Protected View: Kenwood Gazebo to St Pauls
Licensing Implications	None
Site Address	724 Holloway Road, London, N19 3JD
Proposal	Demolition of existing building and construction of a part two, part six-storey mixed use building providing 1673sqm of B1(a) office floorspace over basement, ground, first and second floors; and 7 residential flats (1 x 1 bedroom, 5 x 2 bedroom, 1 x 3 bedroom) above.

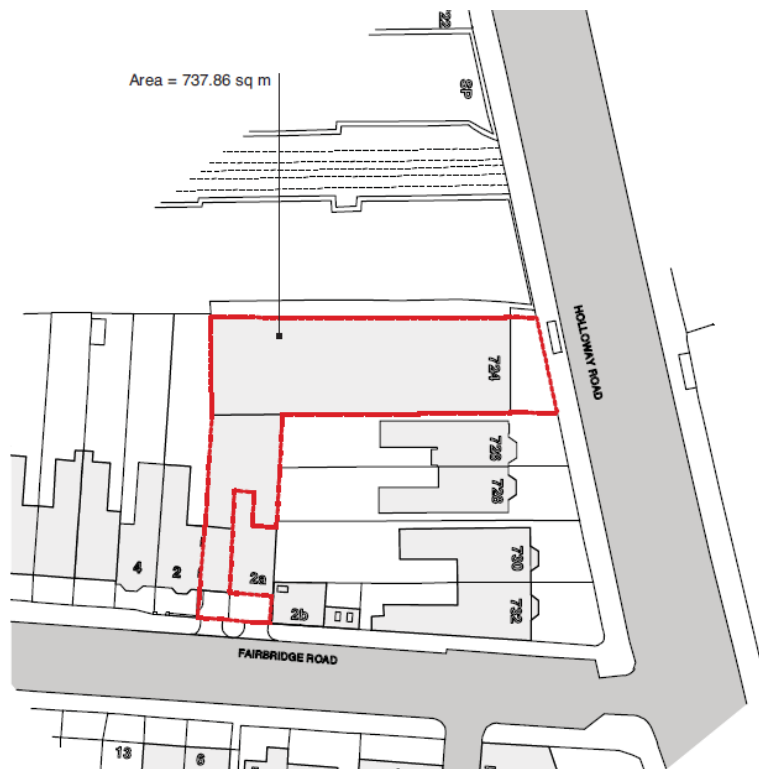
Case Officer	Colin Leadbeatter
Applicant	Mr C Fried
Agent	Andmore Planning Ltd

RECOMMENDATION

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

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

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



3. **PHOTOS OF SITE/STREET**



The site from St Johns Church



724 Holloway Road



The rear of the application site and the rear of neighbouring residential buildings



2a Fairbridge Road (with the ground floor entrance to 724 Holloway Road behind the shutters)



The existing south elevation of 724 Holloway Road as seen from the railway bridge

4 SUMMARY

- 4.1 The application site comprises of Paul Anthony House, a three storey (plus basement) office/warehouse building located on the east side of Holloway Road, immediately north of the Gospel Oak to Barking Line of the London Overground, and within 100m of Upper Holloway Station.
- 4.2 The proposed development would include the demolition of the office and warehousing (B1/B8) building, and the construction of a part 2, part 6 storey (plus basement) building with an increase in height over the current property by approximately 6m.
- 4.3 The main issues arising from the development are the impact of the development on the character and appearance of the surrounding area and the impact of the development on the amenities of the neighbouring residential occupiers. The application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.
- 4.4 It is considered that the development would not harm the character and appearance of the local area and the neighbouring listed building, by reason of the improvements to the façades of the proposed buildings and the sensitive height, massing and detailed design of the new building fronting Holloway Road, along with the choice of materials and detailed design.
- 4.5 The proposal would not have an unacceptable impact on the residential amenities of neighbouring residential occupiers, however suitable conditions have been recommended to protect the amenities of nearby residents, along with securing details with regard to materials, SUDs features, sustainability features and other details as necessary to ensure the proposed development is of the highest standard. The proposed development would optimise the amount of business floorspace and affordable business floorspace on the site, in compliance with local land use policies. There would be no undue impacts on the safety of the highways network and the proposal would be sustainable, subject to conditions and to an appropriate Section 106 agreement, the Heads of Terms of which have been agreed with the applicant.

5 SITE AND SURROUNDINGS

- 5.1 Paul Anthony House (724 Holloway Road) was originally constructed by a tile roofing company in 1910 but has been heavily altered and modified in its lifetime. The building now sits at three storeys in height (plus basement) and fronts onto Holloway Road, behind a small forecourt. The application site has a secondary entrance on Fairbridge Road at ground floor level, through an undercroft beneath an existing residential building known as 2 Fairbridge Road (the residential units of this building do not change as a result of this proposal). Adjacent to this is a 3 storey residential property known as 2a Fairbridge Road, which is a recently built property of contemporary design. The application site sits to the immediate north-west of St John's Church, which is Grade II* listed. The site is bounded by the railway to the east,

Holloway Road to the south, and Fairbridge Road to the north-west. The immediate neighbouring buildings to the north and west of the application site are predominantly 3-4 storey Victorian residential properties, which are currently in use as residential flats.

6 PROPOSAL (IN DETAIL)

- 6.1 The proposed development would comprise of the complete demolition of the existing building on the site, and the construction of a part 2, part 6 storey (plus basement) building comprising of 1673m² of B1(a) floorspace (including 666m² of 'SME workspace), and 7 residential units (comprising of 1 x 1 bedroom, 5 x 2 bedroom and 1 x 3 bedroom units). The proposed building would be predominantly of a 'warehouse' style design, constructed from brick, with crittal style windows, with a set-back metal clad fifth floor level, and a further set back glass sixth floor level. A two storey building would link the main body of the development to the ground floor entrance on Fairbridge Road.

Revisions

- 6.2 The application has been amended during the course of the application to address concerns relating to the provision of sufficient employment generating floorspace, as adopted policy requires the maximum uplift within Town Centres. The revisions include:
- A reduction in the number of proposed residential units from 9 to 7;
 - An increase of 300sqm in B1(a) floorspace from the original submission.

7 RELEVANT HISTORY:

Planning Applications

821084 for the change of use from warehousing and wholesale use to offices and elevational alterations. Approved 10/01/1983.

861610 for the change of use of part of the ground floor (rear) of existing office premises to provide staff and client dining facilities and recreational facilities. Refused 16/02/1987.

920875 for the erection of a rear first floor level extension of 37sqm. Approved 11/11/1992.

Prior Approval Applications

P2014/1974/PRA: Prior Approval application for change of use of ground (part), first and second floors of existing B1[a] office to thirteen (13) residential units Class C3 [8 X 1-bedroom and 5 X 2-bedroom]. Refusal of permission due to the application site being within an area of exemptions.

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 80 adjoining and nearby properties on 3rd December 2015. A site notice was displayed and a press advert was published on 3rd December 2015. The public consultation on the application therefore expired on 24th December 2016.

8.2 A total of three objections were received from neighbouring residential occupiers. The concerns raised by the objectors can be summarised as follows (with the paragraph that provides a response to the issue indicated within brackets):

- Increase in overlooking and loss of privacy (see para 11.49)
- Loss of daylight and sunlight (see para 11.26)
- Loss of views (see para 11.49)
- Potential noise nuisance (see para 11.50)
- Impact on the streetscene (see para 11.13)
- Loss of satellite reception (see para 11.55)
- Increase in litter and refuse (see para 11.52)
- Light pollution (see para 11.54)

External Consultees

8.3 London Fire & Emergency Planning: No response received.

8.4 Metropolitan Police Crime Prevention Design Advisor: Advised that the project provoked little cause for concern in respect to building security.

8.5 Thames Water: Raised no objection with regards to the impact of the development on sewerage infrastructure capacity. They advised that approval should be sought from Thames Water where the erection of a building would come within 3m of a public sewer. A recommendation was made to ensure storm flows are attenuated into the receiving public network through on or off site storage. Thames Water have requested a piling method statement. This is addressed under Condition 24.

8.6 Network Rail: Raise no objection on the basis that the development will not encroach on Network Rail land, nor affect the safety, operation or integrity of the railway and its infrastructure. It also notes that future maintenance must not be undertaken from Network Rail land, and that drainage shall not be discharged from the site onto Network Rail land.

- 8.7 Transport for London: Raise no objection, but note that residents should be made exempt from parking permits. TfL also advise that if the LPA consider the scheme to be acceptable, all servicing should be undertaken from Fairbridge Road, but will expect a Delivery and Service Plan. TfL also requires the site to comply with cycle parking provision as set out under the London Plan (2015). (Officer comment; this would be secured by Condition 15)

Internal Consultees

- 8.9 Design and Conservation (based on revised design): The proposed demolition and reconstruction of the host property is considered to be acceptable in principle subject to fine details.
- 8.10 Energy Conservation Officer – The proposal is considered acceptable, with relevant conditions applied. A Carbon Offsetting contribution of £33,150 should be sought under a S106 agreement.
- 8.11 Inclusive Design Officer: - The proposal is considered to be broadly acceptable; however concerns have been raised with regard to the gradients of ramps to the step-free access to Holloway Road.
- 8.12 Planning Policy Officer: The proposal broadly complies with council land use policies to maximise business use on the site now that amended plans have been received. An appropriate amount of affordable business floor- space should be provided.
- 8.13 Public Protection Division (Acoustic Officer): No objections, subject to the securing of relevant conditions in relation to plant noise, sound proofing between the residential and office uses and the submission of an Environmental Construction Management Plan.
- 8.14 Highways/ Traffic management: No objections have been raised.
- 8.15 Sustainability Officer/ Local Lead Flood Authority: The commitment to achieve BREEAM Excellent is supported, as is the commitment to meet policy targets in relation to water efficiency, materials and construction waste. While the lack of thermal modelling is regrettable, a suitable condition may be used (Condition 21). Notwithstanding the proposed SUDs strategy, a condition should be attached to secure details.

9 RELEVANT POLICIES

- 9.1 Details of all relevant policies and guidance notes are attached in **Appendix 2**.
- 9.2 This report considers the proposal against the following documents:

National Guidance

- 9.3 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.

- 9.4 In considering the relevance of the changes to the PPG in light of the NPPF requirement to meet the full objectively assessed needs for market and affordable housing, the Council is mindful that the NPPF sets out the government's national planning policy.
- 9.5 Furthermore, planning legislation (Section 70 of the Town and Country Planning Act 1990 and section 38 of the Planning and Compulsory Purchase Act 2004) provides that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 9.6 Legislation puts far greater weight on adopted policy, both at the national, London and borough level. The Council considers that the material consideration of the PPG should not outweigh the development plan, given the specific circumstances in Islington.
- 9.7 Under the Ministerial Statement of 18 December 2015, the government seeks to increase the weight given to SuDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

Development Plan

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

Designations

- 9.9 The site is the subject of the following designations set out within the Development Plan documents:

- Archway Town Centre

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.10 The SPGs and/or SPDs which are considered relevant to this application are listed in Appendix 2.

10 ENVIRONMENTAL IMPACT ASSESSMENT

- 10.1 Whilst an EIA Screening Opinion was not submitted by the applicant, it is not considered that the site or development proposed falls within Category 1 or 2

development and therefore does not trigger a requirement for an Environmental Impact Assessment.

ASSESSMENT

11.1 The main issues arising from this proposal relate to:

- Principle of the use
- Design, Conservation and Heritage considerations
- Standard of business accommodation
- Standard of residential accommodation
- Neighbouring amenity
- Inclusive Design
- Energy and sustainable design and construction
- Trees, landscaping and biodiversity
- Transport
- Planning Obligations

Land Use

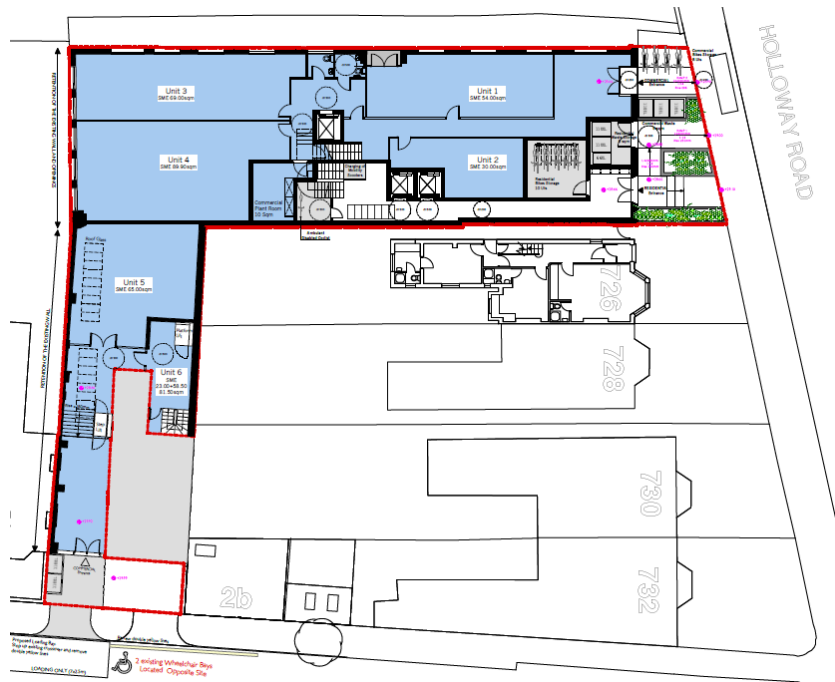
11.2 The site lies within the Archway Town Centre. When assessing changes of use within Town Centres, part D of Policy DM 4.4 is relevant. It states that ‘the change of use of ground floor units from main town centre uses to other uses within town centres will generally be resisted’. The lawful use of the ground floor of 724 Holloway Road is currently B8, which is not a main town centre use and is therefore not considered to be entirely appropriate for the sites location. However the proposed office use is classified within the Development Plan (DM 5.1) as being an appropriate main town centre use. The proposal therefore complies with this part of this policy and would not harm the vitality of the Town Centre. Policy 5.2 of the Islington Development Management Policies resists the loss of Business floorspace but in this instance whilst there is a loss of B8 floorspace, there is an overall increase in B1 business floorspace. The table below highlights the changes in floorspace by type and quantum.

	B1	B8	C3
Existing GIA (Sq m)	742	708	0
Proposed GIA (Sq m)	1673	0	737

11.3 The existing site comprises of 708sqm of business (warehousing B8 use) floorspace, and a further 742sqm of office (B1(a)) floorspace. The proposed scheme would deliver 1,673sqm of new high quality office floorspace at basement, ground, first, second and third floor level. The existing office floorspace in the building is of a low quality and is in need of substantial improvement, as such the continued use of this land for office space is policy compliant and welcomed, for its contribution towards the

borough's economic growth ambitions. DM5.4(B) requires the re-provision of low value business floorspace. In this instance the low value floorspace is replaced by B1 floorspace and will include 6 units (measuring 666sqm) of B1(a) floorspace suitable for SME's. It is considered that this more than re-provides the low value workspace as required by Policy DM5.4(B). The applicants have provided details of 6 business units arranged to be suitable for SME's by nature of their size and design, rather than providing affordable workspace at a peppercorn rent. These units all measure less than 90 sqm and represents 32% of the total office space provided. This approach is supported by Policy DM5.4(B), which accepts a provision of SME units OR affordable workspace, unless it can be demonstrated to the Council that the site is not suitable for such. The SME units as defined on the proposed plans are proposed to be protected from amalgamation or subdivision by Condition 6. The open plan office space on the upper floors is intended to be let floor by floor with the flexibility through further sub-division to allow for smaller sized businesses.

- 11.4 B1(a) office space is defined within the Development Plan Chapter 5 Development Management Policies 2013 as a 'business' use. Core Strategy policy CS5C promotes the importance of the development of business floorspace to contribute to wider employment growth within the borough. Policy DM5.1A supports this position, encouraging the intensification, renewal and modernisation of existing business floorspace. Furthermore, B1 floorspace would support higher employment densities and thus create additional employment opportunities within the borough.
- 11.5 Policy DM5.1Ai requires that a scheme incorporates the maximum amount of business floorspace reasonably possible on the site. The proposed scheme would create additional new office (B1a) accommodation over the existing business floorspace on the site of 223sqm, approximately a 15% uplift of employment floorspace. When weighing up the proposed uplift with other policy considerations such as the need for an element of housing, along with the constraints of the site, this uplift is considered to be acceptable and is the optimum quantum the site can reasonably be expected to deliver without being a pure office scheme. It is noted that the new business floorspace would be of a much higher standard than that currently existing, and would arguably make much more efficient use of the available floorspace than the underused floorspace currently existing.
- 11.6 It should also be noted that, when taking into account the change of use from existing B8, the proposal would in fact create 931 sqm of B1(a) space. Officers worked with the applicants through the course of the application to further maximise the office floorspace by reducing the number of proposed residential units from 9 to 7, to allow a further 170sqm of B1(a) floorspace at third floor level. It is considered that while further B1(a) floorspace could be provided on the application site, this would be at the expense of residential floorspace, and the off-site affordable housing contributions associated therewith.



Ground Floor Plan (Proposed)

- 11.7 In addition to encouraging new business floorspace in general, the Development Plan promotes measures to support the local population and local businesses. It is considered that the proposed floor-plate would be suitably flexible for future adaptation to meet new needs as required under Policy DM5.1F.
- 11.8 There is also a requirement for developments to provide jobs and training opportunities including on-site construction training during the construction phase of the development and training opportunities during the operational phase. This would be secured as part of the legal agreement.

Residential

- 11.9 There is no policy objection to the residential element of the scheme which is, in principle, acceptable. Residential on upper floors within town centres is considered to be an appropriate and complementary town centre use.
- 11.10 The relevant Islington Development Plan policy is CS12G, which states that sites of nine units or fewer will contribute to affordable housing provision through a financial contribution in lieu of on-site provision.
- 11.11 The contribution per unit is set out in the council's Affordable Housing Small Sites Contributions SPD (2012). The SPD sets out, underpinned by viability evidence, that the required contribution for the creation of each additional residential dwelling (when less than 10 are proposed) in this part of the borough would be £50,000 per unit. As 7 units are proposed here, the Council would expect an off-site contribution of £350,000 secured under the legal agreement and this has been agreed with the applicant.

Summary of land use

- 11.12 The change of use of the existing B8 floorspace into B1 office use is policy compliant, as the proposed B1 use is considered appropriate to a main Town Centre use. The applicants have re-provided the low value floorspace lost as a result of the loss of B8 by providing 6 B1(a) units suitable for SME occupation. The uplift in business floorspace is welcomed, as is the provision of an element of affordable workspace. The provision of 7 new residential units on the site is considered to be acceptable subject to a financial contribution for off-site affordable housing.

Design and Conservation

- 11.13 Planning policies relevant to design are set out in chapter 7 of the London Plan, Policy CS9 and policies in chapter 2 of Islington's Development Management Policies. The applicants were further advised at pre-application stage to refer to Islington's Urban Design Guide SPD, and the Mayor of London's Character and Context Supplementary Planning Guidance
- 11.14 The application site falls directly opposite the Grade II listed St Johns Church. Policy DM2.3 requires that new development within the setting of a listed building does not harm its significance.
- 11.15 The proposed retention of the overall design and general massing of the original building is considered to be acceptable. The proposed additions at roof level were revised down through the pre-application process from two additional storeys, to one storey with set-back second storey additions.



Proposed view from Holloway Road

- 11.16 It was considered that an acceptable approach would be a single storey addition, with a set-back addition at roof level, constructed from light-weight materials in order to not overly dominate the original building, or overbear the adjacent Victorian terrace. The applicants considered this information, and

the current application meets these requirements. The Council's Urban Design and Conservation Team have reviewed this information and have confirmed they raise no objection, however further details of materials and balustrades are required, which will be sought under Condition 3.

- 11.17 The overall design of the building is predominantly in the style of a Victorian warehouse, of which the original building on the site was an example. The proposed development will take cues from this style of architecture, with Crittall style windows, London stock brickwork, and recessed balconies which evoke the character of the recessed enclaves which would have been used for the winch and/or crane from street level. It is considered that the proposed design would echo the character of the area, especially with regard to its location adjacent to the Victorian railway. The contemporary addition at roof level would serve to distinctly contrast this style of vernacular and read as a new addition – though it would be set-back from the street elevation and would only be visible on long views.
- 11.18 It is considered that the increased bulk of the proposed building over what currently exists on the site would not distract from the street-scene, nor have any significant adverse effect on the setting of any nearby heritage assets, including the Grade II listed church located opposite. The site does not fall in a Conservation Area, but is located adjacent to the St John's Grove Conservation Area. Due to the application site's location east of the CA, and south of St John's Grove it is considered there would be no impact on views into or out of the Conservation Area.
- 11.19 The proposed building respects the established front building line of the existing Victorian terraced properties to the north of the application site, and does not project any further forward than either 726 or 728 Holloway Road which themselves are set back approximately 2m from nos 730 and 732.

Standard of residential accommodation

- 11.20 Seven self-contained residential units are proposed. DM3.4 (Housing Standards) is relevant in this regard. It requires that new residential accommodation be designed with due consideration to aspect, outlook, noise, ventilation, privacy and light.
- 11.21 The proposed dwellings would be arranged over 3 floors – part 3rd floor level, 4th floor and 5th floor. The residential units would be arranged around their own dedicated core, and would be accessed from an entrance at ground floor level fronting Holloway Road. This entrance would be accessed by ramp and stair (there is a level change between Holloway Road and the ground floor of the proposed development) but will offer level access for wheelchair users. All the residential units would be accessible by lift, two of which service the residential floors. The residential cycle storage is located within the main entrance lobby of the residential units, with the residential waste storage located in a waste store adjacent to the main entrance.
- 11.22 The internal floor area of the units would all exceed the minimum space standards requires by Policy DM3.4 and set out in table 3.2 of the

Development Management policies, the one bedroom unit being 52sqm (against a policy requirement of 50sqm), the two bedroom units being between 64sqm and 79sqm (against a policy requirement of 61sqm) and the three bedroom units being 86sqm (5 person unit) (against a policy requirement of 86sqm). Policy DM3.4 part D sets out that 'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated'. The policy then goes on to state that 'for sites where dual aspect dwellings are demonstrated to be impossible or unfavorable, the design must demonstrate how a good level of natural ventilation and daylight will be provided for each habitable room'. The proposed units are all dual aspect although 2 units on fourth floor and 1 unit on third floor partially rely on lightwells to achieve this. This is considered acceptable particularly as 1 of these three units has additional aspect. Outdoor amenity space has been provided for each of the units in the form of balconies or winter gardens for the units on third floor and terraces for the duplex units on top floor. In this location on the Holloway Road where the opportunity for providing external spaces is limited, this provision is therefore considered acceptable.

- 11.23 Overall it is considered that the seven residential units would provide a good quality of accommodation, and deliver an acceptable mix of sized units to accommodate different needs.
- 11.24 A single wheelchair adaptable unit has been proposed; this is discussed further in the 'Inclusive Design' section of this report (Paragraph 11.56).

Neighbouring amenity

- 11.25 DM policy 2.1A states that developments are required to provide a good level of amenity to neighbouring occupiers, including consideration of noise and the impact of disturbance, hours of operation, overlooking, privacy, direct sunlight and daylight, over dominance, sense of enclosure and outlook.

Light and overshadowing

- 11.26 Para 2.13 of the Development Management Policies states that the Building Research Establishment (BRE) provides guidance on site layout planning to achieve good sunlighting and daylighting (*Site Layout Planning for Daylight and Sunlight: a guide to good practice*). This is the accepted nationally recognised guidance to safeguard sunlight and daylight to habitable rooms within neighbouring properties.
- 11.27 The BRE guidelines require that initial 'tests' are carried out on neighbouring habitable windows to establish, based on the proximity of those windows to a development and their relationship with that development, whether further testing is required. Where further testing is required, these are as follows:

For assessment of daylight, the BRE guidelines state there are two standardised tests. The first method involves measuring the vertical sky component (VSC) for each window. The BRE guidelines stipulate that the

occupants of the existing building will notice the reduction in the amount of skylight if:

'the VSC of a window, should the development take place, is both less than 27% and less than 0.8 times its former value,'

The second method involves measuring the daylight distribution (DD) of each room by assessing the impact on the position of the No Sky Line measured on the working plane (0.85m from floor level). The BRE guidelines stipulate that the occupants would notice an increase in the area of the room that does not receive direct skylight if:

'if the area of working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value'

- 11.28 For the assessment of sunlight, the BRE guidance states that when designing a new development, care should be taken to safeguard access to sunlight for existing dwellings, the guidelines confirm that windows that are not orientated facing within 90 degrees of due south do not warrant assessment. The guidelines stipulate that for those windows that do warrant assessment, sunlighting of the existing dwelling may be adversely affected if:

In 1 year the centre point of the window receives less than 25% of annual probable sunlight hours (APSH), including less than 5% of Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March and less than 0.8 times its former value.

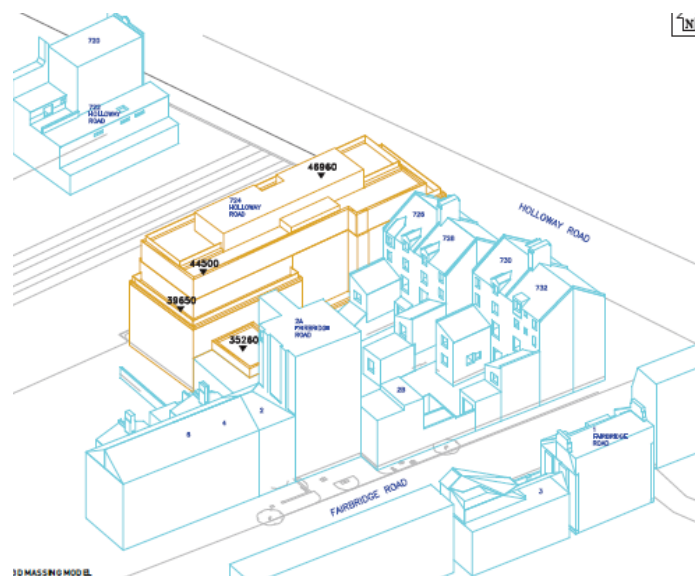
- 11.29 Where the guideline values for reduction to existing levels of daylighting and sunlighting are exceeded, then sunlighting and/or daylighting may be adversely affected. However, it is necessary to note that the document advises that the guidance values should not be seen as an instrument of planning policy, but rather should be interpreted flexibly, as natural lighting is only one of many factors to be considered when assessing a proposed development.

- 11.30 A Daylight and Sunlight Report was provided as part of the application submission. The report was carried out in accordance with the guidance and methodology set out in the BRE Site Layout Planning for Daylight and Sunlight 2011 publication. All aspects of the new development were modelled in order to determine the impact on the neighbouring properties. In so doing, the report states, following initial tests, there were a number of nearby properties which required further testing. These were:

- 1 Fairbridge Road
- 2 Fairbridge Road
- 2A Fairbridge Road
- 2B Fairbridge Road
- 3 Fairbridge Road

- 720 Holloway Road
- 726 Holloway Road
- 728 Holloway Road
- 730 Holloway Road
- 732 Holloway Road

11.31 It should be noted that the submitted Daylight/ Sunlight report states, in respect to calculating Daylight Distribution, that reasonable assumptions were made in respect of the layout and dimensions of neighbouring properties. The BRE guidance advises that the Daylight Distribution can be found 'where room layouts are known'.



Daylight and Sunlight Assessment

11.32 726 Holloway Road is the closest neighbour to the development and falls north-west of the application site, so may be impacted by the proposed development. The below is an assessment of the impact on this property.

Vertical Sky Component

- 11.33 Second Floor R3 - this window was modelled but the window is frosted and appears to serve a bathroom, which would not be a material consideration under the BRE guidelines. Notwithstanding this, the assessment shows this room to be dual aspect with the other window greatly exceeding the BRE guidelines.
- 11.34 Third Floor R3 - this window was modelled but the window is again frosted and appears to serve a bathroom, so would not be a material consideration. Notwithstanding this, the assessment again shows a dual aspect with the other window greatly exceeding the BRE guidelines.

Daylight Distribution

- 11.35 Daylight Distribution tests were carried out on the habitable rooms and all passed, with all rooms receiving a good level of daylighting.

Annual Probable Sunlight Hours

- 11.36 One window (W3 serving Room 3 at third floor level) would fail this aspect of the BRE test, however this is a residential bedroom which is served by two windows. Window W4 would not be affected by the proposed development and it is considered this room would retain acceptable levels of sunlight.
- 11.37 728 Holloway Road adjoins 726 Holloway Road to the north west.

Vertical Sky Component

- 11.38 Ground floor R1 has two windows, one of which passes the VSC test, one of which fails. The failing window would retain 70% of its VSC and is considered to be a marginal fail. The other window serving this room would retain 100% of its existing VSC, so the proposals are considered to be acceptable. A further window (ground floor R2) serving a residential room (the use of which could not be verified) also marginally fails the VSC test, however this is largely due to the orientation of the existing buildings and the existing extensions/back addition, and would still retain 70% of its existing VSC. It is considered in this instance to be acceptable due to the existing orientation of the buildings.
- 11.39 First Floor R2 is served by two windows, but would appear to be a bathroom. The windows fall on the south-east elevation on an existing back addition, and currently face out over the rear of 726 Holloway Road. Each of these two windows would retain 65% of their existing VSC, and as there are two windows serving the same room it is considered that this would be acceptable.

Daylight Distribution

- 11.40 Daylight Distribution tests were carried out on the habitable rooms and all except one passed, with all rooms receiving a good level of daylighting. The only failing room would be at the ground floor, to the side elevation of an existing back addition. While it is acknowledged that this is a substantial fail with regard to the BRE test (at 0.5 of its former value), the window in question already falls behind existing additions, extensions and the existing building at 724 Holloway Road.

Annual Probable Sunlight Hours

- 11.41 Four windows to the ground and first floor of 728 Holloway Road fail APSH tests. The windows affected are the flank windows on the rear extensions which have limited sunlight availability already because of orientation and existing buildings. The front windows to 728 Holloway Road will continue to have access to sunlight well in excess of the BRE guidelines, so it is considered that the occupants will still have adequate access to sunlight. It

should be noted that these windows would already fail APSH tests prior to the proposed development at 724 Holloway Road

- 11.42 730 Holloway Road passes all VSC, daylight distribution and APSH tests.
- 11.43 731 Holloway Road passes all VSC, daylight distribution and APSH tests.
- 11.44 1 Fairbridge Road passes all VSC, daylight distribution and APSH tests.
- 11.45 2 (inc 2a) Fairbridge Road falls to the north-east of the application site. Objections have been received by occupants of both 2 and 2A Fairbridge Road with regard to the impact of the proposed development on daylight and sunlight to their properties. While considering the application the LPA has reviewed the relevant sections of the submitted Daylight and Sunlight assessment, and concludes the following:

Vertical Sky Component

- 11.46 2 and 2A Fairbridge Road pass all Vertical Sky Component tests to all windows, and therefore this aspect of the proposal is considered to be acceptable when considered against BRE guidance.

Daylight Distribution

- 11.47 One window to the ground floor of 2 Fairbridge Road fails the Daylight Distribution test by 1%. This is considered to be a very small transgression and in reality the effect would not be noticeable. The room modelled is quite small (3.8sqm), which means the actual light reduction is small. This is in all probability a non-habitable room but was modelled and tested for completeness.

Annual Probable Sunlight Hours

- 11.48 Two windows to the rear of 2 and 2A Fairbridge Road fail APSH tests, Room 2 at first floor level of 2A fails both summer and winter with Room 4 at first floor level of 2A failing only in winter. However, it is noted that it would only be these two windows, over two separate residential units which would fail the APSH test, and all the remaining windows of these properties will still have adequate access to sunlight. Therefore, it is considered that there will not be an unacceptable impact on the overall standard of accommodation to 2 or 2A Fairbridge Road.

Sense of enclosure, outlook and privacy

- 11.49 The proposed development would in effect create an additional two storeys (from 12m as existing to 18m as proposed) over what is currently experienced at 724 Holloway Road. While the increase in height will be noticeable from the rear gardens of 726 – 732 Holloway Road, these properties will still retain adequate outlook to the north-west towards Fairbridge Road and the proposals will not unduly harm the sense of enclosure to the rear of these properties. Windows to the rear of 2A and 2B Fairbridge Road which comprise residential units should not experience any

significant increase in a sense of enclosure over what is currently experienced. The proposed windows to the north-west elevation of 724 Holloway Road will either fall behind a balcony (with privacy screen) to the residential unit at 5th floor level, be at oblique angles to the rear of the neighbouring properties fronting Holloway Road, or will be obscure glazed in order to ensure there will be no overlooking or loss of privacy to neighbouring residential windows and gardens on Fairbridge Road and Holloway Road. On the boundary with no.2 Fairbridge Road where the proposed building would look into the gardens of Fairbridge Road, there is no access to the flat roof created by the set back at third floor for the occupiers of the office units. At 4th floor level, the habitable room windows are set back from the boundary and on fifth floor the terrace would be further set back with a privacy screen. A condition to secure these details, along with a requirement for the windows serving the office floorspace which overlook the rear garden of 726 Holloway Road to be permanently fixed shut is proposed under Condition 3 and Condition 16.

Noise and Disturbance

- 11.50 Refuse collection for the office development would take place once a week using Fairbridge Road, as was the case when the buildings on the site were previously occupied, and is in line with all refuse collection which currently takes place for this street. All other servicing for the office development, including the affordable workspace, would be carried out using a loading bay on Fairbridge Road, which would be adjacent to the current servicing access to the application site. It is not considered that there would be any undue increase in vehicular activity on Fairbridge Road, nor Holloway Road, as a result of the development. A condition requiring the submission of details of servicing to be submitted once an end user/s is in place is recommended, to ensure that servicing relating to the occupation of the units does not unduly impact on neighbouring residential amenity.
- 11.51 There is an entrance to the office building on Holloway Road, which would be used by the occupants of the residential units, and an adjacent entrance which would be used by the offices. There is a secondary entrance on Fairbridge Road which would provide access for 2 of the SME units. It is not considered that the level of pedestrian activity that these arrangements would generate would give rise to any discernable increase in the level of noise, disturbance, litter or antisocial behaviour for local residents. In addition, any increased pedestrian movements using this entrance would be restricted to office hours only.
- 11.52 The proposed development would be unlikely to cause any specific nuisance with regard to noise and disturbance to neighbouring occupiers as the proposed uses as offices and residential are considered to be appropriate to neighbouring existing residential properties. Concern has been raised by a neighbouring resident that litter may be thrown from windows of the proposed office building into residential gardens, and/or cigarette butts from residential balconies. To this end, a condition is proposed in order to ensure the windows overlooking the rear gardens of neighbouring properties are fixed shut, and in the case of the residential balcony which would overlook the gardens of

neighbouring properties, a 1.7m privacy screen will be secured by condition, which would not allow residents of the proposed residential unit to easily discard refuse over the parapet.

- 11.53 In terms of the construction phase of the development, it is recommended that a Construction and Environmental Management Plan be submitted prior to commencement which would deal with working hours, haul routes and measures to minimise noise and disruption to neighbouring residents. It would be required that this plan be approved by the planning authority prior to any works on site and implemented as per the details within the Plan.
- 11.54 The proposed development will be internally lit in a similar fashion to the existing building, however a condition is recommended (Condition 19) to secure any details of external lighting in order to ensure there would be no impact on neighbouring residents with regard to light pollution. Overall it is not considered that the proposal would lead to any undue noise and disturbance for the neighbouring occupiers.

Satellite TV Reception

- 11.55 A neighbouring resident objected to the current proposals as they could have an impact on their satellite television reception. While this is considered to be unlikely due to the height of the proposed development not being excessive, television reception is included as an aspect of the Environmental and Construction Management and Logistics Plan which is required under Condition 4.

Inclusive Design

- 11.56 Core Strategy 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 Development Management Policies document mirrors and expands upon these aims. Policy DM2.2 requires all that all developments demonstrate ease, versatility and legibility of use and bring together the design and management from the outset and over its lifetime. Policy DM3.4Aiv) requires that new housing developments are accessible and adaptable to meet the changing occupier circumstances. The council's Inclusive Design SPD details specific standards for inclusivity of residential and non-residential buildings.
- 11.57 In terms of the residential accommodation, the recent Housing Standards Review was followed by a Deregulation Bill on 16 March 2015 which was implemented on 1 October 2015. The Bill introduced a new National Standard for Housing Design as an enhancement of Part M of the Building Regulations which will be enforced by Building Control or an Approved Inspector. The new National Standard is broken down into 3 categories: Category 1 (Visitable Dwellings), Category 2 (Accessible and Adaptable Dwellings, similar to Lifetime Homes) and Category 3 (Wheelchair Accessible dwellings, similar to Islington's present wheelchair accessible housing standard).

- 11.58 The GLA have introduced a Minor Alterations to the London Plan which reframes London Plan Policy 3.8 (Housing Choice) to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London. The requirement is now that housing be built to Category 2 and or 3 if there is evidence of a local need for such housing i.e. housing that is accessible and adaptable. The GLA by way of Minor Alterations to the London Plan 2015, has reframed LPP 3.8 Housing Choice to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London. In this regard, as part of this assessment, the London Plan policy is given weight and informs the approach below.
- 11.59 Due to the difference in levels between the pavement at Holloway Road and the front entrance of the building a ramped access will be required, at a gradient of at least 1:15. Full details of this arrangement (and the resulting layout and appearance of the forecourt including cycle storage) is proposed to be secured by Condition 25. This would allow the Local Planning Authority the opportunity to assess this aspect of the proposal in more detail after full surveys have been carried out with regard to levels.
- 11.60 In terms of the office accommodation, Holloway Road would function as the main entrance with access to a lift servicing all floors. Two passenger lifts would provide step free access from within the building to the residential levels and mobility scooter storage and charging point would be located close to the lift core.
- 11.61 Accessible WC facilities are provided throughout the building, with a wheelchair accessible WC on each floor. The accessible ground floor WC is located in the middle of the SME B1(a) units. The affordable workspace units accessed from Fairbridge Road would have step-free access, and Unit 6 would have the benefit of a platform lift between its two floors.
- 11.62 In summary, it has been demonstrated that the proposed space would provide ease, versatility and legibility of use, in compliance with council policy and the Inclusive Design SPD. Conditions are recommended to secure accessible WC's, step free office access and lift provision. Specific details are requested with regard to the forecourt fronting Holloway Road in order to ensure the proposed ramp access is of a suitable gradient, has adequate hand-railing and an appropriate relationship with the secure cycle storage.

Energy and Sustainable Design

- 11.63 Islington's Core Strategy policy CS10 (Sustainable design) part A requires that all development proposals demonstrate that they have minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO₂ emissions reduction of 30% relative to total emissions from a building which complies with Building Regulations 2010, where connection to a Decentralised Energy Network (DEN) is not possible, such as is the case with the application site. Typically all remaining CO₂ emissions should be offset (down to zero carbon) through a

financial contribution towards measures which reduce CO₂ emissions from the existing building stock.

- 11.64 The proposal would achieve a CO₂ emissions reduction of 37% when compared to a Building Regulations 2013 compliant development for regulated emissions, and 29% for total emissions including unregulated. This is considered to be acceptable, and in line with adopted policy.
- 11.65 It is accepted that the scheme has reduced onsite CO₂ emissions to the extent that it is reasonably possible to do so and the headline figure is accepted. The following paragraphs outline each measure in more detail.

Energy Efficiency of the Building

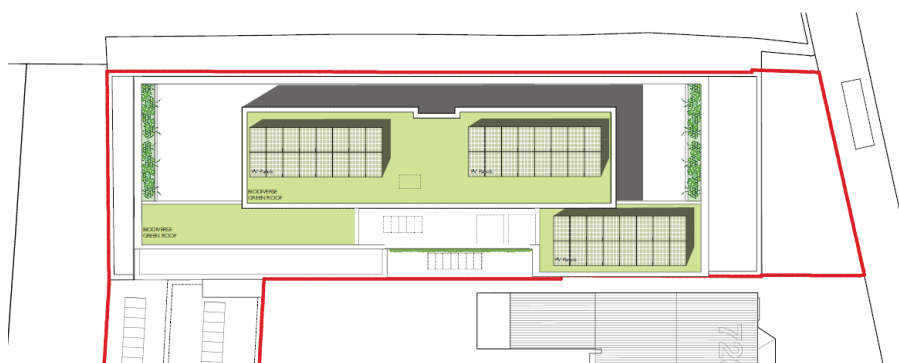
- 11.66 The council's Environmental Design SPD outlines fabric efficiency standards in terms of air tightness and insulation. 'U values' are a measure of heat loss from a building and a low value indicates good insulation. The U values proposed meet the required standard. The air tightness of the proposed building and the U values are accepted.
- 11.67 Lighting within the commercial offices would have intelligent controls, with each light fitting capable of being individually controlled. Presence detection and daylight dimming will be provided to the offices and perimeter lighting will be separately controlled to lighting in the centre of the office footprint, in compliance with the councils Environmental Design SPD.

Supplying Efficiently

- 11.68 Supplying energy efficiently includes the use of low carbon heating and cooling technologies and reducing the need for cooling through passive design.
- 11.69 DM7.3A requires all developments to be designed to be able to connect to a decentralised energy network (DEN) if/when such a network becomes available. Specific design standards are set out in the councils Environmental Design SPD. The proposed Air Source Heat Pump (ASHP) heating system (coupled with a MVHR system) would not immediately be compatible with a connection to a DEN. The applicant has justified this position and provided calculations which indicate that use of ASHP would, from day one, produce carbon emissions which were far less than using a local gas fired solution. However, the applicants have confirmed that provision shall be made for a future connection of the building to a district heating system if it were to become available, including space allocated in the basement structure for future pipe work in to the property, valved and capped connections in the communal heating system and spatial allocation in the plant room for the future location of plant including a plate, heat exchanger, pumps, controls, heat meter, flow measurement devices and energy supply. This approach is, in this instance, supported by the councils Energy Officer.

- 11.70 DM7.3B and C state that where there is an existing or future DEN within 500m of the site, the development should connect. There is no available local DEN network to link up to within 500m of the site at present.
- 11.71 DM7.3D states that where there is no existing or proposed future DEN within 500m of the site, where possible developments should connect to a shared heating network, unless not reasonably possible. No shared heat network (SHN) is proposed and the council is satisfied that there are no current buildings or pending developments which could provide an opportunity for importing or exporting low carbon heating to the proposed development at this time.

Renewable Energy



Green roofs and photo-voltaics

- 11.71 The applicants Energy Statement includes the provision of solar photovoltaics at roof level, which would be used in conjunction with the air source heat pumps and the heat recovery system in order to improve the energy efficiency of the development. It is anticipated that the array will be connected to each residential unit with a percentage contribution by floor area, thus reducing energy demand. This is considered to be acceptable.

Overheating and Cooling

- 11.72 DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. The applicants Energy Strategy demonstrates that the risk of overheating has been minimised in accordance with this policy by the proposed building fabric(s). Mechanical cooling through the ASHP system is to be used, but only where dictated by operational needs. This approach has been agreed by the Council's Energy Officer.
- 11.73 Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance. While no

thermal modelling has been submitted as part of this application, it is considered that in this instance a dischargeable condition seeking details of thermal modelling would be acceptable (Condition 21). The applicants will be reminded that as a result of this approval of details application, external alterations may be necessary to the design of the overall development, which may require a Section 96a or Section 73 application be submitted and approved by the Local Planning Authority.

Offsetting

- 11.74 Developments are required to offset all remaining CO₂ emissions through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock. The contribution relating to this scheme is £33,120. This is reflected in the heads of terms related to this report and agreed by the applicant.

Unregulated Emissions

- 11.75 Policy CS10G requires all developments to be designed and managed to promote sustainability through their ongoing operation, for example through measures which raise awareness about environmental issues and support sustainable lifestyles, and to be adaptable to changing needs and circumstances over their lifetime.
- 11.76 In recognition of this, policy DM7.1E requires the submission of a Green Performance Plan (GPP), to help to close the gap between design expectations and delivered performance. A full GPP would be required within 6 months of occupation and would be secured through inclusion of a clause within the 106 agreement. The submitted draft GPP is considered to be acceptable.

BREEAM

- 11.77 CS10B requires the development to achieve a target level relating to the relevant BREEAM schemes. Policy DM7.4C requires major developments consisting of conversions to form flats, to achieve EcoHomes Excellent. Policy DM7.4D requires non-residential developments to achieve Excellent under the relevant scheme. The commitment to achieve excellent under both schemes is supported and secured by condition.
- 11.78 DM7.4G requires non-residential developments to achieve all credits for water efficiency in the relevant BREEAM scheme. Where it is demonstrated that this is not reasonably possible, developments are required to achieve at least two credits for water efficiency in the relevant BREEAM scheme. Two credits for water efficiency are targeted. Water efficiency has been maximised within the development through the use of water efficient fixtures and fittings. Rainwater harvesting, given the size of the development and the constraints of the historic building, is considered not to be feasible in this instance.

- 11.79 Policy CS10 part C requires residential schemes to achieve a water efficiency target of 95 litres/ person/ day or less. This has been demonstrated and is supported.
- 11.80 DM7.4E requires 50% of credits on materials, at least 1 credit on responsible resourcing and 50% of credits on construction waste management. All required credits are targeted, which is strongly supported and conditioned.

SUDS/ Flood Risk

- 11.81 In compliance with policy DM6.6, major applications that are likely to result in an intensification of water use are required to reduce the quantity and improve the quality of water runoff, through demonstration that sustainable urban drainage systems (SUDs) have been incorporated into the scheme. Schemes must be designed to reduce flows to greenfield run off rate, where feasible, or as much as possible, through maximisation of on-site storage of water and the design must follow the SUDs management train, to maximise source control and provide the relevant number of treatment stages.
- 11.82 The site is not within a flood risk zone and there would be no increase in impermeable areas as the existing site is currently covered in buildings. Given the constraints of the site, it is only reasonable to expect that there would, as a result of the development, be no increase in surface water run-off. A green roof is proposed to two flat roof areas at 5th floor level, and to the roof of the set-back extension at 6th floor level. This would provide some water attenuation and a slight improvement in the quality and quantity of surface water run-off. This approach has been deemed acceptable by the councils Sustainability officer in this instance, however full details of SUDs features will be required by condition (Condition 20). The maintenance and quality of the green roof would be required by condition (Condition 11).

Air Quality and Ventilation

- 11.83 The Council's Pollution Officer has confirmed that the proposed development would be considered acceptable subject to conditions being added to any consent to secure details of ventilation and sound insulation. Condition 22 seeks details of ventilation where air is drawn from a clean façade in order to ensure the residential amenity of the proposed development is protected.

Sound Insulation

- 11.84 Due to the location of the development adjacent to a railway line, the Council's Pollution Officer has requested a condition be added to any consent to secure details of sound insulation from outside the building. Condition 23 would seek these details, to protect the level of outdoor noise reaching bedrooms, living rooms and dining rooms.

Trees, Landscaping and Biodiversity

- 11.85 In accordance with Development Management policy DM6.5 (Landscaping, trees and biodiversity), all developments must protect, contribute to enhance

the landscape, biodiversity value and growing conditions of the development site. Parts C and D of the policy requires the maximum provision of green roofs and that the green roof be of high enough quality to maximise the benefits for biodiversity.

- 11.86 The site is currently entirely impermeable and as proposed there would be no areas of surface level soft landscaping other than a small amount to the forecourt fronting Holloway Road. In this instance, this is considered to be acceptable.

Highways and Transportation

- 11.87 The Development Management Policies requires the submission of detailed information with regards to servicing, proposed trip generation, methods of travel and the promotion of sustainable transport methods in order to assess and reduce the impact of developments on the surrounding road network.
- 11.88 Policy DM8.1 states that the design of developments, including building design and internal layout, site layout, public realm and the provision of transport infrastructure is required to prioritise the transport needs of pedestrians, public transport users and cyclists above those of the motor vehicle.

Vehicular Access, Parking and Drop off Arrangements

- 11.89 CS10H requires car free development. The development would be entirely car free and this is supported. The rights of residents of the new residential unit to obtain on-street permits would be removed via a clause in the S106 agreement.

Servicing and Deliveries

- 11.90 Policy DM8.6 requires that provision for delivery and servicing should be provided off street. On street servicing will only be allowed where it has been demonstrated that:
- It would not be possible to provide servicing on site, due to issues such as highways safety and design and conservation; and
 - Where on street servicing can operate effectively without undue impacts on highways safety, capacity or congestion.
- 11.91 It is not proposed to service the development on site. The existing site includes a small external forecourt fronting Holloway Road, which has previously been used to service the building. However, Holloway Road is a Red Route, and the forecourt is partially blocked by a bus stop. The forecourt itself has extremely limited space for vehicles to manoeuvre, turn around and exit in forward gear, and additionally requires ramped access to allow for step-free access, further restricting the available space. The proposed development would be serviced from Fairbridge Street, adjacent to an existing entrance to the application site. While an on-street servicing arrangement is not ideal, it is considered that due to

the orientation of the application site and the restrictions of the existing road layout it would be acceptable in this instance. Transport for London and the Council's own Highways Officers have accepted this proposal.

- 11.92 The operational safety of the proposed delivery arrangements are considered to be acceptable. It is proposed that all servicing for the main and affordable office units and residential properties would be carried out using the proposed designated delivery bay opposite the site on Fairbridge Road. It is not considered that, given the relatively low number of deliveries associated with the uses on the site, this would give rise to any highways safety impacts. The councils Traffic Management team support the approach.
- 11.93 Concern has been raised by a neighbouring occupier with regards to hours of delivery. The applicant is required, in line with Development Management policy DM8.6 Bii, to submit details of the proposed Delivery/Service Plan, including hours, frequency, location, size of vehicles in order to assess the impact of the development on surrounding roads. It is recommended that a condition requiring details of servicing and delivery details be added to any eventual planning permission (Condition 15), once end user(s) are in place and prior to commencement of operations, to ensure there is no undue impact on neighbouring amenity and/or safety.

Cycle access and parking

- 11.94 Policy DM8.4 requires major developments to provide cycle parking in accordance with the minimum standards and for the facilities to be secure, conveniently located, adequately lit, step free and accessible.
- 11.95 The number of cycle spaces provided for the office use complies with council standards. The store, to be located at the ground floor of the proposed development fronting Holloway Road, would be conveniently located and secure as required by policy DM8.4. Access to the commercial bike store would be via step-free access to forecourt of 724 Holloway Road. It is noted, however, that no accessible bicycle spaces have been provided, and as such a condition is recommended seeking further details of the storage space to allow for such. This is addressed under Condition 14.

Construction management

- 11.96 A draft Construction Management Plan was submitted with the application. Little detail was provided with regards to haulage routes, vehicle numbers and vehicle types. It is recommended that a full Construction Management Plan be submitted prior to the commencement of any works on site, to ensure there would be no undue amenity impacts on residents nor on the road network during demolition and construction. A contribution towards construction monitoring of £2,373 and compliance with the Code of Construction Practice would be secured as part of the S.106 agreement.

Travel plan

- 11.97 The applicant submitted, in compliance with policy DM8.2B, a template local level Travel Plan. Travel Plans support car-free and other related policies such as the provision of on site cycle parking provision.
- 11.98 The submission of a full Travel Plan would be required through a clause on the 106 agreement, to ensure the implementation of sustainable travel methods wherever possible.
- 11.99 The arrangements would, overall, have an acceptable impact on local roads and would not compromise safety or traffic flow. Cycle provision meets expected standards and the travel plan would promote sustainable methods of transport. The Construction Management Plan, recommended by condition, would ensure the free flow of the road network during construction.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 11.100 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.
- 11.101 The proposed development generates a requirement for contributions towards CO2 offsetting, future provision of four additional wheelchair accessible parking bays, affordable housing and highways works.
- 11.102 The 106 agreement would include the following agreed heads of terms:
- Contribution of £350,000 towards affordable housing provision elsewhere in the borough
 - Securing the provision of small/micro workspace at ground floor level in accordance with the provisions of policy BC8B(ii)/DM5.4A and C (submission of details of unit sizes, design, management and marketing information including rent and service charges).
 - Compliance with the Code of Employment and Training.
 - Payment towards employment and training for local residents of a commuted sum of £2,455.
 - Facilitation of 2 work placement during the construction phase of the development, lasting a minimum of 13 weeks. LBI Construction Works Team to recruit for and monitor placements. Developer / contractor to pay wages that at least meet the London Living Wage. A fee of £10,000.00 to be paid to the Local Planning Authority if these are not provided.
 - Compliance with the Code of Local Procurement.

- Compliance with the Code of Construction Practice, including a monitoring fee of £2,373 and including submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
- Contribution of £33,120 towards offsetting projected residual CO₂ emissions of the development.
- Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
- Provision of four accessible parking bays or contribution of £2,000 towards the provision of accessible parking bays.
- Removal of residents rights to obtain on street parking permits
- The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant / developer and the work to be carried out by LBI Highways. Existing condition surveys may be required.
- Submission of a draft Travel Plan for approval prior to first occupation of the new office and submission of a full travel plan 6 months after commencement as an office.
- Payment of council's fees in preparing and monitoring the 106 Agreement letter.

Community Infrastructure Levy (CIL)

11.103 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's Community Infrastructure Levy (CIL) and Islington CIL are chargeable against developments on grant of planning permission. The CIL comprise contributions calculated in accordance with the Mayor's and Islington's adopted Community Infrastructure Levy Charging Schedules.

12. SUMMARY AND CONCLUSION

Summary

- 12.1 The application site comprises of 724 Holloway Road. The buildings contain some vacant business floorspace, and some currently occupied business.
- 12.2 The main issues arising from the development are the impact of the development on the character and appearance of the surrounding area and the impact of the development on the amenities of the neighbouring

residential occupiers. The application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.

- 12.3 It is considered that the development would not harm the character and appearance of the local area and the surrounding listed buildings, by reason of the improvements to the façades of the proposed buildings and the sensitive height, massing and detailed design of the new building fronting Holloway Road, along with the choice of materials and detailed design.
- 12.4 The proposal would not have an unacceptable impact on the residential amenities of neighbouring residential occupiers, however suitable conditions have been recommended to protect the amenities of nearby residents, along with securing details with regard to materials, SUDs features, sustainability features and other details as necessary to ensure the proposed development is of the highest standard. The proposed development would optimise the amount of business floorspace and affordable business floorspace on the site, in compliance with local land use policies. Residential accommodation is provided to meet housing need and financial contributions would be secured towards affordable housing within the borough. There would be no undue impacts on the safety of the highways network and the proposal would be sustainable, subject to conditions and to an appropriate Section 106 agreement, the Heads of Terms of which have been agreed with the applicant.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

- Contribution of £350,000 towards affordable housing provision elsewhere in the borough
- Securing the provision of small/micro workspace at ground floor level in accordance with the provisions of policy BC8B(ii)/DM5.4A and C (submission of details of unit sizes, design, management and marketing information including rent and service charges).
- Compliance with the Code of Employment and Training.
- Payment towards employment and training for local residents of a commuted sum of £2,455.
- Facilitation of 2 work placement during the construction phase of the development, lasting a minimum of 13 weeks. LBI Construction Works Team to recruit for and monitor placements. Developer / contractor to pay wages that at least meet the London Living Wage. A fee of £10,000.00 to be paid to the Local Planning Authority if these are not provided.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £2,373 and including submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
- Contribution of £33,120 towards offsetting projected residual CO₂ emissions of the development.

- Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
- Provision of four accessible parking bays or contribution of £2,000 towards the provision of accessible parking bays.
- Removal of residents rights to obtain on street parking permits
- The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant / developer and the work to be carried out by LBI Highways. Existing condition surveys may be required.
- Submission of a draft Travel Plan for approval prior to first occupation of the new office and submission of a full travel plan 6 months after commencement as an office.
- Payment of council's fees in preparing and monitoring the 106 Agreement letter.

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement (Compliance)</p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved plans list (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Sustainability Statement dated 10th November 2015, Surface Water Management Plan, Daylight and Sunlight Report dated 23rd October 2015, Residential MVHR details, AAC Swiftpack details, Outline Construction Logistics Plan dated November 2015, Noise and Vibration Assessment dated 22nd January 2015, 002/HOL Energy Officer Response, Construction Management – Logistics Plan 1 & 2, Air Quality Assessment dated 19th October 2015, Arboricultural Impacts Assessment dated 20th October 2015, Energy Statement dated 5th November 2015, Draft Framework Travel Plan dated October 2015, Transport Statement dated October 2015, Design and Access Statement dated</p>

	<p>March 2016, HRH/01, HRH/E1 – E2, HRH/02, 03, 03a, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15 and 16.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials and Samples (Details)</p>
	<p>CONDITION: Details including drawings at scale 1:20 and samples of all facing materials used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on the development. The details and samples shall include but not be limited to the following:</p> <ul style="list-style-type: none"> a) Facing brickwork(s); sample panels of proposed brickwork to be used showing the colour, texture, bond, and pointing; b) cladding materials and glazing; c) Windows, including materials, profile, reveal depth (minimum 150mm) and detailing; d) Entrance doors and balustrades; e) Privacy screen of at least 1.7m in height to the residential balcony overlooking the rear gardens of 726 – 732 Holloway Road and no.2 Fairbridge Road; f) Any other materials used; g) A green procurement plan for sourcing the proposed materials. <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>REASON: In order to ensure that the resulting appearance and construction of the development is of an acceptably high standard, so as to preserve and enhance the character and appearance of the surrounding townscape.</p>
4	<p>Environmental and Construction Management and Logistics Plan (Details)</p>
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until an Environmental and Construction Logistics and Management Plan (CLMP) has been submitted to the Local Planning Authority and approved in writing. The CLMP shall include:</p> <ul style="list-style-type: none"> a) Proposed access routes for construction traffic; vehicular numbers and type b) Permitted hours of access for construction; c) Proposed on-site management measures to ensure that movement of vehicles in and out of the site is safe (and in forward gear); d) Using freight operators who can demonstrate their commitment to best

	<p>practice - for example, members of our Freight Operator Recognition Scheme (FORS)</p> <p>e) Consolidating deliveries so fewer journeys are needed;</p> <p>f) Using sustainable delivery methods;</p> <p>h) Details of the methods to be used and the measures to be undertaken to control the emission of noise arising from demolition and construction works; and noise, air quality including dust, smoke and odour, vibration, and TV reception</p> <p>The report shall assess impacts during the construction phases of the development on the road network, nearby residents and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the details so approved at all times and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to minimise impacts on the amenity of neighbouring residents, and maintain highway safety and the free flow of traffic on the surrounding highway network.</p>
5	<p>External pipes, cables and CCTV (Details)</p>
	<p>CONDITION: 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 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>REASON: To ensure that the resulting appearance and construction of the development is to a high standard.</p>
6	<p>Affordable Workspace</p>
	<p>CONDITION: The business accommodation suitable for occupation by micro and small enterprises shown on drawing HRH/02, HRH/03 and HRH/04 shall be laid out in accordance with that approved drawing and retained as such permanently thereafter. It shall be let in units of 90sqm or less only and shall not be amalgamated and let to a single occupant nor amalgamated with the remainder of the office floorspace in the rest of the building. Any space that is not provided as physically separate units and is larger than 90sqm requires details to be submitted, prior to occupation, demonstrating how the floorspace meets the needs of small or micro enterprises through its design, management and/or potential lease terms.</p> <p>REASON: In the interests of ensuring that the proposed development contributes to a mixed and flexible employment base and specifically supports the ability of small and medium enterprises to find suitable small (and by virtue of it being small) affordable workspace in the borough in accordance with Policy DM5.4.</p>

7	BREEAM (Compliance)
	<p>CONDITION: The development shall achieve a BREEAM rating (2014) under the relevant scheme of no less than 'Excellent' for the office accommodation and the residential unit shall achieve 'Excellent' under EcoHomes equivalent.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
8	Fixed Plant (Compliance)
	<p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg.</p> <p>The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
9	Sound Insulation between uses (Details)
	<p>CONDITION: Full particulars and details of a scheme for sound insulation between the proposed office use (B1a use class) and the residential use (C3) of the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any works on the relevant part 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 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>REASON: To ensure that the development does not have an adverse impact on amenity.</p>
10	Inclusive Design (Compliance)
	<p>CONDITION: The scheme shall be constructed in accordance with the principles of Inclusive Design and the approved plans and shall provide:</p> <ul style="list-style-type: none"> a) Step free access to the Holloway Road entrance which shall have a 1000mmm clear opening width; b) A passenger lift shall provide step free access to all levels; c) Mobility charging point provided close to the lift core; d) Accessible WC and shower facilities provided in accordance with the

	<p>approved plans;</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
11	<p>Green Biodiversity Roofs and Wall (Details)</p> <p>CONDITION: Notwithstanding the details hereby approved, prior to commencement of the development, details of the biodiversity green roofs and wall(s) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); b) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum); and c) a maintenance plan for the green / biodiverse roof to cover the lifetime of the development. <p>The biodiversity green roof 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.</p> <p>The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity and maximises the sustainable urban drainage (SUDs) benefits of the scheme in order to minimise the potential for increased floodrisk as a result of the development in accordance with the NPPG and government ministerial statements.</p>
12	<p>Roof-level structures (Details)</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 any superstructure works commencing.</p> <p>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.</p>

	<p>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 conservation area, setting of listed buildings and streetscene more generally.</p>
13	<p>Refuse and Recycling (Compliance)</p> <p>CONDITION: 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>REASON: To secure the necessary physical waste enclosures to support the development and to prevent unacceptable impacts on the functioning and amenity of the area.</p>
14	<p>Cycle Parking (Details)</p> <p>CONDITION: Notwithstanding the details hereby approved, prior to superstructure works commencing on site, details of the bicycle storage areas, including one accessible cycle space to the frontage at Holloway Road which shall be secure shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>These spaces shall be provided prior to the first occupation 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>
15	<p>Delivery and Servicing Plan</p> <p>CONDITION: A delivery and service management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>The plan shall include details of all servicing for the development, from a loading bay fronting Fairbridge Road including hours, frequency, location (confirmation), size of vehicles.</p> <p>The development shall be carried out strictly in accordance with the details so approved.</p> <p>REASON: In order to secure highway safety and free flow of traffic, local residential amenity and to mitigate the impacts of the development.</p>
16	<p>Obscure Glazing to prevent overlooking of adjacent residential properties</p> <p>CONDITION: Notwithstanding the approved drawings, all windows overlooking the rear gardens of 726 – 732 Holloway Road shall be obscure glazed and permanently fixed shut (including windows serving the stair core).</p>

	<p>REASON: In the interest of preventing direct overlooking and in addition to prevent undue noise disturbance to the residential properties in immediate proximity to the development site. This condition is considered necessary to protect the residential amenity of the Holloway Road properties and to secure compliance with policies DM2.1 of the Development Management Policies (2013).</p>
17	<p>Energy Efficiency (Details)</p> <p>CONDITION: The energy measures as outlined within the approved Energy Strategy shall together provide for no less than a 29% 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.</p> <p>The revised energy strategy shall provide for no less than a 29% on-site total C02 reduction in comparison with total emissions from a building which complies with Building Regulations 2013.</p> <p>The final agreed scheme shall be installed and operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that the C02 emission reduction targets are met.</p>
18	<p>Security & General Lighting (Details)</p> <p>CONDITION: Details of general and any security outdoor lighting, including full specification of all luminaries, lamps and support structures and hours of use, shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and 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: In the interests of good design, protecting the setting of and character of the designated heritage assets, security and protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
19	<p>Use of flat roof for maintenance only (compliance)</p> <p>CONDITION: Any flat roofs other than those shown on the plans hereby approved as terraces shall not be used except for the purposes of maintenance</p>

	<p>access.</p> <p>REASON: To protect the privacy of the adjoining occupiers</p>
20	<p>Sustainable Urban Drainage</p> <p>CONDITION: Notwithstanding the plans submitted, details of a drainage strategy for a sustainable urban drainage system and its ongoing maintenance shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems in accordance with the drainage hierarchy and be designed to maximise water quality, amenity and biodiversity benefits. The submitted details shall include the scheme's peak runoff rate and storage volume for the 1 in 100year storm plus 33% climate change allowance 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. The drainage system shall be installed/operational prior to the first occupation of the development. The details shall demonstrate how the site will manage surface water in excess of the design event, and shall set out a clear maintenance plan for the system.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water in accordance with London Plan Policy 5.13, Core Strategy Policy CS10 and Development Management Policy DM6.6.</p>
21	<p>Thermal Modelling</p> <p>CONDITION: Prior to any works commencing on site a dynamic thermal modelling analysis in accordance with the Environmental Design Supplementary Planning Document shall be submitted to and approved in writing by the Local Planning Authority. The submitted modelling and plans shall demonstrate how overheating of the development shall be prevented, including where necessary any amendments to the design hereby approved in order to prevent and mitigate overheating risk. Any amendments to the design shall be selected with regard to the Cooling Hierarchy contained in Policy Development Management Policy DM7.5.</p> <p>REASON: To ensure that the effects of climate change on the development hereby approved are suitably mitigated and to ensure the future residents of the development do not experience overheating in accordance with policy 5.9 of the London Plan 2015, policy CS10 of the Islington Core Strategy 2011, and policy DM7.5 of Islington's Development Management Policies 2013.</p>
22	<p>Details of Ventilation</p> <p>Prior to occupation of the residential units, full details of ventilation for the residential accommodation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	<p>REASON: To ensure the future residents of the development do not experience overheating or poor quality air in accordance with policy 5.9 of the London Plan 2015, policy CS10 of the Islington Core Strategy 2011, and policy DM7.5 of Islington's Development Management Policies 2013.</p>
23	<p>Details of Sound Insulation from External Sources</p> <p>CONDITION: Prior to superstructure works commencing on site a scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast) Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour</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 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>REASON: To ensure the future residents of the development do not experience unacceptable levels of noise from the railway or adjacent road network in accordance with policy 5.9 of the London Plan 2015, policy CS10 of the Islington Core Strategy 2011, and policy DM7.5 of Islington's Development Management Policies 2013.</p>
24	<p>Piling (Thames Water)</p> <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 minimize the potential for damage to subsurface water 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>The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure; therefore information is required in order to ensure no such damage occurs.</p>
25	<p>Holloway Road Forecourt</p> <p>CONDITION: Notwithstanding the drawings hereby approved, full details of the forecourt fronting Holloway Road shall be submitted to and approved by the Local Planning Authority prior to any superstructure works commencing on the site. The details shall include:</p>

	<p>a) Full details of accessible ramps at a gradient of no greater than 1:15</p> <p>b) Details of handrails to those ramps in accordance with BS8300:2009</p> <p>c) Details of secure cycle storage for the commercial uses, incorporating provision for at least 1 accessible cycle rack.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
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List of Informatives:

1	<p>S106</p> <p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions:</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
3	<p>Superstructure</p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>

4	<p>Roller Shutters</p>
	<p>The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.</p>
5	<p>Water Infrastructure</p>
	<p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
6	<p>Working in a Positive and Proactive Way</p>
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
7	<p>Network Rail</p>
	<p>In order to ensure the safe operation of the railway, Network Rail reminds the applicants of their requirements to:</p> <p>Future maintenance</p> <p>The development must ensure that any future maintenance can be conducted solely on the applicant's land. The applicant must ensure that any construction and any subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land and air-space, and therefore all/any building should be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary. The reason for the 2m (3m for overhead lines and third rail) stand off requirement is to allow for construction and future maintenance of a building and without requirement for access to the operational railway environment which may not necessarily be granted or if granted subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air space to facilitate works. The applicant / resident would need to receive approval for such works from the</p>

Network Rail Asset Protection Engineer, the applicant / resident would need to submit the request at least 20 weeks before any works were due to commence on site and they would be liable for all costs (e.g. all possession costs, all site safety costs, all asset protection presence costs). However, Network Rail is not required to grant permission for any third party access to its land . No structure/building should be built hard-against Network Rail's boundary as in this case there is an even higher probability of access to Network Rail land being required to undertake any construction / maintenance works. Equally any structure/building erected hard against the boundary with Network Rail will impact adversely upon our maintenance teams' ability to maintain our boundary fencing and boundary treatments.

Drainage

No Storm/surface water or effluent should be discharged from the site or operations on the site into Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 - 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Plant & Materials

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed . The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

Piling

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in

accordance with the approved method statement.

Fencing

In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

Noise and Vibration

The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of the National Planning Policy Framework which holds relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that

	<p>are permitted and those that are not permitted are provided below:</p> <p>Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"</p> <p>Not Permitted: Alder (Alnus Glutinosa), Aspen - Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).</p> <p>As the site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts AssetProtectionAnglia@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works . More information can also be obtained from their website at www.networkrail.co.uk/aspx/1538.aspx.</p>
8	Thames Water
	<p>The applicants are reminded that Thames Water does not allow connections for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

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

Furthermore, planning legislation (Section 70 of the Town and Country Planning Act 1990 and section 38 of the Planning and Compulsory Purchase Act 2004) provides that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Under the Ministerial Statement of 18 December 2015, the government seeks to increase the weight given to SUDs being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

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

Policy 3.2 Improving health and addressing health inequalities	Policy 6.3 Assessing effects of development on transport capacity
Policy 3.11 Affordable Housing Targets	Policy 6.9 Cycling
	Policy 6.10 Walking
Policy 4.1 Developing London's Economy	Policy 6.13 Parking
Policy 4.2 Offices	Policy 7.1 Building London's neighbourhoods and communities
Policy 4.12 Improving Opportunities for all	Policy 7.2 An inclusive environment
	Policy 7.3 Designing out crime

Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater infrastructure
Policy 5.15 Water use and supplies
Policy 5.17 Waste capacity

Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS12 (Meeting the housing challenge)
CS13 (Employment Space)
CS18 (Delivery and Infrastructure)
CS19 (Health Impact Assessment)

C) Development Management Policies June 2013

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

DM3.3 Residential Conversions and Extensions
DM3.4 Housing Standards
DM3.5 Private outdoor space
DM3.7 Noise and vibration (residential uses)

DM4.4 Promoting Islington's Town Centres

DM5.1 New business floorspace

DM7.1 Sustainable design and construction statements
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling

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

DM9.1 Infrastructure
DM9.2 Planning obligations

DM5.4 Size and affordability of workspace

DM9.3 Implementation

DM6.1 Healthy development

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

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:

ArcArchway Town Centre

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Environmental Design
- Inclusive Design
- Planning Obligations and S106
- Urban Design Guide
- Conservation Area Design Guidance
- Affordable Housing Small Sites contribution

London Plan

Accessible London: Achieving an Inclusive Environment
Sustainable Design & Construction
Planning for Equality and Diversity in London

