Strategic planning application stage 1 referral

The proposal

Erection of a 12 storey extension to the existing 16 storey building and a 3 to 6 storey extension to the existing podium block up to 7 storeys to provide additional office (Use Class B1a) floorspace; re-cladding of the existing building to match the materials of the extensions; change of use of part of the ground floor accommodation to flexible Class A1 (retail) and A3 (restaurant/café) uses; demolition of single storey structures and the erection of 6 storey block adjacent to the western elevation to provide 25 affordable dwellings; alterations to the public realm, including landscaping and highways improvements and other associated works.

The applicant

The applicant is Finsbury Tower Estates Ltd, the planning agent is DP9 and the architect is Horden Cherry Lee.

Strategic issues summary

Land use principle and CAZ: provision of high quality office space and affordable workspace, along with complimentary ground floor retail uses and affordable housing in the Central Activities Zone is strongly supported. (paragraphs 12 and 13)

Housing: 25 social rented units at target rents supported. (paragraphs 14 to 16)

Urban design: the improvements to permeability through the site and public realm quality around the building are strongly supported. The architectural quality is very high. (paragraphs 17 to 23)

Heritage: the high quality of architecture would enhance the setting of heritage assets (paragraphs 24 to 33)

Transport: a contribution of £220,000 towards cycle hire is required. (paragraphs 39 to 43)

Recommendation

That Islington Council be advised that, whilst the principle of the proposal is supported, the application does not comply with the London Plan, for the reasons set out in paragraph 47 of this report. However, the resolution of those issues could lead to the application becoming compliant with the London Plan.
Context

1. On 3 November 2016 the Mayor of London received documents from Islington Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 14 December 2016 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2. The application is referable under the following Categories of the Schedule to the Order 2008:

- Category 1B: Development which comprises or includes the erection of a building or buildings in Central London and with a total floorspace of more than 20,000 square metres.

- Category 1D: Development which comprises or includes the alteration of an existing building where the development would increase the height of the building by more than 15 metres and the building would, on completion of the development, exceed 30 metres.

3. Once Islington Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4. The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5. The 0.5 hectare site is located on Bunhill Row, between the junctions of Dufferin Street and Lamb’s Passage, abutting Lamb’s Buildings and Errol Street to the rear. The site is currently occupied by a 16 storey office building with 4 storey podium and basement parking, which was constructed in the late 1960s. On the opposite side of Bunhill Row is the Honourable Artillery Company (HAC) grounds and Bunhill Fields burial ground. The site is located within the Central Activities Zone (CAZ) and is within an Employment Priority Area as designated in the Islington Local Plan.

6. The site falls between two Conservation Areas, St Luke’s to the west and Bunhill Fields and Finsbury Square to the east. Bunhill Fields itself is also a Grade I Registered Park and Garden and contains 75 Grade II and Grade II* listed tombs, memorials and structures. The Grade II* listed Armoury House and Grade II listed Finsbury Barracks are located within the HAC grounds, whilst the Grade II listed 20 and 21-29 Bunhill Row are located opposite the site. The Artillery Arms and 12 Errol Street are locally listed.

7. The nearest part of the of the Transport for London Road Network (TLRN) is Old Street (approximately 500m away) and the nearest part of the Strategic Road Network is City Road (approximately 200m away). The site is well served by buses with 11 routes stopping nearby. The site is also served by Barbican (London Underground), Moorgate (London Underground and National Rail), Liverpool Street (National Rail and London Underground) and Old Street stations (National Rail and London Underground) within walking distance to the site. Measured on a scale of 1a – 6b the site has the highest PTAL, 6b. In addition the Elizabeth Line (Crossrail) station at which services are due to commence in 2018 will have an access at Moorgate. The nearest cycle hire docking station is Bunhill Row, Moorgate. The docking station has 27 points, and is in the top 5% of the most heavily used docking stations in London.
Details of the proposal

8 Full planning permission is sought primarily for extensions to the existing building comprising a 12 storey extension to the tower (resulting in a 28 storey building) and 1-3 storey extensions to the podium blocks. This would provide additional office space, along with 1,000sq.m. (GIA) of affordable workspace and ground floor retail (Use Classes A1/A2/A3), and building would also be comprehensively refurbished and reclad. 25 social rented units would also be provided within a standalone 6 storey building to the west. Public realm improvements are also proposed around the site boundary and new pedestrian routes through and across the site would be provided.

Case history

9 There is no history of GLA referable schemes on this site, although there is some planning history for the site including permission for change of use of basement and part of ground floor to a gym and a 2007 refusal for two additional storeys to increase the office space, which was also dismissed on appeal.

Strategic planning issues and relevant policies and guidance

10 The relevant issues and corresponding policies are as follows:

- Employment London Plan; Central Activities Zone SPG;
- Housing and affordable housing London Plan; Housing SPG; Housing Strategy; Providing for Children and Young People’s Play and Informal Recreation SPG; Social Infrastructure SPG;
- Urban design London Plan; Character and Context SPG;
- Tall buildings and heritage London Plan; London View management framework SPG, Character and Context SPG;
- Inclusive design London Plan; Accessible London: achieving an inclusive environment SPG;
- Sustainable development London Plan; Sustainable Design and Construction SPG; Mayor’s Climate Change Adaptation Strategy; Mayor’s Climate Change Mitigation and Energy Strategy; Mayor’s Water Strategy;
- Transport and parking London Plan; the Mayor’s Transport Strategy;
- Crossrail/CIL London Plan; Mayoral Community Infrastructure Levy; Crossrail SPG.

11 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Islington Core Strategy (2011), Development Management Policies DPD (2013) and Finsbury Local Plan DPD (2013), as well as the London Plan (Consolidated with Alterations since 2011). The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework, are also relevant material considerations.

Land use principle

12 The application proposes an increase in office floorspace of 12,687sq.m. (GIA), along with a significant increase in the quality of that space arising from refurbishment. Residential use is also proposed in the form of 25 flats, which would all be affordable. This mix of uses responds to the requirements of London Plan Policies 2.11 and 4.3 relating to the Central Activities Zone (CAZ), which requires increases in office space to provide for a mix of uses, including housing. The proposal would also achieve the Finsbury Local Plan target of 20% of any net uplift in office floorspace being residential floorspace. The proposal to increase the quantum and quality of office floorspace within
the CAZ, along with new housing, is strongly supported. The proposed retail units would complement the proposed uses and activate the ground floor frontages, which is also supported.

In addition to the increase in office space, 1,000sq.m. (GIA) of affordable workspace would be provided. This would equate to 8% of the total uplift in office floorspace and would be provided at a peppercorn rent in perpetuity. The affordable workspace would have its own access from the street and it is the applicant’s intention to transfer this to the Council as head lessee. This offer would exceed the Council’s policy requirement of 5% and is strongly supported. The provision of this space, including detailed terms and management arrangements, should be secured through the S106 agreement.

**Housing**

**Housing mix**

The application includes 25 residential units, in accordance with the mix set out in the below table. It is noted that, whilst a range of unit sizes is provided, family housing has not been prioritised in accordance with London Plan 3.8. However, it is understood that the mix has been devised in consultation with the Council and a Registered Provider to address the particular demands of the local area. The proposed mix is therefore acceptable.

<table>
<thead>
<tr>
<th>unit type</th>
<th>number of units</th>
<th>percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bed 2 person</td>
<td>4</td>
<td>16</td>
</tr>
<tr>
<td>2 bed 3 person</td>
<td>4</td>
<td>16</td>
</tr>
<tr>
<td>2 bed 4 person</td>
<td>15</td>
<td>60</td>
</tr>
<tr>
<td>3 bed 5 person</td>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td><strong>total</strong></td>
<td><strong>25</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

**Affordable housing**

The proposal is to provide all 25 units as social rented accommodation, which is a significant public benefit. Whilst the offer would not reflect the strategic target that 40% of new housing should be intermediate tenure, it is recognised that the social rented units, which would be delivered at target rents, would help to meet an acute need in this location. The Council should secure the affordable housing offer through the S106 agreement.

**Children’s play space**

London Plan Policy 3.6 seeks to ensure that development proposals include suitable provision for play and recreation and further detail is provided in the Mayor’s Shaping Neighbourhoods: Play and Informal Recreation SPG. Using the methodology within the Mayor’s SPG, the applicant has calculated a requirement for 238sq.m. of playspace. Given the constraints of the scheme, which provides a significant public realm contribution in this densely developed urban context, there is no provision of on-site play space proposed. GLA officers acknowledge that the scheme is heavily constrained in this respect and the absence of on-site play space is therefore acceptable. However, a contribution should be secured through the S106 agreement towards improvements to nearby play facilities.
Urban design

Layout and public realm

17 The application proposes significant alterations and extensions to the existing office building and the construction of a new wholly residential building facing Errol Street. At ground level, the proposal would effectively divide the site into three blocks with new pedestrian routes in between. The proposal would introduce an east-west pedestrian route through the site between Bunhill Row and Errol Street, via a passageway under the office accommodation and a new pocket square at the heart of the development, flanked by retail uses. The existing path to Dufferin Street would be improved and continued to the south to Lamb’s Passage. GLA officers consider the approach to layout to be well resolved and the network of passages and spaces created would be intimate and human in scale, reflecting the historic street pattern and informal character of the locality.

18 Active frontages and new building entrances would improve the relationship of the building to all the surrounding streets, whilst incorporating the majority of servicing internally and maintaining generous footway widths along Bunhill Row. The overall contribution made by the scheme to the pedestrian route network and public realm quality is strongly supported and is a key benefit to justify the scale of development proposed.

Height, massing and strategic views

19 The existing tower would be extended up to 28 storeys and the podium elements with recessed extensions up to 6/7 storeys, similar to the height of the proposed affordable housing block. The height of the enlarged tower would be appropriate in this location within the CAZ, where there are a number of tall buildings, including the 42 storey Barbican towers. The podium extensions would create good levels of enclosure to surrounding streets and the proposed routes, whilst being broadly in keeping with the immediate context. The massing of the building at fourth floor level and above would be further broken down by recessed glazing, giving the effect of grounding the building and reducing its visual impact in the immediate streetscape, which is supported.

20 The massing of the tower would be further broken down above the fifteenth floor by additional angled set backs, which are intended to reference the existing height of the building. Deeper recesses in glazing and an open belvedere at the top of the building further reduces the massing and adds interest to the skyline. The approach taken to the design of the massing of the scheme is broadly supported.

21 Wireline views have been provided from Southwark Bridge and Blackfriars Bridge and, whilst these are not London View Management Framework (LVMF) views, they do demonstrate that the scale of the building would be largely obscured in the river prospects identified in the Mayor’s SPG. The scheme would also not affect the setting of St Paul’s Cathedral. The proposals would lie in the background of the London Panoramas from Alexandra Palace (LVMF 1), Parliament Hill (LVMF 2) and Primrose Hill (LVMF 4). However, they would be seen in the context of the emerging cluster around the Old Street roundabout and the City Road canal basin, as well as the taller buildings of the city beyond. There would therefore be no harm to the strategic views set out in the Mayor’s London View Management Framework SPG (July 2012) (LVMF) and the scale of the proposal is therefore considered acceptable in the context of strategic views policy.

Architectural treatment

22 The appearance of the development is characterised by a consistent treatment of a masonry frame with a double height scale for vertical emphasis. Variation is incorporated through a hierarchy of glazing set backs ascending up the building and bronze metal will be used for canopies, window frames and reveals. The residential building is designed in a similar way, but will incorporate darker
masonry and metalwork, and the recessed balconies and metal balustrades will give a more domestic character. The undercroft passageway would be emphasised by the recessed glazed link section over and an innovative lighting solution is also proposed to ensure this space is welcoming. The overall approach to the appearance of the building is strongly supported, however the quality of detailing and specification of materials will be critical to the appearance and durability of the scheme. The Council should therefore secure design detailing and materials by condition, as well as securing the involvement of the scheme architects through to the detailed design phase.

Residential quality

23 The design of the small residential block would ensure that the majority of units are dual aspect and that there are no more than five units per floor. The relationship with the office building to the east in terms of privacy and outlook would be tight, but the apartments facing this building have been designed to ensure that their main orientation is to the north and south, which is welcomed. It is noted that the building, including bedrooms, would face directly on to the footway on Errol Street and Lamb’s Buildings. However, a small step up in levels and balustrades will ensure an appropriate level of privacy and help to ensure that residents feel secure in their homes. All units would meet or exceed the national space standards and the Mayor’s Housing SPG requirements for outdoor amenity space and the quality of residential accommodation is acceptable. The residential quality would therefore be high.

Heritage

24 London Plan Policy 7.8 states that development should identify, value, conserve, restore, re-use and incorporate heritage assets where appropriate. The site itself is not within a Conservation Area, nor does it contain any listed buildings. There are however a number of heritage assets close by whose settings would be affected by the scale of the proposals. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.

25 The NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset’s conservation, and the more important the asset, the greater the weight should be. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset’s physical presence or its setting. Where a development will lead to ‘less than substantial harm’, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Recent court judgements confirm that considerable weight and importance must be given to any harm caused to a listed building or its setting, and that there should be a strong presumption against granting permission that would harm the character or appearance of a Conservation Area.

Significance of heritage assets

26 To the north-east is Bunhill Fields Burial Ground, a Grade I listed Registered Park and Garden that also includes 75 Grade II and II* listed structures, including gates, railings and monuments. It is a rare, well preserved example of a Nonconformist burial ground dating back to the 1660s, although its current boundaries are defined by later development in the mid 18th century. The burial ground is also a public garden and was remodelled in the 1960s by renowned landscape architect Sir Peter Shepheard. Bunhill Fields is of outstanding heritage value and is of exceptional national and international interest. The distinctly Georgian character of densely packed Portland stone gravestones, including graves of many notable people including William Blake and Daniel Defoe and the historic walls and railings combine to make the site of exceptionally high significance.
Bunhill Fields is a key feature of Bunhill Fields & Finsbury Square Conservation Area, which also contains a number of other historic buildings and open spaces, including the Honourable Artillery Company grounds. St Luke’s Conservation Area has an irregular boundary, but the part adjacent to the site is primarily characterised by a 19th century Peabody housing estate, which consists of brick and tile mansion blocks of up to 6 storeys.

Listed buildings close to the site include the Grade II listed terrace No.20 and 21–29 Bunhill Row opposite the site. These were built in the 1830s and comprise 3/4 storey predominantly brick townhouses. They are significant for their character and architectural appearance to Bunhill Row and the HAC grounds, and as an example of surviving Victorian development in the area. Within the HAC complex are the Grade II* listed Armoury House and the Grade II listed Finsbury Barracks. Armoury House has townscape value, facing south onto the private grounds of the HAC and comprises a brick building of 3 storeys, predominantly Palladian in design with later additions. Finsbury Barracks fronts City Road, and was built in 1857, although its design clearly references older defensive buildings through the use of heavy stone facing materials, castellation and turrets.

There are also two locally listed buildings adjacent to the site, both of which have significance as remnants of the historic townscape. The Artillery Arms Public House is a 3 storey Victorian corner pub, predominantly of brick construction, which No.12 Errol Street is a former mission boarding school also of brick construction, now occupied by the Royal Statistical Society.

Assessment of heritage impact

A number of verified views have been provided by the applicant showing the visual impact of the proposal from Bunhill Fields. In these views, the burial ground is seen in its urban context, including the enclosure provided by low rise buildings around its boundary, as well as taller buildings in the background. Due to the positioning of the scheme and enclosing development, the low rise podium extensions would be barely discernible, although the increased height of the tower would increase the prominence of the building. However, in summer views the extensive screening provided by existing trees would virtually obscure the development in most views. In winter the tower would be more visible, although it would be seen in the context of a number of other tall buildings, including the background buildings of the Barbican and the City to the south, but most notably Braithwaite House on Bunhill Row. Whilst the proposal would increase the scale of the building, the massing would be slender and the architectural quality of the proposal is very high, with sculptured geometric set backs and recesses successfully breaking up the mass of the building. The tower would still be seen as a background building, behind the intervening HAC and Virgin Active health club. Furthermore, the proposed masonry treatment would better complement the Portland stone that predominates in the burial ground. There would therefore be no harm to the setting of this Grade I listed Registered Park and Garden, nor to any of the listed monuments and structures within it.

With regard to the listed terrace opposite the site, No.20 and 21–29 Bunhill Row, the proposal would result in an increase in mass compared to the existing Finsbury Tower. This would be particularly apparent in views across the private HAC grounds and in some glimpsed views from surrounding streets, such as from City Road adjacent to Finsbury Street. However, the public views would be limited and the impact is further mitigated by high quality contextual design of the elevations. In terms of the visual impact on Bunhill Row to the front of the terrace, the proposal would improve the public realm along the frontage and rationalise the building line. The approach to articulation of the building would represent an improvement to the setting of No.20 and 21–29 Bunhill Row in the streetscene.

Having regard to the verified views provided, there would be no harm to the setting of adjacent Conservation Areas and the setting of St Luke’s Conservation Area, as well as the adjacent locally listed buildings, which would be enhanced as a result of the improved quality of architecture, ground floor uses and public realm. Whilst the increased scale of the proposal would be apparent in
the settings of the listed Armoury House and Finsbury Barracks, this would be seen in the existing and emerging urban context of these buildings, including the taller buildings to the north around the Old Street roundabout.

**Conclusion**

33 In accordance with the NPPF and London Plan Policy 7.8, the proposals would safeguard the significance and setting of nearby heritage assets, causing no harm. The high quality design would enhance the setting of nearby conservation areas and the surrounding townscape and public realm, including the enhancement of other heritage assets immediately adjacent to the site.

**Inclusive design**

34 In accordance with London Plan Policy 3.8, the applicant has confirmed that 23 of the residential units will meet Building Regulation M4(2) standards, and that 2 of the units will be designed to be fully adaptable and adjustable to wheelchair users (M4(3) standards). The Council should secure details of compliance with Building Regulations M4 (2) and M4 (3) by condition.

35 The proposals would also generally ensure level and inclusive access to the non-residential uses and throughout the public. There would be a stepped access to the reception area serving the office use, but the principal entrance from Bunhill Row would be accessible and this is considered acceptable. The proposed benches would enable wheelchair users to easily transfer and use these features, which is welcomed. Due to the car free nature of the scheme and constraints of the site, on street accessible bays are proposed and this is accepted.

**Climate change**

36 A range of energy efficiency measures are proposed, including low energy lighting and daylight dimming controls. The applicant has demonstrated through overheating analysis that the demand for cooling has been minimised for all modelled spaces, but further information on the refurbished areas should be provided.

37 The applicant has identified an existing heat network nearby, with pipework located along Bunhill Row. Subject to a viable commercial offer, it is proposed to connect to this network, which is supported. Further details are however required with regard to the design of the site wide heat network and energy centre. The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 190sq.m. of photovoltaic panels.

38 Overall the measures proposed result in a 48% reduction in regulated carbon dioxide emissions compared to a 2013 Building Regulations compliant development for the residential element and 36% for the commercial. Whilst the commercial element meets London Plan emissions targets, the requirement for residential is now zero carbon. The applicant should therefore ensure that the remaining regulated carbon dioxide emissions (equivalent to 20 tonnes per annum) is met off-site through a S106 contribution.

**Transport**

39 The development will be car free, which is welcomed. There is however existing provision for blue badge holders on street and the applicant is proposing an additional four on street blue badge spaces. Future residents should enter a permit free agreement for any existing of future controlled parking zone, which should be secured through the Section 106 agreement. The proposed taxi set down/pick up area is also welcomed.
40 The applicant is proposing a new 32 point cycle hire docking station along the Bunhill Row frontage, to address capacity concerns in the locality. This is welcomed and £220,000 should be secured through the S106 agreement to enable the installation of this docking station.

41 Proposed cycle parking does not meet London Plan standards and should be increased to a minimum of 530 spaces. The applicant should also ensure that lifts are designed to accommodate cycles and that lockers, changing and shower facilities are provided for office workers.

42 The proposal to service the commercial uses off street is welcomed and a delivery and servicing plan should be secured by condition. A construction management plan should also be secured, along with a travel plan.

43 The site falls within an area where S106 contributions for Crossrail will be sought in accordance with London Plan Policy 6.5 and the associated SPG. In these situations, the Mayoral CIL will be treated as a credit towards the S106 Crossrail liability and this should be reflected in the wording of the section 106 agreement.

Local planning authority’s position

44 The Council are weighing up the proposed scheme benefits against the harm to heritage assets. They have requested viability information to demonstrate that the scale of development is required to deliver these benefits.

Legal considerations

45 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor’s statement and comments.

Financial considerations

46 There are no financial considerations at this stage.

Conclusion

47 London Plan policies on employment, housing, urban design, heritage, inclusive design, climate change and transport are relevant to this application. The principle of the employment-led mixed-use redevelopment of this site in the CAZ, to include affordable workspace and affordable housing, is strongly supported. A number of outstanding concerns are raised with regard to climate change and transport:

- **Climate change**: the energy strategy does not fully accord with London Plan Policies 5.2, 5.6 and 5.9. Further information regarding overheating, connection to the heat networks and the combined heat and power system is required. The final agreed energy strategy should be appropriately secured by the Council, along with S106 obligations for off-site mitigation.
- **Transport**: to ensure that the scheme accords with London Plan policies 6.1, 6.2, 6.5, 6.7, 6.9, 6.10 and 6.13 the applicant should make a contribution of £220,000 towards a cycle hire docking station. The applicant should increase cycle parking to meet minimum standards and provide supporting facilities. A delivery and servicing plan, construction logistics plan and travel plan should be secured by condition or S106 agreement, along with a contribution towards Crossrail.

---

for further information, contact GLA Planning Unit (Development & Projects Team):

**Colin Wilson, Senior Manager – Development & Projects**
020 7983 4783    email colin.wilson@london.gov.uk

**Sarah Considine, Strategic Planning Manager (Development Decisions)**
020 7983 5751    email sarah.considine@london.gov.uk

**Nick Ray, Senior Strategic Planner, case officer**
020 7983 4178    email nick.ray@london.gov.uk