
Appeal Decision

Hearing and site visit held on 11 July 2023

by P Jackson B Arch (Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 27 JULY 2023

Appeal Ref: APP/V5570/W/23/3315969

4 Blundell Street, Islington, London N7 9BH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Noble House Properties against the decision of the Council of the London Borough of Islington.
 - The application Ref P2022/1543/FUL, dated 29 April 2022, was refused by notice dated 30 November 2022.
 - The development proposed is demolition of the existing two storey building and erection of a part four and part five storey commercial building comprising light industrial Use Class E(g)(iii), flexible workspace Use Class E (g) and associated cycle and waste storage.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of the existing two storey building and erection of a part four and part five storey commercial building comprising light industrial Use Class E(g)(iii), flexible workspace Use Class E (g) and associated cycle and waste storage at 4 Blundell Street, Islington, London N7 9BH in accordance with the terms of the application, Ref P2022/1543/FUL, dated 29 April 2022 and the plans submitted with it, subject to the conditions in the schedule at the end of this decision.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the area; and
 - Whether the development would comply with the aims of the development plan in terms of economic growth and employment.

Reasons

Policy background

3. The development plan consists of the London Plan 2021 (LonP), the Islington Core Strategy 2011 (CS) and Islington's Local Plan: Development Management Policies of 2013 (DMP). The site lies within the Kings Cross and Pentonville Road Key Strategy Area and the Vale Royal/Brewery Road Locally Significant Industrial Site (LSIS).
4. The Council consulted on main modifications to the emerging Islington Local Plan (ILP) from 24 June 2022 to 7 August 2022. The Independent Examination

has now finished with the Inspectors issuing their final report on 5 July 2023. The Inspectors found Islington's new Local Plan to be 'sound' with the agreed main modifications. The progress made towards adoption of policies of the ILP indicates that very significant weight attaches to it.

The site and its surroundings

5. The site comprises a service yard with a two storey building towards the rear, currently used by a tool and plant hire business. The surrounding area is mixed use including residential. The site lies at the eastern end of the LSIS which includes a wide variety of commercial and industrial enterprises including offices, storage, retail, workspaces studios, catering companies and manufacturing. Immediately adjacent to the site to the west is an early Victorian former brewery at No. 6 now occupied by a publishing group. This building is not on the Council's published list of non-designated heritage assets but in its view meets the criteria for inclusion. I do not disagree, its pleasing symmetry, raised ground floor, attractive London stock brickwork and simple industrial functional elevation marking it out as distinctive in the street scene.
6. On the east side of the site at No. 2 is a specialist car dealership with an open front vehicle display area and a workshop at the rear. A turn of the century former public house (now a café 'the breakout') lies on the corner of Blundell Street and Caledonian Road.
7. The proposal consists of 948 square metres (sqm) of flexible office space and 1286 sqm of light industrial uses in a scheme constructed of prefabricated units based on the dimensions of shipping containers, providing a modular arrangement capable of adaptation to occupiers' needs.

Character and appearance

8. The character of the area is very mixed with a predominance of post-war functional buildings of unremarkable design quality. Whilst the public house is prominent on the corner of with Caledonian Road, it has been extended to the rear and on the top floor using a simple concrete frame with painted brick infill that fails to address, except in the simplest terms, the detailing of the original building. No. 6 retains more heritage interest but beyond being first erected to produce beer, has little else in common with the public house. I give little weight to the idea that there are architectural links between these two buildings that should contribute significantly to the elevational design of the proposal for the appeal site. Indeed it is the variation in activity and architectural expression that is plain to see in Blundell Street and Caledonian Road that largely defines the character of the immediate area. It is somewhat different from the majority of the LSIS which the Council considers could be characterised as 'warehouse style employment'.
9. On the other hand there is a case for the massing of the proposal to respect the general form of buildings at this end of Blundell Street and I note that in an effort to address refusal of an earlier application¹ and during pre-application discussions with Council officers, amongst other things, the proposed development was reduced by one storey and the overall height reduced. The top (fifth above ground) floor would be set back. In this way the massing would sit comfortably in the context of the street scene. The projecting brick

¹ P2020/3015/FUL

cornice of No. 6 would line up appropriately with the horizontal element of the proposal at third floor level. The proposed dark grey metal cladding would be an appropriate finish that would contrast with the adjacent brick of No. 6 and would not appear out of keeping in the area generally. Whilst 1-2 storeys higher than No. 6, the relationship between the appeal scheme as seen from the west on the opposite side of the road would not be so uncomfortable as to indicate refusal would be justifiable on grounds of character and appearance. The gabled roofline over the cart entrance and the symmetrical elevation would retain heritage interest and continue to contribute to the street scene. The fact that the flank wall of No.4 would be seen above does not mean that it would be unacceptably dominant or that the proportions and heritage significance of No. 6 would not be readily appreciated. Moreover, it is difficult to see why No. 6, a much older building, albeit of heritage interest, should determine the prevailing height of new buildings in this very varied mainly post-war environment.

10. The physical manifestation of shipping containers as the driving factor in the dimensions and construction of the scheme would be hard to perceive in the street scene, and in this respect the development would be very different from other container-based projects that have been referred to in other locations such as Hackney. Recently approved buildings forming part of the London Square development in Caledonian Road display similar grid features. There would be a marked improvement in the level of activity at ground floor level compared to the existing bland brick wall and industrial units further along Blundell Street. Setting back the building from the back of the footway in line with No. 6 would help to integrate the scheme into the street scene.
11. The Council's Vale Royal/Brewery Road LSIS Height Study of 2016 (LSISHS) was carried out to inform future supplementary guidance and provides a useful guide to context. It points out that buildings are higher towards the east of the LSIS where the appeal site lies. The proposed overall 5 floor height of the appeal scheme above ground² would not appear out of place in the context of much higher buildings at London Square immediately behind the site and the former pub which although only having 4 storeys has higher floor to floor heights.
12. There is no objection from the Borough's conservation officer. I conclude on this issue that the design of the proposed building would respond sensitively to the existing historic buildings and in particular would not appear unacceptably overbearing in relation to No. 6 next door. It would conform to the indicative height plan in the LSISHS. It would have an active frontage that would overlook the street. It would not conflict with the design quality objectives of the National Planning Policy Framework (NPPF), LonP policies D3 and D4, CS policies CS8 and CS9, DMP policies DM2.1 and DM2.3, or the design and heritage protection aims of ILP policies SP3 and DH3.

Economic growth and employment

13. There is no dispute the proposal for light industrial/flexible use would comply in principle with the overarching relevant land use policies in the LonP, the CS, DMP and ILP. It would provide space for small and medium enterprises that may well expand to larger premises locally. It would be complementary to the area's industrial designation.

² At a lower floor to floor height than the Council generally envisages for commercial space

14. The Council's main point expressed at the Hearing concerned the restricted ceiling height inherent in the use of containers. Paragraph 5.10 of the DMP, carried forward in the explanatory text to ILP policy B2, considers that flexible design of business floorspace should include at least 3 metres of free space, but up to 5 metres in industrial buildings to allow for the introduction of mezzanines. However no convincing explanation was provided to justify this minimum height for many of the likely light industrial occupiers such as dental laboratories or jewellery manufacturing, music and entertainment activity (acknowledged to be of importance locally by the Council) given that the main advantage of the container-led approach is inherent flexibility which would enable occupiers to stay in the building and not move out of the area. No argument was put forward to counter the appellant's contention that the lower rent that would be appropriate for such a building would be attractive to occupiers starting a business. Nothing was said to persuade me that the restricted height of 2.67m (even potentially further reduced by services) would be a serious constraint or deterrent to businesses taking up space in what is the largest LSIS in the Borough.
15. There is no evidence that potential users would be constrained by the grid layout or the restricted height of the units. I do not doubt that units with even lower ceilings referred to by the appellant in Hackney are attractive to occupiers. LonP policy E7 encourages the intensification of business uses occupying all categories of industrial land. The explanatory text to DMP 5.1 does not explain what processes the mezzanines are intended to cater for or how in practice it would be possible to include 2 useful floors with a 5m floor to floor height. I appreciate the aim of the text but the suggested heights are not a requirement of the policy itself. On the other hand, part F of the policy wording says that new business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation, particularly for small businesses. Nothing has been put forward to suggest that the proposed floor to ceiling height would not be adequate for many businesses and industrial enterprises. I consider that the flexible space and economical rents offered in the appeal scheme would complement the LSIS as a whole.
16. The development would comply with the economic development aims of the NPPF and with LonP policies E2 and E6. There would be no conflict with DMP policies DM5.1 or the Vale Royal/Brewery Road LSIS aims of DM5.3 and no conflict with ILP policies B2 and SP3.

Other matters

17. A signed and dated S106 Unilateral Undertaking has been provided which facilitates contributions towards tree planting, accessible transport initiatives, 2 work placements, offsetting CO2 emissions and employment and training of local residents. The S106 also facilitates a bond to cover repairs to the highway, the final post-occupation green performance plan, connection to a local energy network if viable, and compliance with various local Codes concerning procurement, construction practice, and employment and training. These benefits are necessary to make the development acceptable. The Undertaking meets the tests set out in paragraph 57 of the 2021 NPPF and Regulation 122 of the CIL Regulations. As such the S106 Agreement attracts significant weight.

18. The concerns of local occupiers are noted in respect of the potential for the development to obstruct sunlight and daylight at certain times of the day and in particular the effect on the play area behind London Square. The submitted daylight and sunlight report, which highlights where the scheme may not comply with Building Research Establishment guidance, shows that it is the existing architectural features of neighbouring buildings which principally interfere with the light received to certain windows and rooms. The effect on the play area would not be unacceptable in an urban environment. Overall, the Council considers that neighbouring amenity would not be unduly harmed by the development and I agree.

Conditions

19. Apart from the usual time limitation on the start of development, conditions are necessary to control the appearance and details of the external materials and external lighting in the interests of the character of the area. Other necessary conditions control the noise emitted from fixed plant, the practicalities of delivery and servicing, demolition and construction operations, piling methodology and the basement works, the means by which any contamination is dealt with and the potential problems caused by light pollution for occupiers of adjacent dwellings. The provision of refuse storage and disposal enclosures, bicycle storage, ecological enhancements in the form of bird and bat boxes, a BREEAM rating of no less than 'excellent' and energy efficiency measures as set out in the EB7 report are the subject of other conditions and are imposed to conform to LonP and local development plan policies. Restrictions are placed on use of flat roofs in the interests of the amenity of local residents.
20. The provision of a biodiversity (green/brown roofs) strategy should ensure the maximum creation of new habitats in this urban area. Surface water drainage needs to be in accordance with the submitted plans and maintained as such in the interests of the local drainage network. A restriction on permitted development ensures that the intended employment and land use benefits stay in place. The projecting cornice and brick quoins of No. 6 need to be retained, as discussed on site, to retain the heritage significance of that property in the street scene. Finally, the development needs to be constructed in accordance with the approved drawings for the avoidance of doubt and in the interests of proper planning.

Conclusion

21. The development would provide a significant and important increase in affordable and flexible floorspace seeking to contribute to economic growth and employment in the LSIS and in Islington more generally. It represents a contemporary and welcome approach to introducing an appreciable amount of new space for start-up businesses. There would be no significant disbenefits to the scheme which was the subject of extensive consultation with the Council including a Planning Performance Agreement. For all the above reasons, the appeal should be allowed.

Paul Jackson

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Ellis Heath	Rolfe Judd
John Osborn	Rolfe Judd
Nick Makasis	GML Architects
Adrian Vick	GML Architects
Christine Hereward	Hereward & Co

FOR THE LOCAL PLANNING AUTHORITY:

Tom Broomhall	Principal Planning Officer
Laura Hart	Principal Urban Designer
Harriet Beattie	Team Leader Major Applications
Laura Avery	Principal planning and development lawyer

DOCUMENTS

- 1 LSIS Height Study
- 2 Policy SP3 as recommended to be modified

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby approved shall be carried out in accordance with the following approved plans and documents:
 - 4906-PA-20 Proposed BF & GF plans. Rev.D;
 - 4906-PA-21 Proposed 1F & 2F plans. Rev.C;
 - 4906-PA-22 Proposed 3F & 4F plans. Rev.B;
 - 4906-PA-23 Proposed roof plan. Rev.A;
 - 4906-PA-30 Proposed Elevations 1. Rev.C;
 - 4906-PA-31 Proposed Elevations 2. Rev.B;
 - 4906-PA-32 Proposed Sections 1. Rev.A;
 - 4906-PA-33 Proposed Sections 2 Rev.A;
 - 4906-PA-34 Proposed materials. Rev.A;
 - 4906-PA-43 Typical unit internal layouts. Rev.A;
 - 4906-PA-44 Inclusive Design Plans. Rev.A;

Air Quality Assessment prepared by eb7 dated 21 March 2022; Fire Statement prepared by Fire Marshall dated 19 May 2022; Plant Noise Assessment prepared by CSG Acoustics dated 25/03/2021; Structural Method Statement ref: :20096/SMS_R01/RS revision P3 (21100-RP-S- 01-001) dated April 2022; Surface Water Drainage Strategy prepared by

Ambiental Environmental Assessment dated 26/04/2022; Sustainable Design and Construction (SDCS) V2 prepared by EB7 dated 17/08/22; Transport Statement prepared by entran environmental and transportation dated April 2022; Ventilation And Extraction Report prepared by Seneca dated 25 March 2022;

- 3) Details (and samples where indicated) of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details shall include:
- a) façade cladding (including sample);
 - b) windows and doors (including sections and reveals at a scale of not less than 1:10);
 - c) roofing materials;
 - d) balustrading treatment (including sections at a scale of not less than 1:10)); and
 - e) any other external materials to be used.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

- 4) 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 at the Boston and Nailour Estates and London Square, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014. A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance. The report shall include site measurements of the plant in situ. The report shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved.
- 5) The dedicated refuse/recycling enclosure shown on the approved plans (4906-PA-20 Proposed BF & GF plans. Rev.D) shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.
- 6) The bicycle storage area shown on the approved plans (4906-PA-20 Proposed BF & GF plans. Rev.D) shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.
- 7) The flat roofs of the development hereby approved (unless outlined in the approved plans), including identified green roofs, shall not be used as amenity spaces and shall not be accessed other than for maintenance. The roof terrace to the front of the building at fourth floor level is not to be used by occupiers between the hours of 2000 and 0800.
- 8) Details of measures to mitigate light pollution affecting neighbouring residential properties shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site and the approved measures subsequently implemented prior to first occupation of the development hereby permitted.

- 9) Details of any general / security external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works commencing on site. The details shall include the location and full specification of all lamps, light levels/spill lamps and support structures where appropriate and hours of operation. The general lighting and security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.
- 10) Notwithstanding the draft Delivery & Servicing Plan within the approved Transport Statement, a finalised Delivery and Servicing Plan (DSP) detailing servicing arrangements including the location, times (no deliveries shall take place between the hours of 2300 and 0700) and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The development shall be constructed and operated strictly in accordance with the approved DSP, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.
- 11) Notwithstanding the details submitted with the application, a Demolition, Construction and Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The DCEMP should be in accordance with the Council's Code of Practice for Construction Sites and shall include details and arrangements regarding:
 - a) The notification of neighbours with regard to specific works;
 - b) Advance notification of any access way, pavement, or road closures;
 - c) Details regarding parking, deliveries and storage including details of the routing, loading, offloading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;
 - d) Details regarding the planned demolition and construction vehicle routes and access to the site;
 - e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;
 - f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.)
 - h) Details of any proposed external illumination and/or floodlighting during construction;
 - i) Details of measures taken to prevent noise disturbance to surrounding residents;
 - j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to

the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;

k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)

l) Details as to how safe and convenient vehicle access will be maintained for neighbouring sites at all times, including emergency service vehicles;

m) Details as to how neighbour amenity impacts arising specifically from the proposed basement and foundations will be minimised;

n) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure;

o) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area;

p) Details of measures taken to minimise the impacts of the construction process on air quality, including Non-Road Mobile Machinery (NRMM) registration. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/usernrmm/register> prior to the commencement of use of any NRMM at the application site. All NRMM should meet as minimum the Stage IIIA emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIA equipment is not available. All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment.

The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.

The demolition and development shall thereafter be carried out in accordance with the details and measures approved in the DCEMP unless the prior written consent of the Local Planning Authority has been obtained to any alteration.

- 12) No occupation shall take place until a certificate showing that the commercial element of the development will achieve a BREEAM rating of no less than 'Excellent' has been submitted and approved in writing by the Local Planning Authority.
- 13) The energy efficiency measures as outlined within the hereby approved Sustainable Design and Construction (SDCS) V2 prepared by EB7 dated 17/08/22 and any supporting documents shall be installed and operational prior to the first occupation of the development. Should there be any change to the energy efficiency measures within the approved Sustainable Design and Construction Statement, a revised Sustainable Design and Construction Statement shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development. The final agreed scheme shall be installed and in operation prior to the first occupation of the development. The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.
- 14) Notwithstanding the plans hereby approved, a biodiversity (green/brown roofs) strategy demonstrating how green/brown roofs have been reasonably maximised across the site shall be submitted to and approved in writing by

the Local Planning Authority prior to the relevant works commencing on site. The biodiversity (green/brown roofs) strategy shall also include the following details:

- a) substrate base depth;
 - b) laid out in accordance with plans hereby approved; and
 - c) planted/seeded with an agreed 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). The biodiversity (green/brown) roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.
- 15) The development hereby permitted shall achieve an Urban Greening Factor of at least 0.18. Alternatively, a report shall be submitted to an approved in writing by the Local Planning Authority prior to first occupation of the development hereby permitted which satisfactorily demonstrates that an Urban Greening Factor of 0.3 cannot be achieved. The report shall give consideration to additional planting, intensive or semi-intensive green roofs, the addition of raingardens and planting.
- 16) Details of bird and bat nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The details shall include the exact location, specification and design of the habitats. The nesting boxes/bricks shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.
- 17) The development shall be carried out strictly in accordance with the details so approved within the Surface Water Drainage Strategy prepared by Ambiantal Environmental Assessment dated 26/04/2022 and shall be installed/operational prior to the first occupation of the development, and maintained as such thereafter.
- 18) No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
- 19) The development shall be constructed in accordance with the approved Structural Method Statement ref: :20096/SMS_R01/RS revision P3 (21100-RP-S-01-001) dated April 2022, unless otherwise agreed in writing. The certifying professional that endorsed the Structural Method Statement (or a suitably qualified Chartered Civil Engineer (MICE) or a Chartered Structural Engineer (MIStruct.E) with relevant experience shall be appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with Council's Basement Development SPD.

- 20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or the provisions of any Order revoking and re-enacting that Order, at least 1,286 sqm (GIA) of Use Class E(g)(iii) floorspace shall be provided and no change of use to any other use within Class E of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2005 (or the equivalent use within any amended/updated subsequent Order) or any other uses within any other Use Class, unless otherwise agreed in writing by the Local Planning Authority.

The remaining 948sqm (GIA) flexible floorspace shall be strictly limited to Use Class E(g) only, and no change to any other use within Class E of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2005 (or the equivalent use within any amended/updated subsequent Order) or any other uses within any other Use Class, unless otherwise agreed in writing by the Local Planning Authority.

- 21) Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority.
- a) A land contamination investigation. The investigation shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing. Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:
 - b) A remediation method statement of any necessary land contamination remediation works arising from the land contamination investigation. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved site investigation. The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.
 - c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b). This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. All works must be carried out in

compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.

- 22) No occupation shall take place until the development has been implemented in accordance with the provisions of the Fire Statement prepared by Marshall Fire dated 19 May 2022, unless otherwise approved in writing by the Local Planning Authority.
- 23) Notwithstanding the drawings hereby approved, the generally available internal floor to ceiling height of all the light industrial Use Class E(g)(iii) floorspace and flexible Use Class E (g) floorspace hereby approved, shall be no less than 2.67 metres clear.
- 24) Prior to construction above ground level, details at a scale of not less than 1:20 of the proposed junction between No.6 and the development hereby approved shall be submitted to the Local Planning Authority and approved in writing. The details shall show the method by which the projecting cornice and quoins of No. 6 Blundell Street returning on the flank wall adjacent to the boundary are to be preserved and the details of how the boundary walls are to be treated. The development shall be constructed in accordance with the approved details.