

# PLANNING COMMITTEE REPORT

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

<b>PLANNING SUB-COMMITTEE A</b>		
Date:	7 <sup>th</sup> June 2016	<b>NON-EXEMPT</b>

Application number	P2015/4907/FUL
Application type	Full Planning Application
Ward	Clerkenwell Ward
Listed building	No
Conservation area	Clerkenwell Green
Development Plan Context	Finsbury Local Plan Area Local views Open Space Archaeological Priority Area Core Strategy Key Area Conservation Area Central Activities Zone Cycle Routes
Licensing Implications	Clerkenwell Cumulative Impact Policy Area Licence required where alcohol is proposed to be served
Site Address	Former Public Convenience, Clerkenwell Green, London EC1
Proposal	Proposed change of use of former public toilets to an A3/D1 space (sui generis), plus external alterations to surface including structural glazing, new surfacing, new ventilation housing, removal of asphalt to steps, new entrance door.

Case Officer	Mr Joe Aggar
Applicant	London Borough of Islington - Mr Steve Cross
Agent	Mr David Wright

## 1 RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1.

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



### 3. PHOTOS OF SITE/STREET



Image 1: Aerial photograph showing the former public convenience, Clerkenwell Green



Image 2: view looking south at Former Public Convenience



Image 3: view looking north east to the Former Public Convenience

#### **4. SUMMARY**

- 4.1 The application seeks permission for a change of use of the former public convenience at the centre of Clerkenwell Green to a café/art gallery (sui generis use). In order to facilitate the conversion of the space a number of external alterations to the surface level of the toilets are proposed. These include installing new structural glazing over the former 'Gents' stairwell and new structural glazing over part of the remaining stair access and the introduction of a new door; a new ventilation housing would be provided with the finial repaired, with the removal of the asphalt from the concrete steps and main plinth with a new glazed luxcrete surface installed and the existing railings refurbished.
- 4.2 The site is located within designated open space, where policy CS15 seeks to improve the quality and function of open space, however the loss of the toilets is not protected by policy. As such, the loss of the public convenience is acceptable in principle. The proposed café and gallery space use of the site is considered to be in keeping with the character of the surrounding area and in accordance with the London Plan and Finsbury Local Plan which seek to promote a range of mixed uses within the Central Activities Area (CAZ).

- 4.3 The design, layout scale and massing of the proposed development is considered acceptable. The external appearance of the proposal would reinstate some of the historic features and would enhance the character and appearance of this part of the conservation area.
- 4.4 The proposal would not result in unacceptable noise or disturbance to neighbouring residential occupiers and the proposal is car free.
- 4.5 As such, the proposal is considered to be acceptable on balance and is recommended for approval subject to conditions.

## **5. SITE AND SURROUNDING**

- 5.1 Clerkenwell Green is an historic open space with the site consisting of the former public convenience in the centre of Clerkenwell Green. The surrounding area slopes down towards the west with the site itself being raised with stepped access around its perimeter. There are two main entrances to the subterranean toilets which are currently covered and bound by railings. Centrally there is a vent with a finial detail above and the steps and surface have been covered in asphalt.
- 5.2 Directly to the east and adjoining the site is an area of hardstanding with benches and trees, which together with the site forma designated open space. Short term car parking spaces surround the central island. The toilets have been closed since circa 1981 and are not open for use by members of the public. The street furniture to the site including the railings have been neglected and internal features are in a poor state of repair.
- 5.3 The surrounding area is mixed in character with commercial, including offices, public houses and cafes, and residential. To west of the green is the Old Sessions House, a part two, part three storey Grade II\* listed building, while other Grade II listed buildings front the Green, notably No.s 37a, 12-14a and 21-21 Clerkenwell Green.
- 5.4 The site is located within the Clerkenwell Green Conservation Area, the Central Activities Zone (CAZ) and the Bunhill and Clerkenwell Core Strategy Area.

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

- 6.1 The application seeks permission for the proposed change of use of former public toilets to an café and gallery space (sui generis) with external alterations. The external alterations include the installation of new structural glazing over the former 'Gents' stairwell and new structural glazing over part of the remaining stair access and the introduction of a new door. A new ventilation housing would be provided with the existing finial repaired and reinstated, the existing asphalt over the raised area and steps would be removed with a new glazed luxcrete surface installed, while the existing railings would be refurbished.

## **Revision 1**

- 6.2 Revised plans were received on 2<sup>nd</sup> February 2016. These comprised a revised application form, amended site plan reducing the site area and a renamed plan.
- 6.3 The application has been referred to the planning sub-committee due to the level of objections received and the fact that this is a council own application.

## **7. RELEVANT HISTORY:**

### **PLANNING APPLICATIONS:**

- 7.1 **P040048** - Extension of island over part of the roadway and landscaping and tree planting for use as a sitting out area - Appeal made against non-determination - **Appeal Withdrawn** 04/05/2005.

### **ENFORCEMENT:**

- 7.2 None.

### **PRE-APPLICATION ADVICE**

- 7.3 None.

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 100 adjoining and nearby properties at Clerkenwell Green. A site notice and press advert were also displayed. A further period of consultation was carried out which commenced on the 3<sup>rd</sup> March 2016 due to amended information being received, including application, site plan and floor plan. A further period of consultation was carried out on 22<sup>nd</sup> April 2016 to include reference in the description that the application may affect the setting of a listed building. This consultation period expired on the 19<sup>th</sup> May 2016, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 At the time of writing this report 40 objections had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).
- Not part of a wider redevelopment to restore/improve the Green (para 10.32)
  - Prefer to see the Public Lavatories restored (para 10.33)
  - No further licenses should be granted (para 10.26)
  - No management plan (para 10.24)
  - No public toilets in the area (para 10.7)

- Concern over the number of chains (para 10.34)
- New cross rail line will increase pedestrian traffic. There are no public toilets (para 10.7)
- The area has too many cafes (para 10.13)
- Could provide a 'living museum' if reopened as toilets (para 10.32)
- Any planning permission to exclude filming, wedding and advertising (para 10.32)
- First advertisement not printed until 17.12.2015 (para 8.1)
- Application requires conservation consent (para 10.35)
- There are trees on the site (para 10.37)
- No information on waste collection or recycling (para 10.31)
- Contrary to planning policy (para 12.1)
- The application site extends beyond the title plan (para 10.36)
- No heritage statement has been submitted (para 10.35)
- Local Authority do not own the land (para 10.36)
- No marketing information has been submitted (10.40)
- No pre-application advice was sought (para 10.39)
- Contamination information should be provided (para 10.38)

### **Internal Consultees**

- 8.4 **Design and Conservation:** Loss of historic fabric is regrettable. However, the building is not listed and no in principle objections raised.
- 8.5 **Planning Policy:** No objection to the proposed new use. Consideration needs to be given to policy DM4.3 and the sites location within a Cumulative Impact Area.
- 8.6 **Environmental Health Officer:** Due to the subterranean location much of the noise generated would be absorbed. There would be some noise impact from people arriving and leaving the site, potentially late at night. An approval of details condition for the door and vent shaft treatment is advised and the hours of use should be restricted.
- 8.7 **Highways Officer:** No comments received.
- 8.8 **Access Officer:** The proposal should provide access for all. The stepped only approach would not achieve this and is not acceptable.
- 8.9 **Licensing Officer:** The premises are located in the Clerkenwell Cumulative Impact Policy Area, which provides a presumption, that new licence applications will be refused. Exceptions include small premises with a capacity of 50 persons or less, the supporting documents suggest that the maximum occupancy would be 40 to 45 persons. The preferred terminal hour for restaurants is 11pm Sunday to Thursday and midnight Friday and Saturday.

### **External Consultees**

- 8.8 **Clerkenwell Green Preservation Society:** The Society objects to the demolition of the George Jennings Public Conveniences. The lavatories are

intact and at the centre of the conservation area. With the restoration of this public space to its original size and status cultural activities would be possible. The local police have not been notified. Other cafes, bars and restaurants will not welcome another business similar in nature. The proposed change of use would result in internal fabric being removed with no natural light. Free speech is part of Clerkenwell Greens heritage. The toilets would serve the need of Cross Rail and become a tourism asset with a tourist information centre. There is sufficient public benefit from this significant site within the Conservation Area and the application should not be granted.

## **9. RELEVANT POLICIES**

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

### **National Guidance**

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

### **Development Plan**

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

### **Designations**

- 9.5 The site is located in the an Archaeological Priority Area, Clerkenwell Green Conservation Area, Central Activities Zone, Finsbury Local Plan Area, Core Strategy Key Area, Local Views and designated Open Space.

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

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

## **10. ASSESSMENT**

- 10.1 The main issues arising from this proposal relate to:

- Land Use
- Design and Appearance
- Neighbouring Amenity
- Accessibility
- Highways



- CIL
- Other Matters

### **Land Use**

- 10.2 The proposal includes the use of the disused toilets below ground floor level for the use as a café and gallery space (sui generis).
- 10.3 Clerkenwell Green is a designated open space where Policy CS15 protects all existing open space including spaces of heritage value as well as seeking to improve their quality, function and accessibility. DM6.3 of the Development Management Policies restricts development on public open space and requires proposals in their immediate vicinity not to negatively impact on the amenity, ecological value and functionality of the space.
- 10.4 The Finsbury Local Plan identifies Clerkenwell Green as a priority space for enhancement with a site specific Public Space Priority Project (Project 28) that seeks to re-establish the green as a true public open space through a public space improvement project considered together with the local community.
- 10.5 Although the site is located within designated Open Space, whether the subterranean element constitutes 'public open space' needs to be considered. Whilst the toilets were formally 'publicly accessible' they are not considered to constitute a public open space in the way the policy implies, such as the surface area with benches and areas for activity. As such, it is considered that the loss of the underground toilets would not result in a loss of public open space.
- 10.6 It is noted that the site forms part of a wider policy ambition to improve the public space forming Clerkenwell Green. The physical improvements to the external areas of the site and introduction of an active and publicly accessible use to the site would represent an enhancement to the area that works towards the aim of improving the public realm and together with other local schemes, notably the Old Sessions House, could stimulate further improvements to the area.
- 10.7 It should also be noted that the toilets have not been in use since the early 1980s and that the toilets do not provide acceptable levels of access, such that their loss is not considered to result in a shortfall in the provision of publicly accessible toilets within the locality. There are a number of other publicly accessible toilets within the vicinity of the site, notably at Farringdon Station within 500 metres of the site.
- 10.8 As such, it is considered that the loss of the public toilets is considered to be acceptable in this case, subject to the proposed use being considered to be acceptable.
- 10.9 With regard to the proposed café and gallery space use, the refurbishment and redevelopment of the site accords with the National Planning Policy

Framework's presumption in favour of sustainable development by bringing back into use an unutilised space.

- 10.10 London Plan policies 2.10 and 2.11 recognise the 'mixed' nature of much of the CAZ in which the site is located and seek to enhance and promote the unique international, national and London wide role of the CAZ through the promotion of a range of mixed uses.
- 10.11 Policy CS7 of the Islington Core Strategy sets out the spatial strategy for the area, recognising the Bunhill and Clerkenwell area as Islington's most important employment location and diverse local economy. Further to this, policy BC7 of the Finsbury Local Plan supports a variety of uses, encouraging entertainment uses, improvements to public space and public appreciation of historic sites.
- 10.12 The site is located between and surrounded on almost all sides by two Employment Priority Areas. Policy BC8 restricts entertainment uses (i.e. A3, A4 and A5 uses, as well as nightclubs) to Employment Priority Areas. However, policy DM4.3 is clear that proposals for uses such as cafes will be resisted where they would result in an unacceptable concentration in one area, or would cause unacceptable disturbance/detrimentally affect the amenity, character and function of the area. Further to this the site also falls within a Cumulative Impact Area identified by licensing.
- 10.13 The proposed café/gallery use of the site would have a floor area measuring 50 square metres, which is relatively small, particularly when the provision of fixtures and fittings required for its operation and W.Cs are considered. The provision of such a small entertainment unit within the CAZ and immediately adjacent to two Employment Priority Areas would not result in an over concentration of such uses and is therefore considered to be acceptable in this instance. With regard to potential impacts on amenity, character and function of the area, these are discussed in more detail below.
- 10.14 The proposed change of use would introduce an active use to the currently vacant site that would complement the mixed use of this part of the CAZ by providing additional appropriate facilities. As such, it is considered that on balance the proposed change of use is broadly acceptable in land use terms, subject to an assessment of all other relevant policy, the impact upon the character and appearance of the locality and all other relevant material planning considerations.

### **Design and Appearance**

- 10.15 An essential part of the area's character lies in its set piece spaces, including Clerkenwell Green. These spaces each exhibit a special character, reflecting their social history, built character value, the way in which they frame key landmarks, and their importance as open spaces (forming a counterpoint to narrow streets and alleys), amongst other matters.

- 10.16 The policies on conservation areas and heritage assets are in line with the requirement of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that special attention be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. In addition, paragraph 132 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- 10.17 Policy BC7 of the Finsbury Local Plan seeks to protect the special character of the area. For redevelopment and refurbishment schemes the Conservation Area Design Guidelines advise the use of vernacular materials. The street surfaces and furniture contribute to the character and appearance of the area.
- 10.18 In order to facilitate the conversion, external alterations are proposed to the ground level. The external alterations would involve the removal of the 'Gents' staircase and chequer plate security panels to the north west corner of the site and their replacement with structural glazing. The other stair case would be retained, with the chequer plate panel replaced with structural glass and a new door introduced a partially submerged landing level. Details of the proposed door are required to be submitted by condition (No. 3). The railings surrounding these stairwells would be retained and refurbished.
- 10.19 The proposed removal of the asphalt covering the steps and raised area and replacement with Luxcrete, which was formally in place and is still present in places would be more historically accurate and would provide visual interest to this focal point of the Green. The overall quality of the Luxcrete and its finish is considered to be key to the success of the proposal. As such, a condition is recommended (Condition 3) requiring details of the Luxcrete to be submitted to and approved in writing by the Local Planning Authority.
- 10.20 In addition to this a replacement ventilation housing would be installed in the same location with the iron finial repaired and reinstated. While the plans detail that the ventilation system would be similar to the existing in design, Condition 3 of the recommendation requires detailed to be submitted to ensure that the design is acceptable.
- 10.21 The proposed re-use, refurbishment and renewal of the site would introduce an active use to the centre of Clerkenwell Green, providing an attractive and good quality environment that would encourage further use. The works would reinstate historic features and are considered to represent an improvement to the currently underutilised and neglected space that would represent an enhancement to the character and appearance of the conservation area.

### **Neighbouring Amenity**

- 10.22 The council's planning policies seek to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, perceived sense of enclosure or noise. Development Management Policy DM4.3 Part A(ii) considers whether the proposed use of a

development would adversely affect local amenity and the character and function of the area. Policy DM2.1 identifies potential impacts which should be assessed. DMP policy DM2.1 part A(x) requires proposals to provide a good level of amenity including consideration of disturbance, noise and hours of operation.

- 10.23 The application site forms an 'island' site, bound by surrounding roads and on-street parking. The local area is characterised by a variety of uses including retail, showrooms, eating and drinking establishments, residential, educational, community and museum uses, resulting providing variety and vitality, and ensuring that the area is not deserted outside business hours. In the immediate area there is a mix of uses including a recent approvals for a mixed use scheme at the Old Sessions House, 22 Clerkenwell Green (P2014/3878/FUL and P2014/3871/FUL).
- 10.24 Although the proposed use would clearly increase the intensity of the underground space from the current situation, the proposed café and gallery space would be subterranean and most of the noise generated through the use would be absorbed by this. The small scale of the unit, at 50 square metres would ensure that only a limited number of people (up to approximately 50 using the Building Regulations Part B Occupancy Capacity figures) could attend the site at any one time. This together with the hours of operation in Condition 4, which are in accordance with the Council's Licensing policy for the area, would ensure that there would not be undue disturbance to neighbouring occupiers. Due to the small scale and limited capability for large numbers of people attending the site, the requirement to provide a management plan is considered to be unnecessary.
- 10.25 Details of how noise levels emitted through the replacement ventilation system would be minimised are required by Condition 5.
- 10.26 Should the application be approved it may present the option for the applicant to apply for an alcohol license. However, it is noted in the Licensing Officer's comments that a future licence applicant could provide evidence in relation to the promotion of the Licensing Objectives to demonstrate an exception to this policy. In any event this would be subject to the control of Licensing and as such the potential for the future sale of alcohol would not warrant refusal of the application in this instance.
- 10.27 Subject to conditions, it is considered that the proposed café and gallery space use of the site would not detrimentally impact upon the amenity of the neighbouring occupiers.

### **Accessibility**

- 10.28 The Islington Core Strategy (2011) policy CS10B requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard.

10.29 The existing site has a stepped approach up to the entrance to the site and steps down into the site. The application proposed to remove one of the entrance steps but retain the steps up to the raised external areas and stepped access into the unit. While the lack of step free access is regrettable, the provision of a lift down into the unit would result in a significant above surface structure and reduce the useable area of the already small unit, such that in this case it is considered unreasonable to provide this.

### **Highways**

10.30 The site is highly accessible by public transport, with Farringdon, Barbican and Chancery Lane Tube Stations in close proximity, a number of bus routes run along the surrounding roads and a significant number of TfL Cycle Hire points are available nearby.

10.31 The proposal would result in a small uplift in usable space (50sqm) at the site, such that a Servicing Plan is not required to be submitted and it is considered that the proposal would not determinately impact on the surrounding transport infrastructure. While no cycle parking provision is proposed, the introduction of cycle stands at ground level would be resisted in this location.

### **Other Matters**

10.32 Representations have been received requesting that the scheme be considered as part of wider proposals. However, each planning application should be considered on its own merits. The application cannot be assessed for the preference of a different use or activities which fall outside the proposed use.

10.33 A number of representations have questioned the loss of the toilets and stated that these should be retained. Although the site lies within a conservation area, which constitutes a designated heritage asset, the site itself does not form a designated heritage asset in its own right. As such, there are no policy grounds to insist that the toilets be kept in their current lawful use or restored. Notwithstanding this the proposal is considered to represent an enhancement to the conservation area and would therefore not result in any harm to the designated heritage asset.

10.34 Concerns have been raised regarding potential operators of the site. It is not the function of the planning system to inhibit competition between operators, and the assessment needs to reflect adopted planning policy and national guidance, taking into account any relevant material considerations and it is necessary to identify specific harm and identify policy conflict.

10.35 It is noted that representations have been received stating that Conservation Area Consent and a Heritage Statement are required. Conservation Area Consent has been abolished. The Council's Local Validation Requirements sets out that Heritage Statements '*may be required, where appropriate*' and that the '*scope and degree of detail required will vary according to the particular circumstances of each application*'. Due to the minimal scale of the

proposed works at the site, that they would reinstate and refurbish historic features and that the Design and Conservation Officer has made a detailed assessment of the proposal, it is considered that in this case a Heritage Statement would not be required.

- 10.36 A representation has been received regarding the land ownership. The applicant and land owner in this case is Islington Council. The site plan as originally submitted extended beyond the ownership of the site. This was subsequently amended and the application re-advertised.
- 10.37 While there are a number of trees located close to the site the development does not include any excavation works and the trees are protected by the Conservation Area.
- 10.38 No contamination information is required as part of the assessment of the application.
- 10.39 Although advisable, there is no requirement to submit or seek pre-application advice in relation to a planning application.
- 10.40 Policies with the Development Management Plan do not require specific marketing evidence for the proposed change of use from of public toilets.

### **Community Infrastructure Levy**

- 10.41 The area would be 50 square metres and as such the application would not be liable to Mayoral or Islington CIL.

## **11 SUMMARY AND CONCLUSION**

### **Summary**

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

### **Conclusion**

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

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

#### List of Conditions

<b>1</b>	<b>Commencement</b>
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<b>Approved Plans</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>01-P Rev No. A; 03-P; 188/1; 02-P0; 4-P; 05-P Rev No. A; Design and Access Statement.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Materials</b>
	<p>CONDITION: Prior to any works commencing on site, details and samples of the luxcrete paving, entrance door and ventilation housing shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted should include samples and elevations.</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 securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard</p>
<b>4</b>	<b>Hours of Operation</b>
	<p>CONDITION: The café and gallery (sui generis) unit hereby approved shall not operate outside the hours of:</p> <p>09:00am – 11:00pm on Sunday to Thursday; 09:00am – Midnight on Friday and Saturday and not at all Bank Holidays</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>

<b>5</b>	<b>Noise Details</b>
	<p>CONDITION: Prior to any construction works for the development hereby approved commencing on site, details of vent shaft shall be submitted to and approved in writing by the Local Planning Authority. This shall include all details of anticipated noise levels. The ventilation system shall be installed as approved before the the use is commenced and maintained as such permanently thereafter.</p> <p>REASON: In the interest the future occupiers residential amenity.</p>
<b>6</b>	<b>External Use</b>
	<p>CONDITION: No external areas of the site shall be used in connection with the café/gallery (sui Generis) use hereby permitted at any point and shall remain open and unobstructed for public use, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure that the designated open space remains open and available for public use and to ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>

**List of Informatives:**

<b>1</b>	<b>Positive statement</b>
	<p>INFORMATIVE: To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website. A pre-application advice service is also offered and encouraged. Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant. The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in accordance with the requirements of the NPPF.</p>
<b>2</b>	<b>Surface Water Drainage</b>
	<p>INFORMATIVE: It is the responsibility of a developer to make proper provision for drainage to ground, water course or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.</p>
<b>3</b>	<b>Hours of Working</b>



	<p>INFORMATIVE: The applicant is advised that the accepted working hours for development within the borough are:</p> <p>8:00am-5:00pm on Mondays to Fridays, 9:00am-1:00pm on Saturdays and not at all on Sundays, Bank or Public Holidays.</p>
<b>4</b>	<b>Building Regulations and Party Wall</b>
	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations, the Party Wall Act as well as Environment Health Regulations.</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 and NPPG are material considerations and have been taken into account as part of the assessment of these proposals.

### **2. Development Plan**

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

#### **A) The London Plan 2015 - Spatial Development Strategy for Greater London**

##### **4 London's Economy**

Policy 4.8 Supporting a successful and diverse retail sector and related facilities

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

Policy 7.1 Building London's neighbourhoods and communities  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology

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

##### **Spatial Strategy**

Policy CS7 (Bunhill and Clerkenwell)  
Policy CS8 (Enhancing Islington's Character)  
Policy CS13 (Employment Spaces)

##### **Strategic Policies**

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)  
Policy CS15 (Open Space and Green Infrastructure)

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

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

DM2.1 Design  
DM2.2 Inclusive Design

DM2.3 Heritage

**Shops, cultures and services**

DM4.2 Entertainment and night-time economy

DM4.3 Location and concentration of uses

DM4.12 Social and strategic infrastructure and cultural facilities

**Health and Open Space**

DM6.3 Protecting Open Space

**Transport**

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle Parking

**C) Finsbury Local Plan 2013**

BC7 Historic Clerkenwell

BC8 Achieving a balanced mix of uses

**5. 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:

- Finsbury Local Plan Area
- Conservation Area
- Local views
- Open Space
- Archaeological Priority Area
- Core Strategy Key Area
- Conservation Area
- Central Activities Zone
- Cycle Routes

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

The following SPGs and/or SPDs are relevant:

- |  |                                     |
|--|-------------------------------------|
| Islington Local Development Plan             | London Plan                         |
| - Conservation Area Design Guidelines (2002) | - Sustainable Design & Construction |
| - Urban Design Guide (2006)                  |                                     |