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## AGENDA FOR THE PLANNING COMMITTEE

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Members of Planning Committee are summoned to a meeting, which will be held in the Council Chamber, Town Hall, Upper Street, N1 2UD on **23 April 2015 at 7.30 pm.**

**John Lynch**  
**Head of Democratic Services**

Enquiries to : Zoe Crane  
Tel : 020 7527 3044  
E-mail : [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)  
Despatched : 14 April 2015

**Welcome:**

Members of the public are welcome to attend this meeting.

**Consideration of Planning Applications** – This is a formal agenda where decisions are taken on planning applications submitted to the Council. Public speaking rights on these items are limited to those wishing to comment on specific applications. **If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing [enquiriesplanning@islington.gov.uk](mailto:enquiriesplanning@islington.gov.uk).**

Committee Membership

Councillor Khan (Chair)  
Councillor Klute (Vice-Chair)  
Councillor R Perry (Vice-Chair)  
Councillor Chowdhury  
Councillor Fletcher  
Councillor Gantly  
Councillor Ismail  
Councillor Nicholls  
Councillor Picknell  
Councillor Poyser

Wards


- Bunhill;  
- St Peter's;  
- Caledonian;  
- Barnsbury;  
- St George's;  
- Highbury East;  
- Holloway;  
- Junction;  
- St Mary's;  
- Hillrise;

Substitute Members

Councillor Convery  
Councillor Comer-Schwartz  
Councillor O'Sullivan  
Councillor A Perry  
Councillor Poole  
Councillor Smith  
Councillor Spall  
Councillor Ward  
Councillor Wayne  
Councillor Williamson

- Caledonian;  
- Junction;  
- Finsbury Park;  
- St Peter's;  
- St Mary's;  
- Holloway;  
- Hillrise;  
- Holloway;  
- Canonbury;  
- Tollington;

Quorum: 3 councillors



<b>A. Formal Matters</b>	<b>Page</b>
1. Introductions	
2. Apologies for Absence	
3. Declarations of Substitute Members	
4. Declarations of Interest	

If you have a **Disclosable Pecuniary Interest\*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

**\*(a) Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

**(b) Sponsorship** - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

**(c) Contracts** - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

**(d) Land** - Any beneficial interest in land which is within the council's area.

**(e) Licences**- Any licence to occupy land in the council's area for a month or longer.

**(f) Corporate tenancies** - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

**(g) Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

5. Order of Business	
6. Minutes of Previous Meeting	1 - 10
<b>B. Consideration of Planning Applications</b>	<b>Page</b>
1. 11-13 Benwell Road, London, N7 7BL	15 - 74

2.	640-648 and 650 Holloway Road, London, N19 3NU	75 - 148
3.	Estate Land and 1-8 Rowstock Gardens and garages opposite 77-84 Rowstock Gardens, London, N7	149 - 194
4.	King Square Estate and part of Moreland Primary School, London, EC1V	195 - 258
5.	Whittington Hospital (Blocks D, E, N and P) Magdala Avenue, London, N19 5NF	259 - 294

**C. Consideration of other planning matters**

**D. Urgent non-exempt items (if any)**

Any non-exempt items which the Chair agrees should be considered urgent by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

**Date of Next Meeting:** Planning Committee, 21 May 2015

**Please note all committee agendas, reports and minutes are available on the council's website:**

[www.democracy.islington.gov.uk](http://www.democracy.islington.gov.uk)

## **PROCEDURES FOR PLANNING COMMITTEE**

### **Planning Committee Membership**

The Planning Committee consists of ten locally elected members of the council who will decide on the applications for planning permission.

### **Order of Agenda**

The Chair of the Planning Committee has discretion to bring forward items, or vary the order of the agenda, where there is a lot of public interest.

### **Consideration of the Application**

After hearing from council officers about the main issues of the proposal and any information additional to the written report, the Chair will invite those objectors who have registered to speak for up to three minutes on any point relevant to the application. If more than one objector is present for any application then the Chair may request that a spokesperson should speak on behalf of all the objectors. The spokesperson should be selected before the meeting begins. The applicant will then be invited to address the meeting also for three minutes. These arrangements may be varied at the Chair's discretion.

Members of the Planning Committee will then discuss and vote to decide the application. The drawings forming the application are available for inspection by members during the discussion.

Please note that the Planning Committee will not be in a position to consider any additional material (e.g. further letters, plans, diagrams etc.) presented on that evening. Should you wish to provide any such information, please send this to the case officer a minimum of 24 hours before the meeting. If you submitted an objection but now feel that revisions or clarifications have addressed your earlier concerns, please write to inform us as soon as possible.

### **What Are Relevant Planning Objections?**

The Planning Committee is required to decide on planning applications in accordance with the policies in the Development Plan unless there are compelling other reasons. The officer's report to the Planning Committee will refer to the relevant policies and evaluate the application against these policies. Loss of light, openness or privacy, disturbance to neighbouring properties from proposed intrusive uses, over development or the impact of proposed development in terms of size, scale, design or character on other buildings in the area, are relevant grounds for objection. Loss of property value, disturbance during building works and competition with existing uses are not. Loss of view is not a relevant ground for objection, however an unacceptable increase in sense of enclosure is.

**For further information on how the Planning Committee operates and how to put your views to the Planning Committee please call Zoe Crane on 020 7527 3044. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing [enquiriesplanning@islington.gov.uk](mailto:enquiriesplanning@islington.gov.uk).**



London Borough of Islington

## Planning Committee - 24 March 2015

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 24 March 2015 at 7.30 pm.

**Present:**           **Councillors:**           Khan (Chair), Klute (Vice-Chair) (except for Item B1),  
R Perry (Vice-Chair), Fletcher, Ismail, Nicholls, Picknell  
and Poyser

### Councillor Robert Khan in the Chair

**82**           **INTRODUCTIONS (Item A1)**

Councillor Khan welcomed everyone to the meeting. Members of the Committee and officers introduced themselves.

**83**           **APOLOGIES FOR ABSENCE (Item A2)**

Apologies were received from Councillors Chowdhury and Gantly.

**84**           **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

There were no substitute members.

**85**           **DECLARATIONS OF INTEREST (Item A4)**

There were no declarations of interest.

**86**           **ORDER OF BUSINESS (Item A5)**

The order of business would be B2, B5 and B6, B1, B4 and B3.

**87**           **MINUTES OF PREVIOUS MEETING (Item A6)**

**RESOLVED:**

That the minutes of the meeting held on 24 February 2015 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**88**           **MORELAND PRIMARY SCHOOL AND CHILDREN'S CENTRE, MORELAND STREET, LONDON, EC1V 8BB (Item B1)**

Demolition of existing single storey school and children's centre buildings and redevelopment of the site through the erection of a single replacement part two storey, part three storey building to provide a primary school and children's centre to the north of the site fronting Moreland Street and Gard Street, with landscaped play space provided across the southern part of the site (including provision of a MUGA to the southwest corner of the site), together with associated ancillary development.

(Planning application number: P2014/5103/FUL)

In the discussion the following points were made:

- The planning officer stated that the wording of Condition 9 (Boundary Treatment) should be amended to secure implementation of the approved boundary treatment within six weeks from the date of completion of the final demolition of the existing school building,

- The planning officer stated that there would be a slight reduction in playspace under the proposed scheme.
- The location of disabled parking bays was considered. The planning officer stated that these could not be provided on Gard Street due to the steep gradient and would instead be located on Moreland Street.

**RESOLVED:**

That planning permission be granted subject to the prior completion of a Directors' Agreement Letter in order to secure the planning obligations in the case officer's report to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/Head of Service – Development Management (or, in their absence, the Team Leader Major Applications) plus the conditions and informatives in the case officer's report.

**89 NEW RIVER COLLEGE PRIMARY PRU, 1 DOWREY STREET, LONDON, N1 0HY (Item B2)**

Demolition of the existing school building and erection of a new, two storey school building to accommodate the existing school and a new school, and a separate single storey building to provide term time accommodation. Associated works including landscaping, provision of playspace, provision of a refuse store, parking and alterations to existing site boundaries.

(Planning application number: P2015/0081/FUL)

In the discussion the following points were made:

- The planning officer stated that the second sentence of Paragraph 10.74 should be amended to read, 'Developments should achieve a total (regulated and unregulated) CO<sub>2</sub> emissions reduction of 30% relative to total emissions from a building which complies with Building Regulations 2010, where connection to a Decentralised Energy Network (DEN) is not possible, such as is the case with the application site'.
- The planning officer stated that Condition 8 should be amended to state that the landscaping scheme should be completed prior to the date two months after first occupation of the proposed development, with the exception of the soft landscaping which should be completed/planted during the first planting season following practical completion of the development hereby approved.
- The planning officer stated that Condition 20 should be amended to require an air quality report to be submitted and agreed by the Local Planning Authority prior to any superstructure works commencing on site.
- The planning officer reported that English Heritage had not commented on the proposal as they considered the impact of the proposal to be similar to that of the existing building.
- The Design and Conservation Officer was of the opinion that any harm to the conservation area and the surrounding listed building would be less than substantial.
- It was not possible to break the leases on the garages on the site.
- The residential provision was for seven days a week during term time.
- Concerns were raised about the potential number of vehicles accessing the site. The applicant confirmed that all pupils currently travelled to the temporary site on the same bus except for pupils from Hackney who travelled to the site by taxi. It was anticipated that the school would use a couple of seven seater vehicles to transport pupils. The weekend shift patterns of staff had not yet been decided but it was anticipated that staff would not drive to the school.
- There would be two car parking spaces for core staff as the children had special requirements, the school was on multiple sites around the borough and children could be visited by health professionals.

## Planning Committee - 24 March 2015

- The location of London Plane trees on the site meant the proposed building could not be located elsewhere on the site.

### **RESOLVED:**

That planning permission be granted subject to the prior completion of a Directors' Agreement Letter in order to secure the planning obligations in the case officer's report to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/Head of Service – Development Management (or, in their absence, the Team Leader Major Applications) plus the conditions and informatives in the case officer's report with the report and Conditions 8 and 20 amended as above.

90

### **PACKINGTON SQUARE, ISLINGTON, LONDON, N1 (Item B3)**

Stopping up of 4 areas of existing highway under Section 247 of the Planning Act 1990 to enable redevelopment of the Packington Estate (Phase 4).

(Planning application number: P2015/0891/FUL)

In the discussion the following point was made:

- If the committee approved the commencement of the stopping up process, consultation would follow.

### **RESOLVED:**

That starting the stopping up process be approved subject to the applicant entering into an indemnity agreement to pay all the council's costs in respect of the stopping up.

91

### **ROYAL MAIL HOUSE, 148 OLD STREET, LONDON, EC1V 9BJ (Item B4)**

Re-cladding of elevations to Old Street, Bunhill Row and Banner Street, 6<sup>th</sup> floor extension to Old Street and Bunhill Row, 7<sup>th</sup> and 8<sup>th</sup> floor extensions to Old Street to provide additional office floorspace (Use Class B1), creation of new building entrance via Bunhill Row, change of use of the ground floor fronting Old Street to provide flexible retail/restaurant (Use Class A1/A3) units and associated works. The total floorspace to be created by the proposal was 4271sqm (GEA).

(Planning application number: P2014/4519/FUL)

### **RESOLVED:**

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

92

### **THE OLD SESSIONS HOUSE, 22 CLERKENWELL GREEN, LONDON, EC1R 0NA (Item B5)**

Listed Building Consent for erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of ground floor boundary railings to rear and flank elevations and internal alterations/restoration works (including excavation of sub-basement below yard) to facilitate change of use from Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar, office and Private Member's Club (Sui Generis).

(P2014/4040/LBC)

Change of use from Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar, office and Private Member's Club (Sui Generis), erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of ground floor boundary railings to rear and flank elevations and internal alterations/restoration works (including excavation of sub-basement below yard).

(Planning application number: P2014/3871/FUL)

In the discussion the following points were made:

- Following a member's question, the applicant stated that the swimming pool would be supported structurally.
- Phase three of the heritage work was to the glazed screen and stage four was the work to the roof extension. Details would be included in the construction management plan and the work would be monitored.
- The proposed hours of operation were discussed. If the hours were limited, once a named operator had been found, if the applicant wished to apply for different hours, they could submit an application for consideration.

Councillor Klute proposed a condition (for the listed building consent) which required the letting of both the heritage improvement works contract and the roof extension contact simultaneously. This was seconded by Councillor Fletcher and carried.

Councillor Klute proposed a condition to limit the terminal hours of operation to the standard hours given in the licensing policy, and requested an informative advising that an application may be made to the Council to extend the operating hours once operators were on board and more details of functioning and mitigation were known. This was seconded by Councillor Poyser and carried.

**RESOLVED:**

That planning permission and listed building consent be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the council and all persons with an interest in the land (including mortgagees) in order to secure the planning objectives in the case officer's report to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/Head of Service – Development Management or, in their absence, the Deputy Head of Service plus the conditions and informatives in the case officer's report and the additional conditions as outlined above, the wording of which was delegated to officers.

**93** **THE OLD SESSIONS HOUSE, 22, CLERKENWELL GREEN, LONDON, EC1R 0NA (Item B6)**

Change of use from Masonic Lodge to mixed use scheme comprising retail, restaurant/bar and office (Sui Generis use), erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of boundary railings to rear and flank elevations and internal alterations/restoration works (including lowering of (including excavation of sub-basement below yard).

(Planning application number: P2014/3878/FUL)

Change of use from Masonic Lodge to a mixed use scheme comprising retail, erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool)

## Planning Committee - 24 March 2015

and insertion of rooflights, installation of roof top plant, replacement of windows, erection of boundary railings to rear and flank elevations and internal alterations/restoration works (including lowering of (including excavation of sub-basement below yard) to facilitate change of use of Old Sessions House from Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar, office (Sui Generis use).

(Planning application number: P2014/4039/LBC)

In the discussion the following points were made:

- Following a member's question, the applicant stated that the swimming pool would be supported structurally.
- Phase three of the heritage work was to the glazed screen and stage four was the work to the roof extension. Details would be included in the construction management plan and the work would be monitored.
- The proposed hours of operation were discussed. If the hours were limited, once a named operator had been found, if the applicant wished to apply for different hours, they could submit an application for consideration.

Councillor Klute proposed a condition (for the listed building consent) which required the letting of both the heritage improvement works contract and the roof extension contact simultaneously. This was seconded by Councillor Fletcher and carried.

Councillor Klute proposed a condition to limit the terminal hours of operation to the standard hours given in the licensing policy and requested an informative advising that an application may be made to the Council to extend the operating hours once operators are on board and more details of functioning and mitigation are known. This was seconded by Councillor Poyser and carried.

### **RESOLVED:**

That planning permission and listed building consent be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the council and all persons with an interest in the land (including mortgagees) in order to secure the planning objectives in the case officer's report to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/Head of Service – Development Management or, in their absence, the Deputy Head of Service plus the conditions and informatives in the case officer's report and the additional conditions as outlined above, the wording of which was delegated to officers.

**WORDING DELEGATED TO OFFICERS**

This wording has been provided by officers following the meeting and is included here for completeness.

**MINUTE 89**

**NEW RIVER COLLEGE PRIMARY PRU, 1 DOWREY STREET, LONDON, N1 0HY**

**AMENDED CONDITION 8:** Details of a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:

- Proposed trees, including their location, species, size, and confirmation that existing and proposed underground services would not intrude into root protection areas;
- Soft planting, including details of any grass and turf areas, shrub and herbaceous areas;
- Topographical survey, including details of any earthworks, ground finishes, any topsoiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;
- Details of the railings, gates and finial detail (1:10)
- Hard landscaping materials, including ground surfaces including their permeability, kerbs, edges, steps and synthetic surfaces;
- Play equipment and other furniture- elevations and location, material and colour
- Confirmation that all areas of hard landscaping, together with the communal amenity and playspace areas have been designed in accordance with Islington's Inclusive Landscape Design;
- A Landscaping Management Plan describing how the landscaping would be maintained and managed following implementation for a period of 2 years.
- Any other landscaping feature(s) forming part of the scheme.

The landscaping scheme shall be completed prior to the date 2 months after first occupation of the proposed development, with the exception of the soft landscaping which shall be completed/planted during the first planting season following practical completion of the development hereby approved.

The landscaping and tree planting shall have a maintenance/watering provision following planting and any trees or shrubs which die, become severely damaged or diseased shall be replaced with the same species or an approved alternative and to the satisfaction of the Local Planning Authority within the next planting season.

The development shall be carried out strictly in accordance with the details (including the Landscape Management Plan) so approved and shall be maintained as such thereafter.

**REASON:** In the interests of sustainability, to ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, to ensure the development is of an inclusive design, and to ensure that a satisfactory standard of visual amenity is provided.

**AMENDED CONDITION 20:** Prior to any superstructure works commencing on site, an air quality report shall be submitted to and agreed by the Local Planning Authority. The report shall detail:

- the area within the boundary of the site which may exceed relevant national air quality objectives.

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- specify how the detailed application will address any potential to cause relevant exposure to air pollution levels exceeding the national air quality objectives.
- identify areas of potential exposure.
- detail how the development will reduce its impact on local air pollution.

Regard shall be had to the guidance from the Association of London Government “Air quality assessment for planning applications – Technical Guidance Note” and the GLA’s “air quality neutral” policy in the compilation of the report.”

REASON: To protect the amenities of the future users of the site and the neighbouring occupiers.

### MINUTE 92

#### THE OLD SESSIONS HOUSE, 22 CLERKENWELL GREEN, LONDON, EC1R 0NA

ADDITIONAL CONDITION: The café / restaurant (A1/A3 use class), drinking establishment (A4 use class) and Private Members Club (sui generis use class) shall only operate during the hours of:

- 10:00 - 23:30 Monday to Saturday
- 12:00 – 23:00 Sundays

Except on Good Friday: 12:00 to 23:00

Christmas Day: 12:00 to 15:30 and 19:00 to 23:00

New Year’s Eve except on a Sunday: 10:00 until the time authorised on the following day

New Year’s Eve on a Sunday, 12:00 until the time authorised on the following day.

If there are no permitted hours on the following day, 00:30 on the 31st December.

Note: These closure hours are inclusive of a maximum 30 minutes drinking up time.

REASON: In the interests of protecting residential amenity and minimising anti-social behaviour and nuisance within the Farringdon cumulative impact area (for alcohol licensed premises) that this site sits within as set out in the Finsbury Local Plan (2013) including policy BC8G that addresses concentration of such uses. Additionally, this condition would secure compliance with policies: DM4.2 and DM4.3 of the Development Management Policies (2013) and the Council’s Licensing Policy which is a material consideration.

ADDITIONAL INFORMATIVE: The applicant may wish to seek to vary the imposed hours of operation condition once known operators are on board for the scheme for all of the uses that require licensing for alcohol including the consented café / restaurant / drinking establishment and Private Members Club. Such an application would be considered on its merits at that time, based on the cumulative impacts in the surrounding area and based on any mitigation and management procedures proposed by the operator / applicant. The council anticipates that separate applications (or different hours of operation) for the different licensable uses may need to be made as they may warrant different permitted hours.

ADDITIONAL LISTED BUILDING CONDITION: Notwithstanding the Construction Phasing Strategy hereby approved, prior to the commencement of any Phase 3 or Phase 4 heritage works (Phasing of Heritage Works is defined in the informatives) the applicant shall submit to the Local Planning Authority and have approved in writing completed (let) Construction Contracts to cover the delivery of both phases 3 (main heritage benefits) and 4 (roof extensions) over the same time period to safeguard the delivery of Phase 3 works.

**REASON:** In the interests of securing the heritage benefits in a manner that ensures that the harmful (although less than substantial harm) elements are not delivered in isolation of the significant heritage benefits that form part of the proposals. This is to ensure that due regard is given to the legal requirement to preserve the historic and special interest of designated heritage assets as set out in the NPPF and legislation. Additionally it further reinforces the details within the application and would help to ensure that the scheme will comply with policies DM2.3 of the Development Management Policies (2013).

**MINUTE 93**

**THE OLD SESSIONS HOUSE, 22 CLERKENWELL GREEN, LONDON, EC1R 0NA**

**ADDITIONAL CONDITION:** The café / restaurant (A1/A3 use class), drinking establishment (A4 use class) and Private Members Club (sui generis use class) shall only operate during the hours of:

- 10:00 - 23:30 Monday to Saturday
- 12:00 – 23:00 Sundays

Except on Good Friday: 12:00 to 23:00

Christmas Day: 12:00 to 15:30 and 19:00 to 23:00

New Year's Eve except on a Sunday: 10:00 until the time authorised on the following day

New Year's Eve on a Sunday, 12:00 until the time authorised on the following day.

If there are no permitted hours on the following day, 00:30 on the 31st December.

Note: These closure hours are inclusive of a maximum 30 minutes drinking up time.

**REASON:** In the interests of protecting residential amenity and minimising anti-social behaviour and nuisance within the Farringdon cumulative impact area (for alcohol licensed premises) that this site sits within as set out in the Finsbury Local Plan (2013) including policy BC8G that addresses concentration of such uses. Additionally, this condition would secure compliance with policies: DM4.2 and DM4.3 of the Development Management Policies (2013) and the Council's Licensing Policy which is a material consideration.

**ADDITIONAL INFORMATIVE:** The applicant may wish to seek to vary the imposed hours of operation condition once known operators are on board for the scheme for all of the uses that require licensing for alcohol including the consented café / restaurant / drinking establishment and Private Members Club. Such an application would be considered on its merits at that time, based on the cumulative impacts in the surrounding area and based on any mitigation and management procedures proposed by the operator / applicant. The council anticipates that separate applications (or different hours of operation) for the different licensable uses may need to be made as they may warrant different permitted hours.

**ADDITIONAL LISTED BUILDING CONDITION:** Notwithstanding the Construction Phasing Strategy hereby approved, prior to the commencement of any Phase 3 or Phase 4 heritage works (Phasing of Heritage Works is defined in the informatives) the applicant shall submit to the Local Planning Authority and have approved in writing Construction Contracts let to cover the delivery of both phases over the same period to safeguard the delivery of Phase 4 works.

**REASON:** In the interests of securing the heritage benefits in a manner that ensures that the harmful (although less than substantial harm) elements are not delivered in isolation of the significant heritage benefits that form part of the proposals. This is to ensure that due regard is given to the legal requirement to preserve the historic and special interest of designated heritage assets as set out in the NPPF and legislation. Additionally it further



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reinforces the details within the application and would help to ensure that the scheme will comply with policies DM2.3 of the Development Management Policies (2013).

The meeting ended at 9.35 pm

**CHAIR**

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**COMMITTEE AGENDA**

**1 11-13 Benwell Road, London, N7 7BL**

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**2 640-648 & 650 Holloway Road, London, N19 3NU**

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**3 Estate Land and 1-8 Rowstock Gardens & Garages Opposite 77-84 Rowstock Gardens, London N7**

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**4 King Square Estate & part of Moreland Primary School  
London  
EC1V**

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**5 Whittington Hospital (Blocks D, E, N and P) Magdala Avenue London N19 5NF**

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**1 11-13 Benwell Road, London, N7 7BL**

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**Ward:** Highbury West

**Proposed Development:** Appeal made against non-determination. Demolition of existing vacant warehouse buildings and redevelopment of the site comprising: Erection of 5 storey building fronting Benwell Road (Block A) creating 3 residential units (2 x 1-beds & 1 x 3-bed) and 6 storey L shaped building (Block B) creating 479sqm of office space (Class B1) at ground floor and 22 residential units on the upper floors (6 x 1-beds, 16 x 2-beds) with cycle storage, refuse/recycling facilities and landscaping.

**Application Number:** P2014/1909/FUL

**Application Type:** Full Planning Application

**Case Officer:** Ben Le Mare

**Name of Applicant:** Mr Jamie MacArthur

**Recommendation:**

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**2 640-648 & 650 Holloway Road, London, N19 3NU**

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**Ward:** Tollington

**Proposed Development:** Demolition of the existing buildings and erection of a five storey building (plus basement) fronting Holloway Road (Block 1) comprising retail space (Class A1) at ground floor, gym (Class D2) at basement level, 20 residential units (Class C3) on the upper floors; a four storey building to the rear of 660-652 Holloway Road (Block 2) comprising 11 residential units (Class C3); four storey building to the rear of 636-634 Holloway Road (Block 3) comprising 9 residential units (Class C3); and associated landscaping and play space.

The amendments to the scheme comprise:

1. Window positions/ proportions revised in Block 2
2. Reduction in height of Block 2.
3. Revision to the western elevation of Block 2 In-line to simplify the elevation.
4. Proposed reduction of existing boundary wall from approx 6m. to 2.1m.
5. Communal amenity / children's play space landscaping re-arranged
6. Revisions to the forecourt/ urban realm frontage including material treatment, seating, tree planting and low level planting.
7. Re-location of Plant room to Basement with maintenance access from the Ground floor.
8. Revision to Block 3 to incorporate a projecting bay window to mitigate overlooking between Block 1 and Block 3).

**Application Number:** P2014/3494/FUL

**Application Type:** Full Planning Application

**Case Officer:** Ben Le Mare

**Name of Applicant:** Junction Road Motor Company (London) Ltd

**Recommendation:**

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### **3 Estate Land and 1-8 Rowstock Gardens & Garages Opposite 77-84 Rowstock Gardens, London N7**

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**Ward:** Holloway

**Proposed Development:** Demolition of a two storey block of 8 bedsit-flats and replacement with a part three/part four storey block of flats providing 16 new dwellings and the demolition of 22 single storey garage units to be replaced with 4 two-storey family houses. The application also includes associated parking, amenity space, refuse storage and recycling facilities.

**Application Number:** P2015/0294/FUL

**Application Type:** Full Planning (Council's Own)

**Case Officer:** Stefan Sanctuary

**Name of Applicant:** Islington Council

**Recommendation:**

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### **4 King Square Estate & part of Moreland Primary School London EC1V**

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**Ward:** Bunhill

**Proposed Development:** Demolition of existing row of garages located to the north of Rahere House and demolition of 9 existing single storey studio units located to the south of Turnpike House. Change of use of the west section of the Moreland School site to residential use. Erection of 6 new buildings, providing 140 new residential units and a community centre, comprising: Block B – a 3 storey terrace of 10 x 3-bedroom and 1 x 2-bed houses for social rent located to the north of Rahere House; Block C – a 4 storey building located to the west of Rahere House providing a 167sqm community centre together with 13 flats for social rent, comprising 1 x 3-bedroom and 12 x 2-bedroom flats; Blocks D1 & D2 – a 7 storey over basement building and 5 storey building located on the west section of the school site, providing a 21sqm retail unit and 69 flats for social rent, shared ownership and private market sale, comprising 1 x 3-bedroom, 52 x 2-bedroom, and 16 x 1-bedroom flats; Block E, a part 3-, part-5 storey building located to the north of Turnpike House providing 25 flats for social rent over 55's independent living, comprising 9 x 2-bedroom and 16 x 1-bedroom flats; Block F – a part 3, part 4 storey building located to the south of Turnpike House providing 22 flats for social rent comprising 13 x 2-bedroom and 9 x 1-bedroom flats. Alterations to ground floor of Rahere House to provide improved nursery facilities. Comprehensive hard and soft landscaping across the site including: relocation of vehicular access from Central Street, re-provision of 81 parking spaces including 20 wheelchair accessible spaces, creation of new bin store enclosures and cycle parking for existing residents, and creation of a community garden and growing space. The scheme would provide 98 affordable homes which equates to 70% by unit.

**Application Number:** P2014/5216/FUL

**Application Type:** Full Planning (Council's Own)

**Case Officer:** Stefan Sanctuary

**Name of Applicant:** London Borough of Islington

**Recommendation:**

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## 5 Whittington Hospital (Blocks D, E, N and P) Magdala Avenue London N19 5NF

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**Ward:** Junction

**Proposed Development:** Construction of extensions to the Maternity and Neonatal facilities at the Whittington Hospital to accommodate: operating theatres, labour rooms and ancillary facilities.

**Application Number:** P2015/0571/FUL

**Application Type:** Full Planning Application

**Case Officer:** Amanda Peck

**Name of Applicant:** Mr Peter Philpotts

**Recommendation:**

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## 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 COMMITTEE</b>	
<b>Date:</b>	23 April 2015

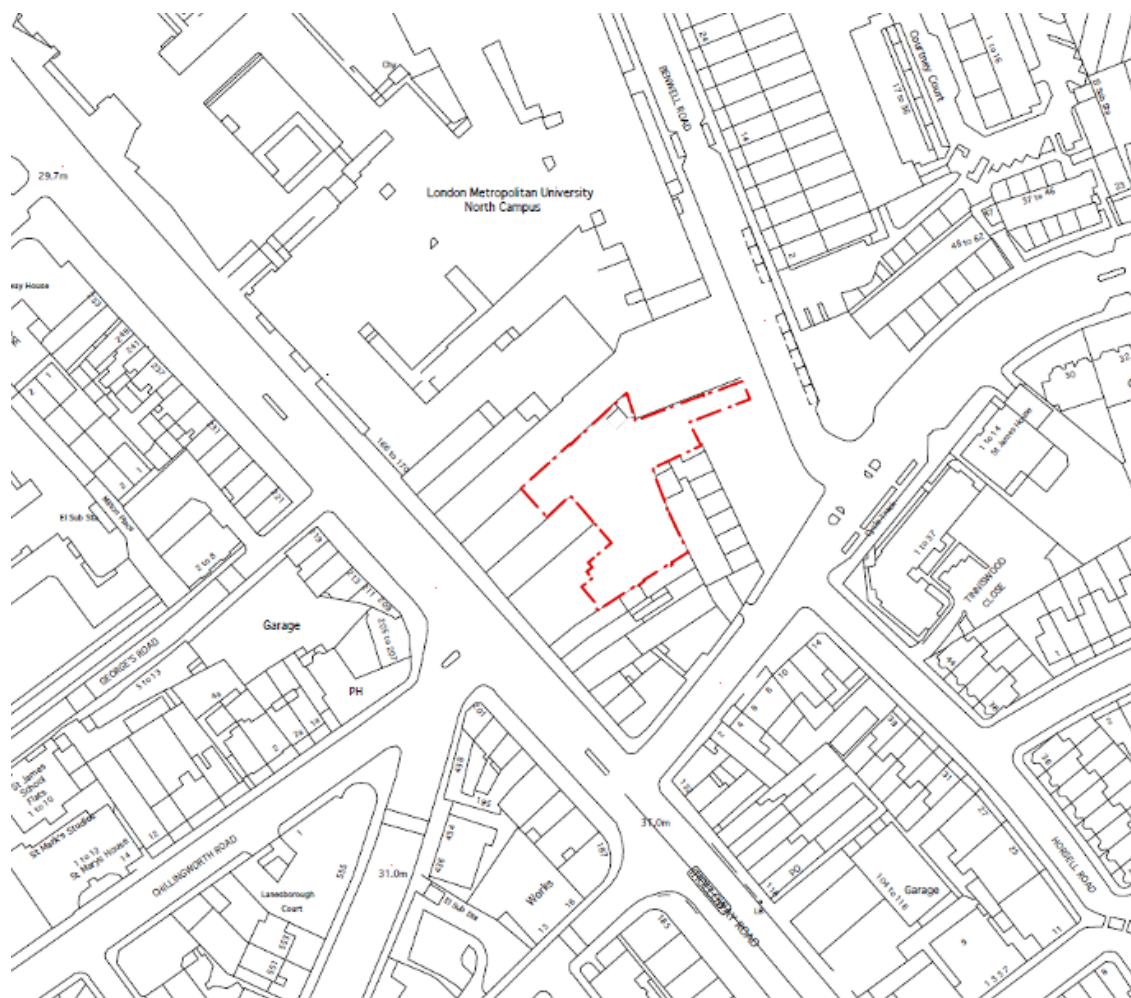
Application number	P2014/1909/FUL
Application type	Full Planning Application
Ward	Highbury West
Listed building	No
Conservation area	Yes – St Mary Magdalene Conservation Area
Development Plan Context	- Site Allocation HC4 - St Mary Magdalene Conservation Area - Ring Cross Archaeological Priority Area - Local Shopping Centre: Holloway Road - Core Strategy Key Area 4
Licensing Implications	None
Site Address	11-13 Benwell Road, London N7 7BL
Proposal	Demolition of existing vacant warehouse buildings and redevelopment of the site comprising the erection of a 5 storey building fronting Benwell Road (Block A) creating 3 residential units (2 x 1-beds & 1 x 3-bed) and 6 storey L shaped building (Block B) creating 466sqm of office space (Class B1) at ground floor and 22 residential units on the upper floors (5 x 1-beds, 16 x 2-beds) with cycle storage, refuse/recycling facilities and landscaping.

Case Officer	Ben Le Mare
Applicant	Aitch Group
Planning Agent	Nathaniel Litchfield Partners

## 1. BACKGROUND

- 1.1 The application is now the subject of an appeal against non-determination. The appeal was submitted to the Planning Inspectorate on 24<sup>th</sup> March 2015. Attached in **Appendix 1** to this report are the applicant's grounds of appeal.
- 1.2 The Committee is therefore being asked for a resolution as to what their decision would have been had the Council still retained its decision making powers (as they had before the appeal was lodged). This will enable officers to prepare written statements for submission to the Planning Inspectorate.
- 1.3 If the Planning Committee is minded to GRANT planning permission, then set out in **Appendix 2** is a list of s106 heads of terms and a list of planning conditions that would be necessary and appropriate to attach to any permission, or be sought as part of any Statement of Common Ground.
- 1.4 If the Planning Committee would have been minded to refuse the application then officers would suggest that the grounds for refusal be provided at Committee and the detailed wording of any reasons for refusal be delegated to officers.

## 2. SITE PLAN (SITE OUTLINED IN RED)





3. PHOTOS OF SITE/STREET



Photo 1: Aerial view of site & surroundings.



Photo 2: Benwell Road Frontage



Photo 3: Courtyard and the building's front



Photo 4: Undercroft Parking





Photo 5: View south across the roof

#### 4. SUMMARY

- 4.1 The existing warehouse building is in a derelict state following a five year period of being squatted. In 2011 planning permission was secured for the change of use of the existing warehouse building, including erection of part single, part 2-storey roof extension and erection of a 6-storey infill building fronting Benwell Road to provide for 21 residential units, 588sqm business (Class B1) floor space. It is understood that this scheme was not implemented on the basis that it would have required the retention of the existing building, which has structural problems.
- 4.2 This planning application proposes the demolition of the existing building on the site and the erection of two buildings (5 storey infill building fronting Benwell Road and a 6 storey central building) which would provide a total of 25 residential units and 466sqm of B1 employment floorspace in two ground floor commercial units. The courtyard in between the buildings would be landscaped.
- 4.3 The proposals have been subject to ongoing discussions with officers at both pre-application and application stages since January 2014. During the consideration of this application the scheme has been amended in response to concerns raised by officers and local residents relating to the development's impact on the historic character of the conservation area and adjoining residential amenity. Notably, these included an increased set back of the top floor, changes to the dwelling mix and repositioning/reduction in the size of balconies and windows.
- 4.4 As required by the Site Allocation a mixed-use development is supported in this location. The residential and commercial floorspace proposed would be of a good standard of design and layout.
- 4.5 The existing building is considered to be of some positive value as a building of its type and as part of the historic development of the area, therefore contributing to the

character and appearance of the conservation area. Its loss is considered to cause less than substantial harm. The applicant has submitted a heritage statement which identifies the building as being of limited architectural value in a poor state of repair. The findings of this report are accepted by the council. The replacement building however needs to be of a high quality design with good quality materials and construction to justify its loss.

- 4.6 The development is considered to be of an appropriate standard of design and appearance for the conservation area. The scheme was amended to increase the set back of the top storey; however the rear of Block B would be visible from public view points along Holloway Road and Chillingworth Road which is a shortcoming.
- 4.7 In terms of impact on residential amenity, privacy, outlook and noise nuisance, mitigation measures would be required through condition. There would be a loss of light to windows serving habitable rooms, particularly north facing single aspect units at first and second level within 154-156 Holloway Road which is a shortcoming of the scheme. Whilst this scheme is taller than previous schemes at this site, the building is set further away.
- 4.8 The proposed residential density is appropriate given the site's location, its context and the quality of the proposal's design. The proposed dwelling mix for the market units is considered to respond well to the council's policy requirements.
- 4.9 The affordable housing offer has been independently reviewed by BSP Chartered Surveyors. The scheme currently offers 24% (by units) and 26% by habitable rooms with a split of 50% social rented (SR) units (three units) and 50% shared ownership (SO) units (three units). By habitable rooms the tenure split is also 50% (eight rooms) social rented and 50% (eight rooms) shared ownership. This fails to comply with the council's policy requirement of 70% SR and 30% SO units (by habitable rooms).
- 4.10 A financial viability assessment has been submitted and is considered to justify the provision of this level of affordable housing, following a thorough independent review. The affordable housing offer is considered to be the maximum reasonable amount the site can deliver having regard to site specific constraints and viability implications.
- 4.11 The resulting residential accommodation is considered to be of an appropriate standard, quality and amenity given the constraints of the site.
- 4.12 The development provides for habitats in the form of a green roof and landscaped communal central courtyard. The sustainability and energy measures would need to be secured through conditions.
- 4.13 Subject to planning conditions, CIL and the s106, the scheme is not considered to adversely impact on the existing surrounding street network nor adversely impact upon on-street parking spaces.
- 4.14 Consideration has been given to the objections made regarding the impact on residential amenity of nearby properties and also regarding: the height, scale, appearance, density of the development, together with its impact on development potential of surrounding properties.
- 4.15 The application has been considered in the context of the Development Plan and National Planning Policy Framework (NPPF) and the presumption in favour of

sustainable development and bringing derelict sites back into active use. Additionally the NPPG as updated has also been considered in the assessment of the application.

## **5. SITE AND SURROUNDING**

- 5.1 The application site is of an irregular shape, covers an area approximately equal to 1,300sqm (0.13ha) and benefits from a narrow street frontage to Benwell Road – the vast majority of the application site forms a backland site and is enclosed by existing neighbouring buildings.
- 5.2 The site contains a large part 3, part 4-storey industrial building which occupies the northern and southern portions of the site and faces onto a central courtyard. The existing building is vacant, nearing dereliction and has a history of being squatted. It is accessed solely from a narrow vehicular access from Benwell Road, which terminates within the central courtyard. The access route is part oversailed by existing accommodation of no. 1-9 Benwell Road (supported by stilts), which has created an undercroft. An existing residential entrance/door to 1-9 Benwell Road exists beneath, and is accessed via the undercroft.
- 5.3 The main body of the site falls within the St Mary Magdalene Conservation Area, however the narrowest portion of the vehicle access is not. The existing buildings are not listed nor are there any listed buildings which adjoin, or within close proximity to, the site. No. 148-152 Holloway Road, which adjoins the south western boundary of the site is noted on the Council's register of locally listed buildings. The roof of No.148-152 has an unauthorised two storey roof extension which is subject to ongoing enforcement action.
- 5.4 The surrounding area comprises a varied mixture of uses and building types. Holloway Road to the south west displays a strong commercial character and nos. 144 to 164 which adjoin the site range in heights from part single, part 3-storey (nos. 154-158) to 4-storeys (no. 148-152).
- 5.5 The existing buildings on site are visible above the parapets of nos. 154-158. Benwell Road, displays no particularly strong character and shows a mixture of building styles, heights and uses. No. 1-9 Benwell Road, a modern red-brick / glazed residential building is situated south (and part over) the vehicle access of the site. No.15-21 Benwell Road is in commercial/business use at ground floor level with residential use above. This building runs the full length of the site's northern boundary from Benwell Road to Holloway Road. Drayton Park Mews adjoins the southern and eastern boundaries of the site and contains seven 3-storey dwellings accessed by a private mews-road; nos. 1 and 2 Drayton Park Mews have windows on their boundary overlooking the site.

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

- 6.1 The planning application proposes to demolish the existing vacant warehouse buildings and redevelop the site to provide a mixed-use scheme over two separate blocks.
- 6.2 Block A fronting Benwell Road is proposed to be 5 storeys in height and comprises 3 residential units (2 x 1-beds & 1 x 3-bed). Block B, which is located at the rear of the site would be 6 storeys in height and comprises 466sqm of employment floorspace

space (Class B1) at ground floor and 22 residential units on the upper floors (6 x 1-beds, 16 x 2-beds).

6.3 The development includes a landscaped courtyard between the two blocks which would be used solely by the residential and commercial occupiers of the development. The scheme also includes areas of green roofs and PV panels.

6.4 Of the 25 dwellings created the affordable housing offer is 24%, providing three (3) social rented units in Block A and three (3) shared ownership units on the first floor of Block B. The level of provision was based on financial viability outcomes and the constraints of the site layout.

#### Scheme Amendments

6.5 The application has been amended to address a number of concerns relating to design, housing mix and standard of accommodation/access, amenity and cycle parking. The main changes to the proposals include:

- *Increased set back of the top floor of Block B;*
- *Revised mix of units (more 2-beds) and the creation of more dual aspect apartments;*
- *Revised floor layouts and access arrangements;*
- *Removal / repositioning of balconies and windows;*
- *Improvements to cycle storage facilities.*

## **7. RELEVANT PLANNING HISTORY:**

### The application site (11-13 Benwell Road)

7.1 In 2006 planning permission was refused for 'conversion and extension to provide mixed use development of 37 flats (23 x 1 bed and 14 x 2 bed) and 627 sqm of B1 floor space'. This application was refused for 10 reasons and subsequently appealed. The appeal was dismissed and the appeal decision upheld six (6) of the reasons for refusal relating to the following issues:

- prejudicial impact on development of Holloway Road (prejudicial impact only, height was not considered contentious);
- failure to meet adopted space standards for residential accommodation;
- unacceptable standard of residential amenity;
- undue overlooking of resulting and existing residential windows;
- failure to provide a safe and secure development;
- insufficient cycle parking provision;

7.2 In January 2011 planning permission was granted (ref: P090106) for 'change of use of existing warehouse building including erection of part single, part 2-storey roof extension and erection of a 6-storey infill building fronting Benwell Road to provide for 21 residential units, 588sqm business (Class B1) floor space; together with the provision of a disabled car parking space, cycle provision, refuse/recycling enclosures, landscaping and associated works.' The consent expired on 25/01/2014.

### 146 -152 Holloway Road

- 7.3 In September 2014 planning permission was refused for '*retention of mansard roof extension to create 4 additional rooms for use in association with the existing hotel/bed & breakfast located over first, second and third floors at the above property*' (ref: P2014/2586/FUL) The mansard was refused consent by reason of its unacceptable scale, height, bulk and overall design and four inappropriately positioned windows fronting onto Holloway Road harming the significance of a locally listed building, streetscene and surrounding St Mary Magdalene Conservation Area. The Council is currently pursuing enforcement action to secure the removal of the mansard extension.

158 Holloway Road

- 7.4 In February 2015 planning permission was refused for '*part demolition of existing retail building and construction of part four and part five storey building to provide ground floor and basement retail use (A1), the creation of 7 flats (1 x studio, 3 x 1 bedroom and 3 x 2 bedrooms) and alterations to shopfront (ref: P122112 & P122368)*'. The scheme was refused 25/02/2015 by reason of its inappropriate design, the provision of substandard residential accommodation and omission of step-free access.

**Pre-application advice**

- 7.5 The proposed development was subject to pre-application discussions since January 2014. A number of amendments have been made to the plans in this process, affecting the design of the proposals in response to officer comment including the Design and Conservation officer.

**8. CONSULTATION**

**Public Consultation**

- 8.1 Letters were sent to occupants of 270 adjoining and nearby properties at Holloway Road, Benwell Road, Hartnoll House, Georges Road, Tinniswood Close, Hornsell Road, Drayton Park Mews and Courtney Road on 24/06/2014. Site notices and a press advert were displayed on 03/07/2014. The first period of public consultation closed on 24/07/2014.
- 8.2 Re-consultation (14-Day): In response to the submission of revised plans and supporting information the Council re-consulted on the application. Letters were sent to the same 270 properties and persons responding to the first consultation notification on 20/10/2014. A site notice was displayed on the 21/10/2014. The public consultation expired on the 04/11/2014. One (1) additional response was received from a resident of Tinniswood Close who raised comments already summarised below.
- 8.3 At the time of the writing of this report a total of 5 responses had been received 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):
- The proposed building by reason of its height and scale would have a harmful impact on the character and appearance of the conservation area and the setting of locally listed building (**para. 10.41 – 10.43**);
  - There would be an unsuitable density for the site, resulting in cramped living conditions (**para. 10.80 – 10.85**);

- Loss of daylight / sunlight to flats at 154/156 Holloway Road (*para. 10.69 – 10.72*);
- Loss of privacy resulting from the balconies and windows which are proposed (*para. 10.47 – 10.51*);
- Increased parking pressures in the area (*para. 10.93 – 10.94*);
- Noise and disturbance from construction works (*para. 10.78 – 10.79*).

### **External Consultees**

- 8.4 English Heritage (GLASS) – Require for a Written Scheme of Investigation to be secured through condition to establish if any medieval remains survive on the site.
- 8.5 Transport for London – Given the proximity of the TLRN a Construction Logistics Plan (CLP) should be submitted by condition in order to reduce the impact of construction on the road network.
- 8.6 London and Middlesex Archaeology Society (LAMAS) – As the site has previous approvals the scheme appears carefully considered in terms of the character and appearance of the surrounding area.

### **Internal Consultees**

- 8.7 Acoustic Officer – The site is relatively shielded from road noise although any new residents will be affected by noise from Arsenal games and fans accessing and exiting the stadium. Any permission should therefore be subject to a condition requiring a scheme for sound insulation and noise control measures. In terms of the plant which is proposed, this should be subject to a condition requiring that the council's noise levels are not exceeded. The officer also recommends that given the previous use of the site a land contamination investigation should be carried out through a condition.
- 8.8 Access Officer – Many of the measures which have been provided comply with the council's Inclusive Design SPD. However, significant concerns have been raised that flats within Block A are not lift accessible or have any accommodation at entrance level - this is contrary to planning guidance.
- 8.9 Design and Conservation Officer – The existing building is considered to be of some value to the character and appearance of the conservation area even given its location within a closed site. The loss of the building is considered to cause less than substantial harm, however given the council's assertion that it does make some contribution there should be some form of public benefit from any scheme as set out in paragraph 134 of the NPPF.

At the request of officers the top storey has been set back in order to reduce visibility of the building from within the conservation area. Whilst it is noted that an effort has been made to address earlier concerns, glimpses of the building would still remain over the top of buildings on the main street frontages surrounding the site. It is considered that this still demonstrates that the building on the backland site is not subservient as would normally be expected. Officers are therefore expected to balance the merits of the scheme in the context of this shortfall in urban design.



- 8.10 Transport Officer – The development has been improved following the submission of revised plans showing an increase in the provision of cycle parking spaces from 48 to 54 spaces. If the council are minded to approve the development then it should be subject to a condition requiring the submission of a service and delivery management plan and a legal agreement requiring all the new residential units to be car-free and the provision of two disabled parking bays.
- 8.11 Ecology Officer – Findings of the ecological assessment are considered to be sound and thorough. The officer recommends conditions requiring the submission of a landscape management plan and details of bat and bird boxes.
- 8.12 Energy Conservation Officer – The revisions to the scheme’s design has improved the proposed reduction in energy consumption. The 30% CO2 emissions reduction on the 2010 Building Regulations cannot be achieved (19.8% is achieved). The development should however be required to make a carbon offset contribution of £54,896. The proposal should be subject to conditions if approved.
- 8.13 Sustainability Officer – Should the council be minded to approve the application then conditions requiring further information regarding green roofs, SUDS, waste management should be appended. The water target is also required to be met through a condition.
- 8.14 Tree Preservation / Landscape Officer – Neither the development nor its construction would harm existing trees around the site. Details of landscaping should however be secured through a condition.
- 8.15 Street Environment Division – The proposed arrangements for refuse storage and collection are considered appropriate.
- 8.16 Local Lead Flood Authority (LLFA) officer – Insufficient information has been provided by the applicant to demonstrate how surface water drainage would be dealt with by the development. Furthermore, the owner should be required to commit to maintaining the SUDS measures which are proposed. An undertaking within the legal agreement would be sought.

## 9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in **Appendix 3**. This report considers the proposal against the following Development Plan documents.

### National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.3 On the 28<sup>th</sup> November 2014, a Ministerial Statement and revision to the Planning Practice Guidance (PPG) were published, which seeks to offer a vacant building credit (VBC) whereby the developer would be offered a financial credit equivalent to

the existing gross floorspace of relevant vacant buildings when the LPA calculates any affordable housing contribution which would be sought. The applicant has not sought to apply VCB to this scheme.

- 9.4 In considering the relevance of the changes to the PPG in light of the NPPF requirement to meet the full objectively assessed needs for market and affordable housing, the Council is mindful that the NPPF sets out the government's national planning policy.
- 9.5 Furthermore, planning legislation (Section 70 of the Town and Country Planning Act 1990 and section 38 of the Planning and Compulsory Purchase Act 2004) provides that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 9.6 Under the Ministerial Statement of 18 December 2015, the government seeks to increase the weight given to SuDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

### **Development Plan**

- 9.7 The Development Plan is comprised of the London Plan (FALP) 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at **Appendix 3** to this report.

### **Designations**

- 9.8 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011 and Development Management Policies 2013 and Site Allocations DPD (2013).
- Site Allocation HC4 – 11-13 Benwell Road
  - St Mary Magdalene Conservation Area
  - Ring Cross Archaeological Priority Area
  - Local Shopping Centre: Holloway Road
  - Core Strategy Key Area 4

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

- 9.9 The SPGs and/or SPDs considered relevant are listed in **Appendix 3**.

## **10. ASSESSMENT**

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

- Land-use;
- Dwelling mix and affordable housing;
- Design, conservation and heritage;
- Impact on neighbouring residential amenity;
- Quality of employment floorspace and residential accommodation;
- Transport and Highways;

- Sustainability and energy conservation;
- Other issues: landscaping/trees contaminated land and archaeology.

### Land-use

10.2 The site has an established use for business / light industrial purposes (Class B1 use) and the existing part 3, part 4-storey industrial building provides for a total floorspace equal to approximately 2499sqm. The existing building is vacant and as a consequence the building has fallen into disrepair. It is noted as having a history of abuse by squatters.

10.3 The site is allocated in Islington's Site Allocations DPD (ref: HC4). The allocation reads as follows:

*'Mixed use redevelopment / conversion providing business (B class) and residential uses including infill development above the entrance on the Benwell Road building.*

*This would facilitate the reinstatement of employment use on the site and provide regenerative benefits for the local area. An element of residential use would also help to meet identified need in the borough.*

*Amenity space should be included. A better development and improved access may be possible if site assembly included adjacent industrial sites.'*

10.4 The proposal contains two separate elements:

- the erection of an infill building fronting Benwell Road (Block A), which would consist of a 4-storey building (providing 3 residential units) over 2-storey undercroft providing vehicle and pedestrian access into the site beyond and cycle parking.
- the demolition of the existing building and the erection of a 6 storey building (Block B) and a change of use from wholly business / light industrial use (B1a / B1c) to mixed-use residential / business accommodation (C3 / B1). The resulting building would provide for two ground floor (separate) business units of 159.6sqm and 306.4sqm respectively (466sqm in total). At upper levels the proposals would deliver 22 residential units.

10.5 The balance of residential/business accommodation proposed which retains the entirety of the ground floor of the main building in business use is considered to generally accord with the site allocation requirement for provision of business and residential uses.

### Business Accommodation

10.6 The proposed development would reduce the existing (B1) business/light industrial accommodation from 2,499sqm to 466sqm – a reduction of approximately 2,033sqm. Policy DM5.2 of Islington's Development Management Policies (IDMP) states that proposals resulting in a loss or reduction of business floorspace will be refused unless the applicant can demonstrate exceptional circumstances, including through the submission of clear and robust evidence which shows there is no demand for the floorspace.

- 10.7 The applicant has provided supporting information from a local letting agent (Christo & Co) detailing that they have actively marketed the site for 5 years through advertising in local and national publications, on websites, emailing details to potentially interested parties. Sales boards were also on the property and a number of informal tenders were received. The property has not been in commercial use for most of the 5 years which provides an indication of the lack of demand for this type/quality of employment floorspace in the area.
- 10.8 Additionally, the previous planning permission for this site was not implemented and has since lapsed. That permission granted a slightly greater amount of business floorspace and slightly fewer (4) residential units.
- 10.9 The reduction of the existing business accommodation on this site was approved in the previous appealed application and whilst policies have changed since then, the site has not been developed despite permissions being secured on two separate occasions (including in the 2011 planning consent).
- 10.10 Although the existing buildings on the site were originally built for business purposes (c.1920) and the site could be considered to be adequately suited to business use, the site allocation recognises that in this backland location with very limited opportunity for a street presence there are '*constraints posed by the physical boundaries and limited access to the site*'. The proposed reduction of 2,033sqm of business floorspace is therefore not objectionable in this particular instance given that the proposals are judged to accord with the site allocation and given that the site has been actively marketed for a 5 year period.
- 10.11 The specific site constraints are considered to present exceptional circumstances whereby the proposed reduction of business floorspace is acceptable.
- 10.12 The resulting (B1) business/office accommodation would be of sizes and layouts which would cater for a broad range of (B1) business/office purposes. Proposed floor to ceiling heights would be of a suitable 3m (minimum) clearance and the units would be serviced from within the proposed central courtyard. It is noted that the accommodation would have roof lights, high windows / wide opening doors. The provision of the roof lights is required to maintain an acceptable standard of resulting accommodation and would be required through a condition. The proposed business/office accommodation has been design for a range of B1 occupiers.

### **Dwelling mix and affordable housing**

#### Dwelling mix

- 10.13 Islington Core Strategy (ICS) policy CS12 (Meeting the housing challenge) requires provision of a range of unit sizes within individual schemes in order to meet the needs within the borough. The overall mix of dwellings should respond to the identified need as highlighted by the Islington Housing Needs Survey 2008, which is also illustrated within IDMP policy DM3.1 (Mix of housing sizes) and Table 3.1 in the IDMP document (reproduced below).

Tenure	1 bed	2 bed	3 bed	4 bed	Total
Market - Private Sale	10%	75%	15%	0%	100%
Shared Ownership	65%	35%	0%	0%	100%

Social Rented	0%	20%	30%	50%	100%
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- 10.14 During the consideration of the application the dwelling mix was amended at the request of officers to remove five 3B/5P units between first and third floors within Block B and replace them with 2B/4P units. This was required as the dwelling mix for market units was a long way off meeting the above requirement (Table 3.1).
- 10.15 The revised scheme consists of 25 residential units, with 19 market units, 3 social rented units and 3 shared ownership units. Firstly, considering the market units, the proposed mix is 4 x 1-beds (22%) and 14 x 2-beds (77%) which are broadly in line with policy, having particular regard to the particular constraints of the site and the characteristics of the development, and need to minimise outdoor amenity space to limit potential for overlooking adjoining residential properties.
- 10.16 In terms of the shared ownership units, 1 x 1-bed (33.4%) and 2 x 2-beds (66%) are proposed on the first floor of the building and would be accessed directly off the lift / staircore. All of the social rented units are proposed in Block A and would comprise 2 x 1-beds (66.6%) and 1 x 3-beds (33.4%). The level of provision and the mix of units provided for both the shared ownership and social rented units are not in accordance with policy CS12. However, this is attributed to the low number of units being proposed within the scheme, the constrained nature of the site and the competing priorities of the scheme design (i.e. an additional residential core would further reduce the B1 floorspace) and additionally the affordable housing offer (discussed below).

#### Affordable housing and viability

- 10.17 Paragraph 47 of the NPPF states that, to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. Paragraph 173 states that to ensure viability, *“the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”*.
- 10.18 London Plan policy 3.12 states that the “maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes. It adds that negotiations on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation (‘contingent obligations’), and other scheme requirements”.
- 10.19 ICS policy CS12 (part G) states that Islington will meet its housing challenge, to provide more affordable homes by:
- requiring that 50% of additional housing to be built in the borough over the plan period should be affordable.
  - requiring all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to

- provide financial contribution towards affordable housing provision elsewhere in the borough.
    - seeking the maximum reasonable amount of affordable housing, especially Social Rented housing, from private residential and mixed-use schemes, taking account of the overall borough-wide strategic target of 50% provision.
    - delivering an affordable housing tenure split of 70% social housing and 30% shared ownership housing.
- 10.20 The London Plan Housing SPG (2012) requires that for schemes with a shorter development term, consideration should be given using s106 clauses to trigger a review of viability, if a scheme is not substantially complete by a certain date. These approaches are intended to support effective and equitable implementation of planning policy while also providing flexibility to address viability concerns such as those arising from market uncertainty.
- 10.21 **Current affordable housing offer:** The scheme proposes 24% out of the total 25 units as affordable housing – 3 social rented units (2 x 1-beds and 1 x 3-bed) and 3 shared ownership units (1 x 1-bed and 2 x 2-beds). This equals 26% by habitable rooms.
- 10.22 The 50% (by units and by habitable rooms) split of shared ownership to social rented units is contrary to planning policy, but the applicants have indicated that this is as a result of the constrained nature of the site. The offer has been increased since the time of submission which at that stage offered 16% (by units).
- 10.23 The Council appointed BPS Chartered Surveyors to undertake a review of financial viability for this scheme. The assessment sought to determine the deliverability and viability of the proposed scheme.
- 10.24 An initial draft viability response was prepared by BPS and sent to the applicant in September 2014. This requested a response to various questions that BPS had after reviewing the applicant's information, particularly in relation to the Existing Use Value (EUV) for the site and the build costs of the development. BPS were therefore unconvinced that the development would at that stage (with a 16% affordable housing offer by units) deliver the maximum amount of affordable housing from the scheme.
- 10.25 In response to these concerns and the request for further information discussions took place between BPS, BNP Paribas (applicant's consultant) and council officers. BNPP submitted further information in relation to build costs and with respect of the EUV. This was reviewed by BPS and the offer was discussed at length with the council. BPS issued their addendum viability report on the 9 March 2015. Given the detailed and comprehensive way that the report deals with financial viability it is not attempted to summarise the report within this section of the report so a redacted copy is provided in **Appendix 4**.
- 10.26 Value of Shared Ownership Units: In reviewing the affordable housing offer and the report published by BPS it has been identified that the shared ownership values adopted in the appraisal do not appear overly high - particularly the 2-bedroom units. It appears that BNPP originally applied a lower value per sq ft for the 3-bed shared ownership unit which contributed to the blended £356 per sq ft value of the shared ownership unit, but did not amend this when changing the 3 bed unit to a 2 bed unit, which would have brought the blended rate up.

- 10.27 Prior to the submission of an appeal against non-determination, a meeting was held on 17 March 2015 between officers and the applicant to discuss, amongst other matters, measures by which the affordable housing proposals would be secured through clauses in a s106 agreement. These included the following:
- The shared ownership units should have their future value fixed to that applied / entered in the viability assessment.
  - The viability of the scheme should be subject to a review mechanism, requiring the submission of an updated viability appraisal in the event of delay of implementation.
- 10.28 Further to this meeting, a conversation took place between the case officer and the applicant to discuss the possibility of switching all of the shared ownership units to 1-bedroom units to better reflect the policy mix that is sought and due to affordability concerns in relation to 2-bedroom shared ownership units in the borough. The applicant appeared amenable to accommodate this request. However, following submission of the appeal no further discussions have taken place on the matter.
- 10.29 At this point in time no formal agreement to include a review mechanism as part of heads of terms has been given by the applicant. In the context of this site, officers consider that should superstructure works be achieved within 18 months of the grant of planning permission, then no review mechanism should apply. However in the event that superstructure works have not been achieved by this time a review mechanism should be required.
- 10.30 Additionally, whilst no formal agreement has been provided from the applicant, in relation to securing the value of the shared ownership units within the legal agreement, in the event that changes to the shared ownership mix are not achieved, then securing the value within a s106 head of term will also be pursued as part of s106 negotiations leading into appeal preparation.
- 10.31 In summary, the Council's independent viability consultants have concluded that the 24% affordable housing offer represents the maximum reasonable amount of affordable housing that this scheme could afford to deliver. Whilst the tenure split does not accord with adopted planning policy, securing additional social rent units would require Block B (which has a single access core) to be shared by three different tenure types, which officers recognise could cause management problems and high service charges. The tenure split therefore recognises this constraint of the site.

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

- 10.32 The application site is located within the St Mary Magdalene Conservation Area and adjoins a Locally Listed Building (148-152 Holloway Road). The site is not within any strategic or local viewing corridors. Islington's Conservation Area Design Guidelines state under section 6.7, that *'the Council wishes to retain all statutory and locally listed buildings together with all other 18th and 19th century buildings in the area, and will only grant conservation area consent for their removal where there are special circumstances or where the proposal would preserve or enhance the character or appearance of the conservation area'*.

10.33 The proposed redevelopment comprised of two buildings; the erection of a new infill building which would straddle the pedestrian accessway (Block A) and the erection of an L shaped building (Block B) following the demolition of the existing warehouse building.

*Demolition*

10.34 The existing building on site was to be retained within the 2011 scheme. The loss of the commercial/industrial building needs to be considered in terms of the NPPF, local policy and guidance. It does appear to be of early–mid 20th Century construction in brick with crittall style metal framed windows. The applicant has submitted a heritage statement and has assessed the building as being of limited architectural value in a poor state of repair. Whilst the building is within an enclosed site; it is considered to have historic value as a building of its type and as part of the historic development of the area, therefore contributing to the character and appearance of the conservation area.

10.35 The applicant has put forward an argument to justify its loss. Nevertheless given the Council's assertion that it does make some limited positive contribution, its loss is considered to cause less than substantial harm to the character and appearance of the conservation area. There should be some form of recognised public benefit from any development scheme as set out in the NPPF section 134 in order to justify its loss. As part of the justification for loss of the existing building, it is imperative to have a high quality design of replacement building with good quality materials and construction.

*Site layout*

10.36 The majority of the site is screened from public view points, however, through being located within a designated conservation area careful consideration needs to be given to the design of new development to ensure that it can conserve and enhance the character and appearance of the area.

10.37 At present the existing site benefits from a narrow vehicular accessway from Benwell Road which terminates in an open courtyard. Due to the constraints of the site in terms of its physical boundaries and also sensitivities of some neighbouring properties, the proposed development alters little of the existing layout. The existing footprint of the industrial building is roughly maintained and a courtyard area (410sqm) with playground (33sqm) is proposed in front. A vehicular access is maintained through the undercroft of 1-9 Benwell Road – this is required for access to the existing substation. The new infill building (Block A) is grounded by a stair core and cycle parking area and provides level pedestrian access into the courtyard and Block B to the rear.





**Proposed site layout**

*Block A*

10.38 The new block would infill an existing gap in the building line between 1-9 & 15-21 Benwell Road. A similar design of building in this location was granted under the 2011 planning permission. This current proposal is considered to respond well to its context in terms of its height, scale and in the use of materials. The rear projection of the block has been reduced compared to the 2011 scheme and now lines up with the rear of No.1-9 Benwell. This elevation would not be visible from public view points. This design accords with the site allocation.



**Block A – Front Elevation**



**Block A – Rear Elevation**

*Block B*

10.39 The proposed building is in a backland site and although there is a substantial building in existence, any replacement building is required to be subservient to the perimeter buildings in height and mass and should not as a rule rise above them.

10.40 In terms of architectural quality, the front elevation of Block B is considered to be appropriate for its setting within an enclosed courtyard, with limited visibility.

Furthermore, the proposed fenestration pattern, redesigned balconies and the use of brick is considered suitable in this instance. Turning to the rear elevation of the building, a covered walkway is proposed along most of the façade. Officers raised some concerns in terms of its visual appearance and the impact which it would have on amenity.

- 10.41 The main area of concern from a conservation perspective relates to the top storey of Block B, which would be visible from outside the site (shown in the submitted Townscape and Visual Impact Assessment). As set out in the planning history section above (para. 7.3), the adjoining Locally Listed Building (146-152 Holloway Road) has an existing two storey mansard, which is unauthorised and subject to enforcement action. Consideration therefore needs to be given to the future situation whereby the additional second storey of the roof extension of No.146-152 could be removed, as required by an enforcement notice. This would add prominence to Block B when viewed from Chillingworth Road, Liverpool Road and Holloway Road.
- 10.42 During the determination of this application Block B has been modified at the request of officers following concerns being raised in respect of the height of the top floor. The revised scheme demonstrates a 1.5m set back of the top floor (from the rear elevation wall) which is considered to reduce, but not eradicate its visibility from surrounding streetscenes and the wider conservation area. Should a reason for refusal be considered in this regard, it would need to demonstrate that harm is caused. It is worth pointing out however that the west side of Holloway Road is not characterised by a uniform townscape or consistent roofscape, rather the buildings seen in the foreground and to the rear in these views form a somewhat irregular amalgamation of facades, roofs and structures (see photo below). However, the visibility of the top floor of Block B is clearly a shortfall of the development which needs to be weighed up in the wider benefits of the scheme.
- 10.43 To ensure that any lift over-runs, flues/extracts, plant or photovoltaic panels and window cleaning apparatus do not have a harmful impact on the surrounding area further details of these structures/appliances would have been required through a condition.



**Photo taken from Chillingworth Road of the uniform array of buildings forming the setting of Block B**



Indicative view from Chillingworth Road of the existing situation and the rear of Block B



Block B – Front Elevation



Block B – Rear Elevation

### *Summary*

- 10.44 The loss of the existing building has been considered with regard to the council's guidance and the NPPG. The applicant has submitted a heritage statement and has assessed the building as being of limited architectural value in a poor state of repair. As part of the justification for loss of the existing building, it is imperative to have a high quality design of replacement building with high standard of material and construction.
- 10.45 In terms of the scheme itself, the design of the proposed buildings are considered of appropriate architectural quality for the conservation area. Modifications to Block B, including increasing the set back of the top floor have helped to reduce, but not eradicate, the visual impact of the new building on the character and appearance of the conservation area when viewed from outside of the site. This shortfall in the scheme however needs to be balanced in terms of what the wider scheme would be delivering.

### **Neighbouring Amenity**

- 10.46 The site is adjoined by both residential and non-residential properties. The Development Plan contains adopted policy that seeks to safeguard the amenity (habitable rooms only) of adjoining residential properties; no adopted policies exist that seek to safeguard the amenity of neighbouring commercial properties. Consequently this section examines the impact of the proposed development on existing habitable rooms of neighbouring residential properties.

### **Overlooking / Privacy**

- 10.47 Policy DM2.1 identifies that *'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'*. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm. Habitable rooms provide the living accommodation of the dwelling. Habitable rooms are defined as any room used or intended to be used for sleeping, cooking, living or eating purposes. Enclosed spaces such as bath or toilet facilities, service rooms, corridors, laundries, hallways, or similar spaces are excluded from this definition. However, service/utility/store rooms larger than 8sqm within single dwellings will normally be considered as habitable rooms.
- 10.48 The existing building has windows on the rear which directly overlook the rear of properties that front onto Holloway Road. The layout and treatment of the proposed development is acknowledged as having been considered to minimise potential for overlooking and attempt to protect the privacy of residents of nearby properties and occupants of the development.
- 10.49 Block A (social rent units) has balconies and windows on the rear that would face directly into the application site. There would be no loss of privacy experienced by neighbouring residents as result of this building, given that no privacy is currently experienced. Furthermore, the separation distance would be 23m between the proposed blocks.



- 10.50 The rear of the site where Block B would be situated is very constrained in terms of its relationship to neighbouring buildings. During the determination of the application the scheme has been amended to reposition, resize and remove balconies and windows in order to address privacy concerns which were raised by local residents and officers. There would have been overlooking across a distance of less than 14 metres from bedroom windows and landing windows serving Unit's B.1.5, B.2.5, B.3.5, and B.4.5 towards 154-156b Holloway Road. In order to protect the privacy of No's 154-156 Holloway Road, these would need to be obscurely glazed to a height of 1.8m above floor level. It is not good practice to obscurely glaze windows serving habitable rooms; however, given the constrained nature of this site, this is a possible design solution. With regard to proposed balconies, privacy screens would need to be installed along the sides of balconies serving Unit's B.1.3, B.2.3, B.3.3 and B.5.2 in order to prevent any direct overlooking.
- 10.51 Concerns have been raised by officers in relation to the proposed covered walkway along the rear elevation of Block B resulting in a loss of privacy. A curtain walling, which would be constructed from a perforated zinc material, is proposed which could mitigate any potential overlooking, however further details of would have be secured through condition.

#### Daylight and Sunlight

- 10.52 The application has been submitted with a daylight/sunlight assessment prepared by Waldrams, which has been carried out with reference to the 2011 Building Research Establishment (BRE) guidelines. The supporting text to Policy DM2.1 identifies that the BRE '*provides guidance on sunlight layout planning to achieve good sun lighting and day lighting*'.
- 10.53 The submitted assessment was amended to reflect the changes which have been made to the scheme, namely the set back to the top floor of Block B.
- 10.54 Some representations received raised concerns and objections to the scheme in relation to the impact of the proposed development on sunlight and daylight receipt / loss to neighbouring residential units.
- 10.55 Daylight the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:
- The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight); or*
- The area of the working plane in a room which can receive direct skylight is not reduced to less than 0.8 times its former value. (No Sky Line / Daylight Distribution).*
- 10.56 Average Daylight Factor (ADF) is another daylight measurement which requires 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. It should be noted that this test is normally applicable to *proposed* residential units, but in some cases is used as supplementary information (rather than key assessment criteria) to provide a clearer picture regarding impacts upon existing properties.

10.57 Sunlight the BRE Guidelines confirm that windows which do not enjoy an orientation within 90 degrees of due south do not warrant assessment. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

*In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.*

10.58 Where these guidelines are exceeded then daylighting and/or sunlighting may be adversely affected. The BRE Guidelines provides numerical guidelines, the document though emphasizes that advice given here is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

10.59 The application site is located within an accessible location, where the potential of sites and density should, according to policy, be maximised where possible. Urban design considerations are also important when applying the guidance quoted above.

10.60 It is widely acknowledged that daylight and sunlight are fundamental to the provision of a good quality living environment and for this reason people expect good natural lighting in their homes. Daylight makes an interior look more attractive and interesting as well as to provide light to work or read by. Inappropriate or insensitive development can reduce a neighbour's daylight and sunlight and thereby adversely affect their amenity to an unacceptable level.

#### Daylight and sunlight Losses for Affected Properties Analysis

10.61 Residential dwellings within the following properties have been considered for the purposes of daylight and / or sunlight impacts as a result of the proposed development:

- 1-9 Benwell Road;
- 15-21 Benwell Road (upper floors only);
- 1-7 Drayton Park Mews;
- 1 Drayton Park;
- 142-144 Holloway Road (upper floors only);
- 154-156 Holloway Road;

10.62 It has been established through a review of the most recent planning application (P2014/2586/FUL) that No.146-152 Holloway Road is providing hotel / bed & breakfast accommodation. There are no required standards under BRE guidelines for daylight or sunlight serving these rooms.

#### *1-9 Benwell Road*

10.63 In terms of daylight, 32 out of 42 windows pass the VSC test. However, the ten (10) windows that fail serve either bathrooms or kitchens – this has been gleamed from

reviewing the floorplans from Islington's planning records. These windows are also compromised by an overhanging decked access

10.64 All of the rooms, with one exception (either a bathroom or a kitchen - which would lose 26% of its daylight compared with the recommended pass of 20%), achieve the required Daylight Distribution levels.

10.65 With regard to sunlight, 88% of windows face within due 90 degrees due south meet the required guidelines for APSH (annual) either retaining at least 25% or not being reduced by more than 20% its former value. The windows which don't meet the requirements are identified as serving non-habitable rooms and technically don't require further testing. In terms of WPSH (winter), of the 27 rooms tested 2 serving habitable rooms receive less than the prescribed 5% (each scoring 4%).

*15-21 Benwell Road (upper floors only);*

10.66 The ground floor and first floors of this building are in commercial use with residential on the second and third floors. In respect of daylight, 12 out of 14 windows serving habitable rooms would pass the VSC test – the two failing windows would experience losses of 21% and 24%. All rooms served by these windows however pass the Daylight Distribution test.

10.67 All of the windows that were tested for sunlight, with the exception of two (above each other on second and third floors), pass the test for both ASPH and WSPH. The failures of these windows are 20% for APSH and 2% and 3% for WPSH. The window that fails both annually and in winter is not recognised as serving living rooms or kitchens where there is a greater expectation for more sunlight.

*140, 142-144 Holloway Road, 1-7 Drayton Park Mews & 1 Drayton Park*

10.68 All of the windows serving residential dwellings are meet the required BRE tests for daylight (VSC and Daylight Distribution) and sunlight (APSH), where required.

*154-156 Holloway Road*

10.69 This building is in commercial use on the ground floor with six residential flats above and to the rear. Based on the floorplans approved under a previous planning application there are four (4) flats from ground to third floor which have windows serving habitable rooms either looking directly onto, or facing into a lightwell (ground floor flat), facing towards the application site.

10.70 In respect of daylight, 11 of the 12 windows fail the VSC test. One window at ground floor level passes the test. The losses range between 26% and 47% (in one case). The average loss is 34%. It should however be noted that the VSC figures for this scheme represent a minor improvement from the 2011 consented scheme.

10.71 In considering the Daylight Distribution figures, rooms within the flats at ground and third floor levels pass this test and will remain well lit. The first and second floor rooms fail to meet the BRE guidelines for Daylight Distribution, experiencing losses of 77%, 77%, 63% and 73% (serving both living rooms and bedrooms). It should be noted that the daylight/sunlight assessment approved under the 2011 consent did not include any calculations for daylight distribution.

10.72 None of these windows are required to be tested for sunlight.

### *Summary*

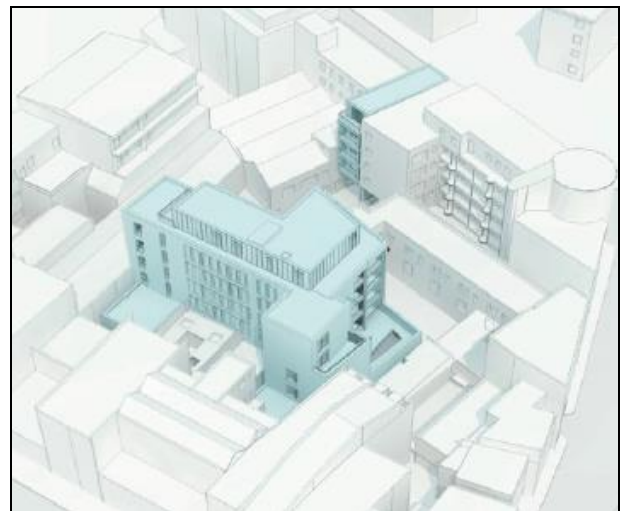
- 10.73 The proposed development is in general considered to perform well when considered with regard to its constrained urban context in terms of both daylight and sunlight. The most notable impacts would be on the daylight to two living room windows at first and second level within 154-156 Holloway Road – a building which has northwest facing single aspect units on first to third floors. This is identified as a shortfall of the scheme and would need to be balanced in considering the wider benefits of the scheme.

### Outlook / sense of enclosure

- 10.74 The impact of a development on outlook can be considered a material planning consideration if there is an undue sense of enclosure for neighbouring residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard with any assessment subjective as opposed to empirical with key factors in this assessment being the local context and arrangement of buildings and uses.
- 10.75 In terms of Block A, this is located within an existing small gap between two buildings. The rear of this building would be visible from the residential windows on the rear of 15-21 Benwell Road. As there are no new buildings proposed within the middle of the central courtyard there would be no obstruction of the existing rear facing windows of nos. 1 or 2 Drayton Park Mews.
- 10.76 The main impact of the scheme would however result from Block B as the urban grain towards the rear of the site is much tighter. In terms of the existing building, it is located fairly close to, and in some cases right on the rear boundary of the site. The new building, at upper floor levels has been set back from this boundary when compared to the existing building. The existing relationship with No.146-152 Holloway Road is acknowledged as being improved. In terms of the front of Block B, the outlook of No.1-7 Drayton Park Mews would change, but officers consider that this is not considered to significantly reduce the enjoyment of their properties. The images below show the setting of the existing building and that of Block A and Block B as a comparison.



**Existing building / situation**



**Proposed buildings / situation**

### Noise

- 10.77 The plant is proposed to be located within the ground floor of Block B. In the interest of maintaining a suitable residential environment a condition would be required which



limits the noise emissions from any fixed plant to a rating level of at least 5dB(A) below the background noise level LAF90 Tbg measured or predicted at 1m from the facade of the nearest noise sensitive premises, in accordance with Appendix 10 of the IDMP. A condition would also be required to limit servicing of the ground floor business units to between 8am and 10pm on any day.

### Construction Impacts

- 10.78 In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is required to comply with the Council's Code of Construction Practice. Compliance would need to be secured as part of a s106 agreement together with a payment towards the monitoring of the site to ensure its neighbourliness. This payment is considered to be an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project. The submission of a method statement for the construction phase and a construction logistics plan would also be required.
- 10.79 To further address any concerns over noise and disturbance resulting from the construction of the development, a planning condition would be required to secure details to address the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception).

### Quality of Resulting Residential Accommodation

- 10.80 ICS policy CS12 identifies that to help achieve a good quality of life, the residential space and design standards will be significantly increased from their current levels. IDMP policy DM3.4 sets out the detail of these housing standards.

### Unit Sizes

- 10.81 All of the proposed residential units comply with and in many cases exceed, the minimum unit sizes as expressed within policy DM3.4 and the London Plan. The submitted sectional drawings of Blocks A & B show attainment of the minimum floor to ceiling height of 2.6 metres for the residential units.

### Aspect/Daylight Provision

- 10.82 A total of 17 units out of a total of 25 residential units are true dual aspect (68%), four (4) units are part-dual aspect (i.e. they have kitchen window fronting a shared covered and enclosed walkway) and four (4) units (all 1b2p) are single aspect. None of the single aspect units are north facing.
- 10.83 In terms of daylight provision, 44 out of 68 (66%) - within the buildings would meet the BRE Guidelines in terms of ADF for internal daylighting. Of the 24 rooms that fall below the required level recommended, 7 rooms are in units within which over half of the habitable rooms pass the ADF test. It should also be noted that 8 of the 24 rooms are bedrooms which require lower levels of light than living rooms. Of the living rooms/kitchen/dining rooms which fail to meet the guidelines all are located below a balcony which offers another form of daylight/sunlight amenity.

- 10.84 Given the constrained nature of the site and the requirement to provide amenity space for the new units (balconies), the development is considered on balance to be acceptable in terms of daylighting.

#### Amenity Space

- 10.85 IDMP policy DM3.5 Part A identifies that *'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'*. Part C of the policy then states that the minimum requirement for private outdoor space is 5sqm on upper floors for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required. All of the proposed units within both blocks are provided with a policy compliant amount of private outdoor amenity space in the form of projecting and inset balconies or terraces.

#### Overlooking/Noise

- 10.86 The layout of residential units and window placement / design ensures that there would not be undue overlooking between proposed residential units.
- 10.87 The new residential units are located above the B1 commercial floorspace and to ensure that these meet the council's noise targets sound insulation should be installed prior to their occupation.

#### Access

- 10.88 As the development proposes more than ten units there is a requirement for the provision of two wheelchair accessible units. The design of the development has also given consideration to Islington's Inclusive Design SPD and the proposed measures shown within the submitted drawings should be undertaken. These measures would be required through planning conditions.
- 10.89 The main area of concern relates to the fact that the upper floors of Block A (accommodating two 1-bedroom flats and a 3-bedroom duplex) are not lift accessible and have no living accommodation at entrance level. Block A is an infill building and because of this is required to have residential units with long floorplates. The insertion of a lift and associated circulation into the Block could result in the creation of substandard units in respect of floor layout and dwelling size. These units represent only 12% of the total number of units within the development. The lack of provision of a lift is recognised as a shortcoming which needs to be considered in the balance of the schemes wider benefits.

#### Highways and Transportation

- 10.90 The site as existing benefits from a central courtyard that, if the building were occupied, would be the location for dedicated servicing, informal car-parking and general vehicular circulation. The only access to the site, both vehicular and pedestrian is via the existing accessway leading from Benwell Road.
- 10.91 The site has an 'excellent' Public Transport Accessibility Level (PTAL = 6a) and is located within 'Zone E' Controlled Parking Zone (CPZ). Holloway underground station is located approximately 350m from the site, and four bus services pass nearby the site at Holloway Road. The London Borough of Islington is the Highway

Authority for Benwell Road. The site is located adjacent to the A1 Holloway Road, which forms part of the Transport for London Road Network (TLRN).

- 10.92 A transport statement has been submitted in support of the scheme and concludes that the scheme constitutes a highly sustainable development, which with its limited trip generation will have little relative impact on the highly accessible local public transport network and the capacity of pedestrian facilities. Transport for London has considered the scheme and raised no objections subject to the inclusion of a condition, which required the provision of a Construction Logistics Plan.

#### Vehicle Parking

- 10.93 Other than the disabled parking bays, the scheme proposes no on or off-street car parking bays for any of the residential flats or employment floorspace created and therefore constitutes a car-free development. Car-free developments can be defined as development with no car-parking facilities for residential or visitors other than that are required to meet the needs of disabled people. In line with Council policy the rights of future residents to apply for CPZ parking permits would be dealt with through a clause in the s106 agreement. This would also address objections raised by local residents concerned about parking pressures in the area.
- 10.94 In connection with the two wheelchair accessible units, the development proposes two disabled parking bays on the opposite side of Benwell Road to the application site. These would need to be secured through a clause in a s106 agreement.

#### Cycle Parking

- 10.95 IDMP policy DM6.4 Part C requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking. The development is required to provide one space per bedroom and one space per 80sqm of B1 (offices).
- 10.96 The application has been revised to include 54 cycle parking spaces. These are located in two areas; one in Block A alongside the pedestrian entrance into the courtyard comprising 16 spaces, and another in Block B of 38 spaces. An additional six spaces are proposed for visitors to both the residential and commercial uses and these would have been secured through a condition.

#### Service, deliveries and refuse

- 10.97 IDMP policy DM8.6 Part A states that for commercial developments over 200sqm, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in a forward gear (demonstrated by a swept path analysis).
- 10.98 The submitted transport statement suggests that on-site servicing is not possible, however swept paths have been provided which show that a vehicle can manoeuvre on site to enter and exit the site in forward gear. The proposed layout of the site enables vehicles to enter through an existing access through the undercroft of the adjoining building (1-9 Benwell Road) – this is required to be kept open for maintenance of the substation and not for servicing of the new commercial units.

- 10.99 The applicant however seeks to carry out servicing of the uses on-street – in front Block A. Whilst this is contrary to policy DM8.6 Part A, and a shortcoming of the proposals, by having servicing along Benwell Road it will enable the courtyard to take on a residential / pedestrian friendly environment and provide a safe environment for children to use the play facilities which are being provided. Furthermore, the commercial units have the size of floorplates that would not result in significant number of vehicle movements.
- 10.100 Despite being requested by officers, a delivery / servicing plan has not been provided by the applicant. Such a plan would be required through a planning condition to ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.
- 10.101 The proposal includes the provision of a large refuse enclosure within the courtyard of the site. The Council's Street Environment department have been consulted on the proposal and consider that the refuse storage integrate with existing vehicle collection strategies in this area. The provisions of waste storage facilities would be required prior to first occupation of the development.

### **Sustainability, energy efficiency and renewable energy**

- 10.102 ISC policy CS10B requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard. The scheme would (as submitted) achieve Code for Sustainable Homes level 4 (with a score of 69.29%) for the residential units in line with policy. As under 500sqm of commercial floorspace would be provided by the scheme, there is no requirement for a full BREEAM pre-assessment. However, the applicant has indicated in their submitted pre-assessment that the development is currently expected to achieve a rating of 'Very Good' (with a projected rating of 59.46%). However no conditions are recommended in this regard given that a BREEAM assessment is not required by policy and given that the Code for Sustainable Homes scheme has been closed by the Government (26 March 2015). Separate conditions to secure aspects of the Code are recommended in its place.
- 10.103 London Plan policy 5.9 and ICS policy CS10 requires proposals to reduce potential for overheating to occur and reduce reliance on air conditioning. The applicant has confirmed that the risk of overheating as a result of the design of the building is slight and that no active (non-inert) cooling measures are proposed. The scheme incorporates design measures to ensure passive cooling can be provided.
- 10.104 London Plan policies 5.10 and 5.11, ICS policy CS10 and IDMP policy DM6.5 promote urban greening and enhancing biodiversity. The scheme provides for 343.7sqm of green roof across the development, which is supported and should be secured by condition. Furthermore, the scheme would also provide PV panels on both Blocks A & B roof spaces with 158.7sqm proposed.
- 10.105 In accordance with recently published Ministerial Statement, the Council's Local Lead Flood Authority (LLFA) officer was consulted on the proposals. The Flood Risk Assessment provided demonstrates no significant flood risk for the development, as well as scopes the potential for SUDs to be incorporated on site. The inclusion of tanked raingardens and permeable paving in addition to the green roofs already proposed should be committed to via a drainage plan and accompanying details. The integration of raised planters should also be explored.

- 10.106 Whilst the principles have been set out in the FRA, insufficient detail and commitment is provided to neither satisfy policy DM6.6 nor address the requirements of the LLFA who is now a statutory consultee. Therefore additional information is required (as run-off (pre and post development), catchment areas, water storage (existing and proposed) and water quality arrangements)) and should be secured via a condition. The LLFA officer has requested a clause in the s106 agreement which requires for the owner of the site to be responsible for ongoing maintenance drainage systems in place. This is required to be secured through a clause in a s106 agreement.
- 10.107 In terms of water efficiency, the submitted sustainability statement states that development would keep this below 95 litres per person per day through the use of a portable source. This target would need to be secured through a condition.
- 10.108 Turning to energy, all development is required to demonstrate that it has minimised on-site carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at least 30% relative to total emissions from a building which complies with Building Regulations 2010, 40% where connection to a Decentralised Heating Network is possible). Currently there are no Decentralised Heating Networks which the scheme could connect to. The London Heat Map does however identify the site as being within an area which presents the potential for such heating networks in the future.
- 10.109 Based on the revisions made to the design, the predicted CO2 emissions have been reduced to 59.67 t/yr. This now represents an improvement of 19.8% on a target 2010 Building Regulations total emissions target. This falls short of the 30% improvement target. It is however not considered feasible to increase the size of the PV array. As per the above, the required offset payment is now £54,896 and would have been secured through a clause in a s106 agreement.
- 10.110 Turning to energy efficiency, the U-values quoted in the SAP example are consistent across the development, these are as follows: walls = 0.18, roof = 0.15, floors = 0.15 and glazing & doors = 1.4. These proposed U-values are generally good, though small further improvements may be targeted. The proposed air tightness is 5m<sup>3</sup>/m<sup>2</sup>/hr @ 50Pa and mechanical ventilation is not specified. Officers also support the specification of 100% low energy lighting and the proposed lighting controls.
- 10.111 In terms of heating and hot water systems, the application proposes oversized radiators, to allow lower flow and return temperatures and the reservation of plant room space for a future heat exchanger.

### **Other Matters**

#### **Ecology, landscaping and playspace**

- 10.112 The scheme proposes a landscaped courtyard, including playspace and the green roofs on the flat roofs of Block B.
- 10.113 The amount of existing biodiversity value is minimal. however an area of ivy is located on the west elevation of the building and the assessment makes clear that this has potential for nesting birds. A condition would therefore have been required for three bird/bat nesting boxes. In terms of the green roof provision, further details of the

specifications would be required through a condition to maximise both ecology and drainage benefits they would offer the development.

10.114 The landscaped courtyard of the development is identified as being very shaded, and any plants that are to be provided would have to be very shade tolerant in order to thrive. The submitted landscaping plan shows raised planters, with evergreen plants being the dominant feature. The scheme also seeks to introduce strong scented plants to enhance the sensory experience associated with the scheme. In terms of trees, 16-18cm girth, small leaf and light canopy species would be planted to maximise the amount of light within the space. Turning to the area playspace within the courtyard, this is proposed to have an area of approximately 33sqm, however no additional information on what this would include has been provided. Both landscaping measures and the playspace would have been required through a condition.

#### Land contamination

10.115 The site is on the council's contaminated land database due to previous land uses. The desktop study infers that the site will be wholly covered with hard standing. However, the study neglects to state that a playground and other green areas are proposed. Further information would have been required through a condition, including assessment and mitigation to address any contamination that may be found through further investigations.

#### Archaeology

10.116 The site is situated within an Archaeological Priority Area and has the potential for remains of the medieval and post-medieval periods. The applicants' submitted study concludes that as the development requires the demolition of existing buildings it is considered likely to have an archaeological impact. A programme of archaeological work, in accordance with a written scheme for investigation, should be submitted to and approved by the council prior to development commencing in the event of support.

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

10.117 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.

10.118 The Government's Ministerial Statements and NPPG have been considered in the preparation of this list of heads of terms.

10.119 Any s106 agreement would have included the following agreed heads of terms:

- Onsite Affordable Housing provision and an agreed set of measures to ensure its delivery;
- Financial viability review mechanisms including securing the value of shared ownership units in accordance with the applicant's financial viability assessment and conclusions and to address affordability concerns within the borough;
- SUDS maintenance strategy;

- Repair and re-instatement of footways and highways (subject to conditions surveys);
- Compliance with Code of Employment and Training including delivery of 2 work placements during the construction phase of the development, lasting a minimum of 13 weeks;
- Contribution towards marking out of accessible parking bays;
- Contribution towards offsetting any projected residual CO2 emissions from the development;
- Compliance with the Code of Local Procurement;
- Compliance with the Code of Construction Practice, plus monitoring fee (£3,800);
- Removal of rights to obtain Car Parking Permits
- Green Performance Plan
- Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106.
- Local Level Travel Plan

10.120 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's Community Infrastructure Levy (CIL) would be chargeable on this application. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule, 2012.

10.121 The London Borough of Islington's CIL was adopted in 1<sup>st</sup> September 2014. This is estimated at £310,700.

## 11. SUMMARY

### Summary

11.1 A summary of this proposal is set out at paragraphs 4.1 to 4.15 of this report.

# APPENDIX 1 – APPELLANTS GROUNDS OF APPEAL

## 6.0 Grounds of Appeal

- 6.1 The appeal is made on the grounds of non-determination. Islington has failed to determine the application despite the extended programme for determination in the PPA. The application has slipped from the agenda of successive planning committee meetings and the determination has become protracted and delayed. Consequently, while officers have indicated they support the development in principle, the applicant has taken a view to lodge an appeal on the basis of non-determination.

## Planning Considerations

### Land Use Mix

- 6.2 Officers have confirmed that the existing buildings and spaces at the site are of poor quality and design and that their demolition is acceptable. The redevelopment of the site will yield a significant quantitative and qualitative enhancement in employment and will consolidate and strengthen the local economy. In parallel, the scheme will deliver a wide range of high quality new homes, contributing meaningfully to acute strategic and local housing need. As such, the proposal is in accordance with the relevant land use policies; the site is allocated in the Council's Site Allocations DPD for mixed use development, containing residential units and commercial floorspace.

### Dwelling Mix and Tenure

- 6.3 The proposed development will provide 25 new homes, in a mix of one, two and three bedroom homes. A good dwelling mix is provided by the proposed scheme, with a proportion being family sized. The proposed dwelling mix has been derived having regard to local and borough wide objectives and as such it is considered that the proposal complies with London Plan Policy 3.8, Islington Core Strategy Policy CS12 and Islington's Development Management Policy DM3.1.
- 6.4 Following detailed discussions between the appellant's and Islington's viability consultants, the applicant agreed to provide six affordable housing units within the scheme (three x social rented and three x intermediate units). This equates to 24% affordable housing provision. This is a negotiated position agreed with Officers from Islington and the Council's viability consultant. The appellant will revisit affordable housing matters during the appeal process. This will be addressed subsequently in evidence.

### Residential Quality

- 6.5 In accordance with London Plan Policy 3.5, Core Strategy Policy CS12 and Development Management Policy DM3.4, the development will provide a high quality of residential accommodation. All the dwellings have been designed to meet and exceed the minimum space standards set out in the London Plan



and Development Management Policy DM3.4. Adequate play and amenity space will also be provided, in line with Development Management Policy DM14.

6.6 The proposed development has been designed in accordance with London Plan Policy 3.8(B)(d) and Islington Coe Strategy which require development to provide a minimum of 10% provision of wheelchair accessible homes. The balance of units also complies with Lifetime Homes Standards in accordance with London Plan Policy 3.8(B)(d). The proposed commercial accommodation and all servicing areas have been designed to be fully accessible and embrace the principles of inclusive design.

6.7 The proposed development is therefore acceptable in terms of residential quality and will provide an equitable and inclusive environment for all occupants.

### **Residential Amenity**

6.8 The proposed development's layout, scale and height have been sensitively designed to avoid unacceptable effects on the residential amenity experienced within existing and prospective residential accommodation. The application has been revised to address matters raised by Officers with regards to the development's residential amenity effects; Officers have since confirmed that there are no overriding issues associated with residential amenity.

### **Privacy and Overlooking**

6.9 The physical constraints of the site, and the associated issues of privacy and overlooking, have been overcome through sensitive layout, manipulating window sizes, angles and positions and the use of visual screening solutions.

6.10 Officers have confirmed that the amended scheme will not result in overlooking issues at existing properties on Holloway Road and will not inhibit or constrain the prospective future redevelopment of No. 158 Holloway Road.

### **Daylight and Sunlight**

6.11 The updated Daylight and Sunlight Assessment (submitted on 20 January 2015) demonstrates that the development will not cause any materially unacceptable effects on neighbouring properties. The reductions in ambient daylight (VSC) and the interior daylight levels (ADF) at the windows and within the rooms of Nos. 154-156 Holloway Road will be modest and the residual levels consistent with expectations of natural light in an urban environment. On this basis and taking account of the inbuilt flexibility of the BRE guidance, the development's daylight and sunlight effects are reasonable and acceptable in the context of relevant policy and guidance.

### **Townscape and Urban Design**

- 6.12 The scale and detailing of the proposed development has been designed to respond to the context and character of the immediate surroundings. The proposal would deliver a high quality addition to the area, replacing the contextually insensitive existing building, and will read as a sensitive integrated feature into the townscape. The scheme will not detract from the special qualities of the St Mary Magdalene Conservation Area and will not harm the setting of the locally listed building at 148-152 Holloway Road.
- 6.13 For these reasons we conclude that the proposal will preserve and enhance its heritage setting and contribute to the wider townscape.

### **Sustainability**

- 6.14 The proposed development is inherently sustainable, embodying the principles of environmental, social and economic sustainability which are central to the NPPF. It makes optimal use of an accessible brownfield urban site, has been designed in accordance with local and strategic sustainability objectives, and will be car-free.
- 6.15 The proposed residential units have been designed to meet Code for Sustainable Homes Level 4 and the commercial units BREEAM 'Very Good'.
- 6.16 The development therefore embraces local and strategic sustainability and energy objectives and is consistent with the requirements of Development Management Policies DM7.2 and DM7.4 in this regard.

## APPENDIX 2 – Heads of terms, conditions & informatives

### List of heads of terms

As the application is now the subject of an appeal against non-determination, the following measures are considered relevant to secure in order to mitigate the impacts of the development. These would form the basis of a s106 agreement if agreed by the appellants and presented to the Planning Inspectorate in support of the Council's Statements. If not agreed by the appellants, officers will prepare responses to justify any terms not agreed and will form part of the appeal discussions and evidence presented to the Planning Inspectorate (delegated authority is requested to be given to the Service Director, Planning and Development / Head of Service – Development Management or, in their absence the Team Leader, Major Applications, to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure the heads of terms as set out in this report to Committee:

1. On-site Affordable housing, including:
  - Financial viability review mechanism – requiring reassessment of viability in the event that the development has not reached superstructure phase at the date 18 months after grant of planning permission.
  - Secure the value of the shared ownership units within the legal agreement, in accordance with the BNPP report, or updated report (in the event a review mechanism is triggered and an updated viability report is required).
2. The Lead Local Floodrisk Authority (officer) (a newly created statutory consultee) has requested that the owner of the site be responsible for ongoing maintenance of all drainage systems in place. This includes the green roofs, permeable paving and any further items that are approved as part of planning conditions also requested by the LLFA.
3. The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Condition surveys may be required.
4. Compliance with the Code of Employment and Training.
5. Facilitation of 2 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £10,000 (£5,000 per placement not provided) to be paid to LBI. Developer / contractor to pay wages (must meet national minimum wage). London Borough of Islington Construction Works Team to recruit for and monitor placements.
6. Compliance with the Code of Local Procurement.
7. Compliance with the Code of Construction Practice, including a monitoring fee of £2,966 and submission of a site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site. The response document is required to consider cumulative impacts of any other developments occurring in the area at the same time and also include a post construction photographic survey of adjoining buildings.

8. Payment towards employment and training for local residents of a commuted sum of £5,825
9. The provision of two accessible on street parking bays or a contribution towards bays or other accessible transport initiatives of £8,000.
10. Removal of eligibility for residents' on street parking permits. Exceptions in accordance with the Council's parking policy statement.
11. A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount: £54,896.40.
12. Submission of a draft Local Level Travel Plan for Council approval prior to occupation and of a Local Level Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).12. Submission of a Green Performance Plan
13. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

**List of Conditions:**

As the application is now the subject of an appeal against non-determination, the following conditions are required recommended to be sought by the Council in preparing their appeal case (whatever determination is made by the Planning Committee) in order to mitigate the impacts of the development:

<b>1</b>	<b>Commencement (Compliance)</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 list (Compliance)</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>Existing Plans: 3278/ PL-000; 3278/ PL-000; 3278/ PL-001; 3278/ PL-002; 3278/ PL-003; 3278/ PL-004;</p> <p>Proposed Plans: 3278/ PL-101 (Rev. B); 3278/ PL-102 (Rev. B); 3278/ PL-103 (Rev. B); 3278/ PL-104 (Rev. B); 3278/ PL-105 (Rev. B); 3278/ PL-106 (Rev. A); 3278/ PL-107 (Rev. A); 3278/ PL-110 (Rev. B); 3278/ PL-111 (Rev. A); 3278/ PL-112 (Rev. B); 3278/ PL-113 (Rev. A); 3278/ PL-114 (Rev. A); 1 3278/ AL(20)001; 2 3278/ AL(20)002; 14.079-S-100; T330-004;</p>

	<p>Documents:  Daylight and Sunlight Report by Waldrams (14 November 2014); Draft Construction Management Plan by Ardent Consulting Engineers (May 2014); Marketing Letter from Christo&amp;Co (16 June 2014); Sustainable Design Statement by Ingleton Wood (2 June 2014); Draft Green Performance Plan by Ingleton Wood (6 June 2014); Flood Risk Statement by Ardent Consulting Engineers (May 2014); Draft Travel Plan by Ardent Consulting Engineers (April 2014); Transport Statement by Ardent Consulting Engineers (April 2014); Geo-Environmental Desk Based Study by JOMAS (November 2013); Geo-Environmental and Geotechnical Ground Investigation by JOMAS (April 2014); Structural Appraisal of Existing Building by Barrett Mahony (22 April 2014); Ecology Assessment by PJ Ecology (January 2014); Design and Access Statement by Stock Woolstencroft (9 May 2014); BREEAM Pre-Assessment Report by Ingleton Wood (15 April 2014); Energy Strategy Report Revision A by by Ingleton Wood (11 August 2014); Code for Sustainable Homes Pre-Assessment by Ingleton Wood (April 2014); Archaeological Desk-Based Assessment by Heritage Collective (January 2014); Noise &amp; Air Quality Assessment by Acoustic Air (April 2014); Heritage, Townscape and Visual Impact Assessment by NLP (January 2015); Townscape and Visual Impact Assessment by NLP (January 2015); Letter from NLP (dated 17 October 2014); Letter from NLP (dated 16 January 2015);</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Rooflights provided (Compliance)</b>
	<p>CONDITION: Rooflights which serve the ground floor business accommodation shown on the approved plans shall be provided prior to the first occupation of that accommodation and maintained as such thereafter.</p> <p>REASON: The rooflights ensure the provision of natural light to the rear elements of the business accommodation. The omission of the rooflights is likely to reduce the usability and therefore viability of those units.</p>
<b>4</b>	<b>Materials (Details)</b>
	<p>CONDITION: Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to any construction works commencing. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) brickwork, bond and mortar courses;</li> <li>b) metal cladding, panels, frames and architectural metalwork (including details of seams, gaps, and any profiling);</li> <li>c) windows and doors;</li> <li>d) entrance gate fronting Benwell Road;</li> <li>e) roofing materials;</li> <li>f) curtain walling (perforated zinc) for residential walkway;</li> <li>g) any other materials to be used on the exterior of the development; and</li> <li>h) a Green Procurement Plan for sourcing the proposed materials.</li> </ul> <p>The Green Procurement Plan shall demonstrate how the procurement of</p>

	<p>materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>5</b>	<b>External pipes, cables and CCTV (Details)</b>
	<p>CONDITION: No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard.</p>
<b>6</b>	<b>Lighting (Details)</b>
	<p>CONDITION: Notwithstanding the approved drawings listed under condition 2, details of general or security outdoor lighting (including full specification of all luminaries, lamps and support structures) for the courtyard and the wider development shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, security and protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
<b>7</b>	<b>Obscure glazing (Compliance)</b>
	<p>CONDITION: Windows serving the bedrooms and landings of Unit's B.1.5, B.2.5, B.3.5, and B.4.5 as shown on the approved drawings PL-102 Rev B, PL-103 Rev A, PL-104 Rev B, PL-105 Rev B shall be obscurely glazed to a height of 1.8m above finished floor level and installed prior to the first occupation of the particular dwellings they relate to and maintained at all times thereafter.</p> <p>REASON: To protect the residential amenities of neighbouring occupiers, in particular to prevent overlooking of 154-156 Holloway Road where distances of less than 18m exist (to address policy DM2.1 of the Development Management</p>

	Policies (2013).
<b>8</b>	<b>Privacy screens (Details)</b>
	<p>CONDITION: Notwithstanding the plans hereby approved, details of privacy screens to balconies serving Unit's B.1.3, B.2.3, B.3.3 and B.5.2 as shown on the approved drawings PL-102 Rev B, PL-103 Rev A, PL-104 Rev B, PL-106 Rev A shall be submitted to, approved in writing by the Local Planning Authority and installed prior to occupation of respective dwelling.</p> <p>The agreed treatment/solution shall be installed strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: Without an appropriate treatment/solution the flats which are located at right-angles to each other and which face the central courtyard would suffer from mutual oblique overlooking to the detriment of their privacy</p>
<b>9</b>	<b>Plant Noise (Compliance)</b>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level Laeq Tr arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:1997.</p> <p>The development shall be carried out strictly in accordance with the scheme so approved prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations</p>
<b>10</b>	<b>Sound insulation (Details)</b>
	<p>CONDITION: Full particulars and details of a scheme for sound insulation between the proposed commercial use (Class B) and the residential use (Class C3) of the Block B shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any works on the relevant part of the development.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an adverse impact on amenity.</p>
<b>11</b>	<b>Construction Management (Details)</b>
	*CONDITION: A Construction Environmental Management Plan (CEMP)

	<p>assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.</p> <p>The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts.</p> <p>The report shall also secure that, during any period when concurrent construction is taking place of both the permitted development and of the Crossrail structures and tunnels in or adjacent to the site of the approved development, the construction of the Crossrail structures and tunnels is not impeded.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets.</p>
<b>12</b>	<b>Noise Levels (Compliance)</b>
	<p>CONDITION : For all the approved residential units sound insulation and noise control measures shall be used to achieve the following internal noise targets:</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq, and 45 dB Lmax (fast)  Living Rooms (07.00-23.00 hrs) 35 dB LAeq,  Kitchens, bathrooms, WC compartments and utility rooms  (07.00 –23.00 hrs) 45 dB LAeq</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
<b>13</b>	<b>Wheelchair accessible housing (Compliance)</b>
	<p>CONDITION: The two (2) wheelchair accessible dwellings of the development in the approved documents (units B.1.3 and B.2.3) shall be provided and fitted out prior to the first occupation of the development.</p> <p>REASON: To secure provision of the appropriate number of wheelchair accessible units in a timely fashion and to: address the backlog of and current unmet accommodation needs; produce a sustainable mix of accommodation; and provide appropriate choices and housing opportunities for wheelchair users and their families.</p>
<b>14</b>	<b>Accessible Homes Standard (Compliance)</b>



	<p>CONDITION: The residential dwellings hereby approved within the development, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
<b>15</b>	<b>Inclusive Design (Compliance)</b>
	<p>CONDITION: The development shall be designed in accordance with the principles of Inclusive Design. To achieve this, the development shall provide the following in accordance with the approved drawings and ensure the delivery of the following provisions:</p> <ul style="list-style-type: none"> <li>- The passenger lift serving the dwellings shall be installed and operational prior to the first occupation of residential dwellings accessible from that access core.</li> <li>- step free access to all commercial and residential accommodation in Block B</li> </ul> <p>The development shall be constructed carried out strictly in accordance with the details so approved, shall be maintained as such thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
<b>16</b>	<b>Cycle Parking (Compliance)</b>
	<p>CONDITION: The two bicycle storage areas shall be covered, secure and provide for no less than 54 cycle spaces for the offices and residential units. The 6 cycle spaces for the visitors shown on the approved plans shall also be provided.</p> <p>These spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>17</b>	<b>Delivery / Service Plan (Details)</b>
	<p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements including the location, times 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.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>All deliveries / collections / visits from service vehicles to the two business units hereby approved shall only take place between the hours of:</p> <ul style="list-style-type: none"> <li>- Monday to Saturday - (08:00 - 22:00)</li> <li>- Sundays/Bank Holidays - not at all</li> </ul>

	<p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
<b>18</b>	<p><b>Refuse/Recycling Provided (Compliance)</b></p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development.</p>
<b>19</b>	<p><b>Green/Brown Biodiversity Roofs (Details)</b></p> <p>CONDITION: Details of green/living roofs to the development hereby approved (illustrating increased coverage and potential for run-off attenuation or including details and justification of the maximum extent of green/living roofs) and the species to be planted/seeded shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing.</p> <p>The green/living roofs shall:</p> <ul style="list-style-type: none"> <li>a) form biodiversity-based roofs with extensive substrate bases (depth 80-150mm);</li> <li>b) cover at least all of the areas shown in the drawings hereby approved, confirmed by a location/extent plan; and</li> <li>c) be planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works. An explanation as to why any areas of roof would not be covered with green/living roofs shall be included with the above details. Green/living roofs shall be expected to extend beneath any photovoltaic arrays proposed at roof level.</li> </ul> <p>The green/living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity as well as maximises the contribution the green roofs make to the sustainable urban drainage strategy for the site.</p>
<b>20</b>	<p><b>Landscaping (Details)</b></p> <p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The detailed landscaping scheme shall include the following:</p> <ul style="list-style-type: none"> <li>a) soft planting, including species, root containment, any tree pits, and topsoil</li> </ul>

	<p>depths;</p> <p>b) hard landscaping: including ground surfaces, kerbs, edges, tactile and flexible paving, furniture, and any steps;</p> <p>c) existing and proposed underground services and their relationship to both hard and soft landscaping;</p> <p>d) any enclosures, including types, dimensions and treatments of walls, fences, barriers, rails, retaining walls and hedges;</p> <p>e) any demarcation of pedestrian, vehicular and pedestrian space within the areas of hard landscaping;</p> <p>f) details of how sustainable urban drainage measures have been integrated into the landscaping scheme;</p> <p>g) play equipment or features for the central courtyard; and</p> <p>h) any other landscaping features forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</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 biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained, including amenity for families with young children.</p>
<b>21</b>	<b>Nesting Boxes (Compliance)</b>
	<p>CONDITION: At least 3 nesting boxes / bricks for birds or bats shall be provided within the development, installed prior to the first occupation of the building to which they form part and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>22</b>	<b>Water (Compliance)</b>
	<p>CONDITION: The development shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
<b>23</b>	<b>Energy Efficiency (Compliance)</b>
	<p>CONDITION: The energy measures as outlined within the approved Energy Strategy shall together provide for no less than a 19.8% on-site total CO2 emissions reduction in comparison with total emissions from a building which complies with Building Regulations 2010.</p>

	<p>Should, following further assessment, the approved energy measures be found to be no longer suitable, a revised Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The revised energy strategy shall provide for no less than a 19.8% on-site total C02 reduction in comparison with total emissions from a building which complies with Building Regulations 2010.</p> <p>The final agreed scheme shall be installed and operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that the C02 emission reduction targets are met.</p>
<b>24</b>	<b>Contaminated land (Details)</b>
	<p>*CONDITION: Prior to the commencement of development the following assessment shall be submitted to and approved in writing by the Local Planning Authority:</p> <p>a) A land contamination investigation.</p> <p>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:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>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.</p> <p>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).”</p> <p>REASON: Previous commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment carried out to determine impacts on the water environment.</p>
<b>25</b>	<b>Archaeological report (Details)</b>
	<p>*CONDITION: No development shall take place unless and until the applicant, their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted to and approved by the Local Planning Authority (in consultation with English Heritage).</p>

	<p>REASON: Important archaeological remains may exist on this site. Accordingly the planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development.</p>
<b>26</b>	<p><b>Roof-level structures (Details)</b></p> <p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding area.</p>
<b>27</b>	<p><b>Demolition and Construction Logistics Plan (Details)</b></p> <p>CONDITION: No demolition shall take place until a Demolition and Construction Logistics Plan (DCLP) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The report shall detail the logistics issues arising from the development and the measures in place to deal with these; assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers; together with means of mitigating any identified impacts. The impacts assessed should include, but not be limited to, noise, air quality including dust, smoke and odour and vibration</p> <p>The development shall be carried out strictly in accordance with the approved Plan throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development</p> <p>REASON: In order to ensure that the development works do not adversely impact on neighbouring residential amenity or public safety.</p>
<b>28</b>	<p><b>Drainage / SuDS (Details)</b></p> <p>CONDITION: Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with Thames Water. The information shall include details of the sustainable urban drainage system (SUDS) and its maintenance.</p> <p>No discharge of foul or surface water from the site shall be accepted into the</p>

	<p>public system until the drainage works referred to in the strategy have been completed.</p> <p>REASON: In order to ensure the sustainable management of water and flood prevention, to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.</p>
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**List of Informatives:**

<b>1</b>	<b>Section 106 Agreement</b>
	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
<b>2</b>	<b>Definition of ‘Superstructure’ and ‘Practical Completion’</b>
	A number of conditions attached to this permission have the time restrictions ‘prior to superstructure works commencing on site’ and/or ‘following practical completion’. The council considers the definition of ‘superstructure’ as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of ‘practical completion’ to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
<b>3</b>	<b>Community Infrastructure Levy (CIL) (Granting Consent)</b>
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p> <p><b>Pre-Commencement Conditions:</b> These conditions are identified with an ‘asterix’ * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these identified pre-commencement conditions have been discharged/complied with.</p>
<b>4</b>	<b>Car-Free Development</b>
	(Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people or other exemption under the Council Parking Policy Statement.

<b>5</b>	<b>Water Infrastructure</b>
	Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
<b>6</b>	<b>Working in a Positive and Proactive Way</b>
	To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.  The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.
<b>7</b>	<b>Materials</b>
	In addition to compliance with condition 3 materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
<b>8</b>	<b>Groundwater</b>
	Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing <a href="mailto:wwqriskmanagement@thameswater.co.uk">wwqriskmanagement@thameswater.co.uk</a> . Application forms should be completed on line via <a href="http://www.thameswater.co.uk/wastewaterquality">www.thameswater.co.uk/wastewaterquality</a> . Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991
<b>9</b>	<b>Water main</b>
	There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.
<b>10</b>	<b>Construction management</b>
	You are advised that condition 27 covers transport and environmental health issues and should include the following information:  <ol style="list-style-type: none"> <li>1. identification of construction vehicle routes;</li> <li>2. how construction related traffic would turn into and exit the site;</li> <li>3. details of banksmen to be used during construction works;</li> <li>4. the method of demolition and removal of material from the site;</li> <li>5. the parking of vehicles of site operatives and visitors;</li> <li>6. loading and unloading of plant and materials;</li> <li>7. storage of plant and materials used in constructing the development;</li> <li>8. the erection and maintenance of security hoarding including decorative</li> </ol>

	<p>displays and facilities for public viewing, where appropriate;</p> <ol style="list-style-type: none"><li>9. wheel washing facilities;</li><li>10. measures to control the emission of dust and dirt during construction;</li><li>11. a scheme for recycling/disposing of waste resulting from demolition and construction works;</li><li>12. noise;</li><li>13. air quality including dust, smoke and odour;</li><li>14. vibration; and</li><li>15. TV reception.</li></ol>
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## **APPENDIX 3: RELEVANT POLICIES**

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

### **1 National Guidance**

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

### **2. Development Plan**

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

#### **A) The London Plan 2015 (Further Alterations to the London Plan)**

## 1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

## 2 London's places

Policy 2.1 London in its global, European and United Kingdom context

Policy 2.2 London and the wider metropolitan area

Policy 2.5 Sub-regions

Policy 2.9 Inner London

Policy 2.13 Opportunity areas and intensification areas

Policy 2.18 Green infrastructure: the network of open and green spaces

## 3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.7 Large residential developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

Policy 3.13 Affordable housing thresholds

Policy 3.14 Existing housing

Policy 3.15 Coordination of housing development and investment

Policy 3.17 Health and social care facilities

Policy 3.18 Education facilities

## 4 London's economy

Policy 4.1 Developing London's economy

Policy 4.3 Mixed use development and offices

Policy 4.4 Managing industrial land and premises

Policy 4.8 Supporting a successful and diverse retail sector

Policy 4.9 Small shops

Policy 4.10 New and emerging economic sectors

Policy 4.11 Encouraging a connected economy

Policy 4.12 Improving opportunities for all

## 5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.4 Retrofitting

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

Policy 5.19 Hazardous waste

Policy 5.20 Aggregates

Policy 5.21 Contaminated land

Policy 5.22 Hazardous substances and installations

## 6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

Policy 6.15 Strategic rail freight interchanges

## 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 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.9 Heritage-led regeneration

Policy 7.10 World Heritage Sites

Policy 7.11 London View Management Framework

Policy 7.12 Implementing the London View Management Framework

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.16 Green Belt

Policy 7.17 Metropolitan Open Land

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature

## 8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

Policy 8.4 Monitoring and review for London

## B) Islington Core Strategy 2011

<p>Spatial Strategy Policy CS8 (Enhancing Islington's Character)</p> <p>Strategic Policies Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment) Policy CS10 (Sustainable Design) Policy CS11 (Waste) Policy CS12 (Meeting the Housing Challenge) Policy CS13 (Employment Spaces)</p>	<p>Policy CS15 (Open Space and Green Infrastructure) Policy CS16 (Play Space) Policy CS17 (Sports and Recreation Provision)</p> <p>Infrastructure and Implementation Policy CS18 (Delivery and Infrastructure) Policy CS19 (Health Impact Assessments) Policy CS20 (Partnership Working)</p>
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## C) Development Management Policies June 2013

<p><u>Design and Heritage</u> DM2.1 Design DM2.2 Inclusive Design DM2.3 Heritage</p> <p><u>Housing</u> DM3.1 Mix of housing sizes DM3.2 Existing housing DM3.3 Residential conversions and extensions DM3.4 Housing standards DM3.5 Private outdoor space DM3.6 Play space DM3.7 Noise and vibration (residential uses)</p> <p><u>Employment</u> DM5.1 New business floorspace DM5.2 Loss of existing business floorspace DM5.4 Size and affordability of workspace</p> <p><u>Health and open space</u> DM6.1 Healthy development DM6.2 New and improved public open space</p>	<p>DM6.3 Protecting open space DM6.5 Landscaping, trees and biodiversity DM6.6 Flood prevention</p> <p><u>Energy and Environmental Standards</u> DM7.1 Sustainable design and construction statements DM7.2 Energy efficiency and carbon reduction in minor schemes DM7.3 Decentralised energy networks DM7.4 Sustainable design standards DM7.5 Heating and cooling</p> <p><u>Transport</u> DM8.1 Movement hierarchy DM8.2 Managing transport impacts DM8.3 Public transport DM8.4 Walking and cycling DM8.5 Vehicle parking DM8.6 Delivery and servicing for new developments</p> <p><u>Infrastructure</u> DM9.1 Infrastructure DM9.2 Planning obligations DM9.3 Implementation</p>
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## E) Site Allocations June 2013

SA1 Proposals within allocated sites  
HC4 11-13 Benwell Road

### 5. Designations

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

- Site Allocation HC4
- St Mary Magdalene Conservation Area
- Ring Cross Archaeological Priority Area
- Local Shopping Centre: Holloway Road
- Core Strategy Key Area 4

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

The following SPGs and/or SPDs are relevant:

- | <b>Islington Local Development Plan</b> | <b>London Plan</b>  |
|---|---|
| - Environmental Design                  | - Accessible London: Achieving and Inclusive Environment                |
| - Small Sites Contribution              | - Housing   |
| - Accessible Housing in Islington       | - Sustainable Design & Construction                                     |
| - Conservation Area Design Guidelines   | - Providing for Children and Young Peoples Play and Informal Recreation |
| - Inclusive Landscape Design            | - Planning for Equality and Diversity in London                         |
| - Planning Obligations and S106         |   |
| - Urban Design Guide                    |   |

## APPENDIX 4: Redacted Viability Report



11-13 Benwell Road, London, N7 7BL

Independent Review of Assessment of Economic Viability

ADDENDUM REPORT - 9th March 2015

Planning reference: P/2014/1909/FUL

### 1.0 INTRODUCTION

- 1.1 We were instructed by Islington Borough Council to review a viability assessment by BNP Paribas that was prepared on behalf of the applicant (11-13 Benwell Road LLP), in respect of a proposed residential-led development on land at 11-13 Benwell Road.
- 1.2 This addendum report is supplemental to our 10th September 2014 review of viability, and follows our 26th January 2015 update report. In this addendum we discuss a 5th March 2014 letter from BNP which reflects further proposed changes to the scheme's appraisal, arising in part as a response to our previous assessments.
- 1.3 Please refer to our earlier report dated 26th January 2015 which provides details of the earlier changes that were made to the appraisal, including cost and sales value inflation, and changes to incorporate some of our suggestions concerning other the appraisal inputs.

### 2.0 SUMMARY OF UPDATE FINDINGS

- 2.1 There has been a succession of proposed EUV Valuations which are summarised in the table below:

Source	Date	Valuation	Premium %	Total Benchmark
Strettons	May 2014	£ [REDACTED]	20%	£ [REDACTED]
BNP	November 2014	£ [REDACTED]	20%	£ [REDACTED]
BNP	January 2014	£ [REDACTED]	20%	£ [REDACTED]
BPS	November 2014	£ [REDACTED]	20%	£ [REDACTED]
BNP 'midpoint'	March 2015	£ [REDACTED]	20%	£ [REDACTED]

- 2.2 It can be seen that BNP have reduced the suggested benchmark on two occasions. Following our November 2014 Addendum Report, BNP made further changes to the existing use valuation resulting in a reduction of £170,000 to reach their current

proposed figure of £ [REDACTED] although this remains some £350,000 above the figure we have proposed.

- 2.3 BNP's latest letter (5th March 2015) has compared the residual values of the four Options against a benchmark of £ [REDACTED] m which represents the mid-point between our estimated benchmark figure of £ [REDACTED] m figure and their figure of £ [REDACTED] m. We consider this midpoint to be an acceptable compromise position which recognises that there is a degree of subjectivity and potential ambiguity in assessing the relevant impact of estimated voids, rent-free periods, and void costs such as service charges, which are the focus of our difference in value.
- 2.4 Following further discussions between our Quantity Surveyor, Neil Powling, and the applicant's Cost Consultant, a consensus position has been reached in the form of an agreed cost total of £ [REDACTED] (inclusive of contingency). This represents a substantial reduction from the £ [REDACTED] figure that was included in the previous (19th January 2015) appraisal. This reduction has been incorporated into the residual valuations (Option 1-4) shown below:

Table 1: Scheme viability results (using mid-point benchmark)

Option	Scheme surplus
One (24% affordable)	£5,512
Two (19% affordable)	£165,151
Three (15% affordable)	£276,046
Option 4 (12% affordable)	£325,908

- 2.5 In view of the 24% affordable housing provision option being viable utilising the revised cost and mid-point benchmark assumptions, we conclude that Option One (24% provision comprising 6 affordable units, of which 3 are shared ownership and 3 rented) appears to be a viable option generating only a negligible surplus of £5,512.
- 2.6 In their latest correspondence BNP had advised that the applicant was proposing option 2 reflecting 19% affordable housing. We have advised BNP that option 1 is in our view viable based on their proposed mid-point benchmark and that we considered option 1 represents the maximum reasonable contribution from this scheme.
- 2.7 For the sake of clarity, we would regard option 2 as delivering less affordable housing than could viability be supported by the proposed scheme.
- 2.8 BNP have now confirmed that the applicant is willing to offer Option 1 (6 units) which we accept maximises affordable housing provision for this scheme.

### **3.0 EUV VALUATION - FURTHER COMMENTS**

- 3.1 The differences in the respective valuation opinions reflects our view that the EUV should provide for estimated service charge shortfalls and an allowance of a 6 month rent free period following an agreed 9 months void allowance. BNP has allowed a total period of 9 months to reflect void allowance and tenant letting incentives. A further allowance has been made for empty rates charges over this period.
- 3.2 We have considered BNP's latest EUV appraisal and maintain that it is reasonable in our view to anticipate additional costs associated with vacant space beyond simply empty rates liabilities such as security, maintenance, common services, insurance,

management costs etc. We are also of the opinion than an extended void period would also be justified. We do however accept that there may be a range of opinion on the scale of these additional costs.

#### **4.0 CHANGES TO SCHEME**

4.1 At the time of our November report we undertook an appraisal based on 15% affordable housing provision and allowing for our proposed benchmark of £■■■■m, the scheme generated an apparent £500,000 surplus. This situation changed following the recent scheme alterations. We were provided with a further report from BNP dated 21st January 2015. The latest changes to the scheme are as follows:

- Commercial floor area has been reduced by 14.1 sq m(151 sq ft);
- Overall Net saleable residential floor area has been reduced by 65.3 sq m (703 sq ft);
- Five 3 bed flats have been reduced in size to become 2 bed flats;
- Total habitable rooms reduced from 73 to 68; and
- Reduction in balcony/terrace area from top floor units - unit B:5:1 reduced from 51.9 sq m to 10 sq m and unit B:5:2 reduced from 20 sq m to 9 sq m.

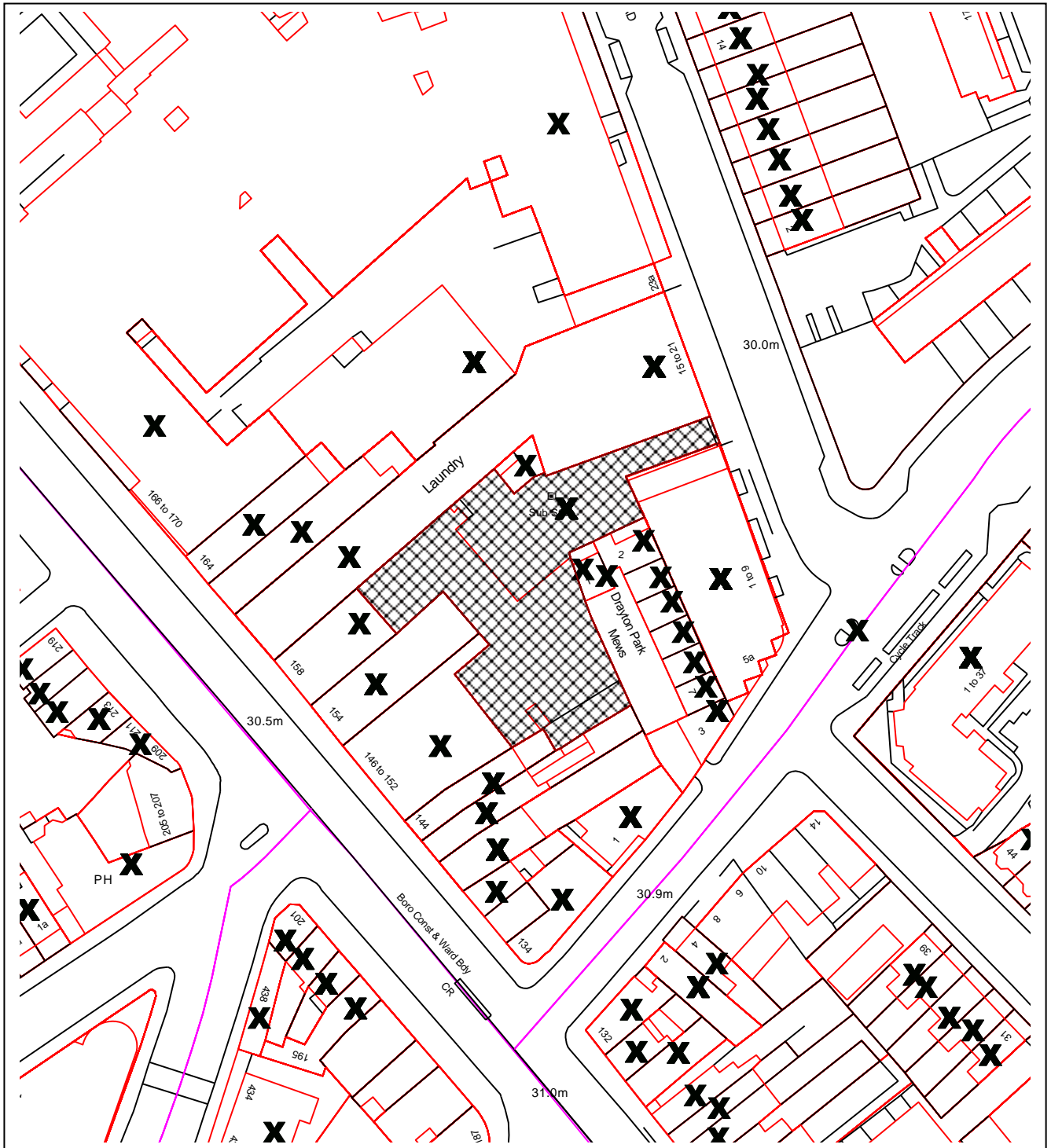
4.2 It is evident that all these changes have a negative impact upon scheme viability.

**BPS Chartered Surveyors  
9th March 2015**

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P2014/1909/FUL

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### PLANNING COMMITTEE REPORT

<b>PLANNING COMMITTEE</b>	
<b>Date:</b>	23 April 2015

Application number	P2014/3494/FUL
Application type	Full Planning Application
Ward	Tollington
Listed building	None
Conservation Area	Opposite Mercers Road / Tavistock Terrace CA
Development Plan Context	<ul style="list-style-type: none"> <li>- Nag's Head &amp; Upper Holloway Road Core Strategy Key Area</li> <li>- Upper Holloway Local Shopping Area</li> <li>- Within 100 of TfL Road Network</li> <li>- Within 50m of Conservation Area</li> </ul>
Licensing Implications	The proposed gym could require a special treatments license
Site Address	640-648 & 650 Holloway Road, London N19 3NU
Proposal	<p>Demolition of the existing buildings and erection of a five storey building (plus basement) fronting Holloway Road (Block 1) comprising retail space (Class A1) at ground floor, gym (Class D2) at basement level, 20 residential units (Class C3) on the upper floors; four storey building to the rear of 660-652 Holloway Road (Block 2) comprising 11 residential units (Class C3); four storey building to the rear of 636-634 Holloway Road (Block 3) comprising 9 residential units (Class C3); and associated landscaping and play space.</p> <p>NB: amendments were made during the assessment of this application which included: changes to the unit mix and tenure and internal layouts; reduction in the height of Block 2 and repositioning of windows; reduction in the size of the basement and the ground floor retail unit; revised provision of communal amenity space and landscaping.</p>

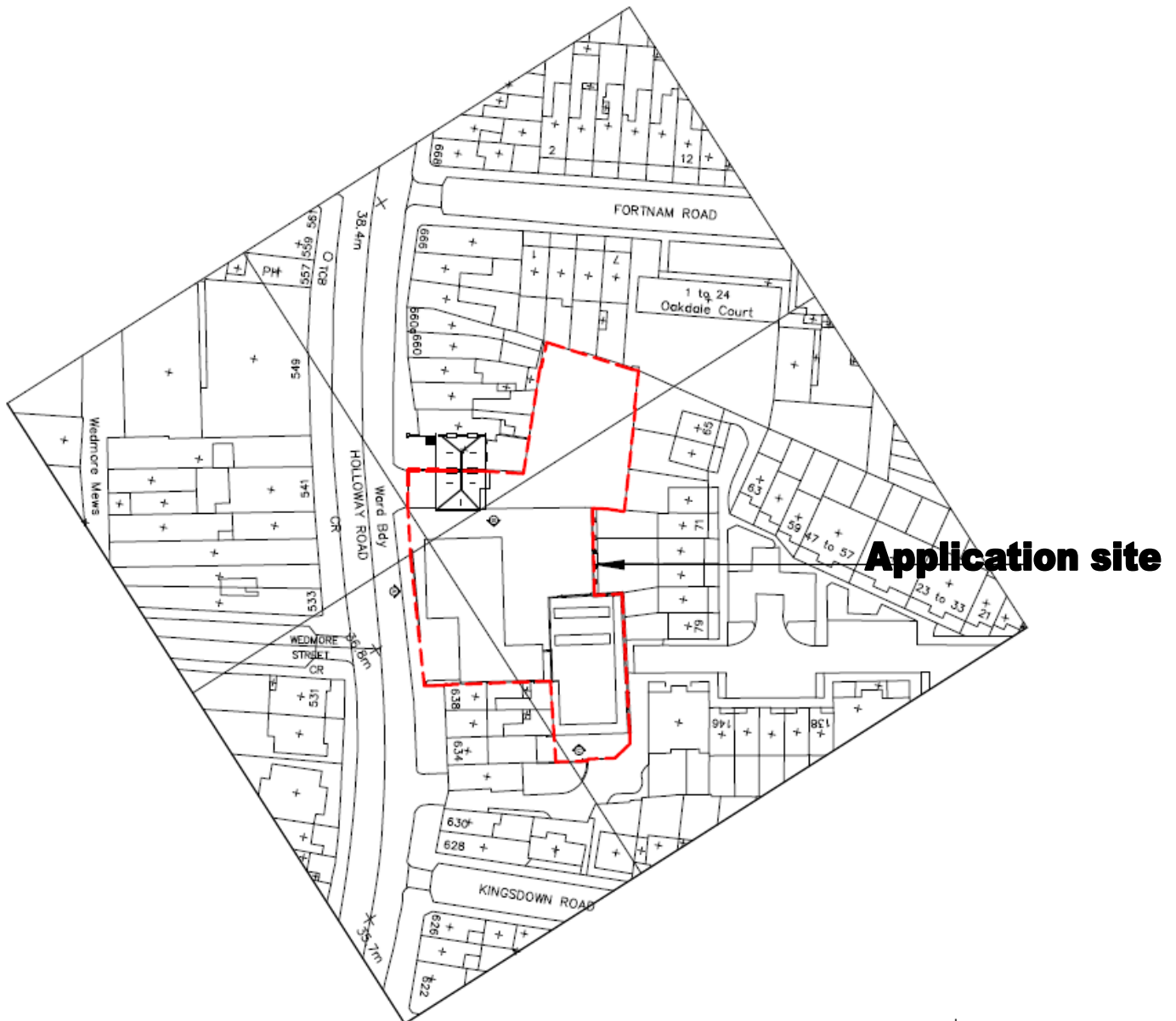
Case Officer	Ben Le Mare
Applicant	Junction Road Motor Company (London)
Agent	CgMs

### RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

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

**SITE PLAN (SITE OUTLINED IN RED)**





**PHOTOS OF SITE/STREET**



**Photo 1: Aerial view from West**



**Photo 2: Aerial view from North**





Photo 3: Aerial view from South



Photo 4: Aerial view from East





Photos 5, 6: View of garage forecourt & rear of 640-650 Holloway Road from garage workshop building



Photos 7, 8: Pedestrian route from Holloway Road to Kiver Street



Photo 9: View from Kiver Street to rear of the site / Photo 10: Rear of MOT garage & 632-638 Holloway Road

## **1. SUMMARY**

- 1.1 The application proposes the demolition of the existing petrol filling station and single storey MOT / vehicle repair garage at 640-648 Holloway Road (approx. 426sqm), and demolition of the existing two storey vehicle repair garage to the rear of 650 Holloway Road.
- 1.2 The redevelopment of the whole site would provide a mixed-use scheme, through the erection of three separate buildings, comprising: Block 1 - a five storey over basement building fronting Holloway Road at 640-648 Holloway Road; Block 2 - a four storey building to the rear of 640-648 Holloway Road; and Block 3 - a four storey building to the rear of 650 Holloway Road. Block 1 is a mixed use building providing a gym (Class D2) at basement level, retail (Class A1) floorspace at ground floor and 20 residential units on the upper floors. Blocks 2 & 3 would be wholly residential providing 11 and 9 residential units respectively.
- 1.3 During the determination of the application a number of changes were made to the scheme in response to concerns raised by neighbouring residents, Members, Design Review Panel and officers. These related to design/layout, neighbouring amenity and the affordable housing offer.
- 1.4 Following the submission of amended plans the development would provide 40 residential units comprising 6 x 1-bedroom units, 24 x 2-bedroom units, 6 x 3-bedroom units and 4 x 4-bedroom units, together with 332sqm of retail floorspace (including ancillary storage) and a 512sqm gym.
- 1.5 The onsite affordable housing offer accompanying the submission was zero (with a £100,000 commuted sum). This offer has since been increased to deliver to 11 dwellings within Block 2 (which equates to 28% by units or 34% by habitable rooms) - with 8 units as social rent and 3 units as shared ownership (70%/30% by units and 83%/17% by habitable rooms). This offer is supported by financial viability information which has been independently reviewed.
- 1.6 The application has been considered with regard to the Development Plan and National Planning Policy Framework (NPPF) and the presumption in favour of sustainable development.
- 1.7 The main shortcomings of the development are the loss of employment floorspace and some loss of outlook and daylight/sunlight to existing and consented residential properties. These matters are however considered to have been outweighed by the public benefits of the proposal, namely the delivery of onsite affordable housing, security improvements to the pedestrian route between Holloway Road and Kiver Road and a significantly improved level of outlook and light to number of properties adjoining the northern section of the site.
- 1.8 The proposal is considered by officers to be acceptable in terms of land use, urban design, neighbour amenity, the quality of the proposed residential accommodation, dwelling mix, affordable housing, transportation and servicing, landscaping and trees, sustainability and energy, subject to conditions and to an appropriate Section 106 (s106) agreement, the Heads of Terms of which have been agreed with the applicant.
- 1.9 It is recommended that planning permission be granted.



## **2. SITE AND SURROUNDING**

- 2.1 The site is located on the east north side of Holloway Road (the A1) between the junctions with Kingsdown Road and Fortnam Road. The site area is approximately 0.276ha. The site comprises a petrol filling station and single storey MOT / vehicle repair garage at 640-648 Holloway Road, which are both currently in operation. The site also includes the adjacent 650 Holloway Road, which comprises a three storey plus mansard roof, end of terrace building fronting Holloway Road (comprising vehicular access to rear garage at ground floor level with four - part fitted out - residential units on the upper floors), with a vacant two storey vehicle repair garage (with double pitched roof) to the rear.
- 2.2 The site is located within the Nag's Head & Upper Holloway Road Key Area and the Upper Holloway Local Shopping Area. The site is also located between the Nag's Head and Archway Town Centres. The site is not within a designated conservation area but is however opposite the Mercers Road / Tavistock Terrace Conservation Area. The site has a Public Transport Accessibility Level (PTAL) rating of 5.
- 2.3 The surrounding area has a mixed character. Adjacent to the west of the site, fronting Holloway Road is a terrace of three and four storey properties comprising commercial accommodation at ground floor level with residential accommodation on the upper floors and rear of ground floor. Adjacent to the northwest of the site, fronting Fortnam Road is a terrace of three storey residential buildings and a four storey block of flats. Adjacent to the rear (north and northeast) of the site are two and three storey residential properties that front onto Kiver Road. Adjacent to the southeast of the site, fronting Holloway Road is a terrace of three storey properties comprising commercial accommodation at ground floor level with residential accommodation on the upper floors.
- 2.4 There is a public footpath to the east and northeast of the site that provides a pedestrian route between Kiver Road and Holloway Road. To the southwest of the site, on the opposite side of Holloway Road, is a terrace of two and three storey properties, comprising commercial accommodation at ground floor level with residential accommodation on the upper floors, and the junction of Holloway Road with Wedmore Street.

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

- 3.1 The application proposes the demolition of all the existing buildings and structures on the site - petrol filling station and single storey MOT / vehicle repair garage at 640-648 Holloway Road and the demolition of the existing two storey vehicle repair garage to the rear of 650 Holloway Road. The demolition works would also require the removal of the petrol tanks which are located underneath the existing garage forecourt.
- 3.2 The redevelopment of the whole site would provide a mixed-use scheme, through the erection of three separate buildings, comprising: Block 1 - a five storey over basement building fronting Holloway Road at 640-648 Holloway Road; Block 2 - a four storey building to the rear of 640-648 Holloway Road; and Block 3 - a four storey building to the rear of 650 Holloway Road.

- 3.3 Block 1 is a mixed use building providing a gym (Class D2) at basement level (512sqm), retail (Class A1) at ground floor (332sqm) and 20 residential units on the upper floors. Blocks 2 & 3 would provide 11 and 9 residential units respectively.
- 3.4 Servicing of the development would take place from an off-street service bay in front of Block 1. The service bay is directly accessed off Holloway Road and would utilise the existing dropped kerbs which currently serve the petrol station and MOT garage.
- 3.5 The scheme includes a private amenity space (322sqm) at the rear of Block 1 which would also incorporate play space (80sqm). This would be used by the future occupiers of the development.
- 3.6 During an assessment of this application a number of changes were made to the scheme in response to concerns raised by neighbouring residents, Members, Design Review Panel and officers in respect of land use, detailed design and layout, neighbouring amenity and the affordable housing offer.
- 3.7 The amendments to the scheme, which have been subject to a second round of public consultation, comprise:
- a) Reduction in floorspace of the basement (Class D2 – gym) and ground floor Class A1 retail floorspace of Block 1 from 804sqm to 512sqm and 766sqm to 332sqm respectively;
  - b) Relocation of plant room to basement of Block 1 with maintenance access from the ground floor;
  - c) Removal of the solid concrete course over the entrance to 650 Holloway Road for a gauged arch lintel detail;
  - d) Stall riser of Block 1 has been changed to an engineering brick
  - e) Reduction in height of Block 2 by 1050mm;
  - f) Window positions/proportions revised in Block 2;
  - g) Proposed reduction of existing boundary wall from approx 6m to 2.1m;
  - h) Revision to Block 3 to incorporate a projecting bay window to mitigate overlooking between Block 1 and Block 3;
  - i) Communal amenity / children’s play space landscaping re-arranged;
  - j) Revisions to the forecourt/urban realm frontage including material treatment, seating, tree planting and low level planting;
- 3.8 Following the submission of amended plans the development would provide 40 residential units comprising 6 x 1-bedroom units, 24 x 2-bedroom units, 6 x 3-bedroom units and 4 x 4-bedroom units, together with 332sqm of retail floorspace (including ancillary storage) and a 512sqm gym.
- 3.9 The on-site affordable housing offer accompanying the initial submission was zero (with a £100,000 commuted sum). This offer has since been increased to deliver to 11 dwellings within Block 2 (which equates to 28% by units or 34% by habitable rooms), with 8 units to be provided as Social Rent and 3 units as Shared Ownership (83% Social Rent and 17% Shared Ownership by habitable rooms)

#### **4. PLANNING HISTORY**

- 4.1 The following previous planning applications relating to the application site are considered relevant to the proposals:

- Planning permission granted in January 2010 for 650 Holloway Road allowing the *'change of use of the currently vacant ground floor to the servicing and repair of motor vehicles (B2 use). Retention of upper floors for offices and storage.'* (ref: P091896)
- Planning permission granted in April 2011 for 650 Holloway Road allowing *'the conversion of the upper floors into 4 new residential units including a mansard roof extension.'* (ref: P110104). This permission has been implemented.

4.2 The following previous planning application relating to a neighbouring site (634-636 Holloway Road) is also of relevance:

- Planning permission granted in May 2013 for *'demolition of the existing 3 storey building comprising betting shop and 2 residential flats. Construction of new 4 storey building comprising Class A2 shop and 6 residential flats. Change of use of ground floor from existing betting shop to A2 use and residential'* (ref: P2012/0450/FUL). This permission is extant but has not yet been implemented and expires in May 2016.

#### Pre-application advice

4.3 The proposed development has been subject to on going pre-application discussions since June 2013. A number of amendments have been made to the plans in this process affecting the design of the proposals in response to officer comment including the design and conservation officer. A summary of pre-application response letter which was issued in on 31 July 2014 is provided below:

*'In summary, the principle of a mixed-use development at the site that provides residential accommodation is supported subject to provision of affordable housing to meet policy requirements.*

*The site is located between two Town Centres within an edge-of-centre location that is designated as Local Shopping Area. As the site is located outside of a Town Centre the proposed provision of A1 and D2 floorspace above 80sqm will need to be strongly justified.*

*Taking into account the site specific circumstances and detailed justification set out in the Commercial & Employment Land Market Report (produced by Strettons) that has been submitted, it is considered the loss of the existing employment floorspace could potentially in principle be appropriately justified, if it can be positively balanced against the benefits that an otherwise policy compliant mixed use development could bring.*

*Given the constrained nature of the rear of the site, there remain concerns with regards the impact of the proposed development on the amenity of neighbouring residential occupiers. The most significant concern is with regards the relationship of Block 3 with the rear of 632-634 Holloway Road. You are advised to re-visit this part of the scheme to explore how this relationship could be improved.*

*It would be necessary to provide a comprehensive BRE-based sunlight and daylight impact report to illustrate that the proposed development would not result in an unacceptable reduction in sunlight or daylight from any existing neighbouring residential properties, including units which have extant planning permission but have*

not yet been constructed / occupied at 350 Holloway Road and 634-636 Holloway Road.

The design approach and proposed materials are generally considered to be acceptable; however, you are advised to explore the further amendments to Blocks 1 and 3 as set out above.

The applicant is advised to revise the scheme in accordance with the above advice prior to making a full submission. If an application scheme was submitted based on the current details this would be unlikely to receive a favourable recommendation.'

## 5. CONSULTATION

### Public Consultation

- 5.1 Letters were sent to the occupants of 218 adjoining and nearby properties at Kiver Place, Holloway Road, Kingsdown Road, Fortnam Road & Wedmore Street. Site notices were displayed on 04/09/2014. The first period of public consultation closed on 02/10/2014.
- 5.2 Re-consultation: In response to the submission of revised plans and supporting information (including an updated daylight/sunlight report) the Council re-consulted on the application. Letters were sent to the same 218 properties and persons responding to the first consultation. A site notice was displayed also on the 12/02/2015. The public consultation of the application following this 21 day re-consultation period expired on the 05/03/2015.
- 5.3 At the time of the writing of this report a total of 10 responses had been received. Of these responses two objection letters were received during the second period of consultation in respect of the revised scheme.
- 5.4 The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

#### Land use

- The council should compulsory purchase the land and build affordable housing on the site as these are much needed within the borough.  
*Officer's comment: The site does not meet the criteria for being subject to a CPO.*

#### Urban Design

- The proposed five-storey development fronting Holloway Road would dominate the surrounding properties and be extremely at odds with the character of the area. **(para. 7.22 – 7.23)**
- Even with the recessed 5th floor, the building will dominate this part of Holloway Road and the neighbouring properties. The scheme should be revised to be in keeping with the height and roofline of the neighbouring properties on the terrace so as not to affect adversely the scale and character of this stretch of the road. **(para. 7.22 – 7.23)**
- The development should blend in with the area - particularly as it sits right on the edge of the Mercers Road/Tavistock Terrace Conservation Area. **(para. 7.22 – 7.23)**

- The garage at the moment provides some welcome 'breathing space' to the skyline of the road and the size of the proposed building would make the area feel quite oppressed. **(para. 7.22 – 7.23)**

#### Amenity

- Loss of daylight / sunlight to properties around the site. **(para. 7.43 – 7.69)**
- Loss of privacy by the inclusion of many of the flats in the development. **(para. )**
- The apartments will overlook rear gardens. **(para. 7.36 – 7.42)**
- The proposed windows would result in a loss of privacy of patients and staff using the dental surgery at 652 Holloway Road **(para. 7.36 – 7.42)**
- Increase noise disturbance from the future occupiers of the development, particularly when playing loud music with windows open in the summer months. **(para. 7.76)**

#### Waste

- The existing problem rubbish being dumped in the alleyway between Holloway Road and Kiver Road will be worsened by the development. **(para. 7.97)**

#### Transport / Highways

- The creation of 40 flats (housing potentially 140 people) would worsen the existing parking situation within the area. **(para. 7.121)**
- The access route being blocked for any length of time as a result of construction of the development will be a major issue for disabled residents accessing Holloway Road from the estate to the rear of the site

Officer's comment: *This is a matter which would be dealt with through the construction environmental management plan, secured by condition **(Condition 10)***

#### Landscaping / Biodiversity

- The buildings at 630-640 Holloway Road are fronted by a large screening tree. The proposed plans do not include anything similar that would help the new building to better blend in with the area so again this should be addressed. **(para. 7.129)**
- The landscaping plan should include more trees to balance and mask the building from the street as can be seen along the road further along. **(para. 7.129)**
- Concerns are raised over the loss of a maple tree. **(para. 7.129)**
- A family of red foxes lives at the back of the garage and concerns have been raised as to what will happen to them as a result of the proposed development.

Officer's comment: *The landscaping proposals for the scheme would significantly improve ecology and biodiversity across the site.*

#### External Consultees

- 5.5 Thames Water – No objection raised, the developer is required to make provisions for surface water drainage, water usage and sewage management (informatives) and provide a piling method statement to mitigate the impact on underground sewage. **(Condition 31)**
- 5.6 Transport for London – No objection to the proposals subject to ensuring that the front delivery layby is adequately managed **(Condition 16)** and the street trees are within BS 5837 guide lines. Further details of the new street tree have been requested through a clause in any s106.

The development is proposed to be car-free and adequate provisions are made for cycle parking which are in line with the Further Alterations to the London Plan.

A Construction Logistics Plan must also be secured by condition and agreed with the council and TfL prior to any works commencing. All construction works must subsequently be carried out in accordance with the approved plan. **(Condition 10)**

### **Internal Consultees**

- 5.7 Planning Policy Officer – The development would result in a loss of employment floorspace which is considered to have been justified through the submission of supporting information. The initial scheme was considered to be unacceptable by reason of the size of ground floor retail unit, however the amendments bring the size of unit more in line with that expected within a Local Shopping Area.
- 5.8 Design and Conservation Officer – The proposals are supported, particularly Block 1 which is considered to have full regard to the architectural language of the street frontage. Conditions should be imposed to ensure that the materials are of a high standard.
- 5.9 Acoustic Officer – Concerns have been raised in respect of the site's noisy location and the detrimental impact which this could have on the living conditions of the future occupiers of properties with rooms fronting Holloway Road. Matters relating to noise and land contamination would need to be addressed through planning conditions on any approval.
- 5.10 Transport Officer – No objection to provision of a servicing bay as this would allow for off-street servicing, however the case officer should seek the views from TfL as the site is located along a Red Route. The applicant should submit swept path analysis that demonstrates that adequate levels of space remain within this shared surface to accommodate pedestrians, including wheelchair users, alongside vehicles that are parked in the bay. Officers should require the following HoTs: car-free development, highways reinstatement, financial contribution towards upgrading the pedestrian route between Holloway Road and Kiver Road and visitor cycle parking within the vicinity of the site and a travel plan.
- 5.11 Licensing – As a gym is proposed in the basement there might be a requirement for a special treatment licence.
- 5.12 Tree Preservation / Landscape Officer – Support has been expressed for the amenity space at the rear of the site being re-designed. The tree and tree pit provision at the frontage of the site and the landscaping is acceptable in principle subject to the imposition of a landscaping condition and perhaps the change of species at the south where there may be space for a larger tree. The condition should also ensure that the quality and usability of open spaces within the development is maximised to enhance its setting within the immediate locality.
- 5.13 Sustainability officer – Support has been expressed for the level of green roofs which are proposed across the development and the amount of landscaping. The development also makes adequate provision for renewable energy. In terms of SuDS, the level of information is very minimal and no FRA has been submitted; the case officer should seek further advice from the council's Lead Local Flood Authority (LLFA) officer.
- 5.14 Lead Local Flood Authority (LLFA) officer – Raised some concerns over the lack of detail which accompanies the planning application submission to demonstrate how

surface water drainage would be dealt with. However it was felt that the proposed landscaped areas, green roofs and private gardens, together with the provision of suitably permeable hard surfacing will vastly improve the drainage across the site. Further information is required to be submitted through a condition. An agreement also needs to be in place to ensure that the landowner is responsible for managing the site's drainage systems in future.

- 5.15 Energy conservation officer – The revisions to the scheme's design has improved the proposed reduction in energy consumption. Whilst the 30% CO2 emissions reduction on the 2010 Building Regulations can't be achieved, the 27% achieved is appropriate in this instance. The development should however be required to make a carbon offset contribution of £55,528. The BREEAM 'excellent' ratings welcome. The proposal is considered to acceptable subject to conditions.
- 5.16 Access Officer – The 4 wheelchair accessible units should carried out in accordance with the submitted plans and all units should meet Lifetime Homes Standards. This should be secured through a planning condition. (**Condition's 12 & 13**)
- 5.17 Street Environment Division – The proposed arrangements for refuse storage and collection are considered appropriate.

#### **Members' Pre-application Forum**

- 5.18 The application, incorporating some of the proposed amendments and the revised affordable housing offer, was presented to the Members' Pre-application Forum on 23/02/2014.

#### **Design Review Panel**

- 5.19 Islington's Design Review Panel considered the proposed development at application stage on 09/09/2014. The panel's written comments (issued on 08/10/2014) are provided below and attached in full at **Appendix 3**:

- **Layout and massing:** The Panel expressed concerns over the overall density of the development, particularly in relation to the bulk and massing of Block 2.  
*Officer's comments: The density of the development of 500 hr/ha complies with the London Plan requirements for its location.*  
*The bulk and massing of Block 2 has been reduced since DRP through the submission of revised plans which lower its height by 1m. Block 2 now represents a considerable reduction in bulk and massing compared to the existing workshop building.*
- **Land use (retail unit):** The Panel expressed concern that the retail unit on the ground floor of Block 1 is negatively influencing the quality and amenity of the rest of the development. Panel members were concerned over the size and depth of the retail unit, which extends deep into the development and appears to be designed to accommodate a supermarket. Although the design allows for three smaller units, the Panel felt that these would be too long and narrow to function as individual shop units. The Panel raised concerns over a potential supermarket, including issues such placement of a loading bay and trolleys, and the impact on pedestrians. The quality of the public realm was not demonstrated to the panel in the documentation submitted/reviewed. The Panel questioned the location of the

plant room, the placement of chillers for a potential supermarket, and the mix of plant for the residential units, gym and supermarket. Panel members suggested that the development would benefit from a more shallow retail unit, which would allow for a courtyard at the heart of the development.

*Officer's comments: The basement and the ground floor of Block 1 have been reduced in size. As well as delivering a more acceptable size (332sqm) and depth of retail unit on the ground floor, the revisions also demonstrate a better layout of the rear courtyard as this would no longer be provided at raised level.*

- **Architectural treatment:** The Panel was generally positive about the principle of the proposed front elevation of Block 1, but had concerns about overheating and suggested the integration of passive shading, they also commented that the design of the back of Block 1 and the two other blocks to the rear could be made different from the front to make it more 'intimate' and 'less grand' and to better respond to the change in context/character of the rear part of the site. The Panel requested a statement on the design process and what alternative layouts had been considered. This should show how the site was analysed, its opportunities and constraints, and the evolution of the design responses.

*Officer's comments: The applicant has given some consideration to passive shading, however it was not considered to be feasible.*

*To ensure that Block 1 relates better to the context of the rear of the site the 'harder' perceived pre cast concrete finish has been omitted and an external grade English oak framing system is now proposed. This surface finish offers a 'softer' appearance with a fine surface grain and patina that varies and develops over its lifespan. Further details are however required through a planning condition to ensure that a high quality material and finish is delivered. A green wall is also proposed on the rear elevation of the block.*

*The redevelopment of the site is considered to lend itself to the layout which is currently proposed as it would ensure the delivery of private amenity space in the form of a central courtyard, which as a result of amendments to the ground floor of Block 1, is no longer at a raised level.*

- **Amenity:** The Panel raised concerns around the single aspect units and the bedrooms facing the front of Block 1, which would require mechanical ventilation and possibly air conditioning and advised that passive solutions should be sought.

*Officer's comment: The layout of Block 1 has been redesigned to ensure that there would be no single aspect units. All of the units within Block 1 would also have bedrooms looking onto the courtyard at the rear, as opposed to Holloway Road (as originally proposed).*

- **Impact on neighbouring amenity:** The Panel questioned the size of Block 2, in particular in relation to the boundary wall, and the degree to which neighbouring properties would suffer from overlooking. The Panel suggested that windows of Block 2 could be made smaller to prevent overlooking. There were concerns that the flats had limited outlook and that lower level units would not receive sufficient daylight. Panel members were heartened by the proposed lower wall around Block 3, but questioned whether ground-floor flats and their private spaces facing onto the back alley were appropriate. Different typologies were suggested to get front doors onto the street and create natural surveillance.



***Officer's comments:** The windows on the west side elevation of Block 2 have been redesigned to ensure there would be no direct overlooking. The proposed balcony on the west side elevation of Block 2 is required (by condition) to be screened to prevent any direct overlooking.*

*In terms of the amenity space for flats on the ground floor of Block 3, there would be no other suitable location for its provision other than fronting the alleyway. The occupiers of these units would also benefit from having shared amenity space on the second floor of the building and within the proposed courtyard area.*

- **Sustainability:** Questions were raised around the proposed Code Level for the development. The Panel requested solutions for balancing the heating and cooling across the development, including how excess heat generated from the gym and supermarket could be reused through the rest of development.

***Officer's comments:** Recent government legislation has effectively removed Code for Sustainable Homes standards, however since DRP the applicant's energy consultants have been liaising closely with the council's energy and sustainability officers to ensure that issues relating to heating and cooling have been adequately addressed.*

- **Access for loading:** The Panel questioned whether Transport for London (TfL) had been consulted on the proposed treatment of the frontage including layby on Holloway Road.

***Officer's comments:** TfL have been liaising with the developers and the council with regard to the proposed servicing bay at the front boundary of the site and associated surface treatment. The provision of a service bay is considered to represent a suitable arrangement for servicing the commercial and residential land uses, subject to the provision of bollards and a service and delivery management plan.*

## **6. RELEVANT POLICIES**

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

### **National Policy and Guidance**

- 6.2 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.
- 6.3 Since March 2014 planning practice guidance for England has been published online.
- 6.4 On the 28 November 2014, a Ministerial Statement and revision to the Planning Practice Guidance (PPG) were published, which seeks to offer a vacant building credit (VBC) whereby the developer would be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the LPA calculates any affordable housing contribution which would be sought. The applicant has not sought to apply VBC on this application.

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

### **Development Plan**

- 6.9 The Development Plan comprises the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.
- 6.10 Further Alterations to the London Plan (FLAP) were published in March 2015 and these have been considered in the assessment of this application.

### **Designations**

- 6.11 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011 and Development Management Policies 2013:
- |   |                                   |
|---|-----------------------------------|
| - Nag's Head & Upper Holloway Road Key Area | - Within 100 of TfL Road Network  |
| - Upper Holloway Local Shopping Area        | - Within 50m of Conservation Area |

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

- 6.12 The SPGs and/or SPDs considered relevant are listed in **Appendix 2**.

## **7. ASSESSMENT**

- 7.1 The main planning issues arising from this proposal relate to:

- Land use;
- Design, Conservation and Heritage Considerations;
- Neighbour amenity;
- Quality of residential accommodation
- Dwelling mix and affordable housing;
- Highways, transportation and pedestrian access;

- Trees, landscaping, SUDS and play space;
- Sustainability and energy;
- Planning obligations.

### **Land use**

7.2 The main land-use policy issues which need to be assessed relate to the loss of employment floorspace and the provision of new housing and commercial uses as part of a mixed use redevelopment of the site.

### **Loss of employment land**

7.3 The existing employment land on the site consists of the following:

- 640-648 Holloway Road single storey buildings currently occupied and used as petrol filling station and ancillary retail (sui generis) and an MOT testing centre/car repair workshop (Class B2) (497sqm – excluding petrol filling station forecourt);
- 650 Holloway Road, currently vacant but fitted as car repair workshop (Class B2) with ancillary offices (1,131sqm).

7.4 In the first instance it should be recognised that there is no policy protection for sui generis uses in terms of protecting employment land, but the B2 use (car repair garage/MOT centre) triggers the provisions of IDMP policy DM5.2. Part A of the policy states, *'proposals that would result in a loss or reduction of business floorspace will be refused unless the applicant can demonstrate exceptional circumstances, including through the submission of clear and robust evidence which shows there is no demand for the floorspace.'* The policy then requires evidence of two years' vacancy during which there has been an unsuccessful effort to market the premises, but in exceptional cases related to site-specific circumstances, a robust 'market demand analysis' which supplements any vacancy evidence may be considered acceptable.

7.5 The Commercial and Employment Land Report (by Strettons Chartered Surveyors) which has been submitted in support of the application, sets out the particular circumstances of the site. Principally, the car repair workshops and petrol filling station provide functional accommodation for the existing occupiers, but the buildings are in poor external repair and nearing the end of their useful economic life.

7.6 The ground floor of 650 Holloway Road is vacant and the upper floor accommodation of the building has not been occupied for many years. Part of this building has also seen works commence for a conversion into residential accommodation (283sqm), although these have not been completed. The dilapidated condition of the building has been confirmed by an officer's site inspection.

7.7 The report by Strettons also provides particular justification of lack of likely future demand for B2 or B1 uses specific to this site, where there would be significant constraints on redevelopment for B uses given the proximity to existing residential uses and the access arrangements, which are considered to justify the use of market demand analysis in place of the full two years' marketing evidence.

7.8 Appendix 11 of the IDMP provides a list of elements that the council would expect in a market demand analysis. The submitted report provides commentary on all of these elements required by Appendix 11 in relation to market demand analysis:

- Business floorspace available in other similar properties within the market area
- Rental levels achieved for these properties
- Independent commentary on the current and likely future demand for floorspace within the market area, based on the above factors and other relevant considerations (e.g. wider analyses of current market demand, and up-to-date forecasts produced for the Mayor of London or Islington Council)

7.9 The report identifies that there is 218,650sqm of better appointed, configured and located accommodation than the application site within a three mile radius. The levels of available business space in the market place, and taking this in context with the dilapidated state of repair of the ancillary office/storage space, unsustainable levels of business for the existing petrol filling station and car repair workshops and the unsuitability for conversion into alternative commercial uses, the potential for future demand in commercial use is considered to be low.

7.10 In this case it is therefore considered that exceptional circumstances have been demonstrated in line with policy DM5.2A and the loss of the business floorspace can be accepted in this instance.

#### Provision of retail and leisure uses

7.11 The scheme originally proposed a single 766sqm retail space (A1) on the ground floor and 804sqm gym (D2) space at the basement level. In response to concerns raised by officers the provision of commercial floorspace was reduced to include 332sqm of retail floorspace and a 512.6sqm gym.

7.12 As set out in policy DM4.4A, applications for more than 80sqm of floorspace within 'A' and 'D2' use classes should be located within designated town centres; where suitable locations within town centres are not available, Local Shopping Areas or edge-of-centre sites should be chosen.

7.13 The site is located in a Local Shopping Area, between two town centres (Nag's Head and Archway). The site is considered to be 'edge of centre' for the purposes of retail policy. Retail is therefore a supported use at this location subject to policies DM4.4 (Promoting Islington's Town Centres) and DM4.6 (Local Shopping Areas). A retail and leisure statement has been produced to address the requirements of these policies. The key issues are:

- Sequential search for town centre sites, re: DM4.4 part A
- Whether the proposed retail unit and gym maintains an appropriate mix and balance of uses within the Local Shopping Area, re: DM4.6, part A

7.14 The retail statement has considered potential sites in town centre locations, and concludes that there are none of which are suitable or available. Where suitable locations within Town Centres are not available, Local Shopping Area sites should be chosen, therefore as a location for retail or leisure uses above 80sqm, this is an acceptable site in principle.

7.15 The Local Shopping Area, situated along a main road between two designated town centres, effectively provides one long corridor of town centre uses, and the strengthening of this corridor in terms of the retail and leisure offer is welcomed. As both an edge of centre location and within a designated Local Shopping Area, it is

accepted in this case that there are no sequentially preferable (i.e. town centre) sites that are both suitable and available for the gym use.

- 7.16 With regard to the appropriateness of a single large retail unit within a Local Shopping Area, the substantial reduction in the quantum of retail proposed alleviates some concerns which were expressed at pre-application stage and towards the originally submitted scheme design. Paragraph 6.4 of the retail statement states that there is demand for the retail either let singularly or sub-divided into two, and halving the size of the retail provision seems to respond to the results of the demand analysis. Accepting that there is a healthy supply of smaller sized retail space along the length of Holloway Road, provision of a single retail unit of 355sqm is considered to accord with DM4.6A as it would introduce an element of diversity into the Local Shopping Area.
- 7.17 Whilst the revised retail configuration at ground floor does not provide a small unit alongside a larger unit as would be encouraged by DM4.1A, the configuration could allow for potential for subdivision in the future. In view of the improvements to the overall scheme that have resulted from the reduction in the proposed retail quantum and the characteristics of the Local Shopping Area itself, on balance it is considered that a single medium sized retail unit at ground floor would be appropriate in this location.

#### Principle of new residential accommodation

- 7.18 The principle of new residential accommodation is acceptable as ICS policy CS12 seeks to meet and exceed the borough housing target which is set by the Mayor of London. The density of the development which is proposed for the site is 500 hr/ha and this is also supported as it represents the upper limits of the London Plan requirement sustainable residential quality (SRQ) density mix (200-700 hr/ha for sites with PTAL rating 4 to 6). The mix of units and tenure is given further consideration below.

#### Design, Conservation and Heritage Considerations

- 7.19 ICS policy CS3 (Nag's Head and Upper Holloway Road) seeks to secure improvements to the public realm, enhancing the environment for pedestrians and cyclists, de-cluttering the streetscape, making it more inclusive, attractive and safer. Policy CS3 also seeks to ensure the historic character of the area is protected and enhanced with high quality design required along Holloway Road. IDMP policy DM2.1 (Design) provides clear advice with respect to what is expected from a development in terms of its design. Further detailed design guidance is also provided within the Islington Urban Design Guide SPD.
- 7.20 It is proposed to demolish the existing petrol filling station and single storey MOT / vehicle repair garage at 640-648 Holloway Road. It is also proposed to demolish the existing two storey vehicle repair garage at the rear of 650 Holloway Road. The loss of all existing buildings on the site is supported as these possess very limited architectural quality.

#### Layout

- 7.21 The development proposals comprise the erection of three new blocks which are sited around a central amenity space. The proposed layout of the site is similar to the

existing situation in that Blocks 2 & 3 are to be sited over the footprint of the existing MOT/vehicle repair buildings to the north and south. Block 1 is proposed on the front of the petrol station forecourt and would provide a continuous frontage to the existing streetscene. This arrangement is considered to be appropriate in terms of the context of the site. An assessment of each block is provided below as their context relate to different settings around the application site. Specific issues raised by the DRP in relation to the layout have been responded previously.



**Proposed site layout**

### Block 1

- 7.22 Block 1 is a five storey over basement building fronting Holloway Road at 640-648 Holloway Road. On the Holloway Road elevation the building comprises four solid storeys (ground to third floor) of high quality London stock brickwork with a lightweight glass-clad setback fourth floor (5<sup>th</sup> storey). The ground floor of the building provides an active frontage in the two commercial uses. The rear elevation is solid brickwork with a glass clad fourth floor (not setback). There are balconies at first to fourth floor level.
- 7.23 Firstly, it should be noted that the design of this block has been significantly improved since the pre-application stage. Whilst the building at 5 storeys would be a storey higher than the adjoining buildings to the north and south, it is considered to be appropriate in terms of its setting along Holloway Road. The proposed top floor, through being set back from the front parapet by 1.5m and constructed from 'Reglit' style glazed vertical panels is considered to mitigate initial concerns regarding the



relationship of the building with the adjoining buildings. Furthermore, the articulation of the fenestration pattern includes full brick reveals adding depth and shadow which replicates that of the finer detailed buildings along the streetscene. The DRP raised no concerns about the height or front elevation of this block.

7.24 In respect of the rear elevation, this is characterised by full width recessed balconies (with galvanised steel balustrades and timber handrails) which offer a more ‘human’ character to reflect its setting within a residential courtyard. This addressed a suggestion raised by the DRP. As discussed above, the layout of the rear of the block has changed from being a raised podium to a ground level private amenity space for the future occupiers of the site. At ground floor level no fenestration is proposed as this is the rear wall of the proposed retail unit. To ensure that this elevation does not appear oppressive on the amenity space a steel cabling system with a planted green wall is proposed. **(Condition 18)**

7.25 Whilst officers support the height, scale, massing and detailed design of Block A, its success will depend upon the quality of the materials and the finish which is proposed. These details would be secured by a condition. **(Condition 3)**



**Block 1 – Holloway Road Elevation**



**Block 1 – Rear Elevation**

## Block 2

7.26 Block 2 is part four storey, part two storey building to the rear of 640-648 Holloway Road. The building is constructed with brickwork elevations including blue brickwork feature panels, sliding aluminium privacy screens for the windows, and blind windows

on the north elevation. The proposed building would replace the existing warehouse/garage workshop in the northern section of the site.

- 7.27 At the request of officers, the height of the block has been reduced to that of the pitched roofs of the existing building. This amendment combined with the width of the proposed building being 3.3m less than the existing building on the site currently results in an appropriate form of development in this part of the site, with regard to its relationship to adjoining buildings and residential amenity (discussed further below).



**Block 2 – Front and side elevations**

### Block 3

- 7.28 Block 3 is a four storey building to the rear of 632 – 636 Holloway Road. The building would be constructed with predominantly facing brickwork with a set back, glass clad upper floor. This building is larger in terms of height, bulk and massing compared to the single storey garage building it would replace. The existing building is approximately 6.3m high, whereas the proposed building is approximately 11.4m high. However, the building is considered to relate approximately to its context, in between 632 – 636 Holloway and 148-158 (even) Kiver Road, through having a setback 4<sup>th</sup> floor which is finished with 'Reglit' style glazed vertical panels.
- 7.29 In detailed design terms, the curved corner on the bend in the footpath is considered to an attractive feature of the new building. The angled/scooped reveal detail to the high quality windows with bronze anodised aluminium finish is also supported. The choice of facing materials proposed for this block replicate those across the other two blocks and is therefore appropriate.
- 7.30 The block proposes bedrooms and living rooms which would directly look onto the footpath and thereby offering increased natural surveillance and public safety of this area, but with defensible space also provided.





**Block 3 – Front elevation**



**Block 3 – Front and side elevations**

### Summary

- 7.31 As stated above, the layout of the buildings within the site are considered to be appropriate given its relationship and contextual height to context with adjoining buildings. The amenity space at ground level is acceptable as this offers a physical separation between the blocks.
- 7.32 In terms of Block 1, this responds well to the streetscene by having a fourth floor which is both setback and glazed. The proposed fenestration pattern has regard to adjoining buildings. Blocks 2 & 3 are proposed in tight backland locations in close proximity to neighbouring residential properties to the north, east and west. Given the constrained nature of the rear of the site, it was necessary to pay particular attention to the assessment of the impact of the proposed height, bulk and massing of Blocks 2 & 3, both on the character of the surrounding townscape and on the amenity of neighbouring occupiers.
- 7.33 A detailed model was provided at the pre-application meeting to allow a comparison of the existing and proposed situation. Based on an assessment of the model, taking into account the height, bulk and massing of the existing buildings at the site and neighbouring buildings, it is considered that the proposed height, bulk and massing of Blocks 2 & 3 would not be out of character with the surrounding townscape context.
- 7.34 To ensure that the development achieves a quality of design, further details of the proposed materials are required to be submitted through a planning condition.  
**(Condition 3)**

## Neighbouring amenity

7.35 The Development Plan has policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. IDMP policy DM2.1 identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook. These matters are given careful consideration below.

### Overlooking / Privacy

- 7.36 Policy DM2.1 identifies that *'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'*. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm. Habitable rooms provide the living accommodation of the dwelling. Habitable rooms are defined as any room used or intended to be used for sleeping, cooking, living or eating purposes. Enclosed spaces such as bath or toilet facilities, service rooms, corridors, laundries, hallways, or similar spaces are excluded from this definition. However, service/utility/store rooms larger than 8sqm within single dwellings will normally be considered as habitable rooms.
- 7.37 Firstly considering Block 1, there would be no resulting overlooking between existing residential dwellings in the area and the balconies and windows serving the new units within this building. Initial concerns were raised by officers with regard to a loss of privacy between the future occupiers of Blocks 1 and 3. This issue has however been addressed by redesigning and re-positioning the affected windows.
- 7.38 In terms of the northern part of the site, the existing situation is such that the upper floors of the garage workshop which serve vacant offices have a row of windows at first/second floor level that look directly onto the rear of Nos. 65-71 Kiver Road (east of the site) and No.652-666 Holloway Road (west of the site).
- 7.39 Turning firstly to No.65-71 Kiver Road, the current distance between windows on the existing building (serving ancillary office accommodation) is 12m. To address this issue Block 2 has been set in by approx. 4.5m from the boundary. The resulting distance between windows the serving habitable rooms is therefore 16.5m, which whilst being 1.5m less than the required 18m distance, would represent an improvement based on the existing situation. There is however a balcony proposed for Flat 5 on the first floor of block which requires its southeast projection to be obscurely glazed to ensure there is no direct overlooking into the windows of No.65 Kiver Road, the details of which should be secured through a condition.
- 7.40 In respect of No.652-666, the existing distance between directly facing windows is as low as 6m, which would be increased to 10m. At the request of officers, the new windows on the new west elevation of Block 2 have been redesigned (with sections being obscurely glazed) to ensure that there would be no loss of privacy. **(Condition 7)**

- 7.41 Block 3 requires some secondary windows serving kitchens/living areas and bathrooms on the east and west elevations at upper floor levels to be obscurely glazed to ensure there is no overlooking between windows of No.632-634 Holloway Road (existing (12m away) and approved under P2012/0450/FUL (7m away)) and Nos. 75-77 Kiver Road (10m away). The terrace serving Flat 5 in the block requires a privacy screen along the side elevation and area of the flat roof with communal amenity space would also need to be demarked for access only. **(Condition 34)**
- 7.42 The layout and treatment of the development is acknowledged as having been carefully considered to prevent overlooking and protect the privacy of residents of nearby properties and occupants of the development. Where necessary, privacy screens and obscure glazing would be secured through planning conditions to further mitigate any impacts. **(Conditions 7 & 8)**

#### Daylight and Sunlight

- 7.43 The application was submitted with a daylight/sunlight assessment prepared by Twenty 16 Design. In response to concerns raised by officers in respect to the quality of this assessment, the applicants instructed Waldrams to undertake a revised study. Officers are satisfied that this revised study has been carried out to acceptable standard and has full regard to the 2011 Building Research Establishment (BRE) guidelines. The supporting text to Policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.
- 7.44 A number of the representations received raised concerns and objections to the scheme in relation to the impact of the proposed development on sunlight and daylight loss to neighbouring residential units.
- 7.45 Daylight - the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

*The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or The VSC is not reduced by greater than 20% of its original value. (Skylight); or*

*The area of the working plane in a room which can receive direct skylight is not reduced to less than 0.8 times its former value. (No Sky Line / Daylight Distribution).*

- 7.46 Average Daylight Factor (ADF) is another daylight measurement which requires 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. It should be noted that this test is normally applicable to *proposed* residential units, but in some cases is used as supplementary information (rather than key assessment criteria) to provide a clearer picture regarding impacts upon existing properties.
- 7.47 Sunlight - the BRE Guidelines confirm that windows which do not enjoy an orientation within 90 degrees of due south do not warrant assessment. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

*In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter*

*Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.*

- 7.48 The BRE guidelines also advise that the spaces such as gardens, parks and playing fields, children’s playgrounds should be tested for the availability of sunlight. For gardens and open spaces at least half of the amenity area should receive at least two hours of sunlight on 21 March (Spring Equinox).
- 7.49 Where these guidelines are exceeded then daylighting and/or sunlighting may be adversely affected. The BRE Guidelines provides numerical guidelines, the document though emphasizes that advice given here is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.
- 7.50 The application site is located within an accessible London location, where the potential of sites and density should, according to policy, be maximised where possible. Urban design considerations are also important when applying the guidance quoted above.
- 7.51 It is widely acknowledged that daylight and sunlight are fundamental to the provision of a good quality living environment and for this reason people expect good natural lighting in their homes. Daylight makes an interior look more attractive and interesting as well as to provide light to work or read by. Inappropriate or insensitive development can reduce a neighbour’s daylight and sunlight and thereby adversely affect their amenity to an unacceptable level.

Analysis of the test results

- 7.52 Residential dwellings within the following properties have been considered for the purposes of daylight and sunlight impacts as a result of the proposed development.
- 5 Fortnam Road (improve)
  - 65-67 Kiver Road (improve)
  - 69-79 (odd) Kiver Road
  - 1-3 Kingsdown Road (pass)
  - 148-158 (even) Kiver Road
  - 533-539 (odd) Holloway Road
  - 630c Holloway Road
  - 632 Holloway Road
  - 634-638 (even) Holloway Road
  - 652-660a Holloway Road (improve)
- 7.53 In addition, the report provides shadow diagrams of the existing and proposed private amenity spaces around the site.
- 7.54 The following paragraphs summarise and comment on the results from the submitted daylight/sunlight report and subsequent addendum.

*5 Fortnam Road, 65-67 Kiver Road, 652-660a Holloway Road & 1-3 Kingsdown Road*

- 7.55 According to the figures which have been prepared all of the windows and rooms tested would at 5 Fortnam Road, 65-67 Kiver Road and 652-660a Holloway Road see an improvement in VSC, Daylight Distribution, APSH and WPSH from the existing situation. This is attributed to the scale and massing of Block 2 being less than the existing garage workshop building.
- 7.56 At 1-3 Kingsdown Road, all 14 windows and habitable rooms would comfortably pass the VSC and Daylight Distribution tests respectively. As the windows do not face within 90 degrees of due south there is no requirement for sunlight to be tested.

*69-79 (odd) Kiver Road*

- 7.57 In terms of daylight, 31 of 32 windows pass the VSC test. The only window that fails is recognised as serving a bathroom (non-habitable room) at 79 Kiver Road. The loss in this instance is very marginal (22%) but in any event does not require testing according to local policies. In terms of Daylight Distribution, 25 out of 26 rooms tested would pass. The ground floor kitchen of No.79 would fail the test; however the loss is minimal (24%) in this instance.
- 7.58 The APSH and WPSH figures are equally as good, with every window tested receiving over 25% during the summer (figures between 31% & 75%) and 5% in winter (between 5% and 26% - the majority being within the upper range).

*148-158 (even) Kiver Road*

- 7.59 The VSC figures for windows on the west side elevation of 148-158 (fronting Block 3) show that 6 out of 9 windows tested would fail. However, by reviewing sales particulars (prepared by Rightmove) all of these windows that fail either serve a bathroom or small kitchen areas which are served by a large front window. Whilst the rooms also fail the Daylight Distribution test (losses between 24% and 71% – averaging 50%), they would experience acceptable levels of sunlight under both the APSH and WPSH test.

*533-539 (odd) Holloway Road, 630c Holloway Road & 632 Holloway Road*

- 7.60 According to VOA records and a site inspection of 533-539 (odd) Holloway Road shows that these properties have commercial uses on the ground floor and residential accommodation above. No.630c Holloway Road is solely in residential use as is No.632 Holloway Road. All of the windows and habitable rooms comfortably pass the VSC, Daylight Distribution and ADF tests. In terms of sunlight none of the windows face within 90 of due south and therefore don't require testing.

*634-636 (even) Holloway Road*

- 7.61 As identified above in the planning history section, 634-636 Holloway Road has an extant 2013 planning permission for the demolition of existing buildings and the construction of a new 4 storey building comprising a shop and six residential flats. The updated daylight/sunlight report therefore includes an assessment of both the existing situation and the consented scheme.
- 7.62 In terms of the existing situation, all 10 windows comfortably pass the VSC test. With regard to Daylight Distribution, 7 out of 8 rooms tested all pass and the room that does fail is positioned on the ground floor, experiencing a loss of 32.15%. Given the overgrown nature of the site with shrubs and trees and the lack of information on the existing floorplans submitted as part of the 2013 permission it hasn't been possible to

identify the use of this room. In terms of sunlight none of the windows face within 90 degrees of south and therefore do not require testing.

- 7.63 With regard to the 2013 permission, 7 out of 9 windows tested all pass the VSC test. The two windows that do fail would both serve bedrooms on the first floor and experience marginal losses of 24% and 26%. All of the rooms would however pass the Daylight Distribution test.
- 7.64 In terms of sunlight, the proposed ground floor living window faces within 90 degrees of south. The readings for this window are 11% APSH and 0% WPSH, which is a shortcoming of the proposals.

#### *638 Holloway Road*

- 7.65 In respect of daylight, both windows which are identified as serving habitable rooms (on first and second floor) would receive slightly less VSC than the level recommended, experiencing losses of 29% and 27%. However, both rooms would score very well on the Daylight Distribution test (scores of 98.77% and 98.95%) and would therefore remain well lit.
- 7.66 There are no habitable windows facing within 90 degrees of south.

#### *Private amenity spaces*

- 7.67 The submitted assessment shows that 2 out of 11 gardens which required testing would experience a minor reduction in lit area. In percentage terms these are very low – no more than 2% of the total area – less 20% of the area receiving at least two hours sunlight on Equinox. In summary, at least 50% of the amenity space in these gardens would continue to receive at least 2 hours of sunshine at the Equinox.
- 7.68 In seven instances there would be gains in the amount of lit area of amenity spaces, up to as much as 33%.

#### Daylight/sunlight test summary

- 7.69 The assessment shows that the development would result in some substantial gains in daylight for surrounding properties. Whilst there are losses of daylight to some windows serving habitable rooms the scheme is considered to respond exceedingly well to its urban context and any impacts outside of BRE guidelines, are minimal and relatively isolated.

#### Outlook/Loss of View

- 7.70 The impact of a development on outlook is a material planning consideration if there is an undue sense of enclosure for neighbouring residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard with any assessment subjective as opposed to empirical with key factors in this assessment being the local context and arrangement of buildings and uses.
- 7.71 It was initially considered that Block 1 could have an impact on the outlook of the upper floor window of No.630 Holloway Road. However a visit to the site confirmed that whilst the rear projection and balcony would impede slightly on the outlook from this window it is not considered having a harmful impact on the enjoyment of this property.

- 7.72 As Block 2 is the same height as the existing garage workshop building, but with a reduced massing and bulk it is considered to improve the outlook of the residents around the northern section of the site (1-7 Fortnam Road, 65-71 Kiver Road, 652-660a Holloway Road).
- 7.73 The main impact of the development in terms of outlook is Block 3. Whilst the footprint of this building would be less than the existing MOT garage, its height would be increased from 6.5m to 11.4m. Whilst there would be some impact on the outlook from 79 Kiver Road, it is the bedroom windows on the rear elevation of the approved scheme at 632-634 Holloway Road (ref: P2012/0450/FUL) that would be affected the most. By measuring off the submitted plans, which includes an outline of the new extensions at No.632-634, the distance between the existing bedroom windows and the new building would be approximately 7m. Officers are of the view that there would be a loss of outlook to these windows if the consented scheme at 632-634 Holloway Road is built out. That being said, the window at both the first and second floors would have the majority its view towards the south of Block 3. Furthermore, all of properties at No.632-634 would benefit from having decent sized living/dining rooms which look out onto Holloway Road, so it would only be bedroom windows that are affected.
- 7.74 Whilst the identified loss of outlook to Nos.632-634 is clearly a shortcoming of the application it needs to be balanced in the context of the scheme's wider benefits.

#### Noise / disturbance

- 7.75 The application proposes a significant area of new plant in the basement of the buildings for the commercial and residential uses. It is considered appropriate that the plant shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg) measured or predicted at 1m from the facade of the nearest noise sensitive premises, in accordance with Appendix 10 of the IDMP. This requirement would be secured through an appropriately worded condition. **(Condition 9)**
- 7.76 Concerns have been raised by the local residents in respect of the noise which the new residential dwellings would generate, however this would be considerably less than if businesses were operating from the existing garage building to the rear of No.650 Holloway. Normal residential occupation is not considered to generate noise nuisance.

#### Construction Impacts

- 7.77 In the interest of protecting neighbouring residential amenity during the construction phase of the development; (having consideration to impacts such as noise and dust) the applicant has agreed to comply with the Council's Code of Construction Practice. Compliance has been secured as part of a S106 agreement together with a payment towards the monitoring of the construction site to ensure its neighbourliness. This payment is considered be an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project. Conditions also require the submission of a method statement construction logistics plan, that should also address the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) during the construction phase. **(Condition 10)**

## Quality of the residential accommodation

- 7.78 ICS policy CS12 identifies that to help achieve a good quality of life, the residential space and design standards will be significantly increased from their current levels. IDMP policy DM3.4 sets out the detail of these housing standards.

### Unit Sizes/Amenity Space

- 7.79 All 40 residential units either meet or exceed the minimum unit sizes as expressed in Table 3.2 of policy DM3.4. The submitted sections of the buildings show attainment of the minimum floor to ceiling height of 2.6 metres.
- 7.80 Policy DM3.5, part A identifies that *'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'*. The policy in part C states that the minimum requirement for private outdoor space is 15sqm on ground floors and 5sqm on upper floors for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required on upper floors. A minimum amount of 30sqm is required for family housing which is three bedroom residential units and above.
- 7.81 Out of 40 units, 32 units (80%) have private amenity space in the form of either gardens or balconies. Of these 32 units, 25 units (78%) either meet or exceed the required provision of private amenity space. This figure does not take into consideration the provision of 322sqm shared outdoor amenity space in middle of the site and a 41.3sqm shared terrace on the roof of Block 3.
- 7.82 In terms of Block 1, the provision of amenity space for 1-bed and 2-bed units (18 units) all comfortably exceed the council's required standards. The two 3-bed units would each have 11.8sqm, which does fall short of the 30sqm policy requirement. Both these units would however have access to the communal amenity space.
- 7.83 With regard to Block 2, all of the three ground floor units are provided with an acceptable amount of garden space. A total of 5 out of 8 flats on the upper floors of the block would have private amenity space, albeit not strictly policy compliant for the unit sizes. However, the level of provision is appropriate in this instance given the constrained nature of this and need to minimise overlooking, part of the site together with the proposed communal amenity space.
- 7.84 Block 3 provides 5 out of 9 units with private amenity space. All of the units would however have access to the shared terrace at second floor level. The level of provision is acceptable given the existing relationship of buildings adjoining this part of the site

### Aspect/Daylight Provision

- 7.85 Policy DM3.4 part D states that *'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated'*. Initial concerns in respect of four single aspect units being proposed on the Holloway Road frontage in Block 1 have been addressed. The scheme now proposes two single aspect units (5% of total units across the site) in Block 2. Whilst these units are single aspect they benefit from being located on the first floor of the block, have long floorplates, room sizes which exceed minimum space standards and south facing balconies.



- 7.86 The submitted daylight/sunlight assessment shows that 131 out of 142 (92%) habitable rooms within the scheme either achieve or almost achieve the required ADF levels. The main short falls appear to be in the proposed bedrooms, which require lower levels of light than living rooms or large family kitchens. Turning to APSH & WPSH, 32 out of 38 living rooms (82%) meet BRE Guidelines, which is acceptable given the tight urban grain of the area.

#### Overlooking/Privacy

- 7.87 Initial concerns were raised by officers that there would be an element of overlooking between the balconies on the rear of Block 1 and windows serving habitable rooms (bedrooms) within Block 3. These windows have re-designed to ensure that this situation has been addressed. There is however windows on the west and east elevations of Block 3 (indicated on the proposed floorplans) which should be obscurely glazed through a planning condition. **(Condition 8)**
- 7.88 To ensure there is no loss of privacy between the private amenity spaces on the ground floor of Block 2, boundary fences to a height of at least 1.6m should be required through a planning condition. **(Condition 6)**

#### Noise disturbance

- 7.89 The site is located within a very noisy location by fronting Holloway Road. The submitted noise report finds that the daytime LAeq is 73dBA and night time is 72dBA. This would be in Noise Exposure Category D of the now withdrawn PPG24 where development is normally unacceptable (although now contained in IDMP).
- 7.90 As discussed above, the layout of Block 1 has been revised to ensure that all of the units are dual aspect. Furthermore, none of the units have bedrooms which front Holloway Road. The proposals can therefore be supported subject to conditions requiring very high specification of glazing and sound insulation and noise control measures which shall achieve the council's noise targets **(Condition 36)**
- 7.91 As there is a gym in the basement, a retail unit on the ground floor and residential on the upper floors details of a scheme for sound insulation between the proposed uses in Block 1 shall be required through a condition **(Condition 11)**. Furthermore, it is considered appropriate to impose conditions on the delivery/servicing times to protect the amenity of the future occupiers of Block 1 and the adjoining dwellings. **(Condition 28)**
- 7.92 In light of the new permitted development rights, which allow for greater flexibility within the A use class, and in the interests of protecting the amenity of the future occupiers of Block 1, officers consider that it is appropriate to condition the use of the ground floor as class A1 retail. **(Condition 35)**

#### Access

- 7.93 Proposals for residential development need to respond to London Plan Policy 3.8 and 7.2 which require for all new housing to be built to 'The Lifetime Homes' standard and to achieve the highest standards of accessible and inclusive design. ICS policy CS12 requires for all housing to comply with 'flexible homes' standards as set out within the Accessible Housing SPD. All the residential units are proposed to be 'Lifetime Homes' compliant and would be Islington's Flexible Homes standards and permission would be suitably conditioned to ensure that this is the case. **(Condition 12)**

- 7.94 The revised plans demonstrate the inclusion four wheelchair units - two 2-bed units in Block 1 (Flats 1 & 8) and one 2-bed unit and one 3-bed unit (Flats 1 & 4) within Block 2. As such 10% of the proposed new dwellings would be wheelchair housing which would be secured through a condition. **(Condition 13)**
- 7.95 The development also incorporates disabled two disabled parking bays along Kingsdown Road which should be secured through a clause in the s106 agreement. The provision of accessible cycle parking, level access across the site, wheelchair accessible toilet facilities for the commercial as well as inclusively designed landscaping would be required through a planning condition to ensure that the development suitably meets inclusive design principles. **(Condition 14 & 18)**

### Refuse

- 7.96 The application proposes two internal refuse stores for the residential buildings within Block 1 which would be shared with Blocks 2 & 3. These stores both accessed via the two residential entrances into the site and would provide 2 x 1280ltr Eurobins and 2 x 1280ltr recycling Eurobins for Blocks 1 & 2 (northern store) and 3 x 1280ltr Eurobins and 2 x 1280ltr recycling Eurobins for Blocks 1 & 3 (southern store). Both stores would have a level access and are within 20m of the residential cores and the collection point on the Holloway Road. The provision of these refuse stores should be secured through a condition. **(Condition 15)**
- 7.97 Concerns have been raised by local residents that the scheme could result in there being an increase in the amount of rubbish being dumped in the alleyway between Holloway Road and Kiver Road. Officers are however satisfied that the scheme makes adequate provisions for the future occupiers of the development to dispose of their waste. Furthermore, as there the new residential dwellings in Block 3 have windows and amenity areas fronting the alleyway there could be less dumping of waste as result of the increase of natural surveillance.

### Dwelling mix

- 7.98 ICS policy CS12 states that residential developments will provide a range of unit types, sizes and affordable housing to help meet Islington's housing needs and creating communities. IDMP policy DM3.1 further seeks market tenure housing to comprise 10% x 1 bed, 75% x 2 bed and 15% x 3 bed units.
- 7.99 In the consideration of housing mix, regard has to be given to the constraints and locality of the site and the characteristics of the development. The revised scheme consists of 40 residential units with 11 affordable units (28% by units and 34% by habitable rooms) provided as 8 Social Rent and 3 Shared Ownership for a 73%-27% split (83% and 17% by habitable rooms), in line with the tenure split set out in CS12G. Within the market and affordable tenures, the housing size mix broadly accords with that set out in Table 3.1 of the IDMP document and is supported.

	Market			Social Rent			Shared Ownership		
	Units	% of tenure	Target %	Units	% of tenure	Target %	Units	% of tenure	Target %
1b	4	14	10	0	0	0	2	67	65
2b	21	72	75	2	25	20	1	33	35
3b	4	14	15	2	25	30	0	0	0

4b	0	0	0	4	50	50	0	0	0
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### **Affordable housing and Financial Viability**

- 7.100 Paragraph 47 of the NPPF states that, to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. Paragraph 173 states that to ensure viability, *“the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”*.
- 7.101 London Plan policy 3.12 states that the “maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes. It adds that negotiations on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation (‘contingent obligations’), and other scheme requirements”.
- 7.102 ICS policy CS12 (part G) states that Islington will meet its housing challenge, to provide more affordable homes by:
- requiring that 50% of additional housing to be built in the borough over the plan period should be affordable.
  - requiring all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough.
  - seeking the maximum reasonable amount of affordable housing, especially Social Rented housing, from private residential and mixed-use schemes, taking account of the overall borough-wide strategic target of 50% provision.
  - delivering an affordable housing tenure split of 70% social housing and 30% shared ownership housing.
- 7.103 The London Plan Housing SPG (2012) requires that for schemes with a shorter development term, consideration should be given using s106 clauses to trigger a review of viability, if a scheme is not substantially complete by a certain date. These approaches are intended to support effective and equitable implementation of planning policy while also providing flexibility to address viability concerns such as those arising from market uncertainty.
- 7.104 The Council appointed BPS Chartered Surveyors (“BPS”) to undertake a review of financial viability for this scheme. The assessment sought to determine the deliverability and viability of the proposed scheme.
- 7.105 As stated above, the initial affordable housing offer was zero (0%) onsite with £100,000 contribution. The submitted viability assessment was heavily scrutinised by BPS and council officers. The main issues of contention related to the Existing Use

Value (EUV) and a lack of robust evidence and transparency of the figures which were submitted by the applicant's consultants.

- 7.106 The applicant was advised to update the calculations in their viability assessment and significantly increase its affordable housing offer. The affordable housing offer now stands at 11 dwellings within Block 2 which equates to 28% by units or 34% by habitable rooms - 8 units (2 x beds, 2 x 3 beds and 4 x 4 beds) are proposed as social rent and 3 units (2 x 1-beds and 1 x 2-bed) as shared ownership.
- 7.107 Below provides an account on how some of the viability assumptions were considered. Given the detailed and comprehensive way that the BPS report deals with financial viability it is not attempted to summarise that report here, so a redacted copy of the BPS report is provided in **Appendix 4**.
- 7.108 The concept of viability testing is to determine the potential amount of planning obligations that can be sought before the return to the landowner and developer falls below a "competitive return". Firstly, a Residual Land Valuation (RLV) is calculated to ascertain the amount that can be paid for the site. This is calculated from the total value of the completed proposed development minus any development costs. Secondly, a Benchmark Land Value is established (based on the EUV of the current site), which is the measure against which the RLV is compared with to determine whether the scheme is viable. The site currently comprises a petrol station, workshops and four 2-bed flats, and the calculation of the EUV has been based on all these elements.
- 7.109 In establishing the EUV, a number of considerations were made. The petrol station valuation was based on actual sales of fuel, the shop sales and valeting services having regard to their pricing structures and the profit margins. The council understands that the information relating to the turnover of the business that has been reviewed by BPS are from the current trading accounts of the petrol station. It was previously noted that the fuel sales operated at a very high margin compared to the competition. The business model of a high profit margin has now been appropriately reflected in the latest valuation in a number of ways. For example there is a reduced volume of fuel sales being adopted, and the risks of the current levels of turnover have also been taken into account by changes made to the yield in the latest appraisal.
- 7.110 Moreover, for the purposes of further evaluating the petrol station element, BPS also helpfully undertook an additional 'sense-checking' exercise. They considered a hypothetical development scenario to establish the land value of the petrol station element through an alternative methodology. This scenario replicated retail and residential accommodation typical to the adjoining properties, and this resulted in a value that was similar to the valuation of the petrol station element, and ensured that the appraisal presented by the applicant to be appropriate.
- 7.111 In addition, the workshops and four existing flats have been appropriately valued based on comparable evidence of similar properties in the area, with adjustments being made for their location, quality, condition and age etc.
- 7.112 Council officers and BPS have also reviewed all other assumptions such as sales values, build costs, profit, and fees, which make up the latest appraisal. They have been considered to be reasonable. The latest appraisal adopted the majority of assumptions previously suggested by BPS and council officers. This includes: the petrol station EUV being derived from current trading accounts only, the adoption of an

increased yield for the petrol station element, the reduction in value of the residential units currently existing on the site, and amendments to the landowner premium.

- 7.113 As a result of these changes, the initial EUV including petrol station, workshops and flats have been appropriately reduced from the initial appraisal, and this provided the basis for the affordable housing offer of 28% by units and 34% by habitable rooms.
- 7.114 It is recommended that the viability of the scheme will be subject to a review mechanism which would require the submission of an updated viability appraisal if the development has not been substantially implemented within 18 months of the grant of planning consent. The Islington residential market has experienced significant changes in recent years. An updated assessment will enable the viability of the scheme to be reconsidered in the event that the scheme is delayed to ensure that the proposals are based on an assessment of viability that is accurate at the point of delivery. The review will also help to ensure that the scheme provides the maximum reasonable level of affordable housing in line with Development Plan policy. The applicants have confirmed in writing that they agreed to this clause.

### **Highways, transport and pedestrian access**

- 7.115 The site is located on Holloway Road, part of the Transport for London Road Network, and was therefore referred to Transport for London, the highway authority for Holloway Road. It is well located in relation to public transport and walking/cycling routes. Four bus routes serve this part of Holloway Road (17, 43, 271 and 263), and the site is walking distance from Upper Holloway Overground Station (260 metres) and Archway Underground Station – Northern Line (720 metres).
- 7.116 The site has a PTAL rating of 5 (very good) which means that travel by public transport to the site by residents, visitors and employees is highly accessible.

### **Servicing, deliveries and refuse collection**

- 7.117 Policy DM8.6 part A requires delivery and servicing to be provided off-street, particularly for commercial developments over 200sqm gross floor area. To ensure proposed delivery and servicing arrangements are acceptable the following is required:
- i) It must be demonstrated that servicing and delivery vehicles can enter and exit the site in forward gear.*
  - ii) Details shall be submitted to establish the delivery and servicing needs of developments.*
  - iii) Delivery and servicing bays are required to be strictly controlled, clearly signed and only used for the specific agreed purpose.*
- 7.118 In line with policy DM8.6, an on-site servicing bay is included within the site's boundaries alongside Holloway Road. The bay will be accessed from Holloway Road from two existing crossovers, which allows vehicles to enter and exit in forward gear. The on-site service bay should be able to accommodate the delivery/servicing needs of both the commercial and residential elements of development which is supported. Furthermore, TfL have raised no objection to the servicing bay subject to bollards being in place to ensure that there is no issue with it being used for off-street parking. Details of the bollards design and positioning should be secured through a planning condition. **(Condition 33)**

- 7.119 A delivery and service management plan for the proposed retail unit has been submitted in draft form. This includes information about the types and sizes of vehicles, expected delivery times, design of delivery areas and analysis using auto-track. As the service bay appears to only accommodate sufficient space for one servicing vehicle at a time, the applicant should include details of a booking system within the servicing and delivery management plan. **(Condition 16)**
- 7.120 As stated earlier in this report, adequate refuse storage for the residential uses is proposed within Block 1. At the request of officers the building now also includes a separate waste storage for the commercial unit and gym which are both accessed directly off Holloway Road. This is considered to be appropriate and in accordance with policy. **(Condition 15)**

#### Vehicle Parking

- 7.121 In line with policy CS10 part H, all new development must be car free. The scheme does not propose any on-site parking for the new residential units or the commercial floorspace, which is in line with policy DM8.5 part A, which states that *“no provision for vehicle parking or waiting will be allowed for new homes, except for essential drop-off and wheelchair-accessible parking.”* As this should be a car free development, the site occupiers and visitors should not be able to obtain parking permits, except where wheelchair accessible parking is required. Removal of car parking rights should be included as part of the s106 agreement.
- 7.122 Wheelchair accessible parking should be required on-street where practical. The applicant has identified Kingsdown Road as being able to provide two wheelchair parking spaces within the locality. The cost of this provision should be secured by a s106 agreement to enable the Council to install the accessible parking spaces.

#### Cycle Parking

- 7.123 The provision of secure, sheltered and appropriately located cycle parking facilities (for staff, residents and visitors) will be expected in accordance with policy DM8.4 (Walking and cycling). This includes one cycle parking space per 60sqm for A1 retail, one space per 80sqm for Class D2 and one space per residential bedroom.
- 7.124 The scheme proposes 124 cycle parking spaces to serve all uses within the development - 78 spaces in the residential entrance to Block 1 & 2, 36 within a store in the landscaped courtyard between Block 1 and Block 2 and 10 on the pavement in front of Block 1. The scheme includes 4 disabled bays in connection with the wheelchair accessible units. This level of provision is welcome and will meet Islington's standards set out within Appendix 6 of IDMP and should be secured through condition. **(Condition 17)**

#### Impacts on the on-street network

- 7.125 The proposed building line is set back from the kerb edge. This is welcomed, as it provides more space for pedestrians (including around the pedestrian crossing) and creates space to install visitor cycle parking on the footway. The works to pave the forecourt should be in line with Islington's Streetbook SPD. These works have been discussed with TfL and recommend that the forecourt to be paved in the same materials as the public pavement (with the property boundary marked with brass studs). **(Condition 18)**

- 7.126 In line with the applicant’s proposed service bay, the cross-overs currently in place for access and egress to the petrol station, will need be removed with new shorter crossovers in place and the pavement reinstated. These works should be carried out by the highway authority through a s278/s106 agreement by TfL.
- 7.127 The applicant points out in the Design & Access Statement that residential Block 3 would uplift the existing pedestrian route from Holloway Road to Kiver Road, which is a welcomed public benefit of the scheme. The scheme would provide improved natural surveillance, security lighting and paving.
- 7.128 As the development would provide for more than 50 new residents, a Travel Plan which sets out measures to promote sustainable transport (to achieve a shift to the most sustainable forms of transport: walking and cycling), should be required through the s106 agreement.

**Trees, landscaping, SUDS, play space and contaminated land**

- 7.129 The existing site comprises mainly of commercial buildings and hardstanding in the form of a garage forecourt and associated vehicle parking area. Along the front boundary of the site is an existing street tree (Norway Maple) which is of good quality and has townscape benefits. This tree is proposed to be retained and protected in accordance with the arboricultural report that accompanied this submission (**Condition 32**). In discussions with the council and TfL the scheme would provide an additional three trees in tree pits and some low level plating with evergreen shrubs and hardy species of wildflowers which are appropriate.
- 7.130 To the rear of Block 1, the scheme proposes to create a 322sqm area of amenity space for the future occupiers of the site. This space would provide significant amenity and visual benefits and a separation buffer between the blocks. Since the application submission, this area has been amended from being a raised podium to ground level space. A combination of soft and hard landscaping has been proposed with various species of trees and plants. Seating areas are also proposed in various locations around the space. Officers support the principles which have been put forwarded but further information should be secured through a planning condition. (**Condition 18**)
- 7.131 In terms of the children’s play space, this space is suitably overlooked and secure within the development. The design of the play space would be directed towards younger children with the provision of soft resin bonded flooring with planted oak pergola shading, seating areas and play equipment.

7.132 Policy DM3.6 part A states that ‘*all major residential developments are required to make provision for play, based on anticipated child yield. Provision shall be 5sqm of private/informal play space per child (including semi-private outdoor space, private outdoor space and gardens suitable for play).*’ Based on the GLA’s online calculator, the scheme gives rise to the following child yield:

Age Group	Child Yield
Under 5s	6
5 to 11	9
Over 12s	7
Total	23

- 7.133 The development would result in a need for 75sqm of on-site provision in order to meet the needs of children under 12's. The level of provision by the scheme therefore adequately meets this need and further details of the play space shall be required through a condition (**Condition 29**). In terms of the children over 12, there are a number of nearby parks and green spaces, (namely, Whittington Park, Cornwallis Adventure Playground and youth play project) within 300-500m walk from the site via pedestrian crossing and signal controlled junctions. The provision of play space for over 12's is considered to be met within the local area.
- 7.134 The scheme proposes green roofs on all of the flat roofs across the development which is supported as these will add improved biodiversity for the area and reduce surface water runoff. A green wall and climbers are proposed on the rear of the Block 1 to assist with 'greening up' the amenity space by masking a blank façade.
- 7.135 In terms of Sustainable Urban Drainage Systems (SUDS), the submission provides limited information on how these would be delivered. As discussed above, the scheme incorporates new private gardens, soft landscaping, planters, green walls and green roofs, as well as permeable paving; this will assist with surface water drainage and represent an improvement on the existing situation. In accordance with the recently published Ministerial Statement, the council's Lead Local Flood Authority (LLFA) officer was consulted on the proposals. The LLFA officer supports the measures proposed but requires significantly more information on matters such as run-off (pre and post development), catchment areas, water storage (existing and proposed) and water quality arrangements to be submitted and agreed via a planning condition (**Condition 20**). It is considered this should be a pre-commencement condition, to be addressed prior to works starting on-site. Furthermore, they have requested a clause in the s106 agreement which requires for the owner of the site to be responsible for ongoing maintenance of the drainage systems put in place. The applicant has confirmed that they agreed to this clause.
- 7.136 The scheme is considered to offer very good ecological and amenity benefits through the provision of appropriate levels of landscaping, trees (both protecting the existing and new planting) and play space. Further details of this should however be required through planning conditions and clauses in a s106 agreement. (**Condition's 18 - 21**)
- 7.137 As the site is currently used as petrol station and servicing garage the submission includes a desktop land contamination report. Unsurprisingly, given the existing and previous uses and the introduction of receptors to potentially form a pollution linkage, the report highlights the need for a full site investigation with sampling. The developer would need to carry out a full contaminated land assessment to inform the remediation strategy. Further information is therefore required through a condition. (**Condition 26**)

### **Sustainability, energy efficiency and renewable energy**

#### **Sustainability**

- 7.138 ICS policy CS10B requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard. The scheme would reach BREEAM 'Excellent' for the commercial (scoring 70.8% for the gym and retail units) and Code for Sustainable Homes level 4 (scoring 68%) for the residential units in line with policy. The Government has recently removed the Code for Sustainable Homes programme and therefore a condition is not recommended to secure this



7.139 IDMP policy DM6.5 requires the maximisation of provision of green roofs and requires major developments to use all available roof space for green roofs (subject to other planning considerations). As discussed above, scheme includes the provision of green roofs on various levels throughout the development, which total an area of approximately 608sqm.

7.140 In accordance with policy DM7.4, part E the council requires 10% value of materials to be derived from recycled/reused content. The application does not provide any information on how this would be achieved and therefore the submission of a green procurement plan should be required.

7.141 In light of the above, conditions are recommended to ensure:

- commercial floorspace is constructed to achieve BREEAM 'excellent' (**Condition 24**).
- water use target is met (**Condition 19**)
- provision of green roofs and walls (**Condition's 18 & 21**)
- provision of SUDS strategy (**Condition 20**)
- materials and construction – 10% from recycled and reuse content (**Condition 3**)

#### Energy

7.142 In response to concerns which have been raised by the council, and to reflect the changes to the scheme, revisions to the Energy Statement (undertaken by Twenty16 Design) were submitted. This report has been reviewed by the council's energy officer and is discussed below.

7.143 Turning to energy, all development is required to demonstrate that it has minimised on-site carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at least 30% relative to total emissions from a building which complies with Building Regulations 2010, 40% where connection to a Decentralised Heating Network is possible). Currently there are no Decentralised Heating Networks which the scheme could connect to. The London Heat Map does however identify the site as being within an area which presents the potential for such heating networks in the future.

7.144 Based on the revisions made to the design, the predicted CO2 emissions have been reduced to 60.36t/yr. This now represents an improvement of 27% on a target 2010 Building Regulations total emissions target. This falls short of the 30% improvement target. It is however not considered feasible to increase the size of the Photovoltaic array. As per the above, the required offset payment is now £55,528 and would have been secured through a clause in a s106 agreement.

7.145 The applicant has undertaken thermal modelling of the scheme which assesses any risk of overheating, based on current and future summer temperatures. The applicant concludes that although the CIBSE thresholds would be exceeded under certain circumstances in specific areas the development looks like it should generally cope well with future overheating risks. The energy officers agree with this view on the matter.

7.146 The development is to provide 100% low-energy lighting throughout, which is supported.

7.147 IDMP policy DM7.1 part E requires applications for major developments to include a Green Performance Plan (GPP) detailing measurable outputs for the occupied building, particularly for energy consumption, CO2 emissions and water use, and should set out arrangements for monitoring the progress of the plan over the first years of occupancy. The applicant has provided a draft GPP, which is welcome, however a final GPP should be secured through a clause in a s106 agreement.

7.148 Photovoltaic panels to the roof of the Block 2 are also proposed by the applicant and details of these should be required through a condition. **(Condition 22)**

### **Planning Obligations**

7.149 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.

7.150 The agreement will include the following agreed heads of terms:

- Onsite delivery of affordable housing – 28% with 8 SR units and 3 SO units;
- Repair and re-instatement of footways and highways (subject to conditions surveys) following redevelopment of the site;
- Compliance with Code of Employment and Training including delivery of three work placements during the construction phase of the development, lasting a minimum of 13 weeks;
- Contribution of £55,528 towards offsetting any projected residual CO2 emissions from the development, but this could be subject to change;
- Compliance with the Code of Local Procurement;
- Compliance with the Code of Construction Practice, plus monitoring fee (£3,800);
- Removal of residents ability to obtain on-street residents car parking permits;
- Travel Plan;
- Provision of two wheelchair parking bays;
- Ongoing maintenance of SuDS by the owner of the site;
- Street tree planting along the Holloway Road frontage;
- Green Performance Plan;
- Council's legal fees in preparing the s106 and officer's fees for the monitoring and implementation of the s106.
- S278 Agreement with TfL to amend (shorten) the existing ingress and egress crossovers to Holloway Road.

7.151 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule, 2012. CIL will be payable to the London Borough of Islington after the planning consent has been implemented.

## **National Planning Policy Framework**

- 7.152 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth. The NPPF requires local planning authorities to boost significantly the supply of housing, provide for economic growth and require good design from new development to achieve good planning.
- 7.153 In the final balance of planning considerations officers have also considered the proposal in the context of the presumption in favour of sustainable development set out in the NPPF.

## **8. SUMMARY AND CONCLUSION**

### **Summary**

- 8.1 The application proposes the demolition of the existing petrol filling station and single storey MOT / vehicle repair garage at 640-648 Holloway Road (approx. 426sqm), and demolition of the existing two storey vehicle repair garage to the rear of 650 Holloway Road (approx. 1131sqm – including front ground floor).
- 8.2 The redevelopment of the whole site would provide a mixed-use scheme, through the erection of three separate buildings, comprising: Block 1 - a five storey over basement building fronting Holloway Road at 640-648 Holloway Road; Block 2 - a four storey building to the rear of 640-648 Holloway Road; and Block 3 - a four storey building to the rear of 650 Holloway Road. Block 1 is a mixed use building providing a gym (Class D2) at basement level, retail (Class A1) floorspace at ground floor and 20 residential units on the upper floors. Blocks 2 & 3 would be wholly residential providing 20 residential units.
- 8.3 During the determination of the application a number of changes were made to the scheme in response to concerns raised by neighbouring residents, Members, Design Review Panel and officers. These related to design/layout, neighbouring amenity and the affordable housing offer.
- 8.4 Following the submission of amended plans the development would provide 40 residential units comprising 6 x 1-bedroom units, 24 x 2-bedroom units, 6 x 3-bedroom units and 4 x 4-bedroom units, together with 332sqm of retail floorspace (including ancillary storage) and a 512sqm gym.
- 8.5 The onsite affordable housing offer accompanying the submission was initially zero (0%) with a £100,000 commuted sum. This offer has since been increased to deliver to 11 dwellings within Block 2 (which equates to 28% by units or 34% by habitable rooms) - with 8 units as social rent and 3 units as shared ownership (70%/30% by dwellings and 83%/17% by habitable rooms). This offer is supported by financial viability information which has been independently reviewed.
- 8.6 The application has been considered with regard to the Development Plan and National Planning Policy Framework (NPPF) and the presumption in favour of sustainable development.
- 8.7 The main shortcomings of the development are the loss of employment floorspace and some impact on daylight and outlook to adjoining occupiers. These matters are

however considered to have been outweighed by the public benefits of the proposal, namely the delivery of onsite housing and affordable housing, security improvements to the pedestrian route between Holloway Road and Kiver Road and a significantly improved level of outlook and light to number of properties adjoining the northern section of the site.

- 8.8 The proposal is considered by officers to be acceptable in terms of land use, urban design, the quality of the proposed residential accommodation, dwelling mix, affordable housing, transportation and servicing, landscaping and trees, sustainability and energy, subject to conditions and to an appropriate s106 agreement, the Heads of Terms of which have been agreed with the applicant. Minor impacts to adjacent residential amenity are considered to be balanced against the above benefits of the scheme.

### **Conclusion**

- 8.9 It is recommended that planning permission be granted subject to conditions and s106 legal agreement securing the heads of terms for the reasons and planning conditions as set out in Appendix 1 – RECOMMENDATIONS.

# APPENDIX 1: RECOMMENDATIONS

## RECOMMENDATION A

That the Committee resolve to GRANT planning permission.

## RECOMMENDATION B

That planning permission be granted subject to a s106 agreement in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Team Leader, Major Applications.

1. On-site affordable housing delivery: 28% units - 8 Social Rent units and 3 Shared Ownership units (83% Social Rent and 17% Shared Ownership by habitable rooms). This would be subject to a review mechanism which would require the submission of an updated viability appraisal if the development has not been substantially implemented within 18 months of the grant of planning consent.
2. The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Condition surveys may be required;
3. Compliance with the Code of Employment and Training;
4. Facilitation of three work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £15,000 (£5,000 per placement not provided) to be paid to LBI. Developer / contractor to pay wages (must meet national minimum wage). London Borough of Islington Construction Works Team to recruit for and monitor placements;
5. Compliance with the Code of Local Procurement;
6. Compliance with the Code of Construction Practice, including a monitoring fee of £4,933 and submission of a site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site. The response document is required to consider cumulative impacts of any other developments occurring in the area at the same time and also include a post construction photographic survey of adjoining buildings;
7. The provision of two assessable parking bays or a contribution of £6,000 towards bays or other accessible transport initiatives.
8. Removal of eligibility for residents' parking permits. Exceptions in accordance with the Council's parking policy statement;
9. S278 Agreement with TfL to amend (shorten) the existing ingress and egress crossovers to Holloway;
10. Three street trees and tree pits to be provided along the Holloway Road frontage;

11. Submission of a Travel Plan for Council approval 6 months from first occupation of the development (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD);
12. A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount: £55,528.
13. Submission of a Green Performance Plan;
14. Ongoing maintenance of SUDS by the owner of the site;
15. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

That, should the **Section 106** Deed of Planning Obligation not be completed within the agreed timeframe set out the Planning Performance Agreement, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence the Team Leader, Major Applications, may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

## RECOMMENDATION C

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

### List of Conditions:

<b>1</b>	<b>Commencement (Compliance)</b>
	<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 list (Compliance)</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>Existing plans: JDD/HR-E1A (Existing Ground Floor Plan, First to Third Floor Plans, Roof Plan and Elevations)</p>

	<p>Proposed plans:  P772/200 REV L; 201 REV M; 202 REV L; 203 REV L; 204 REV L; 205 REV L; 206 REV L; 207 REV L; 208 REV K; 209 REV I; 210 REV I; 211 REV I; 212 REV I; 213 REV I; 214 REV I; 215 REV I; 216 REV G; 300 REV B; 301 REV B; 302 REV B; 303 REV B.</p> <p>Documents:  Design and Access Statement - REV L; Daylight and Sunlight Report by Waldrams (25/03/2015); Retail and Leisure Statement by CgMs (August 2014); Phase One Desk Study Report by Environmental Management Solutions (22 March 2014); Noise and Vibration Assessment by KP Acoustics (20 August 2014); Arboricultural Assessment by ACS (9 May 2014); Draft Travel Plan by YES Engineering (August 2014); Transport Assessment by YES Engineering (August 2014); Commercial and Employment Land Market Report by Strettons (April 2014); Planning Statement by CgMs (August 2014); Landscaping and Highway Details by MBA (18/03/2015); Noise Survey by KP Acoustics (23 January 2015); Overheating Analysis Report by The Energy Practice (20 March 2015); Energy Statement and CfSH Pre-Assessment by Twenty 16 Design (April 2015)</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Materials and Samples (Details)</b>
	<p>CONDITION: Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the works commencing. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) brickwork, bond and mortar courses;</li> <li>b) metal cladding, panels, frames and architectural metalwork (including details of seams, gaps, and any profiling);</li> <li>c) windows and doors;</li> <li>d) balustrading;</li> <li>e) roofing materials;</li> <li>f) any other materials to be used on the exterior of the development; and</li> <li>g) a Green Procurement Plan for sourcing the proposed materials.</li> </ul> <p>The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>

<p><b>4</b></p>	<p><b>External pipes, cables and CCTV (Details)</b></p> <p>CONDITION: No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/installed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard.</p>
<p><b>5</b></p>	<p><b>Security and Crime Prevention Measures (Details)</b></p> <p>CONDITION: The crime prevention details set out in the Design and Access Statement shall be carried out within the development hereby approved.</p> <p>Details of site-wide general security and crime prevention measures shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The details shall relate to:</p> <ul style="list-style-type: none"> <li>a) CCTV;</li> <li>b) General lighting;</li> <li>c) security lighting;</li> <li>d) 24-hour security guard;</li> <li>e) Security of all entrance doors;</li> <li>f) Any other security features adopted on site.</li> </ul> <p>The details shall include the location and full specification of: all lamps; light levels/spill; cameras (detailing view paths); lamps and support structures. The general security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the any resulting general or security lighting and CCTV cameras are appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the building.</p>
<p><b>6</b></p>	<p><b>Boundary Treatment (Details)</b></p> <p>CONDITION: Details of boundary treatments and privacy screens (minimum 1.6m high) shall be submitted to and approved in writing by the Local Planning Authority prior to the practical completion of the development. The details shall include all walls, fencing, gates, footings, their design, appearance and materials, the details shall indicate whether the boundary treatments form proposed, retained or altered boundary treatments.</p> <p>The boundary treatments shall be carried out strictly in accordance with the details so approved, installed/erected/operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the resulting boundary treatment(s) is functional, attractive and secure and that the development does not result in unacceptable overlooking.</p>



<p><b>7</b></p>	<p><b>Obscure Glazing – Block 2 (Details)</b></p> <p>CONDITION: Details of obscure glazing and privacy screening to the first, upper first and second floor windows on the west side elevation, and the balcony serving Flat 5, of Block 2 shall be submitted to and approved by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the resulting development does not give rise to any privacy or overlooking issues to 662 – 652 Holloway Road and 65 Kiver Road.</p>
<p><b>8</b></p>	<p><b>Obscure Glazing – Block 3 (Compliance)</b></p> <p>CONDITION: All windows shown as obscurely glazed on approved drawings P9772/202 REV L; P772/203 REV L and P772/204 REV L shall be obscurely glazed and installed prior to the residential occupation of the dwellings they relate to and maintained at all times thereafter.</p> <p>REASON: To ensure that the resulting development does not give rise to any privacy or overlooking issues to the future occupiers of Block 1 and the occupiers of Nos 77 and 79 Kiver Street.</p>
<p><b>9</b></p>	<p><b>Fixed Plant (Compliance)</b></p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level Laeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:1997.</p> <p>REASON: To ensure that the development does not have an adverse impact on amenity.</p>
<p><b>10</b></p>	<p><b>Construction Management (Details)</b></p> <p>*CONDITION: A Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.</p> <p>The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets.</p>

<p><b>11</b></p>	<p><b>Sound Insulation between uses (Details)</b></p> <p>CONDITION: Full particulars and details of a scheme for sound insulation between the proposed A1 use and the residential use (C3) of the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any works on the relevant part of the development.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an adverse impact on amenity.</p>
<p><b>12</b></p>	<p><b>Lifetime homes (Compliance)</b></p> <p>CONDITION: The residential dwellings hereby approved within the development, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
<p><b>13</b></p>	<p><b>Wheelchair Housing</b></p> <p>CONDITION: The four (4) wheelchair accessible dwellings of the development on approved drawings 772/300 REV B, 772/301 REV B, 772/302 REV B, 772/303 REV B, shall be provided and fitted out prior to the first occupation of the development.</p> <p>REASON: To secure provision of the appropriate number of wheelchair accessible units in a timely fashion and to: address the backlog of and current unmet accommodation needs; produce a sustainable mix of accommodation; and provide appropriate choices and housing opportunities for wheelchair users and their families.</p>
<p><b>14</b></p>	<p><b>Inclusive Design (Details)</b></p> <p>CONDITION: Notwithstanding the plans hereby approved the scheme shall be constructed in accordance with the principles of Inclusive Design. Plans and details confirming that these standards have been met shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include but not be limited to:</p> <ul style="list-style-type: none"> <li>a) The accessibility of lift and stair cores;</li> <li>b) Accessible WCs and toilet facilities;</li> <li>c) Mobility scooters and accessible cycle storage;</li> <li>d) Refuge and management arrangements;</li> <li>e) Details of inclusive evacuation plan</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be retained as such thereafter.</p>

	REASON: In order to facilitate and promote inclusive and sustainable communities.
<b>15</b>	<b>Refuse and recycling (Compliance)</b>
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development.</p>
<b>16</b>	<b>Delivery and Servicing Plan</b>
	<p>CONDITION: A delivery and service management plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL), prior to the first occupation of the development. The plan shall include details of all servicing and delivery requirements of the site, waste and recycling collection and management against misuse.</p> <p>The development shall be carried out strictly in accordance with the details so approve</p> <p>REASON: In order to secure highway safety and free flow of traffic on Holloway Road, local residential amenity and mitigate the impacts of the development.</p>
<b>17</b>	<b>Cycle Parking</b>
	<p>CONDITION: The two bicycle storage areas shall be covered, secure and provide for no less than 110 cycle spaces and 4 accessible cycle spaces for the offices and residential units. The 10 cycle spaces for the visitors along Holloway Road shown on the approved plans shall also be provided.</p> <p>These spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>18</b>	<b>Landscaping (Details)</b>
	<p>*CONDITION: Prior to the commencement of the development hereby approved (including all preparatory work), details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:</p> <p>1) a scaled plan showing all landscape features to be retained and trees and plants to be planted;</p> <p>2) location, type and materials to be used for hard landscaping including specifications, where applicable for:</p> <p>a) permeable paving;</p> <p>b) tree pits and soil depths;</p> <p>c) use within tree Root Protection Areas (RPAs);</p>

	<p>d) levels across the site;  e) design of inclusive landscape features;</p> <p>3) a schedule detailing sizes and numbers/densities of all proposed/new trees/plants;</p> <p>4) specifications for the green wall on the rear of Block 1;</p> <p>5) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and</p> <p>6) front forecourt paving to match public pavement.</p> <p>Unless required by a separate landscape management condition, all soft landscaping shall have a written three year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.</p> <p><b>Reason:</b> To maximise the quality and usability of open spaces within the development and that enhance its setting within the immediate locality to ensure an accessible, visitable development for all.</p>
<b>19</b>	<b>Water usage (Compliance)</b>
	<p>The development shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
<b>20</b>	<b>Drainage / SUDS (Details)</b>
	<p>*CONDITION: Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with Thames Water. The information shall include details of the sustainable urban drainage system (SUDS) and its maintenance.</p> <p>No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.</p> <p>REASON: In order to ensure the sustainable management of water and flood prevention, to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.</p>
<b>21</b>	<b>Green Roofs</b>
	<p>CONDITION: Details of green/living roofs to the development hereby approved (illustrating increased coverage and potential for run-off attenuation or including</p>

	<p>details and justification of the maximum extent of green/living roofs) and the species to be planted/seeded shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The green/living roofs shall:</p> <p>a) form biodiversity-based roofs with extensive substrate bases (depth 80-150mm);</p> <p>b) cover at least all of the areas shown in the drawings hereby approved, confirmed by a location/extent plan; and</p> <p>c) be planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works. An explanation as to why any areas of roof would not be covered with green/living roofs shall be included with the above details. Green/living roofs shall be expected to extend beneath any photovoltaic arrays proposed at roof level. The green/living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>22</b>	<b>Roof level structures (Details)</b>
	<p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding area.</p>
<b>23</b>	<b>Inclusive design (Compliance)</b>
	<p>CONDITION: The development shall be designed in accordance with the principles of Inclusive Design. To achieve this, the development shall provide the following in accordance with the approved drawings and ensure the delivery of the following provisions:</p> <ul style="list-style-type: none"> <li>- For each access core the passenger lift serving the dwellings shall be installed and operational prior to the first occupation of residential dwellings accessible from that access core.</li> <li>- step free access to all commercial and residential accommodation</li> </ul> <p>The development shall be constructed carried out strictly in accordance with the</p>

	<p>details so approved, shall be maintained as such thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
<b>24</b>	<b>BREEAM (Compliance)</b>
	<p>CONDITION: The development shall achieve a BREEAM New Construction rating (2011) of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
<b>25</b>	<b>Energy Efficiency (Details)</b>
	<p>CONDITION: The energy measures as outlined within the approved Energy Strategy shall together provide for no less than a 27% on-site total C02 emissions reduction in comparison with total emissions from a building which complies with Building Regulations 2010.</p> <p>Should, following further assessment, the approved energy measures be found to be no longer suitable, a revised Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The revised energy strategy shall provide for no less than a 27% on-site total C02 reduction in comparison with total emissions from a building which complies with Building Regulations 2010.</p> <p>The final agreed scheme shall be installed and operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that the C02 emission reduction targets are met.</p>
<b>26</b>	<b>Contamination (Details)</b>
	<p>CONDITION: Prior to the commencement of development the following assessment shall be submitted to and approved in writing by the Local Planning Authority:</p> <p>a) A land contamination investigation.</p> <p>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:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>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.</p>

	<p>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).”</p> <p>REASON: Previous commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment carried out to determine impacts on the water environment.</p>
<b>27</b>	<b>Gym use (Compliance)</b>
	<p>CONDITION: The Class D2 (Assembly and Leisure) floorspace shall be strictly limited to Gym uses only within Use Class D2. No planning permission is hereby granted for any other purposes within Use Class D2 of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2015 (or the equivalent use within any amended/updated subsequent Order).</p> <p>REASON: It is considered that the operation of any other D2 use in this location may have impacts, which should be subject of public consultation and a full planning application.</p>
<b>28</b>	<b>Loading / unloading hours (Compliance)</b>
	<p>CONDITION: Deliveries, collections, unloading, loading of the commercial uses shall only be between the following hours:</p> <ul style="list-style-type: none"> <li>- Monday to Saturday: 06:00 – 23:00</li> <li>- Sundays/Bank Holidays: 10:00 – 16:00</li> </ul> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
<b>29</b>	<b>Play space (Details)</b>
	<p>CONDITION: Details of all play spaces including drawings and the specification of the proposed play equipment shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, safety and protecting neighbouring and future residential amenity and to ensure the development of an inclusive design.</p>
<b>30</b>	<b>Bird and Bat Boxes (Compliance)</b>
	<p>CONDITION: A least 4 (total) bird and bat nesting boxes / bricks shall be provided within the development, installed prior to the first occupation of the building to which they form part and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision</p>

	towards creation of habitats and valuable areas for biodiversity.
<b>31</b>	<b>Piling Method Statement (Details)</b>
	<p>CONDITION: No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: To ensure that works do not impact upon local underground water utility infrastructure, and to ensure that deformation of the ground by piling does not result in an increase in the risk of near-surface pollutants migrating to underlying aquifers. Previous industrial and/or commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment.</p>
<b>32</b>	<b>Tree protection</b>
	<p>The Norway Maple Trees along Holloway (T4 and T5), as shown on approved Tree Protection Plan (drawing number TTPP01_Hr of the Arboricultural Assessment by ACS) are to be retained and protected in accordance with BS 5837 2012 – Trees in Relation to Demolition, Design and Construction by the erection of protective hoarding.</p> <p>The hoarding shall consist of a rigid, exterior grade ply high sterling board.</p> <p>For the duration of the demolition and construction work no access to this hoarded off area is to be permitted without the express written authority of the local planning authority.</p> <p>No materials, chemicals or noxious substances are to be stored or used within this hoarded off area. No plant, machinery, digging vehicles, to be allowed within the hoarded area or under the canopy spread of the tree, for the period of any demolition or construction activities on site.</p> <p>REASON: In the interest of the protection of trees and to safeguard visual amenities.</p>
<b>33</b>	<b>Access bollards (Details)</b>
	<p>CONDITION: Details of the access controlled bollards proposed within the service yard shall be submitted to, approved in writing, by the local planning authority prior to any superstructure works commencing on site.</p> <p>The bollards are required to be installed prior occupation of the development and maintain in accordance with the approved details thereafter.</p> <p>REASON: In order to secure highway safety and free flow of traffic on Holloway Road, local residential amenity and mitigate the impacts of the development</p>



<b>34</b>	<b>Privacy Screen – Block 3</b>
	<p>CONDITION: A 1.8m privacy screen on the west side of the balcony serving Flat 5, as shown on approved drawing P9772/202 REV L, shall be installed prior to the residential occupation of the dwelling and maintained at all times thereafter.</p> <p>REASON: To ensure that the resulting development does not give rise to any privacy or overlooking issues to the occupiers of Nos 77 and 79 Kiver Street.</p>
<b>35</b>	<b>Retail use (compliance)</b>
	<p>CONDITION: The retail floorspace (Class A1) shall be strictly limited to retail uses only within Use Class A1. No planning permission is hereby granted for any other purposes within an A Use Class of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2015 (or the equivalent use within any amended/updated subsequent Order).</p> <p>REASON: It is considered that the operation of any other Class A use in this location may have impacts, which should be subject of public consultation and a full planning application.</p>
<b>36</b>	<b>Sound Insulation – High Noise (Details)</b>
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p style="padding-left: 40px;">Bedrooms (23.00-07.00 hrs) 30 dB <math>L_{Aeq,8\text{ hour}}</math> and 45 dB <math>L_{max\text{ (fast)}}</math>  Living Rooms (07.00-23.00 hrs) 35 dB <math>L_{Aeq, 16\text{ hour}}</math>  Dining rooms (07.00 –23.00 hrs) 40 dB <math>L_{Aeq, 16\text{ hour}}</math></p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an adverse impact on amenity.</p>

**List of Informatives:**

<b>1</b>	<b>Section 106 Agreement</b>
	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

2	<p><b>Definition of ‘Superstructure’ and ‘Practical Completion’</b></p> <p>A number of conditions attached to this permission have the time restrictions ‘prior to superstructure works commencing on site’ and/or ‘following practical completion’. The council considers the definition of ‘superstructure’ as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of ‘practical completion’ to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<p><b>Community Infrastructure Levy (CIL) (Granting Consent)</b></p> <p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p> <p><b>Pre-Commencement Conditions:</b> These conditions are identified with an ‘asterix’ * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these identified pre-commencement conditions have been discharged/complied with.</p>
4	<p><b>Car-Free Development</b></p> <p>(Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people or other exemption under the Council Parking Policy Statement.</p>
5	<p><b>Water Infrastructure</b></p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
6	<p><b>Working in a Positive and Proactive Way</b></p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council’s website.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p>

<b>7</b>	<b>Materials</b>
	In addition to compliance with condition 3 materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
<b>8</b>	<b>Groundwater</b>
	Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing <a href="mailto:wwqriskmanagement@thameswater.co.uk">wwqriskmanagement@thameswater.co.uk</a> . Application forms should be completed on line via <a href="http://www.thameswater.co.uk/wastewaterquality">www.thameswater.co.uk/wastewaterquality</a> . Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991
<b>9</b>	<b>Water main</b>
	There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.
<b>10</b>	<b>Rollershutters</b>
	The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.
<b>11</b>	<b>Construction management</b>
	<p>You are advised that condition 27 covers transport and environmental health issues and should include the following information:</p> <ol style="list-style-type: none"> <li>1. identification of construction vehicle routes;</li> <li>2. how construction related traffic would turn into and exit the site;</li> <li>3. details of banksmen to be used during construction works;</li> <li>4. the method of demolition and removal of material from the site;</li> <li>5. the parking of vehicles of site operatives and visitors;</li> <li>6. loading and unloading of plant and materials;</li> <li>7. storage of plant and materials used in constructing the development;</li> <li>8. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;</li> <li>9. wheel washing facilities;</li> <li>10. measures to control the emission of dust and dirt during construction;</li> <li>11. a scheme for recycling/disposing of waste resulting from demolition and construction works;</li> <li>12. noise;</li> <li>13. air quality including dust, smoke and odour;</li> <li>14. vibration; and</li> </ol>

	15. TV reception.
<b>12</b>	<b>Licencing</b>
	You are advised that the gym use (Class D2) hereby approved could require a special treatments licence.

## **APPENDIX 2: RELEVANT POLICIES**

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

### 1. **National Guidance**

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

### 2. **Development Plan**

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

## **A) Further Alterations to the London Plan (2015) - Spatial Development Strategy for Greater London**

### 1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

### 2 London's places

Policy 2.1 London in its global, European and United Kingdom context

Policy 2.2 London and the wider metropolitan area

Policy 2.3 Growth areas and co-ordination corridors

Policy 2.14 Areas for regeneration

Policy 2.18 Green infrastructure: the network of open and green spaces

### 3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

Policy 3.13 Affordable housing thresholds

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

Policy 3.17 Health and social care facilities

### 4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and

### 5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.5 Decentralised energy networks

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

Policy 5.20 Aggregates

Policy 5.21 Contaminated land

Policy 5.22 Hazardous substances and installations

### 6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

### 7 London's living places and spaces

Policy 7.1 Building London's

offices  
Policy 4.7 Retail and town centre development  
Policy 4.8 Supporting a successful and diverse retail sector  
Policy 4.9 Small shops  
Policy 4.10 New and emerging economic sectors  
Policy 4.11 Encouraging a connected economy  
Policy 4.12 Improving opportunities for all

neighbourhoods and communities  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 7.12 Implementing the London View Management Framework  
Policy 7.13 Safety, security and resilience to emergency  
Policy 7.14 Improving air quality  
Policy 7.15 Reducing noise and enhancing soundscapes  
Policy 7.18 Protecting local open space and addressing local deficiency  
Policy 7.19 Biodiversity and access to nature  
Policy 7.21 Trees and woodlands

## 8 Implementation, monitoring and review

Policy 8.1 Implementation  
Policy 8.2 Planning obligations  
Policy 8.3 Community infrastructure levy  
Policy 8.4 Monitoring and review for London

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

### Spatial Strategy

Policy CS3 (Nag's Head and Upper Holloway Road)  
Policy CS8 (Enhancing Islington's Character)

Policy CS13 (Employment Spaces)  
Policy CS14 (Retail and Services)  
Policy CS15 (Open Space and Green Infrastructure)  
Policy CS16 (Play Space)

### Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)  
Policy CS10 (Sustainable Design)  
Policy CS11 (Waste)  
Policy CS12 (Meeting the Housing Challenge)

### Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)  
Policy CS19 (Health Impact Assessments)  
Policy CS20 (Partnership Working)

## C) Development Management Policies (June 2013)

### Design and Heritage

- DM2.1 Design
- DM2.2 Inclusive Design
- DM2.3 Heritage
- DM2.4 Protected views
- DM2.7 Telecommunications and utilities

### Housing

- DM3.1 Mix of housing sizes
- DM3.2 Existing housing
- DM3.4 Housing standards
- DM3.5 Private outdoor space
- DM3.6 Play space
- DM3.7 Noise and vibration (residential uses)

### Shops, culture and services

- DM4.1 Maintaining and promoting small and independent shops
- DM4.3 Location and concentration of uses
- DM4.4 Promoting Islington's Town Centres
- DM4.6 Local shopping Areas
- DM4.7 Dispersed shops
- DM4.8 Shopfronts

### Employment

- DM5.1 New business floorspace
- DM5.2 Loss of existing business floorspace

### Health and open space

- DM6.1 Healthy development
- DM6.2 New and improved public open space
- DM6.4 Sport and recreation
- DM6.5 Landscaping, trees and biodiversity
- DM6.6 Flood prevention

### Energy and Environmental Standards

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

### Transport

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

### Infrastructure

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

## 5. Designations

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

- Nag's Head & Upper Holloway Road Key Area
- Upper Holloway Local Shopping Area
- Within 100 of TfL Road Network
- Core Strategy Key Area
- Within 50m of Conservation Area

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

The following SPGs and/or SPDs are relevant:

**Islington Local Development Plan**

- Environmental Design
- Small Sites Contribution
- Accessible Housing in Islington
- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide

**London Plan**

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London



## APPENDIX 3: Design Review Panel Comments

**CONFIDENTIAL**



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London  
N1 1YA

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Our ref: **DRP/035**

Date: 09 October 2014

Dear Chris Hicks,

### ISLINGTON DESIGN REVIEW PANEL

RE: 640-650 Holloway Road, London N19 3NU (P2014/3494/FUL)

Thank you for coming to Islington's Design Review Panel meeting on 9 September 2014 for review of a proposed development scheme at the above address.

The proposed scheme under consideration was for demolition of the existing petrol filling station and single storey MOT / vehicle repair garage at 640-648 Holloway Road (approx. 426sqm); demolition of the existing two storey vehicle repair garage to the rear of 650 Holloway Road (approx. 1131sqm – including front ground floor); erection of three separate buildings, comprising: Block 1 - a five storey over basement mixed use building fronting Holloway Road; Block 2 - a four storey residential building to the rear of 640-648 Holloway Road; and Block 3 - a four storey residential building to the rear of 650 Holloway Road. Overall the development would provide 40 residential units comprising 4 x 4-bedroom units, 6 x 3-bedroom units, 18 x 2-bedroom units and 12 x 1-bedroom units, together with 991sqm of A1 retail floorspace (including ancillary storage) and an 804sqm D2 gym.

### Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Dominic Papa (Chair), Jonathan Ward, Sarah Featherstone, Simon Carne, Steve Burr and Richard Brown on Tuesday 9 September 2014 including a site visit in the morning, followed by a presentation by the design team, question and answers session and deliberations in the afternoon at Islington's Laycock Building, Laycock Street. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the council.

### Panel's observations

- **Layout and massing:** The Panel expressed concerns over the overall density of the development, particularly in relation to the bulk and massing of Block 2.

- **Land use (retail unit):** The Panel expressed concern that the retail unit on the ground floor of Block 1 is negatively influencing the quality and amenity of the rest of the development. Panel members were concerned over the size and depth of the retail unit, which extends deep into the development and appears to be designed to accommodate a supermarket. Although the design allows for three smaller units, the Panel felt that these would be too long and narrow to function as individual shop units. The Panel raised concerns over a potential supermarket, including issues such placement of a loading bay and trolleys, and the impact on pedestrians. The quality of the public realm was not demonstrated to the panel in the documentation submitted/reviewed. The Panel questioned the location of the plant room, the placement of chillers for a potential supermarket, and the mix of plant for the residential units, gym and supermarket. Panel members suggested that the development would benefit from a more shallow retail unit, which would allow for a courtyard at the heart of the development.
  
- **Architectural treatment:** The Panel was generally positive about the principle of the proposed front elevation of Block 1, but had concerns about overheating and suggested the integration of passive shading, they also commented that the design of the back of Block 1 and the two other blocks to the rear could be made different from the front to make it more 'intimate' and 'less grand' and to better respond to the change in context/character of the rear part of the site. The Panel requested a statement on the design process and what alternative layouts had been considered. This should show how the site was analysed, its opportunities and constraints, and the evolution of the design responses.
  
- **Amenity:** The Panel raised concerns around the single aspect units and the bedrooms facing the front of Block 1, which would require mechanical ventilation and possibly air conditioning and advised that passive solutions should be sought.
  
- **Impact on neighbouring amenity:** The Panel questioned the size of Block 2, in particular in relation to the boundary wall, and the degree to which neighbouring properties would suffer from overlooking. The Panel suggested that windows of Block 2 could be made smaller to prevent overlooking (missed this comment being made). There were concerns that the flats had limited outlook and that lower level units would not receive sufficient daylight. Panel members were heartened by the proposed lower wall on around Block 3, but questioned whether ground-floor flats and their private spaces facing onto the back alley were appropriate. Different typologies were suggested to get front doors onto the street and create natural surveillance.
  
- **Sustainability:** Questions were raised around the proposed Code Level for the development. The Panel requested solutions for balancing the heating and cooling across the development, including how excess heat generated from the gym and supermarket could be reused through the rest of development.
  
- **Access for loading:** The Panel questioned whether Transport for London had been consulted on the proposed treatment of the frontage including lay –by on Holloway Road.

### Summary

The Panel recognised that the proposal has developed in positive direction through the pre-application process. However, strong concerns were raised over the density of the development, particularly in relation to Block 2 and its impact on the amenity of neighbouring

properties. The Panel expressed concern over the proposed retail unit on the ground floor of Block 1, which it argued is negatively influencing the quality and amenity of the rest of the development.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

**Confidentiality**

Please note that as the scheme under review is currently the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lucy', written in a cursive style.

**Luciana Grave**  
Design Review Panel Coordinator/  
Design & Conservation Team Manager



## APPENDIX 4: BPS REVIEW OF VIABILITY REPORT

0640 - 648 & 650 Holloway Road, London, N19 3NU

Planning application Number: P2014/3494/FUL



8 January 2015

### Addendum

#### INTRODUCTION

- 1.1 BPS Chartered Surveyors has been appointed by the London Borough of Islington to review a viability submission provided by Turner Morum on behalf of Junction Road Motor Company (London) Ltd regarding the above planning application. We previously submitted a report on the viability of these proposals in our report of 27 October 2014.
- 1.2 This addendum has been prepared to reflect supplementary information provided by the applicant following circulation of our earlier report. The scheme has been amended in part to provide 40 residential units as well as a ground floor retail unit and a small basement gym facility. Of this total it is now proposed that 11 dwellings are included as affordable (which equates to 28% by units or 34% by habitable rooms) - with 3 units to be provided as Shared Ownership and 8 units as Social Rent. The previous submission concluded the scheme was in deficit even when providing all private housing but an offer of £100,000 was made in lieu of affordable housing. We have received a number of additional documents in support of this revised position, including:
  - a) An e-mail and revised appraisal dated 10 December 2014 prepared by Turner Morum
  - b) A schedule of changes to the proposed scheme dated 10 December 2014 prepared by Milan Babic Architects
  - c) Various Scheme plans and drawings also prepared by Milan Babic Architects
  - d) A revised schedule of accommodation dated 7 May 2013
- 1.3 We have subsequently received additional information from Turner Morum dated 19 December 2014 which updates and replaces the above and includes:
  - a) An updated valuation
  - b) An adjusted EUV calculation
  - c) Further supporting evidence
- 1.4 Our October report highlighted various issues with the earlier submission including:

- The need for detailed evidential justification of the existing use valuation by way of trading accounts. We would like to have seen an analysis as to why the current trading method of the petrol station was seen as unsustainable to merit the increase in turnover
- The method of applying the stamp duty costs and legal fees to the EUV and the justification for the adopted premium. We also required further information regarding the residential units currently on site and the costs of completion
- The omission of a full elemental cost plan for the proposed scheme
- The high development costs for the proposed scheme including the contingency cost assumptions
- The viability of the proposed basement and gym
- We stated that the approach taken by Strettons in valuing the retail space demonstrated a discount to market value to reflect its size and the assumption that one retailer would occupy the unit. We believe that there is an ability to readily subdivide this space
- The low rental value attributed to the gym space.

## 2.0 CONCLUSIONS AND RECOMMENDATIONS

- 2.1 The revised submission from Turner Morum has addressed many of the initial issues relating to the original submission.
- 2.2 Our previous report noted that the basis proposed for assessing the value of the petrol filling station was founded on an assumption of an alternative fuel pricing strategy which was assumed to raise sales to a level where the operator market would regard the operation as a going concern. We were of the view that in the absence of justification to support the ability to increase turnover in this way greater regard should have been taken of the current trading accounts when deriving an existing use valuation.
- 2.3 Turner Morum have sought to address this point through two methods, firstly to omit the proposed land owner premium of 15% and secondly to base the valuation of the EUV on current turnover for both fuel sales and the shop and have applied a 10% yield to the net margin. The net effect of these changes has been to reduce the EUV from just over £1,000,000 to £800,000, recognising that that additional value is generated from the workshops and residential elements in this calculation. We are now satisfied that this figure reflects actual rather than hypothesised income. We have also sought to “sense” check the value of the filling station and shop through comparison with our own residual value of the area occupied by the filling station and shop based on an assumption of development which replicates the form of retail and residential accommodation typically present in the adjoining properties and this generates a very similar figure as such we are now satisfied the EUV represents a realistic basis from which to benchmark the proposed scheme.

- 2.4 We remain of the view that the benefits of the proposed gym are unlikely to outweigh the associated development costs, however, we accept that the development of this space is a decision for the developer and that the appraisal should reflect its inclusion as it forms part of the application. Although rental and yield evidence for the gym space compiled by both Strettons and ourselves indicates the proposed value is low we are of the view that the valuation is within a range of acceptable values.
- 2.5 Turner Morum have now incorporated our opinion of value of the retail element into their appraisal, as such we do not dispute this aspect.
- 2.6 The appraisal has also taken into account our reservations regarding the proposed build costs through adopting the alternative costs proposed by our Cost Consultant. We still have not received an elemental cost plan as such our analysis of costs remains relatively headline as such an element of doubt about the costs must remain, however in that our estimates have been adopted we accept the proposed costs as reasonable.
- 2.7 Turner Morum have reduced the infrastructure and abnormal cost allowance for the proposed scheme from £[REDACTED] to £[REDACTED]. This adjustment appears intended to accommodate the concerns raised by Cost Consultant in our original report and includes a further allowance in respect of his concerns regarding the pricing of the substructure and renewables. No written justification or breakdown supporting this adjustment has been provided but its scale appears broadly commensurate with the scale of concerns identified by our Cost Consultant therefore we are broadly satisfied with this adjustment.
- 2.8 The latest appraisals now shows the scheme to be marginally in deficit to a figure of £490,000 effectively representing a developer return of 16% against a shortfall on profit target of 20%. Whilst this profit return is below the level sought it does reflect a level which appears deliverable and reflects the declining nature of the existing use and the potential for future growth in sales values. In conclusion therefore we are now satisfied that the proposed scheme would provide the maximum reasonable amount of affordable housing consistent with the viability of the scheme.

### 3.0 VIABILITY BENCHMARK

- 4.1 Turner Morum have now proposed a revised benchmark land value which contrasts with the previously proposed benchmark as follows

Element	Previously proposed	Currently proposed
Fuels sales & Shop	£[REDACTED]	£[REDACTED]
Workshops	£[REDACTED]	£[REDACTED]
Flats	£[REDACTED]	£[REDACTED]
Allowances	-£[REDACTED]	-£[REDACTED]
Total	£[REDACTED]	£[REDACTED]
+Premium	£[REDACTED]	£[REDACTED]

- 4.2 We previously noted that the existing use valuation of the site was in large part unsubstantiated by relevant evidence. Whilst it is recognised that the valuation of petrol filling stations is a specialist area, we regard it as essential to be provided with adequate evidential justification in support of the proposed valuation. Although some additional evidence has been provided the valuation remains largely unsubstantiated in respect of the filling station and shop elements of the EUV.
- 4.3 In the absence of this information we have sought to compare the value of the filling station and shop to the residual value of a hypothetical stand-alone development on this element of the site. The form of development adopted reflects the form and scale of retail and residential blocks of the neighbouring properties. We assumed a development of 15 residential units each containing two bedrooms with a similar floor area to the two bed units on the proposed scheme. We included the provision for 5 retail shops valued at a similar level as proposed in our initial report. The proposed costs mirror our original estimations. Our evaluation provided a land value of circa £1 [REDACTED] without making any deductions for planning obligations. By comparison the proposed value of the petrol station and forecourt area alone at £ [REDACTED] appears reasonable.
- 4.4 The capitalisation yield for the petrol station has been increased from 7% to 9% to reflect the risk involved in running an operation at the current level of turnover.
- 4.5 The omission of a premium reflects in our view the applicant's desire to redevelop this site. It is clear from Hunters original report that the business does not reflect a sales turnover which would make it appealing to investors as a going concern. Evidence of effort to renovate space and include residential flats are suggestive of a desire to maximise site value and the failure to complete these works provides further indication that the applicant is keen to upgrade and replace this current asset. Premiums should not be regarded as compulsory, and GLA Guidance<sup>1</sup> makes the following statement:
- "The 'EUV plus' approach incentivises a land owner to release their site for development, although the level of the premium will depend on site specific circumstances"*
- 4.6 Premiums are therefore in part a reflection of the site circumstances but also of the willingness of the landowner to bring forward the site for development. It should be noted that the applicant reserves the right to seek a premium should the current proposals be deemed unacceptable.
- 4.7 The valuation of the residential units currently on site has been reduced from £ [REDACTED] to £ [REDACTED] per unit on the basis of comparative sales evidence. We still have no information concerning the size and configuration of these units against which to test these assertions, however the values appear consistent with second hand flat sales in the local market.
- 4.8 In consequence of the changes now proposed, we are satisfied that the proposed benchmark of £ [REDACTED] is realistic.

---

<sup>1</sup> GLA Development Appraisal Toolkit Guidance notes 2014



## **5 COMMERCIAL D2 SPACE AND RETAIL A1 SPACE**

- 5.1 Our original report questioned the viability of the proposed basement and gym. We note that the proposed floor area has been reduced from 804 sq m to 583 sq m, however, our concerns remain about the net benefit its inclusion confers upon the scheme.
- 5.2 Our report outlined that the gym valuation was low when compared to the available evidence. We do however accept that the absence of an on street presence, windows and the presence of existing competing facilities is likely to limit the rental value of this space and the potential viability of any business operating from it. In consequence we regard the proposed valuation as falling within a reasonable range of values.
- 5.3 The proposed retail element has contracted from an initial proposed area of 991 sq m (10,667 991 sq ft) to 355 sq m (3,821 sq ft). Our earlier report highlighted the potential for this space to be suitable for a convenience store e.g. Tesco Extra. Although the scale has contracted we maintain this is a realistic possibility.
- 5.4 Turner Morum has accepted our recommendations concerning the yield and value figures attached to the retail space. The previous valuation reflected a rent of £135 per sq m (£■■■■ psf) and a yield of ■■■% and now reflects a rent of £■■■ per sqm (£■■■■ psf) and a yield of ■■■%. We are therefore of the view that the valuation of this element is realistic.

## **6 AFFORDABLE HOUSING VALUES**

- 6.1 The amended appraisal provided by Turner Morum allows for 27% affordable housing units. This comprises 6 social rent units formed of 6 x 2 bed flats and 2 x 3 bed flats. There is a further 3 shared ownership units comprising 2 x 1 bed flats and 1 x 2 bed flats.
- 6.2 The total value allocated to the social rent element is £■■■■■ reflecting a unit value of £■■■■■ per unit for the 2 beds and £■■■■■ for the three beds. The appraisal does not clearly identify the rent assumptions which underpin these values and we recommend that the Council clarifies this point should it be minded to approve this revised scheme.
- 6.3 The total value assigned to the shared ownership units is £■■■■■ reflecting average unit values of £■■■■■ or £■■■■■ per sqm (£■■■ psf). These values reflect the upper end of values we would anticipate for shared ownership but would in our view ensure compliance with the Mayoral income thresholds.
- 6.4 In conclusion we are of the view that the proposed value ascribed to the affordable element is reasonable.

## **7 BUILD COSTS**

- 7.1 Our original report recommended that the applicant prepare a detailed element cost plan for the scheme to ensure an accurate elemental benchmarking exercise could be undertaken. The applicant has not provided this. However the latest appraisals adopt the headline cost figures proposed by our Cost Consultant in his



review of the initial submission. Our previous report recommended supporting information should be provided to explain and justify the allowances made for abnormal costs such as those applied to the substructure. This has not been provided. Although a headline analysis does not provide an accurate view of likely costs compliance with our suggested headline rate suggests the approach is broadly reasonable.

- 7.2 Our original report queried the contingency allowance of 10% forming part of the overall costs for infrastructure and abnormals identified within the appraisal. Turner Morum has made the following comments which are self-explanatory:

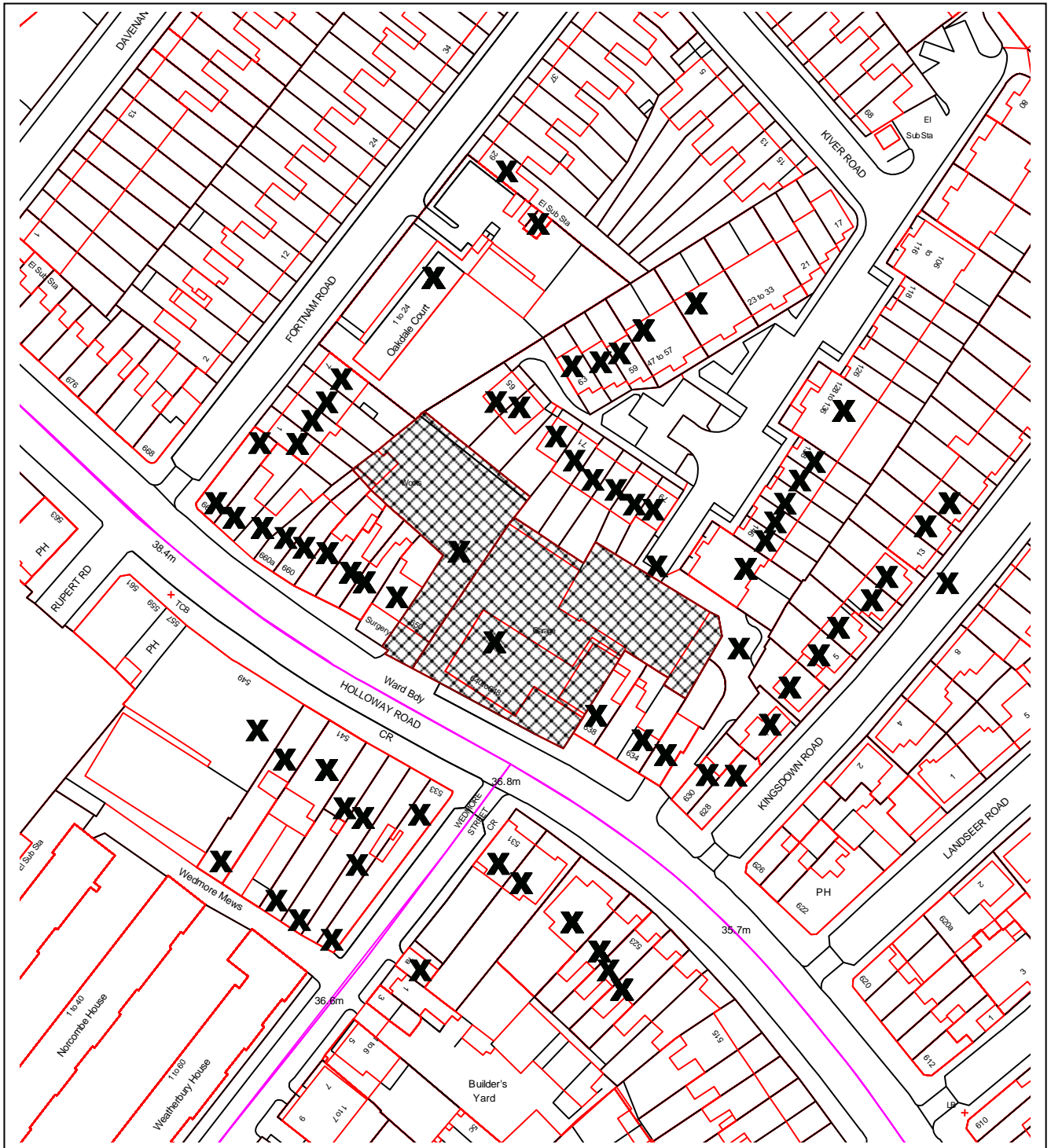
*The infrastructure and abnormal costs are included based on an updated cost plan provided by CS2 Construction Consultants. In the BPS review of the original submission the BPS Quantity Surveyor found that the 10% contingency included in the abnormal cost schedule should be reduced to 5%. On discussion with Mr Carl Raven of CS2 (who provided the original schedule) he felt a 10% contingency was appropriate for this scheme considering the historic uses on site and it's central London location. However, for the purpose of this submission and attempt to reach an agreement, I have adjusted the cost schedule to reflect a 5% contingency as recommended by BPS.*

- 7.3 There is no reference to the view expressed by our Cost Consultant that the substructure figure appeared excessive and the need for further information regarding the inclusion of renewables. These aspects should ideally be addressed in order to determine a comprehensive opinion on the detailed costs of the scheme. However in that the appraisal now adopts the headline figures we proposed in our earlier report we are of the view that the costs now proposed are broadly realistic.

**BPS Chartered Surveyors**

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# ISLINGTON SE GIS Print Template



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## 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 COMMITTEE</b>		<b>AGENDA ITEM NO:</b>
<b>Date:</b>	<b>23 April 2015</b>	

Application number	P2015/0294/FUL
Application type	Full Planning Application
Ward	Holloway Ward
Listed building	No Listing on site.
Conservation area	Hillmarton Conservation Area
Development Plan Context	Nag's Head & Holloway Road Core Strategy Key Area Hillmarton Conservation Area Major Cycle routes (run alongside the site)
Licensing Implications	None
Site Address	Estate Land and 1-8 Rowstock Gardens & Garages Opposite 77-84 Rowstock Gardens, London N7
Proposal	Demolition of a two storey block of 8 bedsit-flats and replacement with a part three/part four storey block of flats providing 16 new dwellings. Demolition of 22 single storey garage units to be replaced with 4 two-storey family houses. The application also includes associated parking, amenity space, refuse storage and recycling facilities.

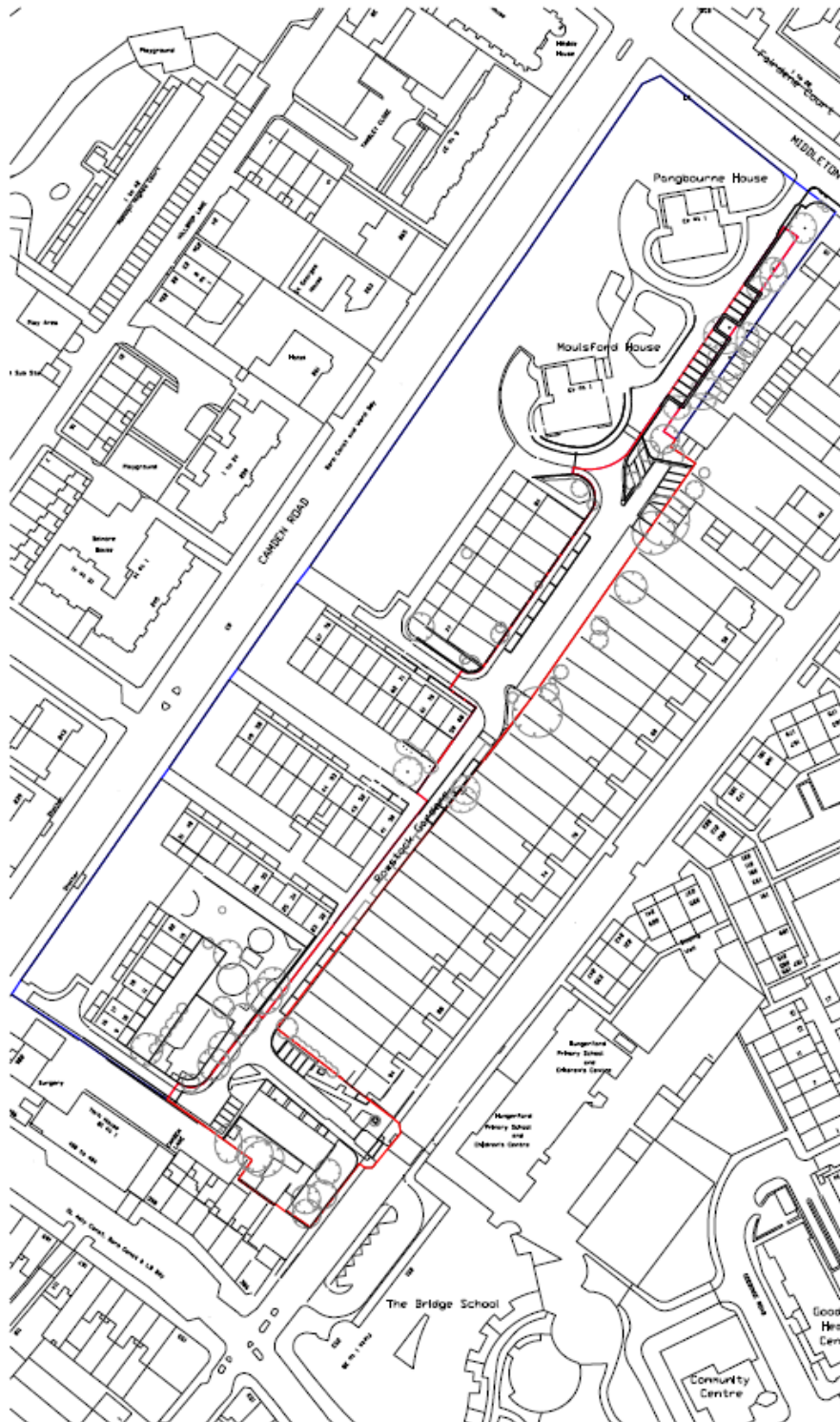
Case Officer	Stefan Sanctuary
Applicant	Andrew Ochia - New Build and Regeneration Team, London Borough of Islington.
Agent	Riette Oosthuizen - HTA Design LLP

## 1 RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1; and
2. conditional upon the prior completion of a Directors' Agreement securing the heads of terms as set out in Appendix 1.

## 2 SITE PLAN (SITE OUTLINED IN BLACK)





### 3 PHOTOS OF SITE/STREET

#### Aerial Views of Site



#### View of Garages on Rowstock Gardens





**View of 1-8 Rowstock Gardens**



**View from Hungerford Road looking west**



**View from Hungerford Road looking north**





## 4

### **SUMMARY**

- 4.1 The application proposes the creation of 20 new homes across the Camden Estate. It is proposed to demolish the two-storey block of bedsits in the southern corner of the site and to erect in its place a part 3- part 4-storey apartment building (Block A). It is also proposed to demolish a row of existing garages to create 4 new townhouses. The application includes significant access and landscaping improvements across the estate.
- 4.2 The principle of developing existing brownfield land to provide a mixture of high quality affordable housing is acceptable and in accordance with adopted planning policy. Furthermore, the proposal's design and appearance is of a high quality which respects the character of the adjoining Hillmarton Conservation Area. The height bulk and massing of buildings proposed is such that impact on neighbours would be suitably minimised.
- 4.3 The mix of housing proposed is well-considered and includes both family housing as well as a large proportion of social rented housing (over 65% as measured by habitable rooms). The application proposes good quality living accommodation with significant amounts of private and communal amenity space. Inclusive design standards would be met and the proposal would provide accessible accommodation for future residents.
- 4.4 The application provides a sustainable form of development that would minimise energy usage and maximise energy efficiency. Vehicular car parking would be minimised while the cycle parking proposed would meet policy guidelines. As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and the completion of a Directors' Agreement to secure the necessary mitigation.

## 5

### **SITE AND SURROUNDING**

- 5.1 The Camden Estate was built in 1963 and is located in Holloway Ward on the edge of the borough. The estate is bordered by Hungerford Road to the south-east, York Way to the south-west, Camden Road to the north-west and Middleton Grove to the north-east.
- 5.2 The estate currently contains 170 homes spread across a number of apartment blocks and houses. On the northern part of the site are two 11-storey apartment buildings, while in the middle of the estate is a row of terrace houses, running parallel to Camden Road, located opposite the row of garages. On the southern and south-western part of the estate are a number of apartment buildings ranging from 2- to 4 - stories in height. Running through the estate is a vehicular route known as Rowstock Gardens. The estate is characterised by a large amount of open green space with a number of formal and informal routes running through the site.
- 5.3 While the applicant, Islington Housing, own the entire estate, the application site only constitutes a small section of the estate. The site in question includes the single-storey garages referred to above, the access route through the estate, the two-storey building in the southern corner of the estate and the green space around it. While part of the application site falls within the Hillmarton Conservation Area, this is only a small strip along the junction of Rowstock Gardens and Hungerford Road. The Hillmarton Conservation Area itself is somewhat fragmented and borders the estate to the east, south and west. The area is characterised by pairs of three or four storey villas and Victorian terraces.

- 5.4 On the whole, the area has a spacious scale, with wide streets and grand houses. The site is bordered to the east by the rear gardens of three-storey villas that are characteristic of the area. Bordering the site to the south east is The Bridge School, a part 4-, part 7-storey building with a mixture of educational and residential uses and the grade II listed Hungerford School. To the south of the site are rows of Victorian properties along York Way while the rest of the estate forms the application site's western and northern border.

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

- 6.1 The application proposes the creation of 20 new homes across the Camden Estate. It is proposed to demolish the two-storey block of bedsits in the southern corner of the site and to erect in its place a part 3- part 4-storey apartment building (Block A) with frontage onto Hungerford Road and Rowstock Gardens. The proposed building would have a larger L-shaped footprint than the existing building and would include a total of 16 one- and two-bed dwellings. The building would be brick-built with aluminium cladding and inset balconies.

- 6.2 It is proposed to make significant landscape and access improvements, including a new communal garden area to the rear and private gardens for several of the new ground floor units in Block A. New refuse store and cycle storage would also be provided to the rear. It is also proposed to make improvements to hard and soft landscaping and to improve the route along Rowstock Gardens leading to the middle of the estate. Here, the demolition of the existing garages would make way for a new row of two-storey townhouses (Block B) with front and rear gardens. The vehicular route through the estate would be stopped up at this point with a small area of car parking and vehicular turning head on either side, and an improved pedestrian route running alongside the proposed townhouses.

- 6.3 The townhouses would be part single storey, part two-storey and would be brick-built with aluminium clad projecting oriel windows. The modest front and rear gardens would be enclosed by low brick walls and metal railings. The houses would all be 3-bed dwellings with spacious internal layouts and front doors accessed from a new pedestrian route through the middle of the estate.

## **7 RELEVANT HISTORY:**

### **PLANNING APPLICATIONS:**

- 7.1 There is no relevant planning history for this proposal at this site.

### **PRE-APPLICATION ADVICE:**

- 7.2 The proposal has been subject to ongoing pre-application discussions throughout the last year. The points raised at pre-application stage have informed the design of the scheme being considered here.

### **ENFORCEMENT**

- 7.3 None relevant

## CONSULTATION

### Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties along Hungerford Road, Rowstock Gardens, York Way, Camden Road and Brecknock Road on the 14<sup>th</sup> January 2015. A number of site notices and a press advert were also displayed on 22<sup>nd</sup> January 2015. The public consultation on the application therefore expired on 12<sup>th</sup> February 2015. However it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report 4 responses had been received from the public with regard to the application. One of the responses supported the application but objected to something outside of the application boundary which is not related to the proposal being considered here. The other 3 responses registered their respective interest in the application.

### Applicant's consultation

- 8.3 The applicant, Islington Housing Strategy and Regeneration have carried out their own consultations with the TRA and the local community. These consultations have informed the design of the proposal being considered as part of this planning application.

### External Consultees

- 8.4 **Crime Prevention Officer** – In support of the application.
- 8.5 **London Fire Brigade** – No response received.
- 8.6 **UK Power Networks** – No response received.
- 8.7 **Thames Water** – No objections received.
- 8.8 **Camden Council** – No objections received.

### Internal Consultees

- 8.9 **Access Officer**
- The proposal provides 2 wheelchair accessible units which is 10% by unit number and 9% by habitable room.
  - Mobility scooter storage should be located within 20m of each dwelling (*this is included*).
  - The wheelchair accessible bathrooms should accommodate a 1500x1500mm manoeuvring square (*plans have been amended accordingly*).
  - The wheelchair accessible housing should include 1500mm deep terrace or balconies as well as knock out panels between bathrooms and bedrooms (*this has now been incorporated*)
  - Corridor widths need to meet inclusive design standards (*plans have been amended accordingly*).

- 8.10 **Planning Policy** – No objection
- 8.11 **Design and Conservation Officer** – The proposal is supported
- 8.12 **Energy Officer**
- The proposed reduction in overall emissions of 40.6% compared to a 2006 Building Regulations baseline is supported by policy.
  - The energy efficiency measures proposed are satisfactory.
  - Solar PV systems have been maximised on available roof space.
  - All reasonable endeavours should be made to achieve Code for Sustainable Homes 4.
- 8.13 **Sustainability Officer** – raised no objections subject to conditions.
- 8.14 **Transport Planning Officer**
- Swept paths are required to demonstrate adequate access for refuse and emergency vehicles (*these have now been provided*).
  - The applicant should improve the estate for pedestrians (*this is proposed with further details required by condition*).
  - The cycle parking in Block A should be more generously spaced and space for accessible bicycle/tricycles should be provided where possible (*this has been achieved*).
  - The reduction of existing car parking spaces is welcomed, and the applicant is encouraged to further reduce the number of spaces (*parking has been provided for those existing residents with parking permits and for the proposed wheelchair accessible units*).
  - The Travel Plan should be secured through section 106 with targets set for existing and new residents.
- 8.15 **Highways** – standard clauses and conditions apply.
- 8.16 **Parks and Open Spaces** – no objections were raised
- 8.17 **Tree Preservation / Landscape Officer** – no objections were raised subject to appropriate conditions on landscaping and tree protection
- 8.18 **Biodiversity and Nature Conservation** – no objections
- 8.19 **Refuse and Recycling** – no objection.
- 8.20 **Public Protection** – No objections raised subject to conditions on sound insulation, air quality and construction management.
- Other Consultees**
- 8.21 **The TRA** and residents on the estate have been consulted and no objections have been received.

8.22 **Design Review Panel** – At pre-application stage the proposal was considered by the Design Review Panel on the 14<sup>th</sup> October 2014 and subsequently on the 16<sup>th</sup> December 2014. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The panel's observations are attached at Appendix 3 but the main points raised in the most recent review are summarised below:

- The Panel raised concerns about the inaccessible strip of land and the boundary treatment around it between the development and Hungerford Road.

*Council Response: the scheme has now been amended so that this strip of land is useable to provide both ecological value and amenity value to future residents.*

- The Panel generally welcomed the design development of the elevations. However the Panel reiterated its concerns from the initial review session regarding the lack of detail in the elevation drawings.

*Council Response: detailed elevations have now been provided and further detail will be required by condition to ensure that the scheme's design is of a high quality.*

- Concerns were raised over the position of the northwest-facing balconies and the Panel highlighted that the balconies (and the flats) would receive more sunlight if they were located on the south-east elevation.

*Council Response: amenity space has been provided on the east, west and northern elevations of the building in the form of private balconies as well as in the form of a communal garden area with a southerly aspect.*

- The Panel considered that the inclusion of additional windows in place of the blind window brick panels on the garden elevation would improve the building appearance.

*Council Response: Additional windows have now been provided.*

- For Site A, the Panel suggested that windows should be added to the hallways and bathrooms wherever possible.

*Council Response: additional windows and openings have been provided where possible.*

## 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**

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

### **Designations**

- 9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011 and Development Management Policies 2013.
- Nags Head & Holloway Road Core Strategy Key Area
  - Hillmarton Conservation Area
  - Major Cycle routes (run alongside the site)

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

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

### **Environmental Impact Assessment**

- 9.5 An EIA screening was not submitted. However the general characteristics of the site and proposal are not considered to fall within Schedule 1 or 2 development of the EIA Regulations (2011).

## **10 ASSESSMENT**

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

- Land use
- Design
- Density
- Accessibility
- Landscaping, trees and biodiversity
- Neighbouring amenity
- Quality of residential accommodation
- Dwelling mix
- Affordable housing (and financial viability)
- Energy conservation and sustainability
- Highways and transportation
- Planning obligations/mitigations

### **Land Use**

- 10.2 The application site sits within the Camden Estate, which is located within the Nags Head & Holloway Road Core Strategy Key Area. The estate is in an inner London location but outside of London's Central Activities Zone. Given its location and context, the following planning policies are of particular importance in assessing the planning application: London Plan 2015 Policy 2.9 (Inner London) and Policy 3.3

(Increasing Housing Supply); Islington Core Strategy Policy CS3 (Nag's Head and Upper Holloway Road) and Policy CS12 (Meeting the housing challenge).

- 10.3 The National Planning Policy Framework prioritises residential development on previously developed land to alleviate pressure to develop greenfield sites. Brownfield sites are often located within an existing pattern of development and can use existing infrastructure. Regenerating brownfield sites also provides the opportunity to replace poor design with high quality design and widen the choice of high quality homes supported by national planning guidance.

#### London Plan

- 10.4 London Policy 2.9 requires for Councils to realise the potential of inner London in ways that sustain and enhance its recent economic and demographic growth while also improving its distinct environment, neighbourhoods and public realm, supporting and sustaining existing and new communities, addressing its unique concentrations of deprivation, and improving quality of life and health for those living, working, studying or visiting there. In accordance with Policy 3.3, boroughs should work towards enhancing the environment, improving housing choice and affordability and providing better quality accommodation for Londoners. The policy also requires for Councils to identify and seek to enable development capacity to be brought forward to meet housing targets.

#### Islington Core Strategy (ICS)

- 10.5 Policy CS12 of the Core Strategy seeks to meet the housing challenge by identifying sites which can significantly increase the supply of good quality residential accommodation across the borough. Policy CS3 seeks to improve the public realm in order to enhance the environment for pedestrians and cyclists in the Upper Holloway Road and Camden Road area. The streetscape should be improved, making it less cluttered, more inclusive, attractive and safer with a reduction in the negative impact of traffic flow. In addition, opportunities for greening in this area will be maximised through planting, green roofs and the enhancement of existing open spaces. Finally, the historic environment should be used as an asset when developing improvements to the public realm.

#### Proposed Development

- 10.6 The development proposes a mix of high quality residential accommodation, including family-sized homes, on a brownfield site in accordance with the objectives of the NPPF. The new housing is proposed on underused land, including car park and garage spaces in accordance with the aims and objectives of London Plan and Islington Core Strategy Policies. Moreover, the development delivers a significant increase in affordable homes in accordance with London Plan Policy 3.3 and Core Strategy Policy CS12.
- 10.7 The application also proposes improved landscaping and an enhanced public realm across the estate which would improve the urban environment and neighbourhoods. The proposed development, through targeted urban design and landscaping interventions, would help support and sustain existing and new communities and improve the quality of life of residents. Moreover, the application proposes to remove the vehicular route through the site, thereby creating a safer and more attractive environment with a reduction in the negative impact of traffic flows. The proposal is thus considered to be in accordance with London Plan Policy 2.9, Islington Core Strategy Policy CS3 and acceptable in principle, though the detail of the proposal will be considered in subsequent sections.

## Design & Appearance

- 10.8 Islington Development Management Plan Policy DM2.1 (Design) provides clear advice with respect to what is expected from a development in terms of its design. Further detailed design guidance is also provided within the Islington Urban Design Guide SPD.
- 10.9 All proposals for development in Islington are expected to be of good quality design and to respect their urban context, in accordance with planning policy and guidelines. Developments are expected to reflect predominant building heights and respond positively to the existing townscape. Moreover, development is expected to preserve and enhance the setting of adjacent designated and undesignated heritage assets. Of particular importance in this instance is the surrounding Hillmarton Conservation Area. Any development at this location should build on the quality which the conservation area brings to its wider surroundings.
- 10.10 While the Camden Estate is a well-kept estate with a significant amount of green space, it does suffer from some of the problems typically associated with post-war Council estates. In this case, the alignment of the various buildings has been largely dictated by a desire for south-facing living rooms and gardens rather than a desire to create a well-defined urban space that integrates well with its surroundings. As a result, the arrangement on the estate results in one-sided streets and exposed rear garden walls and fences which are poorly overlooked. The existing vehicular route through the estate and large areas of parking and garages are a symptom of a more car-reliant past and do not provide significant benefits to existing residents of the estate.

## Design Approach (Buildings)

- 10.11 The existing buildings on the estate are of a functional design with no intrinsic architectural qualities. The surrounding Hillmarton Conservation Area however is characterised by fine examples of Victorian architecture. The overall design approach proposed represents a contemporary approach, which mirrors the rectangular shape and form of some of the buildings on the estate. At the same time, the brick elevations and inset windows take cues from the facades of the existing Victorian buildings that make up the Hillmarton Conservation Area. The principle of the design approach put forward is considered to be appropriate. However, it is clear that its success will be dependent on careful detailing and choice of high quality robust materials, which would be required by condition (3).

## Height, Bulk and Massing

- 10.12 In general, the height, bulk, massing and layout of the proposed buildings are considered to be successful. The heights of the proposed buildings are between 2- and 4-storeys in height. The higher 4-storey apartment building fronting Hungerford Road is bordered by 3-, 4- and 5-storey buildings on all sides and its height is considered appropriate. The two-storey townhouses would be located opposite an existing row of two-storey houses. The buildings are considered to be consistent with the surrounding urban context. The design of each block will be assessed in turn in subsequent sections of the report.

## Site Layout / Public Realm

- 10.13 The layout of the proposed buildings is largely determined by the arrangement of existing buildings on the estate, the desire to provide active frontages along existing



pedestrian routes and to remove poor surveillance across the estate. Block A has an L-shaped footprint with frontage onto Hungerford Road as well as Rowstock Gardens. Crucially, the building's layout and fenestration provides surveillance over previously poorly overlooked parts of the estate.

- 10.14 To the rear of Block A, an enhanced area of landscaping provides valuable amenity space for future residents, while along the front of this building, new and improved hard and soft landscaping, including a new row of trees, provides a more welcoming entrance to this part of the estate. New concrete block paving and tarmac provides an improved route to the middle of the estate where the existing garages are replaced by a terrace of four 3-bedroom houses. It is proposed to stop up the existing vehicular route through the estate at this point, with new permeable paving providing a turning head and car parking. The terrace of houses is arranged running parallel to a new pedestrian route through the estate with modestly-sized windows providing natural surveillance over this route. Improved hard and soft landscaping around these houses provides an enhanced public realm.

### Block A

- 10.15 Block A is a 4-storey brick-built apartment building with a 3-storey element fronting Hungerford Road. The building's frontage onto Hungerford Road is set back from the street and is consistent with the height of the adjacent Victorian buildings which are typical of the surrounding Hillmarton Conservation Area. This elevation also includes inset balconies with aluminium powder coated railings and large openings including windows and doors onto the proposed balconies. The proposed building would include two different shades of brick, a dark buff brick used on the 3-storey element and a lighter buff brick on the rest. The building's long elevation facing Rowstock Gardens has a metal-clad recessed element with a main entrance as well as inset balconies and various aluminium-framed windows. The elevational detail is well-considered and symmetrical with a variety of features to provide an interesting façade.

### *Block A northern elevation*



### Block B

- 10.16 Block B is a terrace of brick-built houses with each house consisting of a set-back single-storey element and a two-storey element. The result is an interesting punctuated elevation. The proposed terrace would include two different shades of brick as well as a protruding aluminium-clad Oriel window. A low brick wall with metal railings would form the houses' front boundary with a darker buff brick wall forming the boundary treatment around the rear gardens. The proposed buildings are composed of robust materials which address the local context and provide an attractive and modern form of architecture.

### *Block B townhouses*



- 10.17 Traditional brick construction is proposed for these building, which is in keeping with the local vernacular and is sympathetic to the materials used in the neighbouring Conservation Area. This new terrace of four dwellings, with the upper storey occupying half of the building's footprint, creates a positive visual statement. The buildings' designs is well-considered and contextual in accordance with Development Management Policy 2.1 and the objectives of Islington's Urban Design Guide.

### **Density**

- 10.18 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The existing Camden Estate comprises a total of 170 residential units across a site of 2.29 hectares. The development scheme proposes a total of 20 new residential dwellings, while 8 dwellings would be demolished, leaving a total of some 182 dwellings on the estate.
- 10.19 The site has a public transport accessibility level (PTAL) of 3 (Moderate). For urban areas with a moderate PTAL, the London Plan Policy 3.4 (Table 3.2) suggests that a density level of between 200 and 450 habitable rooms per hectare would be most appropriate.
- 10.20 The proposed development would result in a residential density of some 260 habitable rooms per hectare across this part of the estate. This level of housing density is considered to be well within the suggested range and is considered to be appropriate in this urban context.

### **Accessibility**

- 10.21 All residential developments are required to achieve the standards of the Islington Inclusive Design SPD and provide 10% (by habitable room) of residential units as wheelchair accessible units, in accordance with Islington's Development Management Policy DM2.1 and DM2.2.
- 10.22 The application provides 2 wheelchair accessible units amounting to 9.1% of the total number provided as measured by habitable rooms. Although this is short of the 10% required by policy DM 3.4, the difference is only marginal and in the scheme of things can be considered acceptable.
- 10.23 The applicant has detailed that all 20 units have also been designed to achieve the Council's Flexible Homes Standards (Condition 6) with all entrances and communal spaces providing level access and meeting inclusive design criteria. With regard to external space, open space and landscaping would comply with the principles of inclusive design. All areas would have step-free access and access to amenity facilities such as the bin store would be fully accessible.

## **Landscaping, Trees and Biodiversity**

- 10.24 Islington's Core Strategy Policy CS15 on open space and green infrastructure states that the council will provide inclusive spaces for residents and visitors and create a greener borough by protecting all existing local spaces, including open spaces of heritage value, as well as incidental green space, trees and private gardens. Policy DM6.5 states that development should protect, contribute to and enhance the landscape, biodiversity and growing conditions of the development site and surrounding areas. Developments are required to maximise provision of soft landscaping, including trees, shrubs and other vegetation. Furthermore, developments are required to minimise any impacts on trees, shrubs and other significant vegetation.
- 10.25 Regarding open space, Development Management Policy DM6.3 states that development is not permitted on semi-private amenity spaces, including open space within housing estates and other similar spaces in the borough not designated as public open space within this document, unless the loss of amenity space is compensated and the development has over-riding planning benefits.
- 10.26 The proposal includes development and the erection of new buildings on semi-private open space but at the same time proposes landscaping works across the entire estate and landscape interventions along Rowstock Gardens. The demolition of the existing bedsits and their replacement with a new apartment building with a larger footprint would inevitably lead to a loss of some of the existing open space around the existing building. However, the existing open space on site is currently of poor quality and the proposed landscaping work is considered an improvement to the existing situation in terms of amenity and biodiversity value.
- 10.27 To the rear of the new building (Block A), a new communal garden is proposed with a new lawn, planters, ornamental shrub planting and wildflowers. Existing trees would be retained and new garden paths would be provided to create access to the cycle storage area at the back of the garden. New buffer planting is proposed along all elevations to soften the boundary treatment. The entrance to the estate from Hungerford Road would also be significantly improved with new permeable paving and an avenue of trees lining Rowstock Gardens.
- 10.28 Further into the estate, the application proposes new hard and soft landscaping on either side of the proposed terrace of townhouses, including permeable concrete conservation setts, ornamental shrub planting and new lawn. The houses would each have a rear garden with formal hedgerows creating a soft buffer along front and side boundaries. New concrete block paving is proposed alongside the terrace to provide an enhanced pedestrian environment.
- 10.29 The proposal involves the loss of 3 existing trees but also the planting of 6 new trees. The proposed tree planting would provide a higher canopy cover than the trees lost over a 10 year period and as set out above these form part of a wider high quality landscaping proposal that would be of a high amenity value, in accordance with policy DM6.5. Due to this and the provision of high quality affordable housing there are also over-riding planning benefits which mitigate the loss of the trees at the site.
- 10.30 To ensure the protection of the trees to be retained at the site and secure a high quality landscape scheme conditions are recommended which require the submission of and compliance with an agreed Landscape Management Plan (condition 16), an Arboricultural Method Statement (condition 17) and a Scheme of Site Supervision (condition 18).

## **Neighbouring Amenity**

- 10.31 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. In this regard, the proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 10.32 Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing. In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 10.33 Daylight / Sunlight The loss of daylight can be assessed by calculating the Vertical Sky Component (VSC) which measures the daylight at the external face of the building. Access to daylight is considered to be acceptable when windows receive at least 27% of their VSC value or retain at least 80% of their former value following the implementation of a development. The parameters of window size, glass transmissivity, room size and internal surface reflectance are then evaluated against the VSC for the window location to get the resulting average daylight factor (ADF). Whilst ADF is not the ordinary daylight test and normally used for assessing proposed developments' daylight receipt, it nevertheless provides supplemental information of the likely impacts.
- 10.34 Daylight is also measured by the no sky-line or daylight distribution contour which shows the extent of light penetration into a room at working plane level, 850mm above floor level. If a substantial part of the room falls behind the no sky-line contour, the distribution of light within the room may be considered to be poor.
- 10.35 In terms of sunlight, a window may be adversely affected by a new development if a point at the centre of the window receives in the year less than 25% of the annual probable sunlight hours including at least 5% of annual probable sunlight hours during the winter months and less than 0.8 times its former sunlight hours during either period. It should be noted that BRE guidance advises that sunlight is only an issue to a neighbouring property where the new development is located within 90 degrees of due south.
- 10.36 The most-affected windows of the development's neighbouring properties have been assessed to determine the loss of natural daylight as a result of the proposal. To the north-east of the proposed Block A is a Victorian residential property with a ground floor window overlooking Rowstock Gardens. While this window would experience a loss of 27% of VSC, which is deemed noticeable, the window is very small and only serves a hallway or storage room.
- 10.37 To the west of Block A is an apartment building known as York House which has windows serving habitable rooms facing the development site. All of the windows have been tested with only one window resulting in a loss of more than 20%. This window would retain a VSC of over 22% however, which is considered high for an urban context such as this. The remaining residential properties along York Way have been tested and it can be confirmed that none of the windows within these properties would experience a noticeable reduction in natural daylight as a result of the development. Given the height of the proposed Block B and its distance to

neighbouring properties, none of the surrounding properties would experience noticeable losses of daylight.

- 10.38 In terms of sunlight, all properties within 90 degrees of due south of the proposed Block A have been assessed and it can be concluded that no windows would experience a noticeable loss of sunlight hours as a result of the proposed development.
- 10.39 Overlooking / Privacy: Development Management Policy 2.1 identifies that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm.
- 10.40 The proposal has been sensitively-designed so that overlooking to and from residential properties would be minimised. Where the distance between proposed and existing buildings is at its shortest, some 18 metres between the proposed townhouses (Block B) and 77-84 Rowstock Gardens, obscured windows have been proposed so as to maintain privacy. A substantial distance between proposed and the remaining existing buildings would be maintained and the proposal is not considered to give rise to privacy concerns.
- 10.41 The height, bulk, alignment, position of windows and overall design is well-considered so as to minimize impacts on residential amenity. It is considered, that the impacts of the proposed development on residential amenity in terms of loss of sunlight, daylight, privacy or an increased sense of enclosure have been appropriately minimized and that suitably-worded conditions would further protect the amenities of future and current residents.

### **Quality of Resulting Residential Accommodation**

- 10.42 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life, the residential space and design standards will be significantly increased from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing standards. In accordance with this policy, all new housing is required to provide functional and useable spaces with good quality amenity space, sufficient space for storage and flexible internal living arrangements.
- 10.43 Unit Sizes: All of the proposed residential units comply with the minimum unit sizes as expressed within this policy. The proposed 1-beds exceed 51sqm, the proposed 2-bed dwellings exceed 70sqm and proposed 3-beds exceed 110sqm in overall floorspace.
- 10.44 Aspect/Daylight Provision: Policy DM3.4 part D sets out that 'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated'. All of the proposed dwellings provide dual aspect accommodation and decent levels of natural internal daylighting.
- 10.45 Amenity Space: Policy DM3.5 of the Development Management Policies Document 2013 within part A identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'. The policy in part C then goes on to state that the minimum requirement for private outdoor space is 5 square metres on upper floors and 15 square metres on ground floor for 1-2 person dwellings. For

each additional occupant, an extra 1 square metre is required on upper floors and 5 square metres on ground floor level with a minimum of 30 square metres for family housing (defined as 3 bed units and above).

- 10.46 All of the proposed units are provided with private amenity space in various forms. While two of the ground floor units on Block A would not meet the minimum requirement of 15sqm of private outdoor amenity space, future occupiers would have access to a new area of communal garden space. The proposed townhouses would all be provided with a significant amount of private amenity space that exceeds the minimum requirement policy and.
- 10.47 Noise: A condition (19) is recommended requiring all residential units to include sufficient sound insulation to meet British Standards.
- 10.48 Refuse: Dedicated refuse and recycling facilities/chambers are provided for the residential uses. The location and capacity, and management of these facilities have been developed in consultation with the Council Street Environment Department and are acceptable.
- 10.49 Playspace: The townhouses all have private gardens which would allow for a sufficient area of child play space. Block B would result in a child yield of 8, which requires 40sqm of playspace to be provided based on Islington's requirement of 5sqm per child. The communal garden would be some 350sqm in area which would allow for sufficient space for playable space. This would be secured by condition (16) in the event permission is granted.

### Dwelling Mix

- 10.50 The scheme proposes a total of 140 residential units with an overall mix comprised of:

Dwelling Type	Social Rent (Units / %)	Policy DM3.1 Target Mix	Private (Units / %)	Policy DM3.1 Target Mix
1 Bed	1 / 8.3%	0%	1 / 12.5%	10%
2 Bed	7 / 58.3%	20%	7 / 87.5%	75%
3 Bed	4 / 33.3%	30%	0 / 0%	15%
4 bed +	0 / 0%	50%	0 / 0%	0%
<b>TOTAL</b>	<b>12</b>	<b>100%</b>	<b>8</b>	<b>100%</b>

- 10.51 Part E of policy CS12 of the Islington Core Strategy requires a range of unit sizes within each housing proposal to meet the needs in the borough, including maximising the proportion of family accommodation in both affordable and market housing. In the consideration of housing mix, regard has to be given to the constraints and locality of the site and the characteristics of the development as identified in policy DM3.1 of the Development Management Policies.

- 10.52 The dwelling mix proposed for the private tenure is broadly in accordance with policy. A large proportion of the private units would be 2-bed dwellings, which is in accordance with policy and would meet identified demand. The social rented dwellings include 4 large three-bed houses, which meets an identified need for family accommodation. However, the application also includes a large number of 2-bed units in excess of the policy stipulations. The social rented mix proposed has been based on actual current demand rather than long-term Council aspirations and the application has been accompanied by information on housing waiting lists which shows that by far the most sought-after housing type are one beds.
- 10.53 The supporting text of Development Management Policy DM3.1 states that '(t)here may be proposals for affordable housing schemes that are being developed to address short-term changes in need/demand as a result of specific interventions (for example, efforts to reduce under-occupation). In these situations deviation from the required policy housing size mix may be acceptable. In such cases registered providers will need to satisfy the council that the proposed housing size mix will address a specific affordable housing need/demand and result in an overall improvement in the utilisation of affordable housing units in Islington'.
- 10.54 Recent changes in housing legislation to address the under occupation of social housing have created a greater demand for smaller social housing units, as reflected by the high proportion of 2 bedroom units proposed. The applicant, LBI Housing proposes this dwelling mix to allow mobility within the social housing sector to accommodate these national changes to the welfare system. Furthermore, the provision of smaller units will allow for mobility within the estate which would address under occupation. Nomination rights will prioritise those transferring from within the estate. Given this, a deviation from the policy is considered reasonable and the housing mix can be accepted.

### **Affordable Housing and Financial Viability**

- 10.55 The London Plan, under policy 3.11 identifies that boroughs within their LDF preparation should set an overall target for the amount of affordable housing provision needed over the plan period in their area with separate targets for social rented and intermediate housing that reflect the strategic priority accorded to the provision of affordable family housing. Point f) of this policy identifies that in setting affordable housing targets, the borough should take account of "*the viability of future development taking into account future resources as far as possible.*"
- 10.56 Policy CS12 of the Islington Core Strategy sets out the policy approach to affordable housing. Policy CS12G establishes that "*50% of additional housing to be built in the borough over the plan period should be affordable and that provision of affordable housing will be sought through sources such as 100% affordable housing scheme by Registered Social Landlords and building affordable housing on Council own land.*" With an understanding of the financial matters that in part underpin development, the policy states that the Council will seek the "*maximum reasonable amount of affordable housing, especially social rented housing, taking into account the overall borough wide strategic target. It is expected that many sites will deliver **at least** 50% of units as affordable subject to a financial viability assessment, the availability of public subsidy and individual circumstances on the site.*"
- 10.57 Policy CS12 confirms that an affordable housing tenure split of 70% social rent housing and 30% intermediate housing should be provided.
- 10.58 The Affordable Housing Offer The proposed development would provide a total of 20 residential units (both social rented and for private sale). Of the 20 units (66 habitable rooms, hr), 12 of these units (43 hr) would comprise affordable housing (social rented

tenure). Affordable housing provision is typically calculated with reference to the number of habitable rooms provided and in this instance the scheme would provide 65.2% affordable housing. The scheme provides 60% affordable housing if measured by units

- 10.59 Within the affordable housing provision there is a policy requirement for 70% of the provision to be social rent and 30% as intermediate/shared ownership. Although the proposal does not include any intermediate housing, the high provision of social rented units and family housing can justify this non-compliance with planning policy.
- 10.60 The proposal fails to provide 100% affordable housing as sought by policy CS12 for developments on Council's own land. In accordance with policy requirements, a financial assessment has been submitted with the application to justify the proportion of affordable housing offered. In order to properly and thoroughly assess the financial viability assessment, the documents were passed to an independent assessor to scrutinise and review.
- 10.61 The applicant's Viability Assessment identified that the development as proposed is unviable in a purely commercial sense as it still requires an amount of public subsidy to address the shortfall between the revenues generated by the development and the costs of providing it. The independent assessor has considered the information submitted and has agreed that the scheme would be unviable without such a subsidy. This is attached as a redacted version of the Council's independent advisor's report at Appendix 4.
- 10.62 Though Core Strategy Policy CS12 seeks 100% affordable housing schemes from development on Council land, it is not considered that a failure to provide 100% affordable housing on Council owned land is contrary to that policy where it is shown that considerable public subsidy is required to support the lower provision. In this case, it is not considered that it would be reasonable to require in planning terms an additional amount of public subsidy/grant funding to be committed to the scheme to provide a 100% affordable scheme, particularly given the overall quality of the scheme.
- 10.63 The proposal provides good quality affordable housing and estate-wide improvements. In this context, the offer of 65.2% affordable housing is considered to deliver a good mix of tenures and is considered to be acceptable and in accordance with policy. This provision is secured with a Directors Level Agreement.

#### **Sustainability, Energy Efficiency and Renewable Energy**

- 10.64 The London Plan (adopted July 2015) Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 10.65 All development is required to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations (39% where connection to a Decentralised Heating Network is possible). Typically all remaining



CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock (CS10).

- 10.66 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires for development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details and specifics are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Development Management Policy DM7.4 requires the achievement of BREEAM 'Excellent' on all non-residential major developments and Code for Sustainable Homes Level 4 for the residential elements. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.

#### Carbon Emissions

- 10.67 The applicant proposes a reduction in overall emissions of 40.6%, compared to a 2006 Building Regulations baseline through the use of high performance passive materials, low energy use fittings and energy efficient heating systems as well as solar PVs at roof level. The development exceeds the London policy requirement of 35% reduction on regulated emissions, which is supported. In order to mitigate against the remaining carbon emissions generated by the development a financial contribution of £44,775 will be sought by way of section 106 agreement.

#### Efficiency

In terms of energy efficiency, the proposal would include high performance fenestration and insulation. The external walls, windows and doors would be well-insulated and the energy statement proposes 100% energy efficient lighting. These measures are considered acceptable and would result in a highly efficient and well-insulated building.

#### Renewables

- 10.68 The renewables analysis proposes the use of photovoltaic panels, with an output of 22.2kWp covering most of the available roof area. This is strongly supported as it maximises the potential of a green sustainable form of energy. Planning permission would be subject to suitably-worded condition (condition 10) to ensure that the energy and sustainability measures identified in the energy strategy are properly implemented.

#### Overheating and Cooling

- 10.69 The energy strategy and overheating analysis do not propose artificial cooling for the flats, and this approach is generally supported. Council policies specify overheating modelling is performed using future design summer years for the 2030s and 2050s. This approach has been followed and the cooling hierarchy has been used in accordance with policy.

#### Code for Sustainable Homes

- 10.70 An outline pre-assessment is provided for Block A (16 flats) and Block B (4 houses). The pre-assessment predicts a score of 65.15% and 63.54% respectively which falls

short of the expected 68% required to achieve the policy requirement of Code Level 4. However, the pre-assessment proposes mitigating measures for both blocks which would potentially achieve further credits and bring the ratings up to 68%. This would be secured by condition (9).

### Sustainable Urban Drainage System

- 10.71 A flood risk assessment, including drainage strategy and sustainable urban drainage system has been submitted with the application. The details will be secured by condition and/or legal agreement (Director's Letter) and the responsibility of maintenance placed on the applicant, in this case Islington Housing.
- 10.72 The energy and sustainability measures proposed are in accordance with policy and would ensure a sustainable and green development that would minimise carbon emissions in the future.

### Highways and Transportation

#### Pedestrian access

- 10.73 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for walking. A key priority of Policy CS3 is the improvement of the public realm to enhance the environment for pedestrians and cyclists and to reduce the negative impact of significant traffic flows. The proposal includes creating a cul-de-sac towards the middle of the estate with the consequence that the vehicular route through the estate will be removed. The proposal also provides new hard and soft landscaping at the entrance of the estate, approaching from Hungerford Road, with an avenue of trees and new paving creating an altogether more attractive and welcoming feel for pedestrians. Further details will be required by condition (16) in order to achieve this objective.

#### Cycle access and parking

- 10.74 Development Management Policy DM8.4 (Walking and cycling), Part C requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking. For residential land use, Appendix 6 of the Development Management Policies requires cycle parking to be provided at a rate of one space per bedroom. For residential land use, Appendix 6 of the Development Management Policies requires cycle parking to be provided at a rate of 1 space per 1 bedroom.
- 10.75 The proposal includes improved cycle access as well as a total of 42 cycle parking spaces across the scheme as a whole (split appropriately between Block and B). This provision is in line with adopted council policies in terms of being step-free, sheltered and conveniently located.

#### Vehicle parking

- 10.76 Core Strategy Policy CS10 (Sustainable development), Part H, requires car free development. Development Management Policy DM8.5 (Vehicle parking), Part A (Residential parking) requires new homes to be car free, including the removal of rights for residents to apply for on-street car parking permits. Wheelchair accessible parking should be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking).

- 10.77 Removal of the garages will represent the loss of 8 parking spaces. The new development is intended to be car-free with the exception of two accessible parking spaces provided to serve the two accessible units in Block A. The car parking spaces currently in use by residents of the estate will be re-provided. This is in line with paragraph 8.30 of the Development Management Policies which notes that existing residents with parking permits who return to the site after completion of estate redevelopment schemes face exceptional circumstances and may be allowed to keep their permits.

#### Travel Plan

- 10.78 The Travel Plan has used TRAVL to provide an indication of existing trips to the site, but it is recommended that a survey be carried out for the existing/new residents to establish what modes of transport people currently use.
- 10.79 The reduction in car parking spaces is welcomed, and further reductions should be encouraged by promoting other forms of transport, such as by providing shared cycle parking for all residents of the Camden estate. This should be incorporated in the Travel Plan, with targets and measures to reduce the number of existing car parking spaces and encourage residents to relinquish their cars. Parking surveys should also be undertaken periodically which would allow reductions in parking spaces where a surplus is identified.
- 10.80 The Travel Plan and measures identified within would be secured by Director's Letter in lieu of section 106 agreement.

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

- 10.81 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.
- 10.82 This is an application by the Council and the Council is the determining local planning authority on the application. It is not possible legally to bind the applicant via a S106 legal agreement. It has been agreed that as an alternative to this a letter and memorandum of understanding between the proper officer representing the applicant LBI Housing and the proper officer as the Local Planning Authority will be agreed subject to any approval. The agreement will include the following agreed heads of terms:
- On-site provision of affordable housing in line with submission documents including a provision of 65.2% affordable housing, all measured by habitable rooms.
  - The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.

- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of 1 work placements with each placement lasting a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay wages (must meet London Living Wage).
- Compliance with the Code of Local Procurement.
- The maintenance for Sustainable Urban Drainage System.
- Compliance with the Code of Construction Practice, including a monitoring fee and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920) which results in a payment of £44,775.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- The provision of 2 accessible parking bays or a contribution of £4,000 towards bays or other accessible transport initiatives.
- Submission of a Green Performance Plan.
- Submission of a full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase.
- Removal of eligibility for residents' on-street parking permits.
- Submission of a draft framework Travel Plan with the planning application, of a draft Travel Plan for Council approval prior to occupation, and of a Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the Directors' Agreement and officer's fees for the preparation, monitoring and implementation of the Directors' Agreement.

### **National Planning Policy Framework**

10.83 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth. The NPPF requires local planning authorities to boost significantly the

supply of housing and require good design from new development to achieve good planning.

## **11 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The application proposes the creation of 20 new homes across the Camden Estate. It is proposed to demolish the two-storey block of bedsits in the southern corner of the site and to erect a part 3- part 4-storey apartment building (Block A) in its place. It is also proposed to demolish existing garages to create 4 new townhouses. The application includes significant access and landscaping improvements across the estate.
- 11.2 The principle of developing existing brownfield land to provide a mixture of high quality affordable housing is acceptable and in accordance with adopted planning policy. Furthermore, the proposal's design and appearance is of a high quality which respects the character of the adjoining Hillmarton Conservation Area. The height bulk and massing of buildings proposed is such that impact on neighbours would be suitably minimised.
- 11.3 The mix of housing proposed is well-considered and includes both family housing as well as a large proportion of social rented housing (over 65% as measured by habitable rooms). The application proposes good quality living accommodation with significant amounts of private and communal amenity space. Inclusive design standards would be met and the proposal would provide accessible accommodation for future residents.
- 11.4 The application provides a sustainable form of development that would minimise energy usage and maximise energy efficiency. Vehicular car parking would be minimised while the cycle parking proposed would meet policy guidelines. As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and the completion of a Directors' Agreement to secure the necessary mitigation.

### **Conclusion**

- 11.5 It is recommended that planning permission be granted subject to conditions and director level agreement securing the heads of terms for the reasons and details as set out in Appendix 1 – RECOMMENDATIONS.

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That planning permission be granted subject to a Directors' Agreement between Housing and Adult Social Services and Environment and Regeneration or Planning and Development in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management:

- On-site provision of affordable housing in line with submission documents including a provision of 65.2% affordable housing, all measured by habitable rooms.
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of 1 work placements with each placement must last a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay wages (must meet London Living Wage).
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920) which results in a payment of £44,775.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- The provision of 2 accessible parking bays or a contribution of £4,000 towards bays or other accessible transport initiatives.
- Submission of a Green Performance Plan.
- Submission of a full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase.

- Removal of eligibility for residents' on-street parking permits.
- Submission of a draft framework Travel Plan with the planning application, of a draft Travel Plan for Council approval prior to occupation, and of a Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the Directors Agreement and officer's fees for the preparation, monitoring and implementation of the Directors Agreement.
- That, should the Directors' Agreement not be completed prior to the expiry of the planning performance agreement the Service Director, Planning and Development / Head of Service – Development Management may refuse the application on the grounds that the proposed development, in the absence of a Directors' Level Agreement is not acceptable in planning terms.

## RECOMMENDATION B

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

### List of Conditions:

1	<p><b>Commencement (Compliance)</b></p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p><b>Approved plans list (Compliance)</b></p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Drawing Numbers: 00596_S_01 Rev P01; 00596_S_02 Rev P01; 00596_S_03 Rev P01; 00596_S_04 Rev P01; 00596_S_01 Rev P01; BA_00 Rev P02; BA_05 Rev P02; BA_06 Rev P01; BA_E03 Rev P02; BA_E04 Rev P02; BA_X1 Rev P02; BB_00 Rev P01; BB_00 Rev P01; BB_01 Rev P01; BB_02 Rev P01; BB_E03 Rev P01; BB_E04 Rev P01; Landscape Masterplan D0206_001_J; Tree Removal Plan 00596_S_04 Rev P01.</p> <p>Documents: Arboricultural Impact Assessment by D F Clark Rev B dated 15<sup>th</sup> January 2015; Air Quality Assessment by Hawkins environmental dated 31<sup>st</sup> July 2014; Daylight &amp; Sunlight Report by Malcolm Hollis dated 9<sup>th</sup> January 2015; Design &amp; Access Statement by John Thomas &amp; Partners dated January 2015; Planning Statement by HTA dated 22<sup>nd</sup> January 2015; Energy Strategy by CalfordSeaden dated September 2014; Travel Plan by Conisbee dated 16<sup>th</sup> January 2014; Transport Assessment by Conisbee dated 16<sup>th</sup> January 2015; Flood Risk Assessment and Sustainable Drainage Strategy by Conisbee dated 16<sup>th</sup> January 2015</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>

3	<b>Materials and Samples (Details)</b>
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work of the relevant phase commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) Facing Brickwork(s); Sample panels of proposed brickwork to be used showing the colour, texture, pointing and perforated brickwork including the glazed brick and boundary walls shall be provided;</li> <li>b) Window reveals, soldier courses and balconies;</li> <li>c) Metal cladding;</li> <li>d) Doors; timber doors and aluminium entrances/screens;</li> <li>e) Aluminium/timber composite window treatment;</li> <li>f) Oriel windows, with particular regard to the proportion of glazing;</li> <li>g) Privacy screens / obscured glazing;</li> <li>h) Roofing materials;</li> <li>i) Green procurement plan; and</li> <li>j) Any other materials to be used.</li> </ul> <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>
4	<b>Demolition and Construction Management Plan and Demolition and Construction Logistics Plan</b>
	<p>CONDITION: No demolition shall take place until a Demolition and Construction Logistics Plan (DCLP) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The report shall detail the logistics issues arising from the development and the measures in place to deal with these; assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers; together with means of mitigating any identified impacts. The impacts assessed should include, but not be limited to, noise, air quality including dust, smoke and odour and vibration</p> <p>The development shall be carried out strictly in accordance with the approved Plan throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
5	<b>Piling Method Statement (Details)</b>
	<p>CONDITION: No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.</p>



6	<b>Accessible Homes (Compliance)</b>
	<p>CONDITION: All residential dwellings hereby approved within the development, shall be constructed to the standards for Flexible Homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
7	<b>Wheelchair Accessible Units (Compliance)</b>
	<p>CONDITION: The two (2) wheelchair accessible dwellings of the development as identified in the approved documents shall be provided and fitted out prior to the first occupation of the development.</p> <p>REASON: To secure provision of the appropriate number of wheelchair accessible units in a timely fashion and to: address the backlog of and current unmet accommodation needs; produce a sustainable mix of accommodation; and provide appropriate choices and housing opportunities for wheelchair users and their families.</p>
8	<b>Wheelchair Accessible Car Parking (Compliance)</b>
	<p>CONDITION: The two (2) disabled parking bays hereby approved shall be constructed and available for use by eligible occupants of the wheelchair accessible units approved and existing blue badge holders within this development prior to the first occupation of the development and shall be appropriately line-marked and thereafter kept available for their intended use at all times if and when required.</p> <p>REASON: To ensure that the design and construction of the disabled parking bays are appropriate and meet with the council's design criteria, furthermore that the new bays are designed to a suitable standard which ensures that they are eligible for adoption.</p>
9	<b>Code for Sustainable Homes (Compliance)</b>
	<p>CONDITION: All the residential units hereby approved shall achieve a Code of Sustainable Homes rating of no less than 'Level 4'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
10	<b>Solar Photovoltaic Panels</b>
	<p>CONDITION: Prior to the commencement of the development hereby approved, details of the proposed Solar Photovoltaic Panels on buildings at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> <li>- Location;</li> <li>- Area of panels; and</li> <li>- Design (including elevation plans).</li> </ul> <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
11	<b>Water Use (Compliance)</b>
	<p>CONDITION: The development shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient</p>

	<p>fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
12	<p><b>Drainage and SUDS</b></p> <p>CONDITION: Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. The details shall include information regarding the sustainable urban drainage system (SUDS). No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.</p> <p>REASON: In order to ensure the sustainable management of water and flood prevention, to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.</p>
13	<p><b>Green/Brown Biodiversity Roofs (Details)</b></p> <p>CONDITION: Prior to any superstructure work commencing on the development details of the biodiversity (green/brown) roofs shown across the development shall be submitted to and approved in writing by the Local Planning Authority</p> <p>The green/brown roof shall be:</p> <ol style="list-style-type: none"> <li>a) biodiversity based with extensive substrate base (depth 80 -150mm);</li> <li>b) laid out in accordance with plans hereby approved; and</li> <li>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</li> </ol> <p>The biodiversity (green/brown) roofs should be maximised across the site and shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details as approved, shall be laid out within 3 months of next available appropriate planting season after the construction of the building it is located on and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats, valuable areas for biodiversity and minimise run-off.</p>
14	<p><b>Energy Efficiency – CO2 Reduction (Compliance/Details)</b></p> <p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy (Sep 2014) which shall provide for no less than a 40.6% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2006 shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, the following should be submitted and approved:</p> <ol style="list-style-type: none"> <li>a) A revised Energy Strategy, which shall provide for no less than a 40% onsite total CO2 reduction in comparison with total emissions from a building which complies with</li> </ol>

	<p>Building Regulations 2010.</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
15	<p><b>Landscaping (Details)</b></p> <p>CONDITION: Notwithstanding the submitted detail and the development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>a) existing and proposed underground services and their relationship to both hard and soft landscaping;</li> <li>b) proposed trees: their location, species and size;</li> <li>c) soft plantings: including grass and turf areas, shrub and herbaceous areas;</li> <li>d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</li> <li>e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</li> <li>f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces;</li> <li>g) all playspace equipment and structures; and</li> <li>h) any other landscaping feature(s) forming part of the scheme.</li> </ul> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</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 biodiversity, sustainability, playspace and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
16	<p><b>Arboricultural Method Statement (Details)</b></p> <p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods (the arboricultural method statement, AMS) in accordance with Clause 7 of British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.</p>

	<p>Specific issues to be dealt with in the TPP and AMS:</p> <ul style="list-style-type: none"> <li>a. Location and installation of services/ utilities/ drainage</li> <li>b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees</li> <li>c. Details of construction within the RPA or that may impact on the retained trees</li> <li>d. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.</li> <li>e. The pavement is not to be obstructed during demolition or construction and the RPA of retained trees not to be used for storage, welfare units or the mixing of materials.</li> <li>f. The location of a cross over or method of delivery for materials onto site</li> <li>g. The method of protection for the retained trees</li> </ul> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
17	<p><b>Site Supervision (Details)</b></p>
	<p>Condition: No works or development shall take place until a scheme of supervision and monitoring for the arboricultural protection measures in accordance with para. 6.3 of British Standard BS5837: 2012 - Trees in Relation to design, demolition and construction - recommendations has been approved in writing by the local planning authority. The scheme of supervision shall be carried out as approved and will be administered by a qualified arboriculturist instructed by the applicant. This scheme will be appropriate to the scale and duration of the works and will include details of:</p> <ul style="list-style-type: none"> <li>a. Induction and personnel awareness of arboricultural matters;</li> <li>b. Identification of individual responsibilities and key personnel;</li> <li>c. Statement of delegated powers;</li> <li>d. Timing and methods of site visiting and record keeping, including updates</li> <li>e. Procedures for dealing with variations and incidents.</li> </ul> <p>This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
18	<p><b>Sound Insulation (Compliance)</b></p>
	<p>CONDITION : For all the approved residential units sound insulation and noise control measures shall be used to achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast)  Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour  Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures shall be implemented prior to the</p>

	<p>first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
19	<p><b>Roof Top Plant (Compliance)</b></p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level <math>L_{Aeq Tr}</math> arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level <math>L_{AF90 Tbg}</math>. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
20	<p><b>Lighting Plan (Details)</b></p> <p>CONDITON: Full details of the lighting across the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved development.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, hours of operation and technical details on how impacts on bat foraging will be minised. The lighting 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.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as protecting the biodiversity value of the site.</p>
21	<p><b>Nesting Boxes (Compliance)</b></p> <p>CONDITIONS: Details of bird and/or bat nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.</p> <p>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.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
22	<p><b>No Plumbing or Pipes (Compliance/Details)</b></p> <p>i) CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>j) REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the</p>

	current assessment of the application.
23	<b>Refuse/Recycling Provided (Details)</b>
	<p>CONDITION: Details of the dedicated refuse / recycling enclosure(s) shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse / recycling stores shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development, to ensure that responsible waste management practices are adhered to and to secure the high quality design of the structures proposed.</p>
24	<b>Cycle Parking (Compliance)</b>
	<p>CONDITION: Details of the bicycle storage areas shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The approved bicycle stores shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site, to promote sustainable modes of transport and to secure the high quality design of the structures proposed.</p>
25	<b>Permitted Development Rights (Compliance)</b>
	<p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no works under Schedule 2, Part 1 of the above Order shall be carried out to the dwellinghouses hereby approved without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouses in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>

**List of Informatives:**

1	<p><b>Planning Obligations Agreement</b></p> <p>You are advised that this permission has been granted subject to the completion of a director level agreement to secure agreed planning obligations.</p>
2	<p><b>Superstructure</b></p> <p><b>DEFINITION OF ‘SUPERSTRUCTURE’ AND ‘PRACTICAL COMPLETION’</b>  A number of conditions attached to this permission have the time restrictions ‘prior to superstructure works commencing on site’ and/or ‘following practical completion’. The council considers the definition of ‘superstructure’ as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of ‘practical completion’ to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<p><b>Community Infrastructure Levy (CIL) (Granting Consent)</b></p> <p><b>INFORMATIVE:</b> Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p>
4	<p><b>Car-Free Development</b></p> <p><b>INFORMATIVE:</b> (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people, or other exemption under the Council Parking Policy Statement.</p>
5	<p><b>Water Infrastructure</b></p> <p><b>INFORMATIVE:</b> There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
6	<p><b>Public Sewers</b></p> <p><b>INFORMATIVE:</b> There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public</p>

	sewer.
7	<p><b>Working in a Positive and Proactive Way</b></p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
8	<p><b>Materials</b></p> <p>INFORMATIVE: In addition to compliance with condition 4 materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>
9	<p><b>Construction Management</b></p> <p>INFORMATIVE: You are advised that condition 4 covers transport and environmental health issues and should include the following information:</p> <ol style="list-style-type: none"> <li>1. identification of construction vehicle routes;</li> <li>2. how construction related traffic would turn into and exit the site;</li> <li>3. details of banksmen to be used during construction works;</li> <li>4. the method of demolition and removal of material from the site;</li> <li>5. the parking of vehicles of site operatives and visitors;</li> <li>6. loading and unloading of plant and materials;</li> <li>7. storage of plant and materials used in constructing the development;</li> <li>8. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;</li> <li>9. wheel washing facilities;</li> <li>10. measures to control the emission of dust and dirt during construction;</li> <li>11. a scheme for recycling/disposing of waste resulting from demolition and construction works;</li> <li>12. noise;</li> <li>12. air quality including dust, smoke and odour;</li> <li>13. vibration; and</li> <li>14. TV reception.</li> </ol>



## **APPENDIX 2: RELEVANT POLICIES**

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

### **National Guidance**

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

### **Development Plan**

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

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

### **1 Context and strategy**

Policy 1.1 Delivering the strategic vision and objectives for London

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

Policy 2.18 Green infrastructure: the network of open and green spaces

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

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.7 Large residential developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.13 Affordable housing thresholds

Policy 3.14 Existing housing

Policy 3.15 Coordination of housing development and investment

### **5 London's response to climate change**

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.5 Decentralised energy networks

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

### **6 London's transport**

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

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

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

### **8 Implementation, monitoring and review**

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

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

**Spatial Strategy**

Policy CS15 (Open Space and Green

Policy CS8 (Enhancing Islington's Character)

**Strategic Policies**

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)  
Policy CS10 (Sustainable Design)  
Policy CS11 (Waste)  
Policy CS12 (Meeting the Housing Challenge)

Infrastructure)  
Policy CS16 (Play Space)  
Policy CS17 (Sports and Recreation Provision)

**Infrastructure and Implementation**

Policy CS18 (Delivery and Infrastructure)  
Policy CS19 (Health Impact Assessments)

**C) Development Management Policies June 2013**

**Design and Heritage**

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

**Housing**

**DM3.1** Mix of housing sizes  
**DM3.2** Existing housing  
**DM3.4** Housing standards  
**DM3.5** Private outdoor space  
**DM3.6** Play space  
**DM3.7** Noise and vibration (residential uses)

**Shops, cultures and services**

**DM4.12** Social and strategic infrastructure and cultural facilities

**Health and open space**

**DM6.1** Healthy development  
**DM6.3** Protecting open space  
**DM6.4** Sport and recreation  
**DM6.5** Landscaping, trees and biodiversity  
**DM6.6** Flood prevention

**Energy and Environmental Standards**

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

**Transport**

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

**Infrastructure**

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

**Designations**

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

- Nags head & Holloway Road Core Strategy Key Area
- Hillmarton Conservation Area
- Major Cycle routes (run alongside the site)

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

The following SPGs and/or SPDs are relevant:

### **Islington Local Plan**

- Environmental Design
- Accessible Housing in Islington
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide
- Conservation Area Design Guidelines

### **London Plan**

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London

## APPENDIX 3: Design Review Panel



Planning Service  
Planning and Development  
PO Box 333  
222 Upper Street  
London  
N1 1YA

T 020 7527 2389  
F 020 7527 2731  
E [Luciana.grave@islington.gov.uk](mailto:Luciana.grave@islington.gov.uk)  
W [www.islington.gov.uk](http://www.islington.gov.uk)

Our ref:

Date: 13 January 2015

ATT: Andrew Ochia  
Housing & Adult Social Services  
Islington Council  
Northway House  
257 Upper Street  
London N1 1RU

Dear Andrew Ochia,

### ISLINGTON DESIGN REVIEW PANEL

**RE: Camden Estate, Land at 1-8 (inclusive) Rowstock Gardens and garages to south of 77-84 (inclusive) Rowstock Gardens, London N7 (application ref: P2013/0434/MJR)**

Thank you for attending Islington's Design Review Panel meeting on 16 December 2014 for a second assessment of the above scheme. The proposed scheme under consideration is for the demolition of a two-storey building (consisting of 8 x bedsits) and 22 single-storey garages to allow the construction of 20 new homes (1 x 1 bed, 14 x 2 bed, and 4 x 3 bed) across two sites, consisting of a part three and part four-storey block at land at 1-8 Rowstock Gardens and four part single, part two-storey terraced dwellings and six car parking spaces to the south of 77-84 Rowstock Gardens.

### Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (chair), Thomas Lefevre, Simon Foxell, and Philip Cave on 16 December 2014 including a presentation from the design team followed by question and answers session and deliberations at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the council.

### Panel's observations

The Panel appreciated that the design had developed in response to feedback given following the initial review on 14 October 2014. However, a number of issues and areas of concern were identified which need further development.

#### Amenity and landscaping

For Site A, the Panel expressed concerns over the two fences facing Hungerford Road and the ensuing buffer space between them. The Panel questioned how the space would be used, how it would be maintained and was concerned that a 'no-man's-land' would be created. The Panel advised that the buffer area should be narrowed and the garden area extended to create a more usable space with the railing by the path omitted or reduced to a knee rail. Panel members welcomed the garden access to the bike storage. The Panel suggested that residents should be given access to the strip of land between the building and Hungerford Road.

For both Sites A and B, the Panel questioned the small amount of space to the front and suggested removing the railing and replacing it with planting or hedging.

#### Elevations

The Panel generally welcomed the design development of the elevations. However the Panel reiterated its concerns from the initial review session regarding the lack of detail in the elevation drawings. In relation to Site A, the Panel found that there was a lack of detailed drawings of the entrances on the front elevation, including of the canopy over the entrance. The Panel argued that a clearer hierarchy between the entrances and the adjacent bin storage areas was needed. Panel members also found that there was a lack of detailed drawings of the balconies. Concerns were raised over the position of the northwest-facing balconies and the Panel highlighted that the balconies (and the flats) would receive more sunlight if they were located on the south-east elevation.

For Site A, the Panel also suggested that more attention could be given to the top of the building, including the design of the parapet coping by either replacing the safety railings with an alternative man-safe system or upgrading the quality of railings to match those of the balconies. The Panel considered that the inclusion of additional windows in place of the blind window brick panels on the garden elevation would improve the building appearance.

#### Internal layout

For Site A, the Panel suggested that windows should be added to the hallways and bathrooms wherever possible.

#### **Summary**

The Panel welcomed the improvements made to the proposed development, but felt that more detailed designs of key elements of the elevations of Site A were still required.

The Panel felt that although improvements had been made since the previous review session, the proposal did still not provide an adequate solution for the space between the building proposed for Site A and Hungerford Road and that a better use of this space should be found.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

#### **Confidentiality**

Please note that as the scheme under review is currently the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,



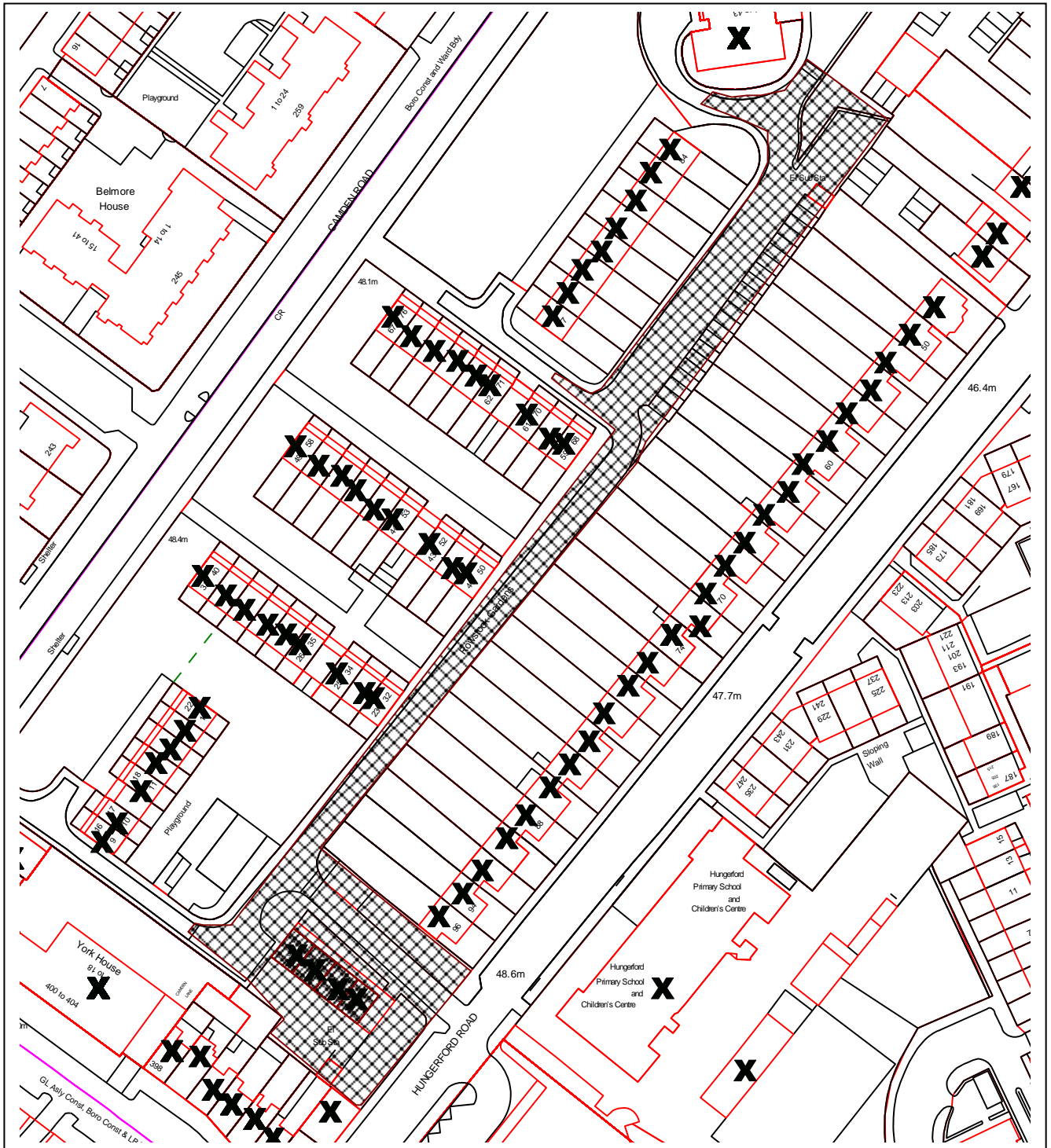
**Luciana Grave**  
Design Review Panel Coordinator  
Design & Conservation Team Manager

**APPENDIX 4: Independent Viability Appraisal (REDACTED)**  
**(This document has been replaced by the one in the second despatch)**

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# ISLINGTON SE GIS Print Template



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P2015/0294/FUL

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## 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 COMMITTEE</b>		<b>AGENDA ITEM NO:</b>
<b>Date:</b>	<b>23 April 2015</b>	

Application number	P2014/5216/FUL
Application type	Full Planning Application
Ward	Bunhill Ward
Listed building	No Listing on site. Adjacent to Grade II Listed St Clement with St Barnabas and St Matthew Church, King Square.
Conservation area	None. Adjacent to Northampton Square Conservation Area and Hat and Feather Conservation Area
Development Plan Context	King Square Estate Site Allocation BC4 King Square Area Framework and Action Plan Bunhill & Clerkenwell Key Area Central Activities Zone King Square (Designated Open Space) King Square SINC (Local Importance)
Licensing Implications	None
Site Address	King Square Estate & part of Moreland Primary School London EC1V
Proposal	Demolition of existing row of garages located to the north of Rahere House and demolition of 9 existing single storey studio units located to the south of Turnpike House. Change of use of the west section of the Moreland School site to residential use. Erection of 6 new buildings, providing 140 new residential units and a community centre, comprising: Block B – a 3 storey terrace of 10 x 3-bedroom and 1 x 2-bed houses for social rent located to the north of Rahere House; Block C – a 4 storey building located to the west of Rahere House providing a 167sqm community centre together with 13 flats for social rent, comprising 1 x 3-bedroom and 12 x 2-bedroom flats; Blocks D1 & D2 – a 7 storey

	<p>over basement building and 5 storey building located on the west section of the school site, providing a 21sqm retail unit and 69 flats for social rent, shared ownership and private market sale, comprising 1 x 3-bedroom, 52 x 2-bedroom, and 16 x 1-bedroom flats; Block E – a 5 storey building located to the north of Turnpike House providing 25 flats for social rent over 55's independent living, comprising 9 x 2-bedroom and 16 x 1-bedroom flats; Block F – a part 3, part 4 storey building located to the south of Turnpike House providing 22 flats for social rent comprising 13 x 2-bedroom and 9 x 1-bedroom flats. Alterations to ground floor of Rahere House to provide improved nursery facilities. Comprehensive hard and soft landscaping across the site including: relocation of vehicular access from Central Street, re-provision of 81 parking spaces including 21 wheelchair accessible spaces, creation of new bin store enclosures and cycle parking for existing residents, and the creation of a community garden and growing space. The scheme would provide 98 affordable homes which equates to 70% by unit.</p>
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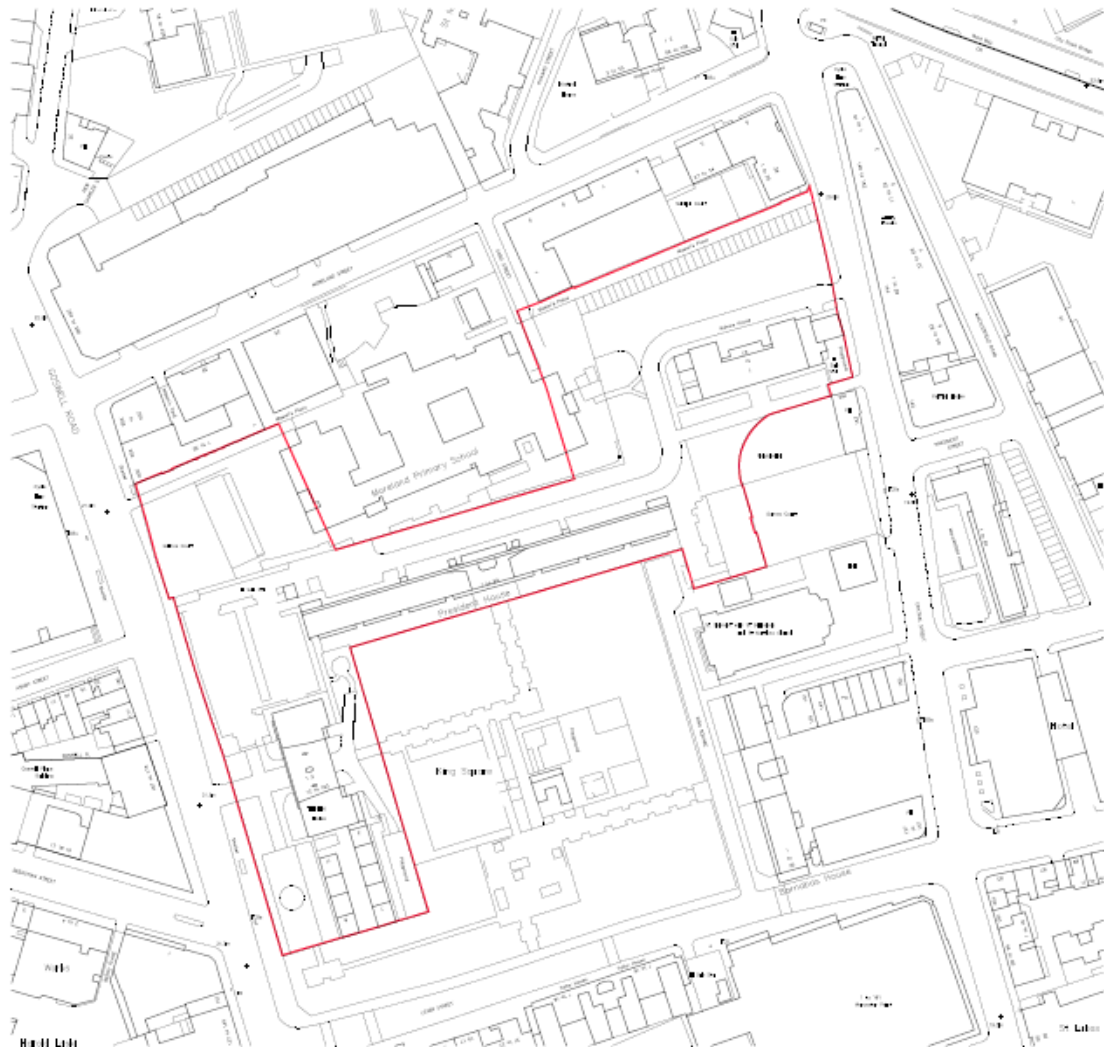
Case Officer	Stefan Sanctuary
Applicant	Eleni Tsoskounoglou - New Build and Regeneration Team, London Borough of Islington.
Agent	Simon Owen - HTA Design LLP

## 1 RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1; and
2. conditional upon the prior completion of a Directors' Agreement securing the heads of terms as set out in Appendix 1.

**2 SITE PLAN (SITE OUTLINED IN RED)**



**3 PHOTOS OF SITE/STREET**

**Photograph 1: Aerial View of Site looking North**





**Photograph 2:** View from Goswell Road looking north-east



**Photograph 3:** View from Goswell Road looking along estate east-west route



**Photograph 4:** View from Goswell Road looking along estate east-west route



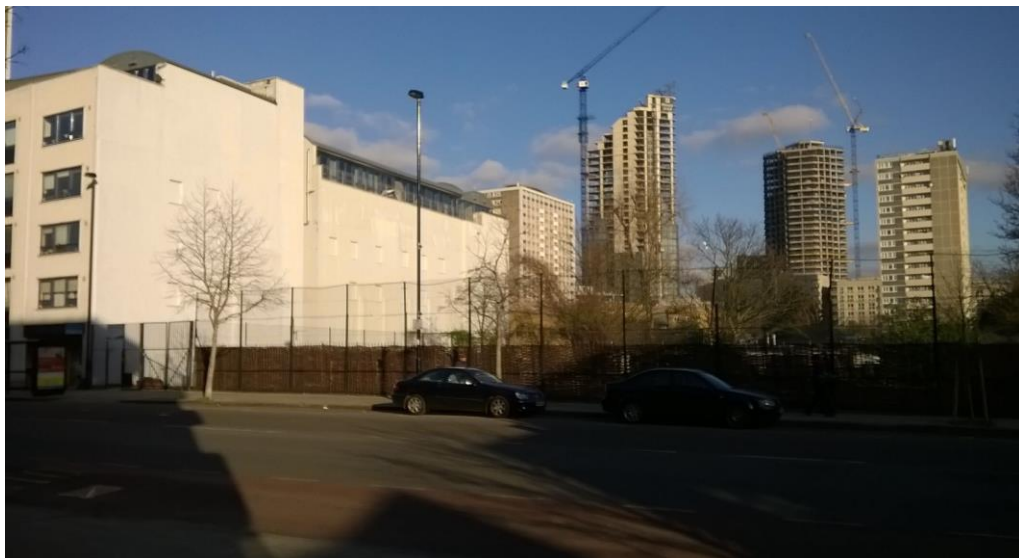
**Photograph 5:** View from Central Street looking towards existing garages



**Photograph 6:** View looking south-west towards President House



**Photograph 7:** View from Goswell House towards Masons Yard



## 4

### **SUMMARY**

- 4.1 The application proposes the creation of 140 new homes across the King Square Estate, of which 70% would be affordable (social rented and shared ownership). The proposal also includes a new community centre, new landscaping (including community and growing gardens) and improvements to the existing nursery within Rahere House as well as improved access arrangements and cycle parking across the estate.
- 4.2 The development proposes a mix of high quality residential accommodation, including family-sized homes, on underused land, car parking and garage spaces in accordance with the aims and objectives of London Plan and Islington Core Strategy Policies. Moreover, the development delivers new community facilities and a significant increase in affordable homes in accordance with the aims of Finsbury Local Plan policies to ensure that existing residents are provided for, and that the long-established community role of the area is retained.
- 4.3 The development proposes a series of well-designed new buildings that each responds to their respective contexts and surroundings. The designs proposed are considered to provide a successful intermediary between the existing estate buildings and the surrounding urban context. The layout of the proposed development is well-considered and would result in enhanced pedestrian routes through the estate. The proposal would deliver significant landscape improvements across the estate that would enhance biodiversity and provide significant amenity improvements for residents. While some of the existing trees would be lost, the proposal would result in a substantial number of additional trees that would mitigate the loss of existing trees.
- 4.4 The development would result in the delivery of high quality residential accommodation with well-considered internal layouts, good levels of natural light and a significant amount of private and communal amenity space. All of the proposed residential units would comply with the minimum unit sizes required by planning policy. While the development would result in a significant loss of daylight and sunlight to 5 dwellings within Mason's Yard, the overall impact on neighbouring residential amenity is not considered to be sufficient so as to warrant refusal of planning permission, particularly in the context of the scope and scale of this application and the delivery of 140 mainly affordable homes.
- 4.5 The proposal's housing density is considered to be within acceptable limits and the proposed dwelling mix is considered satisfactory given current demand for housing. The housing mix provides a good mix of tenures and the affordable housing offer is considered to be the maximum amount achievable without rendering the scheme unviable. Furthermore, the application proposes a sustainable form of development which would suitably minimise carbon emissions. Finally, the proposal's transportation and highways impacts are considered to be acceptable, subject to conditions.
- 4.6 For the reasons given above and explained in more detail in the subsequent sections of this report, the proposal is considered to be acceptable and is recommended for approval subject to conditions and the completion of a Directors' Agreement to secure the necessary mitigation measures.

## 5

### **SITE AND SURROUNDING**

- 5.1 King Square Estate, constructed around King Square Gardens in the 1960s, is located within Bunhill Ward in the south of the borough. The estate is bound by



Goswell Road to the west, Moreland Street and Moreland Primary School to the north, Central Street to the east and Lever Street to the south.

- 5.2 The application site comprises the majority of the King Square Estate together with sections of Moreland Primary School, including a part of the school site which currently provides hard-surfaced sports pitches adjacent to Goswell Road. The site's Goswell Road frontage is dominated by the 20-storey Turnpike House, which contains 163 dwellings and provides undercroft access to King Square Gardens. To the north of Turnpike House is an area of hard-standing used as a car park, while immediately to the south are a group of 9 single storey studio flats, which form the south-western edge of the site.
- 5.3 On an east-west axis, forming the northern boundary of King Square Gardens is the 6-storey President House, containing 91 flats. Running along the northern side of President House is an access route which provides vehicular access across the estate. To the east of President House is an area of landscaping and a Multi-Use Games Area (MUGA) and a further pedestrian access to King Square Gardens. On the eastern edge of the application site, adjacent to Central Street, is the 17 storey Rahere House, which contains a total of 85 dwellings. On the ground floor of this building is an existing nursery. To the north of Rahere House is an area of hardstanding used as a car park and a row of single-storey garages which form the north-eastern edge of the site.
- 5.4 The surrounding area is characterised by a variety of building types and styles and a considerably varied urban context. To the immediate south of the application site is the grade II listed Church of St Clement with St Barnabus and St Matthew, which is positioned to the east of King Square Gardens. Beyond the church to the south are the remaining estate buildings which form a square fronting onto Central Street.
- 5.5 To the west of the application site, on the opposite side of Goswell Road, the area is characterised by both the post-war brick-built buildings which make up City University as well as the Georgian terraces around Northampton Square. On the northern boundary of the application site is Moreland Primary School which consists of 1960s/70s buildings that have been granted permission for redevelopment for a 2-form entry school on a reduced site area. Beyond the school, to the north-east, the area is characterised by a variety of residential towers, commercial and warehouse buildings and lower-rise residential buildings. To the east of the application site are a mixture of modern and period residential buildings and the City Forum site which is currently being redeveloped for residential and commercial uses.

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

- 6.1 The application proposes the creation of 140 new homes across the King Square Estate, of which 70% would be affordable (social rented and shared ownership). The proposal also includes a new community centre, new landscaping (including community and growing gardens) and improvements to the existing nursery within Rahere House as well as improved access arrangements and cycle parking across the estate. The following paragraphs provide detail of the proposed development.
- 6.2 The proposal involves improvements to the vehicular and pedestrian entrance to the estate from Central Street with further improvements to Rahere House and the nursery at ground floor level. The proposed development also involves the demolition of the existing row of garages located to the north of Rahere House in order to construct a terrace of houses (Block B) for social rent consisting of one single-storey and ten 3-storey houses for social rent. Facing away from neighbouring buildings, the

proposed terrace would front onto a new area of car parking and the wider estate to the south and would be constructed in a combination of brick and metal cladding. A new pedestrian route is proposed to the west of the terrace, which would provide a link between the estate and Gard Street to the north.

- 6.3 To the west of Rahere House it is proposed to construct a new 4-storey building (Block C) providing a community centre together with 13 flats for social rent, comprising 1 x 3-bedroom and 12 x 2-bedroom flats. The proposed building would be brick-built and would face onto the estate with windows designed to prevent overlooking onto the neighbouring Moreland Primary School.
- 6.4 To the south of Rahere House, it is proposed to make significant improvements to the existing landscaping arrangements, including a new community garden for the estate residents. The 6-storey President House would be largely unaltered, though a new storage area is proposed in the undercroft located towards the centre of this building. The existing vehicular route along President House is to be upgraded with new paving, and new hard and soft landscaping forming the edge of this route. The route leads to a new area of car parking towards the western edge of the site, which would include a number of new wheelchair accessible parking bays.
- 6.5 The area to the north of this new parking area is currently contained within the curtilage of the Moreland Primary School. The site boundaries will be revised and it is proposed to construct two new residential blocks (Blocks D1 and D2) to provide 69 new dwellings at this location. Block D1 fronts Goswell Road and is part 5- part 7-storeys in height, providing a total of 36 new private tenure dwellings and a retail unit at ground floor level. The building would be brick-built with five storeys above lower ground floor level and two set-back glazed and metal clad storeys at roof level. Block D2 would be five stories in height and would provide 33 new social rented and shared ownership dwellings. The two buildings would be separated by a landscaped courtyard with hard and soft landscaping and a storage area for bicycles.
- 6.6 A further building (Block E) is proposed adjacent to the existing Turnpike House providing 25 flats for social rent. The building would have a five storey element fronting Goswell Road and a three storey section to the rear. The proposed dwellings would be designed to be suitable for over 55's independent living and would comprise 9 x 2-bedroom and 16 x 1-bedroom flats. The block also includes a landscaped courtyard and bicycle and mobility scooter storage at ground floor level.
- 6.7 Finally, the application proposes to demolish the existing 9 single storey studio flats located on the south side of Turnpike House. In their place it is proposed to erect a part 4- part 3-storey building (Block F) providing 22 new social rented flats comprising 13 x 2-bedroom and 9 x 1-bedroom flats. A landscaped courtyard area and further bicycle storage area would be provided at ground floor level.
- 6.8 As well as the proposed buildings described above, the application also proposes the re-provision of 81 parking spaces including 21 new wheelchair accessible spaces, the creation of new bin store enclosures and cycle parking for existing residents, and the creation of a community garden and growing space. Overall, the proposed scheme would provide 98 affordable homes (out of a total of 140), which equates to 70% of the overall proposed housing by unit.

## 7

### RELEVANT HISTORY:

### PLANNING APPLICATIONS:

- 7.1 Planning permission was recently granted on the neighbouring Moreland School site for the 'Demolition of existing single storey school and children's centre buildings and redevelopment of the site through the erection of a single replacement part two storey, part three storey building to provide a primary school and children's centre to the north of the site fronting Moreland Street and Gard Street, with landscaped play space provided across the southern part of the site (including provision of a MUGA to the southwest corner of the site), together with associated ancillary development.'
- 7.2 Permission was granted for this development under application reference P2014/5103/FUL on the 2<sup>nd</sup> April 2015. There is no other relevant planning history.

#### **PRE-APPLICATION ADVICE:**

- 7.3 The proposal has been subject to ongoing pre-application discussions throughout the last year. The points raised at pre-application stage have informed the design of the scheme being considered here. The following are the most important improvements that have arisen as a result of pre-application discussions:
- Changes to the alignment of buildings, in particular Block D, in order to minimise the impacts on neighbouring developments.
  - Enhancements to the proposed buildings' elevations and facades, including considerable improvements to the designs of the proposed townhouses.
  - Improvements to pedestrian access and overall permeability such as a new north-south route from Moreland Street into the site.

#### **ENFORCEMENT**

- 7.3 None relevant

## **8 CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 1335 adjoining and nearby properties across the King Square Estate as well as on Sebastian Street, Goswell Road, Central Street, Moreland Street, Lever Street, Cyprus Street, Percival Street, Masons Yard, Masons Place, Northampton Square, Macclesfield Road, Ashby Street, Manningford Close, Berry Place, Mulberry Court, Seraph Court and Davina House on the 14<sup>th</sup> January 2015. A number of site notices and a press advert were also displayed on 22<sup>nd</sup> January 2015. The public consultation on the application therefore expired on 12<sup>th</sup> February 2015. However it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report a total of 10 responses had been received from the public with regard to the application. The responses consist of six objections, two letter of general interest and two of support. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

#### **Objections:**

- The building of Block D and its associated garden area will create security issues to neighbouring properties by providing direct access to them [*paragraph 10.83*];
- As a result of the proposed buildings, views from some of the neighbouring properties would be affected, particularly to the surrounding Georgian properties [*paragraph 10.84*].
- That the proposal would have a significant detrimental impact in terms of loss of daylight / sunlight to the neighbouring Mason's Yard properties [*paragraph 10.70 – paragraph 10.78*].
- The proposed Block D would give rise to unacceptable overlooking and loss of privacy because of the proximity of windows to neighbouring properties [*paragraphs 10.80 – 10.82*].
- The proposal would result in the loss of mature trees which should be prevented [*paragraphs 10.63 – 10.65*].
- The development would exacerbate the existing problems of air and noise pollution [*paragraph 10.93*].
- As a consequence of the development, the estate's population density would be unacceptably high [*paragraph 10.45 – paragraph 10.48*].
- The proposal is poorly designed, overbearing and out of context [*paragraph 10.20 – paragraph 10.41*].
- Removal of the sports pitch may result in an underprovision of children's playspace [*paragraph 10.96*]

In Support:

- The proposal delivers much-needed affordable housing.
- The proposed community and growing gardens is an excellent idea.
- The planting of new trees is supported.

Non-planning Issues

- Noise, disruption and vibration from the construction process will affect neighbouring properties and residents.
- The consultation process was flawed and residents' objections have not been adequately considered.
- The architects have failed in their understanding of neighbouring buildings.

**Applicant's consultation**

8.3 The applicant, Islington Housing Strategy and Regeneration have carried out very extensive consultation exercises over the development of the Planning Brief for Moreland Primary School and King Square Estate which started in October 2010. The consultation has involved the distribution of pamphlets, drop-in meetings and stakeholder events.

8.4 Further consultation was carried out at pre-application stage on the specific design of the development being considered in this planning application. More detailed discussions were also held with the Tenants and Residents Association of King Square Estate.

#### **External Consultees**

8.5 **Crime Prevention Officer** – In support of the application.

8.6 **Sport England** – Raised no objections to the proposal.

8.7 **UK Power Networks** – No response received.

8.8 **London fire & Emergency Planning** - satisfied with the details submitted.

8.9 **Thames Water** – No objection, subject to conditions and informatives requiring details of sewerage infrastructure, surface water drainage, water infrastructure and impact piling.

8.10 **Transport for London** - Subject to the following, TfL have no objections:

- Electric Vehicle Charging Points (EVCPs) should be provided in line with London Plan policy [*this has been provided*];
- A full residential Travel Plan should be secured by S106;
- TfL recommend that space should be made available for mobility scooters [*this has been provided*].

#### **Internal Consultees**

8.11 **Access Officer**

The Access Officer requested the incorporation of a number of inclusive design measures, including step-free access to communal landscaped areas, the provision of electric scooter storage, compliance with Lifetime Homes and fully accessible amenity facilities. All these measures have been incorporated in the design of the proposal or will be required by condition.

8.12 **Planning Policy** – Support the proposal.

8.13 **Design and Conservation Officer** – have been involved in the proposal from the outset and lend general support to the application. Concerns have been raised over the bulk of Block D1.

Amendments have been made to address the concerns raised by officers over the bulk of Block D1 which now been recessed further at top floor level.

8.14 **Energy Officer**

The applicant proposes a reduction in overall emissions of 40.1%, which exceeds the minimum policy requirements and is therefore strongly supported. The proposed U-values for the thermal elements, particularly the level of emissions reduction proposed, are considered acceptable.

The applicant proposes that the development will connect to the Bunhill Energy Network and is strongly supported. The renewables analysis proposes the use of a solar PV array, with an output of 82.2kWp and covering around 890m<sup>2</sup> of roof area. This is strongly supported.

8.15 **Sustainability Officer** – raised no objections to the proposal subject to appropriate conditions on sustainability

8.16 **Transport Planning Officer**

- The applicant will need to explain in particular, how the proposed entrances at Central Street and Goswell Road achieve the objective of providing a safe and welcoming pedestrian entrance into the estate from Goswell Road [*this will be required by condition with details to be agreed with residents and officers*].
- The applicant proposes to provide 251 cycle spaces for the new homes. This is welcome. More details on the provision of cycle storage for the community centre as well as existing residents should be provided [*the application also includes an additional 64 cycle parking spaces for existing residents*].
- The applicant should provide more detail on swept paths for servicing and delivery vehicles as well as drop off zones [*these have now been provided and they show how the movement of delivery and servicing vehicles can be accommodated on site*].
- The applicant should provide more information regarding the existing levels of demand for estate car parking spaces from residents on the King Square Estate [*this information has now been*].

8.17 **Highways** – standard clauses and conditions apply.

8.18 **Parks and Open Spaces** – no objections were raised.

8.19 **Tree Preservation / Landscape Officer** – no objections were raised subject to appropriate conditions on landscaping and tree protection.

8.20 **Biodiversity and Nature Conservation** – no objections.

8.21 **Refuse and Recycling** – satisfied with the details submitted.

8.22 **Public Protection** – No objections raised subject to conditions on air pollution, sound insulation, air quality and construction management.

#### **Other Consultees**

8.23 **The King Square Residents Association (TRA)** – The TRA and residents have been consulted throughout the pre-application process. Consultations have continued through the application process, with the following issues raised:

- The boundary treatment and paving should be designed and agreed in consultation with residents (reflected in conditions 17 and 35);
- Access to King Square Gardens should be provided for residents through the undercroft of President House (this forms part of the application);

- The community centre should be fit for purpose (the community centre's fit out will be required by Directors' Agreement).

**Emily Thornberry MP for Islington and South Finsbury** – raised no objection to the proposal.

8.24 **Members' Pre-application Forum** – the proposal was presented and discussed at Members' Forum on the 15<sup>th</sup> September 2014.

8.25 **Design Review Panel** – At pre-application stage the proposal was considered by the Design Review Panel on the 9<sup>th</sup> September 2014. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The panel's observations are attached at Appendix 3 but the main points raised in the most recent review are summarised below:

- **Consultation process:** The Panel welcomed the extensive engagement and consultation that had been undertaken with residents, but advised the design team to stand back from its relationship with residents to employ important technical and best practice elements of urban design.

*Council Response: This approach has been adopted. While the TRA has remained very involved in the design of the scheme, the team has used its experience to devise a scheme which meets both resident's aspirations and best practice.*

- **Layout and amenity:** The Panel questioned the location and orientation of the new Turnpike South block and the new Independent Living block, particularly regarding their relationship to the road/new private residential block and the risk of overheating,

*Council Response: Several alternative options for the layout of Block F have been considered since DRP. The position and orientation of both blocks E and F are subject to various site constraints, particularly regarding trees in the case of Block F, and also strenuous consultation with residents throughout the project development with regards heights of adjacent blocks in relation to Turnpike House. It has been proposed that Blocks E and F, while addressing Goswell Road, provide a framed public space in front of Turnpike House leading to the axial pedestrian route to the church. The layout of Block F has been developed to provide active frontages to the facades along Goswell Road and Lever Street, with the provision of front doors and an enhanced pedestrian route designed into the landscaping proposal.*

- **Parking and vehicular traffic:** The Panel suggested reducing the number of proposed parking spaces and that parking could be removed from the middle of the estate (outside President House), with access to parking at both ends of the estate from Goswell Road and Central Street. The Panel also questioned the appropriateness of mixing pedestrian and vehicular traffic on the proposed Central Square.

*Council response: Parking has been provided to meet existing residents demand as a space will be provided for those with an existing permit only. Following the DRP a parking study was carried out on site to ensure re-provision of parking on the estate was appropriate to the need. Overall parking has been reduced significantly on the estate.*

*The panel's suggestion of providing two accesses to the site (Goswell Road and Central Street) creating a traffic-free Central Square had been previously discussed within the design team. This idea has been discussed further with the respective transport consultants; however, the creation of two accesses would require large turning heads to comply with policy, and would ultimately have a negative impact on the scheme.*

- **Permeability:** The Panel found that there was need for better connections between King's Square Gardens and the estate. The Panel suggested that the school should be more strongly linked to the green spaces of the estate, and specifically be connected to King Square through the undercroft of President House. The Panel expressed concern that too many new physical barriers were being introduced in the proposal.

*Council Response: extensive discussions with both residents, planning and Secured by Design have been ongoing regarding this aspect of the scheme. The existing route under President House adjacent to the new Independent Living block (Block E) was considered at an early stage, with an upgrade to existing landscaping proposed. However, this route forms part of the proposed courtyard for Independent Living residents and the 'growing garden' and following feedback from the SbD Officer with regards reducing permeability, this route was removed. The route under President House through the under-croft will be fob-access for residents.*

- **Architectural treatment and materiality:** The Panel welcomed the efforts to reference the existing blocks of the estate in the design of the proposed blocks, but suggested that a balance should be sought between the similarity and individuality of the proposed blocks and that a wider variety of materials should be considered.

*Council Response: Elevations presented at the DRP suggested an approach to the design based on analysis of the existing elevations. Following the DRP, the elevations were further developed in detail alongside material specification and a more contemporary approach, as detailed in the DAS.*

## 9

### RELEVANT POLICIES

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

#### National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 Since March 2014 planning practice guidance for England has been published online. On the 28th November 2014, a Ministerial Statement and revision to the Planning Practice Guidance (PPG) were published, which seeks to offer a vacant building credit (VBC) whereby the developer would be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the LPA calculates any affordable housing contribution which would be sought. The applicant has not sought to apply VCB to this scheme.



9.3 In considering the relevance of the changes to the PPG in light of the NPPF requirement to meet the full objectively assessed needs for market and affordable housing, the Council is mindful that the NPPF sets out the government's national planning policy. Furthermore, planning legislation (Section 70 of the Town and Country Planning Act 1990 and section 38 of the Planning and Compulsory Purchase Act 2004) provides that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

9.4 Legislation puts far greater weight on adopted policy, both at the national, London and borough level. The Council considers that the material consideration of the PPG should not outweigh the development plan, given the specific circumstances in Islington.

### **Development Plan**

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

### **Designations**

9.6 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011 and Development Management Policies 2013.

- Adjacent to a Local Site of Importance for Nature Conservation (SINC) – King Square Gardens
- Bunhill & Clerkenwell Key Area
- Central Activities Zone
- Major Cycle Routes
- Site Allocation Moreland Primary School & King Square Estate (BC4)
- Adjacent to a TLRN Route
- Within 50m of Hat & Feathers Conservation Area
- Within 50m of Northampton Square Conservation Area

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

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

### **Environmental Impact Assessment**

9.8 An EIA screening was not submitted. However the general characteristics of the site and proposal, which involves the development of 140 dwellings on hardstanding within an existing residential estate, are not considered to fall within Schedule 1 or 2 development of the EIA Regulations (2011).

## **10 ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

- Land use
- Design
- Density

- Accessibility
- Landscaping, trees and biodiversity
- Neighbouring amenity
- Quality of residential accommodation
- Dwelling mix
- Affordable housing (and financial viability)
- Energy conservation and sustainability
- Highways and transportation
- Planning obligations/mitigations

### **Land Use**

- 10.2 The King Square Estate is located within the Bunhill & Clerkenwell Key Area and within the Central Activities Zone (CAZ). Given its location, the following planning policies are of particular importance in assessing the planning application: London Plan Policy 2.12 (Central Activities Zone – Predominantly Local Activities) and Policy 3.3 (Increasing Housing Supply); Islington Core Strategy Policy CS7 (Bunhill and Clerkenwell) and Policy CS12 (Meeting the housing challenge); and Finsbury Local Plan (FLP) policy BC1 (King Square and St. Luke's), including the site-specific allocation BC4.

#### London Plan

- 10.3 London Policy 2.12 requires for Council's to identify, protect and enhance predominantly residential neighbourhoods within the CAZ and to work with social infrastructure providers to meet the needs of local residents. Policy 3.3 states that boroughs should seek to achieve and exceed the relevant minimum borough annual average housing target and to identify and seek to enable development capacity to be brought forward to meet these targets having regard to the other policies of the London Plan and in particular the potential to realise brownfield housing capacity through sensitive renewal of existing residential areas.

#### Islington Core Strategy (ICS)

- 10.4 Policy CS12 of the Core Strategy seeks to meet the housing challenge by identifying sites which can significantly increase the supply of good quality residential accommodation across the borough. Policy CS7 seeks to secure housing growth across the Bunhill and Clerkenwell Key Area to provide a wide range of dwelling types, affordable tenures and family-sized homes to meet the needs of the current population and to cater for increased demand. Additionally, improvements to community facilities through improved, expanded or merged facilities will allow better use of underused land and buildings. Car parks and garage spaces, shall be redeveloped in order to provide additional residential accommodation, local employment, community and/or open space uses.

#### Finsbury Local Plan

- 10.5 Policy BC1 'King Square and St. Luke's' expects for the area to be enhanced as a focal point for the wider community through sensitive, integrated, coordinated and high quality development, including a range of new homes that broaden the supply of housing in the area and meet local need, including homes suitable for families and older people.
- 10.6 The main focus of (FLP) policy BC1 is on improving the relationship between buildings and spaces and securing the successful redevelopment or refurbishment of currently underused or poor quality sites and buildings, in particular community

infrastructure that is fundamental to supporting regeneration within the wider area. In order to achieve this, the redevelopment of underused and low density land and buildings in order to deliver a range of social rented homes would be expected.

- 10.7 Recent developments and planning permissions will result in a substantial increase to the area's residential population. While these developments are evidence of urban renewal, there is a need to ensure that existing residents are provided for, and that the long-established community role of the area is retained.
- 10.8 FLP policy BC1 therefore prioritises investment in community facilities and provision of new affordable housing within the area. The policy also expects for any redevelopment on the King Square Estate to deliver an improved, high quality east/west pedestrian priority route through King Square Estate linking Goswell Road and Central Street and an enhanced public realm, including significant tree planting.
- 10.9 FLP policy BC1 part C seeks to secure enhanced public realm including the extension, retention or re-provision of existing green space, play space, private, semi-private or shared amenity space and micro allotments; achieved in a manner which contributes to and reinforces the area-wide green chain; and improvements to Central Street, Moreland Street and Goswell Road, incorporating significant tree planting to reinforce their primacy in the street hierarchy and improve pedestrian and cycling connections.

Site Allocation: Policy BC4 'Moreland Primary School & King Square Estate'

- 10.10 Site Allocation BC4 applies to both the estate and the neighbouring school site and seeks to secure redevelopment at the site to provide a new primary school and children's centre, with associated outdoor play space; alongside housing, community facilities, retail units, improved open space and play space. The allocation stipulates that:
- New buildings should provide an active frontage to Moreland Street, Goswell Road and Central Street and should positively address the east-west pedestrian path to the south of the school.
  - Existing pedestrian routes through the site should be rationalised, and where retained, routes must have passive surveillance from surrounding buildings and be well lit.
  - New buildings must be sensitively designed to minimise impacts and overshadowing on neighbouring residential buildings, particularly north-facing habitable rooms in Turnpike, Rahere and President House.
  - New buildings should respect and enhance the setting of the buildings within the Northampton Square Conservation Area and the Grade II Listed Church of St Clement with St Barnabas and St Matthew.
  - The loss of the Central Street MUGA would only be permitted if there is equivalent re-provision within the school, which is publicly accessible to estate residents for casual, free use outside of school hours.
  - Replacement provision of car parking and storage facilities should be linked to estate residents. Vehicle movements through the site should be rationalised, which may involve re-siting the existing electricity substation.

Moreland School & King Square Estate Planning Brief

- 10.11 The site is covered by a Planning Brief which re-iterates the aims for development set out above. The brief states that development on the estate should provide new homes facing onto Goswell Road and Central Street, that the existing car parking areas should be removed.
- 10.12 Additionally, the Planning Brief seeks to secure the provision of a new, well designed, safe walking route, with clear sightlines, providing a direct link from Moreland Street to the King Square Estate. This would take the form of a continuation of Gard Street in a southerly direction. Development should also include improved public space, an enhanced east-west route through the site and improved street tree planting.

#### Proposed Development

- 10.13 The development proposes a mix of high quality residential accommodation, including family-sized homes, on underused land, car parks and garage spaces in accordance with the aims and objectives of London Plan and Islington Core Strategy Policies. Moreover, the development delivers new community facilities and a significant increase in affordable homes in accordance with Finsbury Local Plan policies which seek to ensure that existing residents are provided for, and that the long-established community role of the area is retained.
- 10.14 The application also proposes an improved, high quality east/west pedestrian priority route through King Square Estate linking Goswell Road and Central Street and an enhanced public realm, including significant tree planting, allotments, communal garden space and improved pedestrian and cycle routes, in accordance with the aims of the Finsbury Local Plan. It is considered that the aims of the site allocation BC4 and the Planning Brief for the site have also been successfully met. Details of these are outlined in the subsequent sections of this report.

#### Development on Existing School Playspace

- 10.15 The proposal seeks to develop part of the existing Moreland School site, which currently provides a games court and playspace, in order to provide residential accommodation. Islington's Local Plan seeks to maintain the level of existing formal play provision per child (Policy CS16 part C) and sports and recreation provision (Policy CS17 part A) both of which could be considered to apply to that within schools. Policy CS17 part C seeks to increase access to sports facilities in schools through community use agreement for public use to help meet demand.
- 10.16 Policy DM6.3 part F prevents loss of any playspace unless equivalent is reprovided or, where not possible: there are over-riding planning merits to the proposal, or; it can be robustly demonstrated that they are no longer required and their loss would not lead to a shortfall in overall provision in the local area.
- 10.17 In terms of re-provision the Planning Brief seeks the provision of high quality and imaginative outdoor space including play areas and gardens. The development provides for the potential of between 600-700sqm of playable landscape for under 5year old children within the courtyards of Block D and F, in front of Turnpike House as well as the community garden by the MUGA. The existing play equipment in King Square Gardens and the playground close to Central Street are already of high quality and have recently been improved. As a result, play for children over 5 years old will continue to be provided within these facilities which are all directly on the boundary of the estate. The existing MUGA will also be available.
- 10.18 Although any detailed designs for the school will be the subject of a separate application, it is understood that the suggested boundary between the school and the

estate formed the basis of consent obtained from the Secretary of State. Though new residential accommodation will be located on the existing school play area, the existing outdoor play space will be reprovided within the school boundary as part of the redevelopment of the school.

- 10.19 In terms of over-riding planning benefits for the loss of the existing play space, the proposed development would enable funds for the redevelopment of Moreland School as well as environmental improvements to be carried out as part of the wider regeneration of the estate. These factors, alongside the provision of much needed genuinely affordable social rented housing elsewhere in the scheme are considered to outweigh the harm of the loss of the outdoor play space.

### **Design & Appearance**

- 10.20 All proposals for development in Islington are expected to be of good quality design, respecting their urban context in accordance with planning policy and guidelines. As such, Finsbury Local Policy BC9 expects proposals to reflect predominant building heights and respond positively to the existing townscape context. Moreover, development is expected to preserve and enhance the setting of adjacent designated and undesignated heritage assets including the adjacent Grade II listed St Matthew's Church and Northampton Square Conservation Area, and should build on the quality which these assets bring to the wider area.
- 10.21 While the King Square Estate has many strengths, many aspects of the estate's overall layout and urban design could be vastly improved. For example, the estate suffers from poor accessibility and security, poorly defined public/private realm and large areas of underused hardstanding. Moreover, along its Central Street, Moreland Street and Goswell Road boundaries, the King Square Estate suffers from a poor quality and fragmented frontage. Therefore, any application for development at this location should look to improve this situation. Proposals should, where feasible, secure improvements to the overall urban design of the estate, its architectural quality, its public realm and ensure the integration of all new buildings into the existing character and townscape of the estate.
- 10.22 Islington Development Management Policy DM2.1 (Design) provides clear advice with respect to what is expected from a development in terms of its design. Further detailed design guidance is also provided within the Islington Urban Design Guide SPD.

### **Design Approach (Buildings)**

- 10.23 The overall design approach proposed represents a simplified contemporary take on the design of the existing modernist architecture on the estate. While the existing buildings on the estate predominantly involve concrete, the proposed buildings are largely brick-built with elements of metal cladding. This approach is considered to provide a successful intermediary between the existing estate buildings and the surrounding urban context where brick is the predominant building material.
- 10.24 The principle of the design approach put forward is considered to be appropriate. However, it is clear that its success will be dependent on careful detailing and choice of high quality robust materials, which would be required by condition (4). Analysis of the design of individual buildings proposed on the estate will follow in subsequent sections.

### **Height, Bulk and Massing**

- 10.25 The heights of the proposed buildings are generally between 3- and 5-storeys in height, though one of the buildings has a set-back top two floors, making it 7 storeys overall. The buildings are thus consistent with the surrounding urban context where building heights on the whole vary between 3 and 7 storeys in height. The overall height, bulk, massing and layout of the proposed buildings is considered to be successful and each block will be assessed in subsequent section of this report.

#### Site Layout / Public Realm

- 10.26 Finsbury Local Plan Policy BC1 (King Square and St Luke's) aims to improve the public realm on the King Square Estate. The Planning Brief seeks to achieve this by ensuring development proposals provide safer, well-designed public open spaces. This can be achieved through improving sightlines and increasing the amount of overlooking onto public spaces. The Planning Brief also seeks to secure the provision of a new, well designed, safe walking route, with clear sightlines, providing a direct link from Moreland Street to the King Square Estate.
- 10.27 In accordance with the aims of the brief, a new pedestrian route is proposed in this application, linking Moreland and Gard Street with the estate. The route would run alongside the eastern boundary of the school and lead onto a new area of public realm. This area is currently occupied by an area of hardstanding used as a car park and a row of garages. The proposal includes the demolition of these garages, replacing them with a new terrace of houses. The new terrace would overlook an improved entrance to the estate and a new area of car parking including hard and soft landscaping. The estate's Central Street frontage would be considerably enhanced by these new additions as well as the enhancements to the existing nursery on the ground floor of Rahere House.
- 10.28 To the south-west of this new area of open space the application proposes a new 4-storey building to provide a community centre and new residential accommodation. The new building is considered to be sensitively designed and its siting frames the improved route through the estate. The building's orientation and fenestration also provides enhanced surveillance to a poorly-overlooked area of the estate which has had issues of anti-social behaviour.
- 10.29 Further into the estate, in the area between Rahere House and President House, the application proposes the re-design of the existing amenity space around the MUGA. This is supported in principle subject to detailed design and landscaping considerations dealt with in subsequent sections of this report. The proposed community garden in the south-eastern corner of the application site adjoining the neighbouring church has the potential of being a significant asset for the estate and its residents. It also has the potential to help design out anti-social behaviour, which is understood to take place in this part of the estate. Robust conditions relating to management and maintenance would be necessary to achieve these objectives.
- 10.30 From this part of the estate a pedestrian and vehicular route runs along President House towards Goswell Road and the western edge of the estate. The application proposes significant improvements to this route leading to Goswell Road and a new pedestrian entrance where new buildings would frame the estate and create a strong new street frontage. In the northern-most part of the estate, in an area currently occupied by Moreland Primary School's sports pitch, the application proposes two new apartment blocks (Blocks D1 and D2) separated by a landscaped courtyard garden. The part 5-, part 7-storey frontage building is aligned with the neighbouring Mason's Yard and acts as a continuation of the Goswell Road facade.
- 10.31 The position and orientation of both blocks E and F are subject to various site constraints, particularly regarding trees and also in their relationship to the existing

Turnpike House. It has been proposed that Blocks E and F, while addressing Goswell Road, provide a framed public space in front of Turnpike House leading to the pedestrian route to the church. Block E also aligns with the east-west pedestrian route which runs through the estate and provides a well-designed border to this route. The layout of Block F has been developed to provide active frontages to the elevations facing Goswell Road and Lever Street, with the provision of front doors and an enhanced pedestrian route designed into the landscaping proposal. The elevation facing due south over Lever Street features projecting balconies, animating the facade and creating a focal point of the corner.

### Block A

- 10.32 The nursery is referred to as Block A in the submission documents and is located within the ground floor of Rahere House. The existing nursery suffers from poor internal layout and is in need of significant elevational improvements. The main changes proposed involve modest side extensions and some perforated metal cladding to improve the facades. The elevations also include some additional timber / aluminium framed openings and a new entrance to provide a more accessible and welcoming nursery facility. These changes are considered to improve the internal layout of the nursery and the ground floor facades of Rahere House.

*View of new entrance from Central Street*



### Block B

- 10.33 The demolition of the existing garages along the northern boundary of the estate would allow for the construction of Block B, a terrace of 10 three-bed houses and 1 two-bed house. The proposed terrace has an east-west alignment with a single-storey house fronting onto Central Street. The single-storey house would be of simple brick construction with projecting brick detail and windows facing onto Central Street as well as onto the estate to the south.



*Block B (terrace of houses)*



- 10.34 The street frontage building referred to above would be connected to the three-storey houses which form the rest of the terrace. The design of the houses includes a brick boundary wall with perforated brick detail, metal panel doors and aluminium/timber composite windows at ground floor level. Each of the proposed terrace houses consists of a two storey brick-built frontage element (which would align with the brick boundary wall) alongside a recessed space behind the front boundary wall and entrance. This recessed area behind the boundary wall allows for a small front yard with space for storage.
- 10.35 Set back considerably from the brick boundary wall and frontage building would be a three-storey zinc clad element with vertically aligned channels and timber/aluminium framed composite windows facing south. The terrace is well-designed to maximise internal daylight and provides a punctuated elevation and roof line, which gives an element of interest set against the rather drab rear elevation of the neighbouring Seraph House. The design is simple yet well-articulated and its success will be dependent on the choice of brick and metal cladding, to be reserved by condition (4).

### Block C

- 10.36 To the south of the proposed terrace of houses described above and to the west of the existing Rahere House, it is proposed to erect a new four-storey building to accommodate a community facility at ground floor level and residential accommodation above. The building would consist of a similar palette of materials to the proposed terrace of houses with projecting brick detail, metal clad openings and timber/aluminium composite windows. The ground floor of this building's facade would consist of large areas of metal panelling to provide an appropriately robust ground floor and to differentiate the community centre from the residential uses above.

### *Block C with community centre*



- 10.37 The design of the building would prevent overlooking towards the school through tilted projecting windows and would maximise overlooking and surveillance onto area of the estate where this is currently lacking. The upper floors would include laser cut metal balconies and large amounts of fenestration and openings looking onto the estate. The building proposed has a strong rectangular form consistent with the shape and massing of the existing estate buildings and provides a strong and well-designed edge to this part of the estate.

### Block D



- 10.38 Block D consists of two buildings, a part 5-, part 7-storey building fronting Goswell Road referred to as Block D1 and a 5-storey building to the rear known as Block D2. The main mass of the proposed building fronting Goswell Road reads as five stories with the parapet matching the height of the neighbouring Masons Yard. This building would be brick-built with large glazed window openings and inset balconies with glazed balustrades. The ground floor Goswell Road elevation would consist of large areas of fenestration and metal panels with a new glazed shopfront on the south-western corner.

*View of Block D from Goswell Road*



- 10.39 On top of the main five stories, the frontage building has a further two set-back stories. The first of these floors would be considerably set back from the Goswell Road thereby significantly reducing its visibility and townscape impact. The top floor would be set back from the boundary with Masons Yard as well as from the southern elevation, with further recessed sections along the Goswell Road frontage to allow for outdoor amenity space. These top floor levels would consist of metal panelling and large elements of glazing to provide a more lightweight finish.
- 10.40 The building's rear elevation has a simple façade with evenly-spaced fenestration and two projecting stair cores. This elevation would look onto a communal landscaped courtyard which separates it from Block D2. This building would be five stories in height with a four storey element on the boundary with Masons Yard. This building is of similar design with a similar pallet of materials without the two set back stories. The proposal responds well to the site's street frontage context and provides a well-designed courtyard development. The details of materials and landscape design would be reserved by condition (4) to ensure a high quality finish.

#### Blocks E & F

- 10.41 Block E is referred to as an Independent Living Block and would provide self-contained housing for the elderly and more vulnerable residents. The proposed building would have a five storey element fronting Goswell Road with a lower three storey element extending into the estate. The building would be a simple brick-built design with projecting brick detail and metal panelling providing some interest to the facades. The north-western corner of the building would have inset balconies to provide private amenity space and to liven up the façade.
- 10.42 The alignment of the proposed building would result in a strong frontage onto Goswell Road as well as an elevation fronting onto the estate road which links Goswell Road with Central Street on an east-west axis through the estate. The L-

shape of the proposed building also forms a communal garden area which would be reserved for residents of this building.

- 10.43 Finally, the proposal involves the erection of a new building, Block F, on the south-west corner of the site following the proposed demolition of 9 single storey dwellings known as Turnpike South. The building would have a four storey element fronting, yet considerably set back from Goswell Road, and a lower three storey element looking onto the adjoining King Square Gardens and Lever Street beyond. The building would be brick-built with metal projecting balconies.

*View of Block F from Lever Street*



- 10.44 While addressing Goswell Road, Blocks E and F provide a framed public space in front of Turnpike House leading to the pedestrian route to the church. The layout of Block F provides active frontages to the facades along Goswell Road and Lever Street, with the provision of front doors and an enhanced pedestrian route designed into the landscaping proposal. The elevation facing due south animates the facade and creates a focal point of the corner with corner glazing and a corner balcony to the top floor.

### **Density**

- 10.45 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The existing King Square Estate comprises a total of 350 residential units across a site of 1.98 hectares. The development scheme proposes a total of 140 new residential dwellings, while 9 dwellings at Turnpike House would be demolished, leaving a total of 479 dwellings on the estate.
- 10.46 In assessing the appropriate housing density for the application site and the wider estate it is necessary to consider the London Plan which notes that it would not be appropriate to apply these limits mechanistically. In particular, the local context as well as design considerations should be taken into account when considering the acceptability of a specific proposal.
- 10.47 The site has a public transport accessibility level (PTAL) of between 5 (Very Good) and 6a (Excellent). For urban areas with such a high PTAL, the London Plan Policy 3.4 (Table 3.2) suggests that a density level of between 175 and 355 units per hectare would be most appropriate.

- 10.48 The proposed development would result in a residential density of some 250 units per hectare across this part of the estate. This level of housing density is considered to be well within the suggested range and is considered to be appropriate in this urban context.

### **Accessibility**

- 10.49 All residential developments are required to achieve the standards of the Islington Inclusive Design SPD and provide 10% (by habitable room) of residential units as wheelchair accessible units, in accordance with Islington's Development Management Policy DM2.1 and DM2.2.
- 10.50 The application provides 13 wheelchair accessible units across all of the proposed new blocks (7 x 1 bed units, 5 x 2 beds and 1 x 3bed) amounting to some 9% as measured by units and habitable rooms, which falls marginally below the 10% required by policy DM3.4. However, Block E, which provides homes for over 55s, is designed in accordance with principles contained in the Housing our Ageing Population Panel for Innovation (HAPPI) Report 2009. As such, all 25 units in Block E would be served by two accessible lifts and includes a mobility scooter store room. All 25 units would have floor areas measuring 10% larger than minimum standards to allow for future adaptability and would feature accessible bathrooms. As such, the provision of 9.1% accessible units is considered to be acceptable in this case given the additional facilities offered in Block E.
- 10.51 The applicant has detailed that all 140 units have also been designed to achieve the Council's Flexible Homes Standards (*condition 8*). With regard to the ground floor community centre, this would provide level access and an accessible W.C and would be in accordance with the Islington Inclusive Design SPD.
- 10.52 With regard to external space, open space and landscaping should comply with the principles of inclusive design, with particular consideration for surfaces and seating. All areas should have step-free access and access to amenity facilities such as the bin store will also need to be fully accessible. In the event of planning permission being granted, the above measures would be secured by planning condition to ensure that the proposed development is genuinely accessible and inclusive.

### **Landscaping, Trees and Biodiversity**

- 10.53 Islington's Core Strategy Policy CS15 on open space and green infrastructure states that the council will provide inclusive spaces for residents and visitors and create a greener borough by protecting all existing local spaces, including open spaces of heritage value, as well as incidental green space, trees and private gardens. Policy DM6.5 states that development should protect, contribute to and enhance the landscape, biodiversity and growing conditions of the development site and surrounding areas. Developments are required to maximise provision of soft landscaping, including trees, shrubs and other vegetation. Furthermore, developments are required to minimise any impacts on trees, shrubs and other significant vegetation. At the same time any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits.
- 10.54 The Moreland School and King Square Planning Brief states that development must protect the existing site ecology and make the fullest contribution to enhancing biodiversity, including through incorporation of biodiversity-rich green roofs, soft landscaping and bird and bat boxes. Regarding open space, Development Management Policy DM6.3 states that development is not permitted on semi-private amenity spaces, including open space within housing estates and other similar

spaces in the borough not designated as public open space within this document, unless the loss of amenity space is compensated and the development has over-riding planning benefits.

- 10.55 Across the application site there are a large number of existing mature trees, which provide both amenity and biodiversity value. On the eastern end of the site, between Rahere and President House, is an open space, referred to as the 'Green'. This space provides a focus for the estate, comprising of areas of lawn retained by low walls and some seating. In addition to the amenity value of the Green, the estate includes a local community play space and a Multi-Use Games Area (MUGA).
- 10.56 The remainder of the open space on site consists of a large area of hardstanding used as a car park on the eastern edge of the estate which is connected by an east-west pedestrian and vehicular route bordered by a grass verge and an avenue of trees to a further area of car parking on the western edge of the estate. Immediately to the south of the application site, the estate is bordered by King Square Gardens which is both designated Open Space and a Site of Importance for Nature Conservation (SINC) as well as providing important amenity value to local residents.
- 10.57 The proposal includes development and the erection of new buildings on semi-private open space but at the same time proposes extensive landscaping works across the entire estate and landscape interventions on both Goswell Road and Central Street frontages. Similarly, the proposal involves the loss of existing trees but also the planting of a variety of new trees. The overall landscaping and tree planting proposal needs to be looked at in more detail to weigh up the impacts and benefits of what is being proposed.

#### Landscaping

- 10.58 Given the site and policy context referred to above, the quality of the public realm and landscaping on the King Square Estate is of fundamental importance to this planning application. The application proposes to enhance the existing car parking fronting Central Street by introducing new paving, new planters and planting new semi mature trees. The proposal would also green the edges of this parking area by introducing new front gardens along the terrace of houses and providing a new green edge around the boundary of the nursery and Rahere House.
- 10.59 While some of the existing green buffer to the school boundary would be lost as a result of the proposed Block C, the central 'Green' referred to above would be enhanced through the introduction of new lawn, shrubs and additional tree planting. This area would form part of a pedestrianised shared service connecting the new community centre, Rahere House, President House and the existing MUGA and playground. Linked to this area is a proposed community garden, which would adjoin the neighbouring grade II listed St Clements Church. The community garden would be enclosed by a fence with access provided only to residents of the estate (*secured by condition 29*) and would consist of retained trees, new semi-mature trees, new shrub planting and seating.
- 10.60 The east-west route through the estate along President House would be enhanced through further tree planting, buffer planting and the introduction of new paving and raised tables to provide a more pedestrian-friendly environment. The route leads to the western boundary where the site fronts onto Goswell Road. The application proposes an improved and more welcoming pedestrian entrance to the estate at this point with additional tree planting proposed along the Goswell Road frontage. The quality of the new entrance to the estate at this point is dependent on the detail and materials proposed which would be reserved by condition (*condition 36*).

- 10.61 New courtyard gardens are proposed to form part of Blocks D and F as well as the Independent Living Block (Block E). The courtyards would be reserved for residents of each block and would consist of a mixture of hard and soft landscaping, new ornamental tree planting, water features, flower beds, garden furniture and informal play space. These courtyards would provide an important amenity benefit for the new residents as well as an ecological benefit for the surrounding area.
- 10.62 A new green buffer is proposed along Goswell Road and a further publicly-accessible open space would be provided to the front of Turnpike House. The area would include new planting, green space and informal play space. To the rear of Turnpike House it is proposed to locate a new growing area for the use of residents only. Its detailed design would be reserved by condition (17) to ensure that it is successfully delivered. Overall the application would reprovide an improved area of public realm and at the same time provide a significant amount of high quality communal garden area in the form of landscaped courtyards.

Trees:

- 10.63 King Square Estate has a large number of trees throughout the site with a number of these located in dense groups or avenues. The application proposes the removal of 26 individual trees, mainly located at the site of the proposed community building and Block F on the south-west corner of the estate. The table below details the quality of the trees proposed to be removed and those to be retained, expressing this through their British Standard grading, with A being the highest standard (trees of high amenity quality and with potential to improve) and U being the lowest (defined as not being a constraint to development):

<b>British Standard Category</b>	<b>Trees lost</b>	<b>Trees retained</b>
<b>A</b>	0	10
<b>B</b>	8	28
<b>C</b>	17	31
<b>U</b>	1	0
<b>Total</b>	26	69

- 10.64 The majority of the trees to be removed are categorised as class C or below (over 65%). Moreover, the proposal includes the planting of 82 new trees which would be selected for their amenity and ecological value. This includes new street trees with a tall but narrow canopy, feature trees with distinctive form and colour to match their proposed location and public space trees which would be medium to large in scale and size.
- 10.65 The proposed tree planting would provide a higher canopy cover than the trees lost over a 10 year period and as set out above these form part of a wider high quality landscaping proposal that would be of a high amenity value, in accordance with policy DM6.5. This mitigates the loss of the trees at the site.
- 10.66 The proposal includes an overall increase in green space with a greater variety of plant and tree species which would enhance the overall ecological value of the site. The application also includes a significant improvement to private, semi-private open space and communal garden space which would provide an enhancement to the

amenity of local residents. The proposal is thus considered to be in accordance with the Core Strategy policy CS15 and Development Management Policy DM6.5 as well as the aims and objectives of the Planning Brief for the site.

- 10.67 To ensure the protection of the trees to be retained at the site and secure a high quality landscape scheme conditions are recommended which require the submission of and compliance with an agreed Landscape Management Plan (condition 17), an Arboricultural Method Statement (condition 19) and a Scheme of Site Supervision (condition 20).

### **Neighbouring Amenity**

- 10.68 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. In this regard, the proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 10.69 Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing. In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 10.70 Daylight / Sunlight The loss of daylight can be assessed by calculating the Vertical Sky Component (VSC) which measures the daylight at the external face of the building. Access to daylight is considered to be acceptable when windows receive at least 27% of their VSC value or retain at least 80% of their former value following the implementation of a development. The parameters of window size, glass transmissivity, room size and internal surface reflectance are then evaluated against the VSC for the window location to get the resulting average daylight factor (ADF). Whilst ADF is not the ordinary daylight test and normally used for assessing proposed developments' daylight receipt, it nevertheless provides supplemental information of the likely impacts.
- 10.71 Daylight is also measured by the no sky-line or daylight distribution contour which shows the extent of light penetration into a room at working plane level, 850mm above floor level. If a substantial part of the room falls behind the no sky-line contour, the distribution of light within the room may be considered to be poor.
- 10.72 In terms of sunlight, a window may be adversely affected by a new development if a point at the centre of the window receives in the year less than 25% of the annual probable sunlight hours including at least 5% of annual probable sunlight hours during the winter months and less than 0.8 times its former sunlight hours during either period. It should be noted that BRE guidance advises that sunlight is only an issue to a neighbouring property where the new development is located within 90 degrees of due south.
- 10.73 Due to the layout of the site and the mass and scale of the development proposed, the three buildings which would experience the most noticeable impacts are Masons Yard, Seraph Court and Turnpike House.

- 10.74 The building known as Masons Yard is located immediately to the north on the Goswell Road frontage with access from Moreland Street. The building is commercial on the ground floor and residential on the upper floors. On the whole, the residential dwellings in this property benefit from daylight from windows located on the western elevation facing Goswell Road and the northern elevation overlooking an internal courtyard. However, some of the flats also benefit from windows which look onto a lightwell which faces the application site and provides daylight to various internal areas on each level of this building.
- 10.75 Though only afforded minimal daylight due to their position within a lightwell looking onto a brick wall, it should be noted that the daylight to these windows would be significantly reduced as a result of the development. This loss applies to a total of five windows in four separate dwellings in this building with losses recorded of between 60% and 95% of the existing daylight afforded to these units. The losses of daylight as measured by the no sky-line contour calculations provide similar results with the five windows facing the lightwell being noticeably affected.
- 10.76 While regrettable that these windows would suffer a noticeable loss of daylight, fortunately they are predominantly secondary windows that provide natural lighting to hallways and staircases. The only example where this is not the case is the lower ground floor level where the lightwell provides the only source of natural light to a living room. It should be noted however that the daylight currently afforded to these windows is currently very low (the window has a VSC of 0% and daylight distribution only reaches less than 10% of the room) so any loss is likely to be a considerably high percentage of the overall existing situation. An exercise has been carried out to ascertain the losses resulting from a building two stories lower than that proposed and it can be confirmed that these neighbouring windows would still suffer noticeable losses.
- 10.77 The top floor flat of Masons Yard also has a number of south-facing windows and a roof terrace overlooking the estate and application site. The proposed development would result in a loss of natural daylight to these windows with losses of between 10% and 25%. These impacts may be noticeable but are not considered to be significant enough to warrant a refusal of planning permission.
- 10.78 The neighbouring Seraph Court contains windows facing south and overlooking the application site. However, the application only proposes three storey town houses on the boundary with this neighbouring property. Given the height of this proposal as well as its distance from Seraph Court, daylight to windows within this property would not be noticeably affected. Similarly, windows within Turnpike House would not be affected by the proposed development due to the alignment of windows and the height and mass of buildings proposed.
- 10.79 In terms of sunlight, not surprisingly the five windows facing the lightwell on Masons Yard also experience significant losses in direct sunlight as a result of the development. However, given that these windows on the whole serve hallways, these losses in sunlight are not considered to be as serious or as detrimental to these residents' overall amenity so as to warrant refusal of planning permission.
- 10.80 Overlooking / Privacy: Development Management Policy 2.1 identifies that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm.



- 10.81 The closest distance between proposed and existing buildings would arise between Blocks D and the neighbouring Masons Yard. While the windows would not directly face each other as the buildings would align at a 90 degree angle, overlooking between these buildings, particularly from respective balconies would result in a loss of privacy. The application proposes a series of privacy screens on Block D1 to reduce opportunities for overlooking, however these are not considered sufficient to acceptably maintain privacy levels. Further privacy screens in the form of obscured glazing on both Block D1 and D2 would be required for this to be acceptable. If permission be granted, further details would be required by condition (6) prior to implementation of the scheme to ensure that privacy levels are maintained.
- 10.82 A further close relationship would arise between the proposed terraced houses and the neighbouring Seraph Court. However, the windows to the town houses would all face southwards, away from neighbouring buildings and onto the estate and would thus not give rise to overlooking concerns. Block C, which has an elevation facing Moreland Primary School, has been designed so that windows on this elevation are splayed with their outlook facing south away from the school playground. The closest distance between windows facing each other on the estate would be between Block D1 and D2 where a distance of some 17 metres would arise. While this is less than the 18 metre minimum deemed acceptable, these are not existing dwellings experiencing a loss of privacy.
- 10.83 Safety / Security: the safety and security implications of the proposed development has been raised by a number of residents, specifically the relationship between the proposed courtyard at Blocks D and the neighbouring Mason's Yard, and this requires closer consideration. In particular, the application proposes a cycle storage facility up against the boundary of the neighbouring property which causes concerns if not designed properly. The solution would be to design a cycle shelter that constitutes an obstacle rather than an aid to scaling the boundary and a boundary treatment that is suitably high as to prevent opportunities of access between both properties.
- 10.84 Views / Outlook: A number of residents have raised objections to the proposal on the basis that their views over the surrounding Georgian houses and the skyline beyond would be lost. While planning legislation does not protect the right to a view, the sense of enclosure caused by a development is a consideration. However, the windows in closest proximity to the proposed development at Block D all serve a lightwell with their existing outlook onto an external wall and it is considered that residents would not be subjected to significant additional sense of enclosure as a result of the proposal. The only other window facing the development at such close proximity is that serving the top floor of Mason's Yard. However, views from this property will maintain a considerable outlook over the surrounding area and the city beyond and would not experience an unacceptable increase in a sense of enclosure as a result of the development.
- 10.85 It is considered, that the impacts of the proposed development on residential amenity in terms of loss of sunlight, daylight, privacy or an increased sense of enclosure have been appropriately addressed and that suitably-worded conditions would ensure that impacts are suitably minimized in accordance with DM Policy 2.1 and London Plan Policy 7.6.

### **Quality of Resulting Residential Accommodation**

- 10.86 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life, residential space and design standards will be significantly increased and enhanced from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing standards. In accordance with this policy,



all new housing is required to provide functional and useable spaces with good quality amenity space, sufficient space for storage and flexible internal living arrangements.

- 10.87 Unit Sizes: All of the proposed residential units comply with the minimum unit sizes as expressed within this policy. The Independent Living Block provides dwellings that are more generously proportioned and exceed these standards.
- 10.88 Aspect/Daylight Provision: Policy DM3.4 part D sets out that 'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated'.
- 10.89 Block C has been designed so as to minimise overlooking the neighbouring school. Partly as a result of this, six of the new dwellings proposed in this building would have a single aspect facing east. However, the internal daylighting levels of these proposed units have been calculated using ADF figures and it can be confirmed that these new units would on the whole have a decent provision of natural daylighting. These units would also be adequately sized with generous private balconies and are considered to provide good quality residential accommodation.
- 10.90 A number of dwellings proposed on Blocks D1 and D2 would also be single aspect. Most of these are for private sale while 8 (eight) are social rented units. However, these single aspect units would on the whole have good levels of internal daylight and would have functional internal layouts with generous provision of private and/or communal amenity space. Block F also includes three single aspect units, though these are considered to be well-proportioned with decent levels of internal daylighting.
- 10.91 Amenity Space: Policy DM3.5 of the Development Management Policies Document 2013 within part A identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'. The policy in part C then goes on to state that the minimum requirement for private outdoor space is 5 square metres on upper floors and 15 square metres on ground floor for 1-2 person dwellings. For each additional occupant, an extra 1 square metre is required on upper floors and 5 square metres on ground floor level with a minimum of 30 square metres for family housing (defined as 3 bed units and above).
- 10.92 All of the proposed units are provided with private amenity space in various forms. While the 3-bed units do not provide the amount of private amenity space stipulated in the policy, the proposal includes an uplift in the quantity and quality of publicly available amenity space across the estate. Moreover, the proposal also includes high quality and well-designed communal courtyard space which would make a valuable contribution towards amenity for future residents.
- 10.93 Air Quality: Some of the dwellings in Blocks D1, Block E and F would front onto Goswell Road which can be heavily trafficked. The surrounding area records levels of NO<sub>2</sub> which would necessitate mitigation levels which will be appropriately conditioned (*condition 24*).
- 10.94 Noise: A condition (21) is recommended requiring all residential units to include sufficient sound insulation to meet British Standards.
- 10.95 Refuse: Dedicated refuse and recycling facilities/chambers are provided for the residential uses. The location and capacity, and management of these facilities have been developed in consultation with the Council Street Environment Department and are acceptable.

10.96 Playspace: The development includes informal play space areas within the courtyards of Blocks D1 and D2 and Block E as well as in the area in front of Turnpike House. The existing playground fronting Central Street would be retained and further improvements are proposed to the informal play area between Rahere House and President House.

### **Dwelling Mix**

10.97 The scheme proposes a total of 140 residential units with an overall mix comprised of:

<b>Dwelling Type</b>	<b>Social Rent (Units / %)</b>	<b>Policy DM3.1 Target Mix</b>	<b>Shared Ownership (Units / %)</b>	<b>Policy DM3.1 Target Mix</b>	<b>Private (Units / %)</b>	<b>Policy DM3.1 Target Mix</b>
1 Bed	35 / 37.6%	0%	2 / 40%	65%	5 / 9.5%	10%
2 Bed	47 / 50.5%	20%	3 / 60%	35%	36 / 88.1%	75%
3 Bed	11/ 11.8%	30%	0 / 0%	0%	1 / 2.4%	15%
4 bed +	0 / 0%	50%	0 / 0%	0%	0 / 0%	0%
<b>TOTAL</b>	<b>93</b>	<b>100%</b>	<b>5</b>	<b>100%</b>	<b>42</b>	<b>100%</b>

10.98 Part E of policy CS12 of the Islington Core Strategy requires a range of unit sizes within each housing proposal to meet the needs in the borough, including maximising the proportion of family accommodation in both affordable and market housing. In the consideration of housing mix, regard has to be given to the constraints and locality of the site and the characteristics of the development as identified in policy DM3.1 of the Development Management Policies.

10.99 While the dwelling mix proposed for the intermediate and private tenure is broadly policy-compliant, there is a clear over-provision of 1- and 2-bed social rented units when compared with the policy stipulations on dwelling mix. However, the social rented mix has been based on actual current demand rather than long-term Council aspirations and the application has been accompanied by information on housing waiting lists which shows that by far the most sought-after housing type are one beds.

10.100 The supporting text of policy DM3.1 within Development Management Policies relates to this objective stating 'There may be proposals for affordable housing schemes that are being developed to address short term changes in need/demand as a result of specific interventions (for example, efforts to reduce under-occupation). In these situations deviation from the required policy housing size mix may be acceptable. In such cases registered providers will need to satisfy the council that the proposed housing size mix will address a specific affordable housing need/demand and result in an overall improvement in the utilisation of affordable housing units in Islington'.

10.101 Recent changes in housing legislation to address the under occupation of social housing have created a greater demand for smaller social housing units, as reflected by the high proportion of 1 bedroom units proposed. The applicant, LBI Housing proposes this dwelling mix to allow mobility within the social housing sector to accommodate these national changes to the welfare system. Furthermore, the provision of smaller units will allow for mobility within the estate which would address under occupation. Nomination rights will prioritise those transferring from within the estate. Given this, a deviation from the policy is considered reasonable and the housing mix can be accepted.

### **Affordable Housing and Financial Viability**

10.102 The London Plan, under policy 3.11 identifies that boroughs within their LDF preparation should set an overall target for the amount of affordable housing provision needed over the plan period in their area with separate targets for social rented and intermediate housing that reflect the strategic priority accorded to the provision of affordable family housing. Point f) of this policy identifies that in setting affordable housing targets, the borough should take account of "*the viability of future development taking into account future resources as far as possible.*"

10.103 Policy CS12 of the Islington Core Strategy sets out the policy approach to affordable housing. Policy CS12G establishes that "*50% of additional housing to be built in the borough over the plan period should be affordable and that provision of affordable housing will be sought through sources such as 100% affordable housing scheme by Registered Social Landlords and building affordable housing on Council own land.*" With an understanding of the financial matters that in part underpin development, the policy states that the Council will seek the "*maximum reasonable amount of affordable housing, especially social rented housing, taking into account the overall borough wide strategic target. It is expected that many sites will deliver at least 50% of units as affordable subject to a financial viability assessment the availability of public subsidy and individual circumstances on the site.*"

10.104 Policy CS12 confirms that an affordable housing tenure split of 70% social rent housing and 30% intermediate housing should be provided.

10.105 The Affordable Housing Offer The proposed development would provide a total of 140 residential units (both for private sale and affordable housing). Of the 140 units (403 habitable rooms, hr), 98 of these units (279 hr) would comprise affordable housing (social rent and shared ownership tenure). Affordable housing provision is typically calculated with reference to the number of habitable rooms provided and in this instance the scheme would provide 69.4% affordable housing. The scheme provides 70% affordable housing if measured by units.

10.106 Within the affordable housing provision there is a policy requirement for 70% of the provision to be social rent and 30% as intermediate/shared ownership. The proposal includes 5 shared ownership and 93 social rented units. Although this constitutes an under-provision of shared ownership units, this form of housing is considered unaffordable in this part of the borough given excessively high property values.

10.107 The proposal fails to provide 100% affordable housing as sought by policy CS12 for developments on Council's own land. In accordance with policy requirements, a financial assessment has been submitted with the application to justify the proportion of affordable housing offered. In order to properly and thoroughly assess the financial viability assessment, the documents were passed to an independent assessor to scrutinise and review.

- 10.108 The applicant's Viability Assessment identified that the development as proposed is unviable in a purely commercial sense as it still requires an amount of public subsidy to address the shortfall between the revenues generated by the development and the costs of providing it. The independent assessor has considered the information submitted and has agreed that the scheme would be unviable without such a subsidy. This is attached as a redacted version of the Council's independent advisor's report at Appendix 4.
- 10.109 It is apparent that in a typical commercial sense, the proposed scheme and level of affordable housing is unviable. However the applicant LBI Housing is not a commercial developer and in line with Council corporate objectives, is primarily seeking to deliver housing, public realm improvements and a community centre to meet identified needs. The affordable housing offer on this site in terms of the quantity, quality and mix is considered to make a positive contribution to the housing needs of the borough.
- 10.110 Though Core Strategy Policy CS12 seeks 100% affordable housing schemes from development on Council land, it is not considered that a failure to provide 100% affordable housing on Council owned land is contrary to that policy where it is shown that considerable public subsidy is required to support the lower provision as detailed above. It should be noted that in a standard commercial viability appraisal an existing use value is included to calculate a scheme's viability. In this instance, no existing use value has been factored in. Instead a figure of £8.3 million, which the scheme would deliver in order to enable the redevelopment of the school, has been entered. In this case, it is not considered that it would be reasonable to require in planning terms an additional amount of public subsidy/grant funding to be committed to the scheme to provide a 100% affordable scheme, particularly as the proposal includes a good variety of tenures and enables the delivery of the school.
- 10.111 The proposal provides good quality affordable housing, estate-wide improvement and a new community centre. In this context, the offer of 70% affordable housing is considered to deliver a good mix of tenures and is considered to be acceptable and in accordance with policy. This provision is secured with a Directors Level Agreement.

#### **Sustainability, Energy Efficiency and Renewable Energy**

- 10.112 The London Plan (adopted July 2011) Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 10.113 All development is required to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). Developments should achieve a total (regulated and unregulated) CO<sub>2</sub> emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically all remaining CO<sub>2</sub> emissions should be offset through a financial contribution towards measures which reduce CO<sub>2</sub> emissions from the existing building stock (CS10).
- 10.114 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport,

sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires for development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details and specifics are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Development Management Policy DM7.4 requires the achievement of BREEAM 'Excellent' on all non-residential major developments and Code for Sustainable Homes Level 4 for the residential elements. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.

### Carbon Emissions

- 10.115 The applicant proposes a reduction in overall emissions of 40.1%, compared to a 2013 Building Regulations baseline. This exceeds the minimum policy requirements and is therefore strongly supported. The development also exceeds the London policy requirement of 35% reduction on regulated emissions, which is again strongly supported. In order to mitigate against the remaining carbon emissions generated by the development a financial contribution of £198,895 will be sought by way of section 106 agreement.

### Efficiency

- 10.116 In terms of energy efficiency, the proposal would include high performance fenestration and insulation. The proposed U-values range from 0.15W/ m<sup>2</sup>K for the external walls to 1.3W/ m<sup>2</sup>K for the residential windows. These levels are considered to be acceptable and would result in a highly efficient and well-insulated building. The energy statement also proposes 100% energy efficient lighting for the residential element. In the event of planning permission being granted, the efficiency measures proposed would be secured by way of condition (16).

### Heating and CHP

- 10.117 The applicant proposes that the development will connect to the Bunhill Energy Network. This is consistent with the London and Islington policy hierarchies, and a connection is strongly supported. Discussions between the Council's Housing Department, DE team and other relevant parties are ongoing, though details regarding connection are yet to be agreed. Since the new development will be communally heated, it is imperative that all system pipework is insulated well beyond the minimum legal standards. This would avoid energy waste through heat losses and help to minimise the risk of overheating within both the flats and communal areas. These measures will be controlled by a suitably-worded condition (*condition 16*).

### Renewables

- 10.118 The renewables analysis proposes the use of photovoltaic panels, with an output of 82.2kWp and covering around 890m<sup>2</sup> of roof area. This is strongly supported as it maximises the potential of a green sustainable form of energy. Planning permission would be subject to suitably-worded conditions to ensure that the energy and sustainability measures identified in the energy strategy are properly implemented.

### Sustainable Urban Drainage System

- 10.119 A flood risk assessment, including drainage strategy and sustainable urban drainage system has been submitted with the application. The details will be secured by condition and/or legal agreement (Director's Letter) and the responsibility of maintenance placed on the applicant, in this case Islington Housing.
- 10.120 The energy and sustainability measures proposed are in accordance with policy and would ensure a sustainable and green development that would minimise carbon emissions in the future.

## **Highways and Transportation**

### Pedestrian access

- 10.121 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for walking. Policy BC1 seeks to achieve this through an improved high quality east-west pedestrian priority route through King Square Estate. This will link Central Street to Goswell Rd. The planning brief supports this proposal. The entrance at Central Street provides a more welcoming, safe and functional pedestrian entrance, which visually indicates to visitors that they are entering the King Square Estate. Further details will be required by condition in order to achieve this objective (*condition 36*).

### Cycle access and parking

- 10.122 Cycle parking requirements apply for any new residential/commercial units, and extensions of 100 square metres or more. Development Management Policy DM8.4 (Walking and cycling), Part D requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking.
- 10.123 For residential land use, Appendix 6 of the Development Management Policies requires cycle parking to be provided at a rate of 1 space per 1 bedroom. The applicant proposes to provide 251 spaces for the new homes, which is supported, and a further 64 cycle parking spaces for existing residents.
- 10.124 For community centres, Appendix 6 of the Development Management Policies requires cycle parking to be provided at a rate of 1 space per 3 staff. This would be required by condition (*32*).

### Servicing, deliveries and refuse collection

- 10.125 The applicant proposes to maintain the existing servicing and delivery arrangements that currently operate on the estate. Delivery and servicing vehicles will use the refurbished estate road. In terms of road safety and traffic obstructions, it is important that vehicles do not reverse into the estate road or reverse onto the public highway. A robust swept paths analysis to demonstrate that the largest vehicles are able to enter and exit the housing estate in forward gear has been provided. This successfully demonstrates the movements of delivery and service vehicle can be accommodated on site.
- 10.126 The applicant proposes to create a fob entry system for vehicles entering the estate. If a servicing/delivery vehicle wishes to enter the estate, it is understood they will need to contact the concierge. The applicant would set out effective management arrangements to be put in place to prevent vehicles waiting for excessive times on Central Street and other neighbouring streets. This will be required by condition (*28*).

### Vehicle parking

- 10.127 Core Strategy Policy CS10 (Sustainable development), Part H, requires car free development. Development Management Policy DM8.5 (Vehicle parking), Part A (Residential parking) requires new homes to be car free, including the removal of rights for residents to apply for on-street car parking permits.
- 10.128 Wheelchair accessible parking should be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking).
- 10.129 It is welcome that the amount of car parking spaces and garages on the estate will be reduced in line with Islington's Development Management Policies. The applicant proposes to reduce the amount of parking spaces from 121 to 81.
- 10.130 It is understood that 52 spaces will be allocated to residents who have a parking permit to park within the estate or have a garage. A further 9 parking spaces are to be allocated to existing blue badge holders on the estate and a further 5 spaces for residents on an adjoining estate. The remaining 15 spaces would be disabled access spaces for residents of the new homes.
- 10.131 The parking and drop-off spaces would be suitably managed by a parking management strategy which would be required by condition (28).

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

- 10.132 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014. As the development would be phased and the affordable housing is exempt from CIL payments, the payments would be chargeable on implementation of the private housing.
- 10.133 This is an application by the Council and the Council is the determining local planning authority on the application. It is not possible legally to bind the applicant via a S106 legal agreement. It has been agreed that as an alternative to this a letter and memorandum of understanding between the proper officer representing the applicant LBI Housing and the proper officer as the Local Planning Authority will be agreed subject to any approval. The agreement will include the following agreed heads of terms:
- On-site provision of affordable housing in line with submission documents including a provision of 69.4% affordable housing. All measured by habitable rooms.
  - A contribution of £8.3 million towards the redevelopment of the neighbouring Moreland Primary School.

- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of 7 work placements with each placement lasting a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay wages (must meet London Living Wage).
- Compliance with the Code of Construction Practice, including a monitoring fee and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920).
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a Green Performance Plan.
- Full responsibility of maintenance of Sustainable Urban Drainage measures on the site.
- Submission of a full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase.
- Removal of eligibility for residents' on-street parking permits for future residents.
- Submission of a draft framework Travel Plan with the planning application, of a draft Travel Plan for Council approval prior to occupation, and of a Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the Directors Agreement and officer's fees for the preparation, monitoring and implementation of the Directors Agreement.

### **National Planning Policy Framework**

10.134 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental



growth. The NPPF requires local planning authorities to boost significantly the supply of housing and require good design from new development to achieve good planning.

## **11 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The application proposes the creation of 140 new homes across the King Square Estate, of which 70% would be affordable (social rented and shared ownership). The proposal also includes a new community centre, new landscaping including community and growing gardens, improvements to the existing nursery within Rahere House as well as improved access arrangements and cycle parking across the estate.
- 11.2 The development proposes a mix of high quality residential accommodation, including family-sized homes, on underused land, car parks and garage spaces in accordance with the aims and objectives of London Plan and Islington Core Strategy Policies. Moreover, the development delivers new community facilities and a significant increase in affordable homes in accordance with Finsbury Local Plan policies, which seek to ensure that existing residents are provided for and that the long-established community role of the area is retained.
- 11.3 The development proposes a series of well-designed new buildings that each responds to their respective contexts and surroundings. The designs proposed are considered to provide a successful intermediary between the existing estate buildings and the surrounding urban context. The layout of the proposed development is well-considered and would result in enhanced pedestrian routes through the estate. The proposal would deliver significant landscape improvements across the estate that would enhance biodiversity and provide significant amenity improvements to residents. While some of the existing trees would be lost, the proposal would result in a substantial number of trees that would mitigate the loss of existing trees.
- 11.4 The development would result in the delivery of high quality residential accommodation with well-considered internal layouts, good levels of natural light and a significant amount of private and communal amenity space. All of the proposed residential units would comply with the minimum unit sizes required by planning policy. While the development would result in a loss of daylight and sunlight to 5 dwellings within Mason's yard, in the context of the application and the delivery of 140 mainly affordable homes, the overall impact on neighbouring residential amenity is not considered to be sufficient so as to warrant refusal of planning permission.
- 11.5 The proposal's housing density is considered to be within acceptable limits and the proposed dwelling mix is considered acceptable given current demand for housing. The housing mix provides a good mix of tenures and the affordable housing offer is considered to be the maximum amount achievable. Furthermore, the application proposes a sustainable form of development which would suitably minimise carbon emissions. Finally, the proposal's transportation and highways impacts are considered to be acceptable subject to conditions.
- 11.6 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and the completion of a Directors' Agreement to secure the necessary mitigation measures.

### **Conclusion**

- 11.7 It is recommended that planning permission be granted subject to conditions and director level agreement securing the heads of terms for the reasons and details as set out in Appendix 1 – RECOMMENDATIONS.

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That planning permission be granted subject to a Directors' Agreement between Housing and Adult Social Services and Environment and Regeneration or Planning and Development in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management:

- On-site provision of affordable housing in line with submission documents including a provision of 69.2% affordable housing. All measured by habitable rooms.
- A contribution of £8.3 million towards the redevelopment of the neighbouring Moreland Primary School.
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Full responsibility of maintenance of Sustainable Urban Drainage measures on the site.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of 7 work placements with each placement must last a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay wages (must meet London Living Wage).
- Compliance with the Code of Construction Practice, including a monitoring fee and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920).
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a Green Performance Plan.
- Submission of a full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase.

- Removal of eligibility for residents' on-street parking permits.
- Submission of a draft framework Travel Plan with the planning application, of a draft Travel Plan for Council approval prior to occupation, and of a Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the Directors Agreement and officer's fees for the preparation, monitoring and implementation of the Directors Agreement.

That, should the Director Level Agreement not be completed prior to the expiry of the planning performance agreement the Service Director, Planning and Development / Head of Service – Development Management may refuse the application on the grounds that the proposed development, in the absence of a Directors' Level Agreement is not acceptable in planning terms.

## RECOMMENDATION B

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

### List of Conditions:

<b>1</b>	<p><b>Commencement (Compliance)</b></p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<p><b>Approved plans list (Compliance)</b></p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Drawing Numbers: 621_PL(00)001; 621_PL(00)002; 621_PL(00)003 621_PL(00)004 Rev A; 621_PL(00)009; 621_PL(00)010; 621_PL(00)011; 621_PL(00)012; 621_PL(00)013; 621_PL(00)014; 621_PL(00)015 Rev A; 621_PL(00)016 Rev A; 621_PL(00)017 Rev A; 621_PL(00)100; 621_PL(00)101 Rev A; 621_PL(00)102; 621_PL(00)103 Rev A; 621_PL(00)104 Rev A; 621_PL(00)105; 621_PL(00)106; 621_PL(00)107; 621_PL(00)108; 621_PL(00)109 Rev A; 621_PL(00)110 Rev A; 621_PL(00)111 Rev B; 621_PL(00)112 Rev B; 621_PL(00)113 Rev B; 621_PL(00)114; 621_PL(00)115; 621_PL(00)116; 621_PL(00)117 Rev A; 621_PL(00)118 Rev A; 621_PL(00)119; 621_PL(00)120; 621_PL(00)200 Rev A; 621_PL(00)201 Rev A; 621_PL(00)300; 621_PL(00)301; 621_PL(00)302; 621_PL(00)303; 621_PL(00)304 Rev A; 621_PL(00)305 Rev A; 621_PL(00)306; 621_PL(00)307 Rev A; 621_PL(00)308 Rev A; 621_PL(00)309; 621_PL(00)310; 621_PL(00)311; 621_PL(00)312; 621_PL(00)313; HTA-L_XX-XX-DR_9000 Rev F; HTA-L_XX-XX-DR_9001 Rev D; HTA-L_XX-XX-DR_9002;</p> <p>Documents: Planning Statement LBI-KSE-01 dated Feb 2015; Accommodation Schedule by Pollard Thomas Edwards; Report on Daylight &amp; Sunlight by CalfordSeaden dated Dec 2014 (version 2); Design &amp; Access Statement by PTE dated Dec 2014; Design &amp; Access Statement – Addendum by PTE dated April 2015; Transport Assessment Ref 140214/TG dated January 2015; Vehicle Tracking drawing Number C600 Rev P1; C601 Rev P1; C602 Rev P1; C603 Rev P1; BREEAM 2014</p>

	<p>Pre-Assessment Community Centre by Baily Garner dated Dec 2014; Code for Sustainable Homes (Nov 2010 – Code 2014 Addendum) Pre-Assessment Report by Baily Garner; Green Performance Plan King Square by Baily Garner dated Dec 2014; Energy Strategy Report by Baily Garner dated Dec 2014; Overheating Analysis by Baily Garner dated Dec 2014; Phase 1 Habitat Survey Code for Sustainable Homes by PJC Ecology dated Nov 2014; Environmental Noise and Vibration Assessment dated Dec 2014; Arboricultural Survey by PJC Ecology Ref PJC/3363/14; Flood Risk Assessment and Sustainable Drainage Strategy by Conisbee dated Dec 2014; Travel Plan by Conisbee dated Dec 2014; Air Quality Assessment by Air Quality Consultants dated Dec 2014.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p><b>Phasing (Details)</b></p>
	<p>CONDITION: Unless otherwise agreed in writing by the Local Planning Authority the development shall be implemented in accordance with the following schedule:</p> <p>Phase 1: Blocks E  Phase 2: Block F  Phase 3: Blocks A, B, C  Phase 4: Blocks D1 &amp; D2</p> <p>In accordance with the submitted Initial Phasing Plan 621_PL(00)004 Rev A.</p> <p>REASON: The programme is phased to allow for the completion of the School redevelopment prior to the transfer of land for housing development, in order to bring forward much needed affordable housing in advance of the private tenure housing and to ensure that the development is implemented to the satisfaction of the Local Planning Authority.</p>
4	<p><b>Materials and Samples (Details)</b></p>
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work of the relevant phase commencing on site. The details and samples shall include:</p> <p>a) Facing Brickwork(s); Sample panels of proposed brickwork to be used showing the colour, texture, pointing and perforated brickwork including the glazed brick and boundary walls shall be provided;  b) window reveals, soldier courses and balconies;  c) Zinc cladding;  d) Metal sheet cladding including perforated pattern;  e) Roof capping;  f) Doors; timber doors and aluminium entrances/screens;  g) Aluminium/timber composite window treatment;  h) Canopies;  i) Balcony materials;  j) Roofing materials;  k) Green procurement plan; and  l) Any other materials to be used.</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>
5	<p><b>Demolition and Construction Management Plan and Demolition and Construction Logistics Plan</b></p>
	<p>CONDITION: No demolition shall take place until a Demolition and Construction Logistics Plan (DCLP) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The report shall detail the logistics issues arising from the development and the measures in place to deal with these; assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers; together with means of mitigating any identified impacts. The impacts assessed should include, but not be limited to, noise, air quality including dust, smoke and odour and vibration</p> <p>The development shall be carried out strictly in accordance with the approved Plan throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
6	<p><b>Obscure Glazing and Privacy Screens</b></p>
	<p>CONDITION: Notwithstanding the plans hereby approved, further details of obscured glazing and privacy screens across Blocks C, D1 and D2 shall be submitted and approved in writing by the Local Planning Authority prior to any superstructure work of the relevant phase commencing on site.</p> <p>The obscure glazing and privacy screens shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking between habitable rooms within the development itself, to protect the future amenity and privacy of residents.</p>
7	<p><b>Piling Method Statement (Details)</b></p>
	<p>CONDITION: No impact piling on the relevant phase shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.</p>
8	<p><b>Accessible Homes (Compliance)</b></p>
	<p>CONDITION: All residential dwellings hereby approved within the development, shall be constructed to the standards for Flexible Homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
9	<p><b>Wheelchair Accessible Units (Compliance)</b></p>

	<p>CONDITION: The fifteen (15) wheelchair accessible dwellings of the development as identified in the approved documents shall be provided and fitted out prior to the first occupation of the development.</p> <p>REASON: To secure provision of the appropriate number of wheelchair accessible units in a timely fashion and to: address the backlog of and current unmet accommodation needs; produce a sustainable mix of accommodation; and provide appropriate choices and housing opportunities for wheelchair users and their families.</p>
10	<p><b>Wheelchair Accessible Car Parking (Compliance)</b></p> <p>CONDITION: The twenty-one (21) disabled parking bays hereby approved shall be constructed and available for use by eligible occupants of the wheelchair accessible units approved and existing blue badge holders within this development prior to the first occupation of the development and shall be appropriately line-marked and thereafter kept available for their intended use at all times if and when required.</p> <p>The wheelchair accessible parking spaces shall be installed prior to the occupation of units within Phase 3 and retained as such permanently thereafter unless otherwise agreed in writing with the Local Planning Authority.</p> <p>REASON: To ensure that the design and construction of the disabled parking bays are appropriate and meet with the council's design criteria, furthermore that the new bays are designed to a suitable standard which ensures that they are eligible for adoption.</p>
11	<p><b>Code for Sustainable Homes (Compliance)</b></p> <p>CONDITION: All the residential units hereby approved shall achieve a Code of Sustainable Homes rating of no less than 'Level 4'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
12	<p><b>Solar Photovoltaic Panels</b></p> <p>CONDITION: Prior to the commencement of the development hereby approved, details of the proposed Solar Photovoltaic Panels on existing buildings at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> <li>- Location;</li> <li>- Area of panels; and</li> <li>- Design (including elevation plans).</li> </ul> <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
13	<p><b>Water Use (Compliance)</b></p> <p>CONDITION: The development shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
14	<p><b>Green/Brown Biodiversity Roofs (Details)</b></p> <p>CONDITION: Prior to any superstructure work commencing on the development</p>

	<p>details of the biodiversity (green/brown) roofs shown on 621_PL(00)101 Rev A; 621_PL(00)103 Rev A; 621_PL(00)104 Rev A; 621_PL(00)109 Rev A; 621_PL(00)110 Rev A; 621_PL(00)111 Rev B; 621_PL(00)112 Rev B; 621_PL(00)113 Rev B; 621_PL(00)117 Rev A; 621_PL(00)118 Rev A shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The green/brown roof shall be:</p> <ul style="list-style-type: none"> <li>a) biodiversity based with extensive substrate base (depth 80 -150mm);</li> <li>b) laid out in accordance with plans hereby approved; and</li> <li>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</li> </ul> <p>The biodiversity (green/brown) roofs should be maximised across the site and shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details as approved, shall be laid out within 3 months of next available appropriate planting season after the construction of the building it is located on and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats, valuable areas for biodiversity and minimise run-off.</p>
15	<p><b>Drainage and SUDS</b></p>
	<p>CONDITION: Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with Thames Water. The details shall include information regarding the sustainable urban drainage system (SUDS). No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.</p> <p>REASON: In order to ensure the sustainable management of water and flood prevention, to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.</p>
16	<p><b>Energy Efficiency – CO2 Reduction (Compliance/Details)</b></p>
	<p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy (Job No. 26917 dated 5<sup>th</sup> September 2014) which shall provide for no less than a 40.1% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2010 as detailed within the Sustainable Design and Construction Statement shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, the following should be submitted and approved:</p> <p>A revised Energy Strategy, which shall provide for no less than a 40% onsite total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2013.</p>



	<p>The final agreed scheme shall be installed and in operation prior to the first occupation of the relevant phase.</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 addressing climate change and to secure sustainable development.</p>
17	<p><b>Landscaping (Details)</b></p>
	<p>CONDITION: Notwithstanding the submitted detail and the development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>a) existing and proposed underground services and their relationship to both hard and soft landscaping;</li> <li>b) proposed trees: their location, species and size;</li> <li>c) soft plantings: including grass and turf areas, shrub and herbaceous areas;</li> <li>d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</li> <li>e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</li> <li>f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces;</li> <li>g) phasing of landscaping and planting;</li> <li>h) all playspace equipment and structures; and</li> <li>i) any other landscaping feature(s) forming part of the scheme.</li> </ul> <p>Details of paving and hard landscaping shall involve consultation with the King's Square TRA and Estate Management.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the relevant phase of the development hereby approved in accordance with the approved planting phase. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</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 biodiversity, sustainability, playspace and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
18	<p><b>Play Space Management and Maintenance Strategy</b></p>
	<p>CONDITION: A play space management and maintenance strategy shall be submitted and approved in writing by the Local Planning Authority prior to the practical occupation of the development hereby approved.</p>

	<p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the safe maintenance and management of play space and equipment.</p>
19	<p><b>Arboricultural Method Statement (Details)</b></p> <p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods (the arboricultural method statement, AMS) in accordance with Clause 7 of British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ul style="list-style-type: none"> <li>a. Location and installation of services/ utilities/ drainage</li> <li>b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees</li> <li>c. Details of construction within the RPA or that may impact on the retained trees</li> <li>d. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.</li> <li>e. The pavement is not to be obstructed during demolition or construction and the RPA of retained trees not to be used for storage, welfare units or the mixing of materials.</li> <li>f. The location of a cross over or method of delivery for materials onto site</li> <li>g. The method of protection for the retained trees</li> </ul> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
20	<p><b>Site Supervision (Details)</b></p> <p>Condition: No works or development shall take place until a scheme of supervision and monitoring for the arboricultural protection measures in accordance with para. 6.3 of British Standard BS5837: 2012 – Trees in Relation to design, demolition and construction – recommendations has been approved in writing by the local planning authority. The scheme of supervision shall be carried out as approved and will be administered by a qualified arboriculturist instructed by the applicant. This scheme will be appropriate to the scale and duration of the works and will include details of:</p> <ul style="list-style-type: none"> <li>a. Induction and personnel awareness of arboricultural matters;</li> <li>b. Identification of individual responsibilities and key personnel;</li> <li>c. Statement of delegated powers;</li> <li>d. Timing and methods of site visiting and record keeping, including updates</li> <li>e. Procedures for dealing with variations and incidents.</li> </ul> <p>This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction.</p>

	<p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
21	<p><b>Sound Insulation (Compliance)</b></p> <p>CONDITION: For all the approved residential units sound insulation and noise control measures shall be used to achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB Laeq,8 hour and 45 dB Lmax (fast)  Living Rooms (07.00-23.00 hrs) 35 dB Laeq, 16 hour  Dining rooms (07.00 –23.00 hrs) 40 dB Laeq, 16 hour</p> <p>The sound insulation and noise control measures shall be implemented prior to the first occupation of the relevant phase of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
22	<p><b>Community Centre sound insulation</b></p> <p>CONDITION: Full particulars and details of a scheme for sound insulation between the proposed community centre and residential use of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on Block C.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the relevant phase of development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
23	<p><b>Roof Top Plant (Compliance)</b></p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level <math>L_{Aeq, Tr}</math> arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level <math>L_{AF90 Tbg}</math>.</p> <p>The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
24	<p><b>Air Quality (Details)</b></p> <p>CONDITION: Prior to the commencement of works on the development hereby permitted, a site report detailing steps to minimize the development's future occupiers' exposure to air pollution shall be submitted to and approved by the Local Planning Authority. The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter.</p> <p>REASON: To ensure an adequate air quality to residential occupiers.</p>

25	<b>Lighting Plan (Details)</b>
	<p>CONDITION: Full details of the lighting across the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the relevant phase of the development hereby approved.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, hours of operation and technical details on how impacts on bat foraging will be minimised. The lighting 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.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as protecting the biodiversity value of the site.</p>
26	<b>Nesting Boxes (Compliance)</b>
	<p>CONDITIONS: Details of bird and/or bat nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>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.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
27	<b>Delivery Servicing Plan (Details)</b>
	<p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements for the residential units and the community rooms including the location, times 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.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic</p>
28	<b>Parking and Traffic Management Plan</b>
	<p>CONDITION: A Parking Management Plan detailing the parking arrangements across the site, including how drop-off points are properly controlled and how traffic will be suitably managed at the estate entrance from Central Street, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of traffic safety and traffic management in accordance with Islington Core Strategy Policy CS10.</p>
29	<b>Access Management Plan</b>

	<p>CONDITION: An Access Management Plan detailing access arrangement across the estate, including times of controlled access points, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of providing a high level of amenity and safe and secure living conditions for existing and future residents.</p>
30	<b>No Plumbing or Pipes (Compliance/Details)</b>
	<p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
31	<b>Refuse/Recycling Provided (Details)</b>
	<p>CONDITION: Details of the dedicated refuse / recycling enclosure(s) shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse / recycling stores shall be provided prior to the first occupation of the relevant phase of development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development, to ensure that responsible waste management practices are adhered to and to secure the high quality design of the structures proposed.</p>
32	<b>Cycle Parking (Compliance)</b>
	<p>CONDITION: Details of the bicycle storage areas shown on the approved plans and shall be submitted to and approved in writing by the Local Planning Authority. The approved bicycle stores shall be provided prior to the first occupation of the relevant phase of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site, to promote sustainable modes of transport and to secure the high quality design of the structures proposed.</p>
33	<b>Community Rooms (Compliance)</b>
	<p>CONDITION: The community rooms hereby approved shall not be operated within any other use falling within the D1 use class unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure that there is adequate provision of community space at the site</p>
34	<b>Permitted Development Rights (Compliance)</b>
	<p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no works under Schedule 2, Part 1 of the above Order shall be carried out to the dwellinghouses hereby approved without express planning permission.</p>

	<p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouses in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>
35	<p><b>Boundary Treatment</b></p> <p>CONDITION: Detailed drawings of the proposed site boundary, including walls, fences and soft boundary treatment along the boundary with the neighbouring school (at scale 1:20 or similar) shall be submitted to and approved, in consultation with the King Square Tenant's and Resident's Association, by the Local Planning Authority prior to the relevant part of the works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In the interests of providing a good level of amenity to future residents and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
36	<p><b>Entrances to the Estate</b></p> <p>CONDITION: Detailed drawings of the proposed pedestrian entrances to the estate from Central Street and Goswell Road shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In the interests of providing a good level of amenity to future residents and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
37	<p><b>Community Centre</b></p> <p>CONDITION: The community centre shall be fitted out in accordance with plans and details submitted and approved in writing by the Local Planning Authority prior to commencement of works on Block C.</p> <p>The development shall be carried out strictly in accordance with the details so approved.</p> <p>REASON: In the interests of providing a good level of amenity to future residents.</p>

## List of Informatives:

1	Planning Obligations Agreement
	You are advised that this permission has been granted subject to the completion of a director level agreement to secure agreed planning obligations.
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p>
4	Car-Free Development
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people, or other exemption under the Council Parking Policy Statement.</p>
5	Water Infrastructure
	<p>There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
6	Crossrail
	<p>Crossrail Ltd has indicated its preparedness to provide guidelines in relation to the proposed location of the Chelsea Hackney Line structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to discuss these guidelines with the Chelsea Hackney Line engineer in the course of preparing detailed design and</p>

	method statements.
7	<p><b>Working in a Positive and Proactive Way</b></p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
8	<p><b>Materials</b></p> <p>INFORMATIVE: In addition to compliance with condition 4 materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>
9	<p><b>Construction Management</b></p> <p>INFORMATIVE: You are advised that condition 5 covers transport and environmental health issues and should include the following information:</p> <ol style="list-style-type: none"> <li>1. identification of construction vehicle routes;</li> <li>2. how construction related traffic would turn into and exit the site;</li> <li>3. details of banksmen to be used during construction works;</li> <li>4. the method of demolition and removal of material from the site;</li> <li>5. the parking of vehicles of site operatives and visitors;</li> <li>6. loading and unloading of plant and materials;</li> <li>7. storage of plant and materials used in constructing the development;</li> <li>8. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;</li> <li>9. wheel washing facilities;</li> <li>10. measures to control the emission of dust and dirt during construction;</li> <li>11. a scheme for recycling/disposing of waste resulting from demolition and construction works;</li> <li>12. noise;</li> <li>12. air quality including dust, smoke and odour;</li> <li>13. vibration; and</li> <li>14. TV reception.</li> </ol>



## **APPENDIX 2: RELEVANT POLICIES**

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

### **National Guidance**

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

### **Development Plan**

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

## **A) The London Plan 2011 - Spatial Development Strategy for Greater London**

### **1 Context and strategy**

Policy 1.1 Delivering the strategic vision and objectives for London

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

Policy 2.18 Green infrastructure: the network of open and green spaces

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

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.7 Large residential developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.13 Affordable housing thresholds

Policy 3.14 Existing housing

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

### **5 London's response to climate change**

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

### **6 London's transport**

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

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

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

### **8 Implementation, monitoring and review**

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

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

### **Spatial Strategy**

Policy CS8 (Enhancing Islington's Character)

### **Strategic Policies**

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)  
Policy CS10 (Sustainable Design)  
Policy CS11 (Waste)  
Policy CS12 (Meeting the Housing Challenge)

Policy CS15 (Open Space and Green Infrastructure)  
Policy CS16 (Play Space)  
Policy CS17 (Sports and Recreation Provision)

### **Infrastructure and Implementation**

Policy CS18 (Delivery and Infrastructure)  
Policy CS19 (Health Impact Assessments)

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

### **Design and Heritage**

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

### **Housing**

**DM3.1** Mix of housing sizes  
**DM3.2** Existing housing  
**DM3.4** Housing standards  
**DM3.5** Private outdoor space  
**DM3.6** Play space  
**DM3.7** Noise and vibration (residential uses)

### **Shops, cultures and services**

**DM4.12** Social and strategic infrastructure and cultural facilities

### **Health and open space**

**DM6.1** Healthy development  
**DM6.3** Protecting open space  
**DM6.4** Sport and recreation  
**DM6.5** Landscaping, trees and biodiversity  
**DM6.6** Flood prevention

### **Energy and Environmental Standards**

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

### **Transport**

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

### **Infrastructure**

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

## **Designations**

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

- Rail safeguarding Area
- Site of Importance for Nature Conservation (SINC)
- Open Space
- Within 100 metres of Strategic Road Network
- Within 50 metres of Canonbury Conservation

- Area  
- Within 50 metres of East Canonbury Conservation Area

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

The following SPGs and/or SPDs are relevant:

**Islington Local Plan**

- Environmental Design
- Accessible Housing in Islington
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide
- Conservation Area Design Guidelines

**London Plan**

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London

## APPENDIX 3: Design Review Panel

**CONFIDENTIAL**



**ISLINGTON**

Planning Service  
Planning and Development  
PO Box 333  
222 Upper Street  
London  
N1 1YA

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F 020 7527 2731  
E [Luciana.grave@islington.gov.uk](mailto:Luciana.grave@islington.gov.uk)  
W [www.islington.gov.uk](http://www.islington.gov.uk)

Our ref: **DRP/034**

Date: 09 October 2014

Simon Owen  
HTA Design LLP  
106-110 Kentish Town Road  
London  
NW1 9PX

Dear Simon Owen

**ISLINGTON DESIGN REVIEW PANEL**  
**RE: King Square Estate (Q2014/2946/MJR)**

Thank you for coming to Islington's Design Review Panel meeting on 9 September 2014 for review of a proposed development scheme at the above address.

The proposed scheme under consideration was for the erection of a range of buildings of one to eight storeys to provide a mix of 140 new one, two, and three bedroom residential units for social rent and private market sale, together with provision of a new community facility at ground floor level within one of the buildings and improvement of the existing nursery at Rahere House.

The proposed scheme also included improvements to the public realm, landscaping and setting of the existing residential properties on the estate, including retention of 80 resident only parking spaces spread across the estate, realigning of vehicular access through the estate and repositioning of vehicular entrance on Central Street.

### **Review Process**

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Dominic Papa (Chair), Jonathan Ward, Sarah Featherstone, Simon Carne, Steve Burr and Richard Brown on Tuesday 9 September 2014 including a site visit in the morning, followed by a presentation by the design team, question and answers session and deliberations in the afternoon at Islington's Laycock Building, Laycock Street. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the council.

### **Panel's observations**

- **Consultation process:** The Panel welcomed the extensive engagement and consultation that had been undertaken with residents, but advised that, as a next stage of design development, it was important for the design team to stand back from its relationship with residents and progress proposals that address residents concerns but at the same time employ important technical and best practice elements of urban design. The panel also welcomed the opportunity to review the emerging proposals at an early stage of their development.



- **Layout and amenity:** The Panel questioned the location of the new Turnpike South block in relation to Turnpike House. The Panel raised concerns over the orientation of the Independent Living block, its relationship to the road/new private residential block and the risk of overheating, as the windows on the west-facing façade onto Goswell Road would be unopenable. The Panel questioned the impact of Mixed Tenure Block on the school, including overlooking and shading. The Panel also strongly recommended that the inter-relationship between the estate master plan and school rebuilding project be addressed.
- **Parking and vehicular traffic:** The Panel suggested reducing the number of proposed parking spaces and that parking could be removed from the middle of the estate (outside President House), with access to parking at both ends of the estate from Goswell Road and Central Street. The Panel suggested that solutions should be developed to overcome residents' concerns over the creation of a 'rat run' through the estate. The Panel questioned the appropriateness of mixing pedestrian and vehicular traffic on the proposed Central Square.
- **Permeability:** The Panel found that there was need for better connections between King's Square and the estate. The Panel suggested that the school should be more strongly linked to the green spaces of the estate, and specifically be connected to King Square through the undercroft of President House. The Panel questioned whether the proposed Central Square of the estate was in the right location, particularly as a strong community centre already exists and the new square would be situated north of a large block with limited sunlight during the winter months. The Panel expressed concern that too many new physical barriers were being introduced in the proposal. Panel members appreciated that these were in response to resident concerns, but argued that the focus should be on natural surveillance solutions.
- **Architectural treatment and materiality:** The Panel welcomed the efforts to reference the existing blocks of the estate in the design of the proposed blocks, but suggested that a balance should be sought between the similarity and individuality of the proposed blocks and that a wider variety of materials should be considered. It was important that the proposed materials are tested on sustainability grounds.
- **Refuse:** The Panel questioned whether the current refuse strategy provided appropriate, facilities for waste and recycling.

### Summary

The Panel recognised the positive engagement and consultation with residents of the estate, but highlighted that it was also important to incorporate elements of urbanism best practice. Panel members raised concerns over the location and orientation of some of the proposed blocks. The Panel advised that alternative solutions for parking and vehicular movement within the estate should be sought. It was also stressed that permeability throughout the estate should be increased and that the erection of new physical barriers should be avoided.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

**Confidentiality**

Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lucy', written in a cursive style.

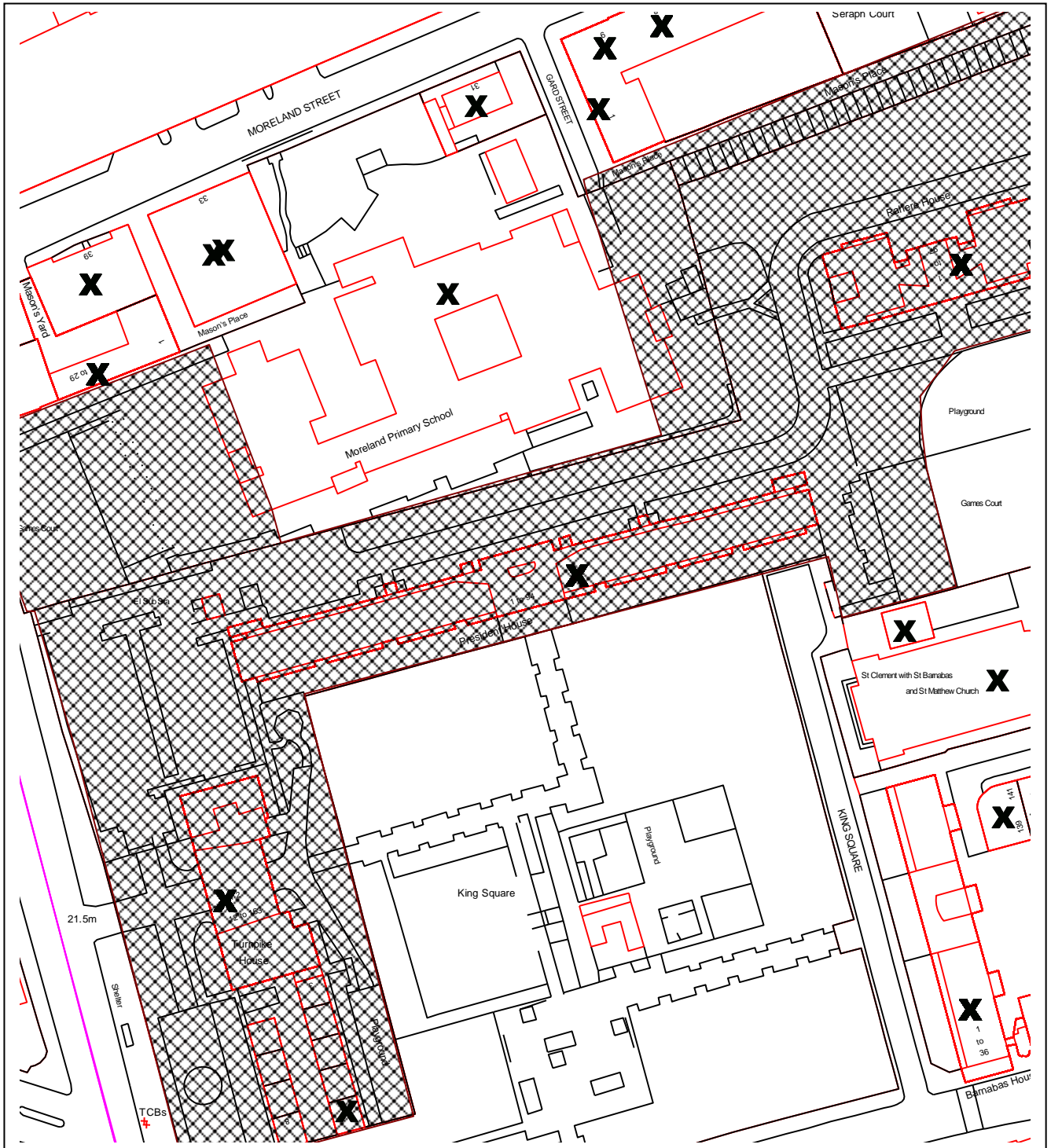
**Luciana Grave**  
Design Review Panel Coordinator/  
Design & Conservation Team Manager



**APPENDIX 4: Independent Viability Appraisal (REDACTED)**  
**(This document has been replaced by the one in the second despatch)**



# ISLINGTON SE GIS Print Template



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P2014/5216/FUL

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## PLANNING COMMITTEE REPORT

Development Management Service  
 Planning and Development Division  
 Environment and Regeneration Department  
 PO Box 3333  
 222 Upper Street  
 LONDON N1 1YA

<b>PLANNING COMMITTEE</b>	
<b>Date:</b>	23 April 2015

Application number	P2015/0571/FUL
Application type	Full Planning Application
Ward	Junction
Listed building	Grade II Listed building nearby within Hospital site (Jenner Building; building F)
Conservation area	No
Development Plan Context	Archway Key Area Adjacent to Site Allocation ARCH2 Whittington Hospital Ancillary Buildings
Licensing Implications	None
Site Address	Whittington Hospital (Blocks D, E, N and P) Magdala Avenue London N19 5NF
Proposal	Construction of extensions to the Maternity and Neonatal facilities at the Whittington Hospital to accommodate: operating theatres, labour rooms and ancillary facilities.

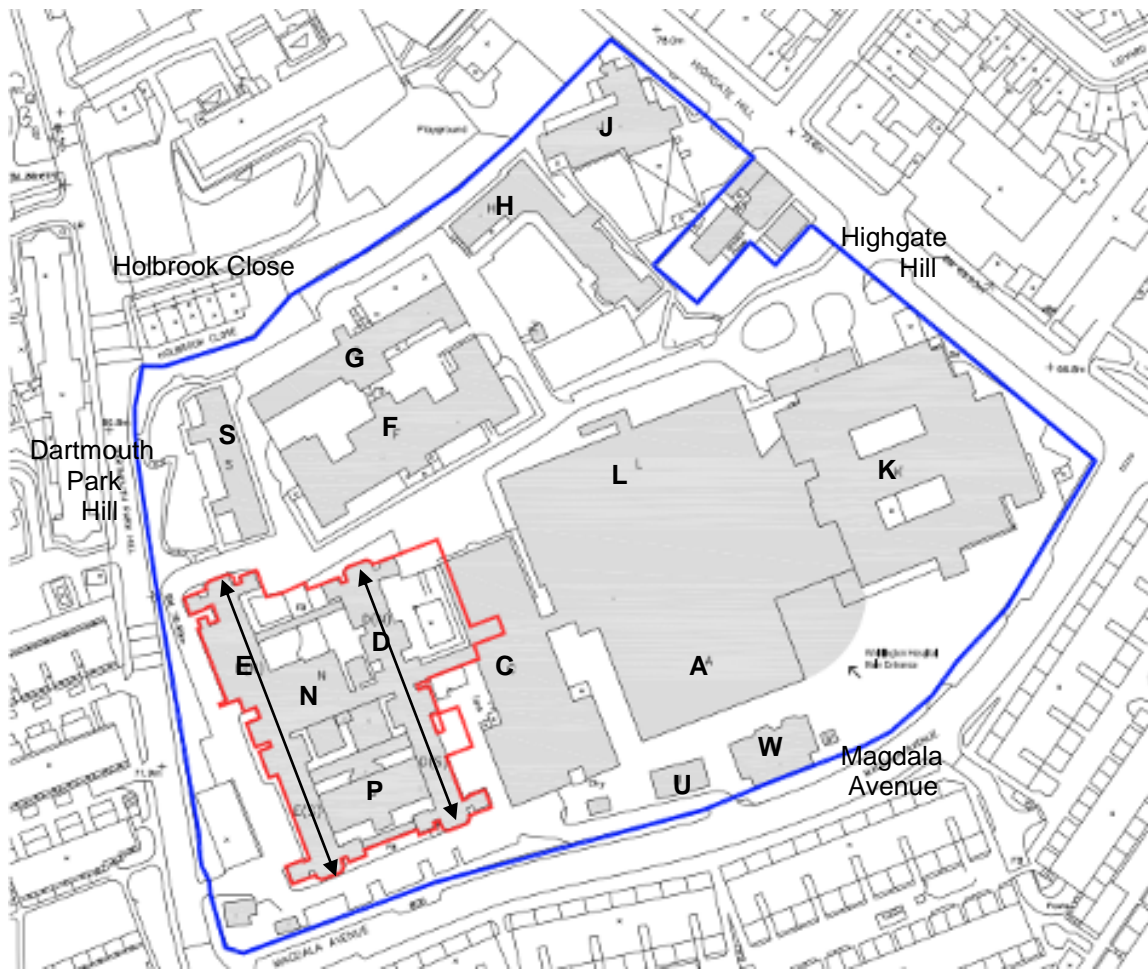
Case Officer	Amanda Peck
Applicant	Whittington Hospital
Agent	Building Design Partnership

### RECOMMENDATION

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

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

**SITE PLAN (site outlined in red)**



**PHOTOS OF SITE/STREET**

Aerial view (approximate site boundary shown)





Magdala Avenue elevation



Views from Dartmouth Park Hill



(Southern end)

(middle)



(Northern end - winter)

(Northern end - summer)

## Views from within site



(looking South)



(looking South East)

### **1. SUMMARY**

- 1.1 The proposal is located at the south western corner of the Whittington Hospital complex. The buildings are not listed nor in a conservation area, but there is a nearby Grade II listed building within the hospital complex to the north (known as the Jenner building or building F). The proposal is for improvements to critical health infrastructure that is run by the NHS, with the refurbishment and extensions to the hospital's maternity and neonatal services to accommodate additional delivery theatres, neonatal intensive care and high dependence cot bays along with an improvement in the quality of facilities provided. There will be an increase of 2,569.9sqm of floorspace with three extensions (single storey, three storey and four storey). The new facilities will see a 17.5% increase in births, from 4,000 to 4,700 per year and a consequent uplift of 109 patients and visitors arriving and departing per day and an additional 2 x 2-way service vehicle trips per day.
- 1.2 During the determination of this application the scheme has been amended to respond to concerns raised by officers and residents regarding the size and height of the proposed roof top plant and screens; the units have been rotated by 90 degrees, been made shorter; the tallest element (the exhaust ductwork) has been removed and the screens have been increased in height by 6.5cm.
- 1.3 The main issues concern design, specifically the overall height of the four storey extension; impact on neighbouring amenity, specifically any impact from the proposed roof plant; transport impact from the additional trips; and sustainability/renewable energy.
- 1.4 The application has been considered with regard to the Development Plan and National Planning Policy Framework (NPPF) and the NPPG and Ministerial Statement dated 28<sup>th</sup> November 2014, including the presumption in favour of sustainable development. The comments made by residents and consultee bodies have been considered.
- 1.5 The proposal is considered to be acceptable in terms of providing substantial public benefit with the improvement of facilities at the hospital site; the location, footprint, height and design of the extensions are considered acceptable; there is not considered to be any impact on neighbour amenity including noise, daylight/sunlight and outlook; energy and sustainability. It is acknowledged that the roof plant and screens will be visible to residents of Holbrook Close but this visibility is not considered to have a detrimental impact in terms of outlook or protected views. Whilst there will be an increase in the number of patients and visitors to the site there is not considered to be an impact on public transport or the road network. Conditions are recommended and a Section 106 (S106) agreement, the Heads of Terms of which have been agreed with the applicant.
- 1.6 It is recommended that planning permission be granted.

## 2. SITE AND SURROUNDING

- 2.1 The proposal is located at the south western corner of the Whittington Hospital complex, which is bounded by a high brick wall to Dartmouth Park Hill and Magdala Avenue. The buildings are not listed nor in a conservation area, but there is a nearby Grade II listed building within the hospital complex to the north (the Jenner building or building F).
- 2.2 Building D fronts Dartmouth Park Hill and building P fronts Magdala Avenue. All buildings are accessed from within the site via Dartmouth Park Hill, Highgate Hill or the eastern end of Magdala Avenue. The site has good access by public transport, being close to Archway tube station and many bus routes in the area, and to walking and cycling routes and has a PTAL rating of 6a (1 being the lowest and 6b being the highest).

## 3. PROPOSAL (IN DETAIL)

- 3.1 The proposal is for the refurbishment and extensions to the hospital's maternity and neonatal services to accommodate additional delivery theatres, neonatal intensive care and high dependence cot bays along with an improvement in the quality of facilities provided. The existing operation occupies 9,439.9sqm and the applicant is proposing an increase of 2,569.9sqm to 12,009.9sqm. The new accommodation is expected to allow the facility to accommodate a 17.5% increase in births, from 4,000 to 4,700 per year. This increase in activity is expected to generate an uplift of 109 patients and visitors arriving and departing per day and an additional two x two-way service vehicle trips per day.
- 3.2 The following physical works are proposed:
- A single storey extension to the north of block N to replace an existing smaller single storey extension and to create a larger entrance and reception;
  - A three storey extension in between blocks C and D housing bed storage, a multi faith room and offices/storage;
  - A four storey extension to the south of block N in between blocks D and E, to replace an existing single storey link building housing delivery rooms, neonatal care, maternity inpatient accommodation and roof plant;
  - Demolition of the existing three storey block P;
  - Internal reorganisation and refurbishment of blocks D, E and N; and
  - Roof top plant and screens

### Revisions

- 3.3 The roof plant and screens have been amended during the course of the application in the following ways:
- The number of units has been reduced from 6 air handling units to 5 (there remains 2 x chiller units). The air handling unit for the ground floor can no longer fit on the roof and an alternative proposal is being explored, informative 6 is recommended advising the applicant of the need to apply for separate planning consent for any additional plant;
  - The size of the plant has been modified as the design has developed and the 'loads' have been changed and the exhaust ductwork that was located on top of the plant has been removed, specifically;
    - 3 Air Handling units are shorter by 0.85m, lower by 0.64m and wider by 0.2m;
    - 2 Air Handling units are shorter by 0.83m, lower by 1.3m and the same width; and
    - The 2 chiller units are longer by 0.95m, the same height and the same width.
  - The roof plant has been realigned and rotated by 90 degrees;
  - The roof plant screens have been increased in height by 6.5cm on both elevations as



- a result of amended survey information; and
- The roof plant screen on the north elevation has been set in at either end and does not now join the roofline of buildings D and E.

3.4 Additional information has also been submitted with regard to the Energy Statement in response to comments and questions from the Energy Conservation Officer. The applicant has also provided clarification on transport and access issues.

#### 4. RELEVANT HISTORY:

##### 4.1 Planning applications

- P2014/1485/FUL The construction of a three storey structure enclosing a new entrance, lift shafts and stairwell to link the street level with the Ambulatory Care Centre within K Block. Approved 6 June 2014
- P010228 Alterations to existing ground and first floor nurses accommodation to provide ground floor physiotherapy gymnasium and treatment rooms including first floor physiotherapy/social worker offices. Approved 13 July 2001
- P022940 Erection of a two storey extension to Accident and Emergency and Orthopaedics Outpatients Department. Approved 11 March 2003
- P071322 Alterations to improve existing pedestrian and vehicular access at drop off area of existing accident and emergency department (Highgate Hill entrance) along with associated landscaping (including removal of trees, new lighting, new pavement etc). Approved 21 August 2007
- P002104 New three storey ward link block to provide additional ward space, linking blocks D and E at levels 2, 3 and 4. Approved 25 Jan 2001

##### 4.2 Pre-application advice

The proposed development was subject to pre-application discussions in December 2014. A number of amendments have been made to the scheme following this process including a reduction in the height of the building, a reduction in the height of the roof plant and reconfiguration of the roof plant. The following advice was issued in a pre-application response letter dated 19 December 2014:

- Level 5 should be set below the eaves of the existing buildings.
- The height of the roof plant increased during the pre application process and views along Magdala Avenue and Dartmouth Park Hill should be submitted with any planning application in order to assess the impact of this.
- In order to reduce any potential visual impact of the roof plant it should be concentrated towards the centre of the roof and set away from the boundary with buildings D and E, the screens could also be set away from the boundary and reduced in height.
- An acoustic report should be submitted with any planning application.
- Transport assessment required to assess whether there are any implications of increased patient numbers.
- The scheme should be car free; cycle parking is required in line with TL guidance; refuse and recycling information required.
- Sustainable design and renewable energy policies highlighted

#### 5. CONSULTATION

##### Public Consultation

5.1 Letters were sent to occupants of 53 adjoining and nearby properties at Highgate Hill,



Holbrook Close, Gordon Close and Salisbury Walk on 13 February 2015. A site notice and press advert were displayed on 19 February 2015 and the public consultation expired on 6 March 2015, however it is the Council's practice to continue to consider representations made up until the date of a decision.

5.2 At the time of the writing of this report a total of 5 responses had been received from the public with regard to the application (all residents of Holbrook Close). The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- The design of the proposed roof plant is incongruous to the design and character of the existing building. **(see para. 8.10)**
- The roof plant is too high and will be visible from houses on Holbrook Close and surrounding public spaces and houses (views up the hill to St Josephs, downwards from Highgate, up Dartmouth Park Hill from the junction of Chester Road). It will affect the setting within the hospital, views of the hospital and views of surrounding area including St Joseph's church. **(see para. 8.8 and 8.9)**
- Roof plant will have a detrimental impact on outlook given that it has insufficient screening. **(see para. 8.16)**
- Amendments requested – incorporate the plant lower down the building so that noise will be buffered by existing buildings, the bank and trees; or (if this is not possible for reasons other than cost) the roofline incorporating the exhausts should be lowered so that it is no higher than the majority of the roofline. **(see para. 3.3)**
- There could be noise impact from the roof top plant, especially the parts not screened; Roof plant is likely to be in use 24 hours a day, 7 days a week and there will be constant noise. We note that Holbrook Close was not included in the noise survey. The wind frequently comes from this direction and will carry any noise from the roof plant. **(see para. 8.13)**
- The noise and vibration study did not identify any undue vibration however, we note significant vibration in our top floor bedrooms and this should be investigated prior to the final design being accepted. **(see para. 8.14)**
- Potential unhealthy emissions from the plant being blown towards residential units and during construction. **(see para. 8.15)**
- Construction impact – Concern about construction noise, road closures and construction vehicle parking. The hospital carried out re-tarmacking work on the road through the hospital and the drilling and beeping of the reversing lorries could clearly be heard inside the houses; construction vehicles were queuing to get on site from 4am and were parking across driveway entrances. **(see para. 8.32)**

5.3 After the scheme was amended officers kept the 5 objectors updated in an email on 31 March 2015 and the following response was received on behalf of the 5 residents:

- First, we note that they (the applicants) have not responded to the primary question, which was why the plant could not (other than for reasons of cost) be located elsewhere e.g. at ground level. As outlined on drawing 01(20)AP1116 Rev.D, there is sufficient space for the plant to be located at ground level in front of the new structure and, given that the operating theatres for which the extraction units are to be used are not located on the top floor, there is no need to have it located on the roof. This in turn would negate any issues from a planning and conservation perspective. Are you able to ascertain an answer? **(see para. 8.8. The areas surrounding the buildings are occupied by existing buildings that are occupied or are phased to be demolished after the construction and bringing into use of the extensions.)**
- Second, we make the following points in relation to the documents you kindly provided:
  - Drawing 01(20)AE3132 Rev G) - Note 3 - Plant Screen will be aluminium. This cannot be considered to be in keeping with the character of the Victorian building

and suggest that an alternative natural material, such as Cedar wood, or to continue with the ceramic rain screen (as outlined on drawing 01 (20) AE3111 Rev.F, Note 1), be used to complement the brick and roof tile colour. Left as it is, not only would it be detrimental to the preservation of an historic building, which it has been acknowledged can be seen from many view points, but we also have concerns about "glare" and "reflection" from the proposed aluminium structure. **(condition 3 requires material samples to be submitted and the plant screen materials can be assessed as part of this application)**

- Table of comments received from LBI, Page 1, Roof Top Plant, Feedback Comment, Para 5: Would the Whittington confirm the point about the location of an additional "air handling unit for the ground floor"? Have they disclosed all proposed roof plant? **(Informative 6 reminds the applicant that any plant not shown on the approved plans will require separate planning consent. The applicant has confirmed that the ground floor is not clinical with natural ventilation and a small air handling unit can be located in the ceiling void)**
- Table of comments received from LBI, Page 2, Local Resident Responses - We note that there is no proposal to undertake sound measurements, because the report states that Holbrook Close is twice the distance from the plant area where other sound measurements were taken (presumably at ground level). We believe that, given our elevated and unsheltered position, this is essential and ask that you request they undertake such a report (which we note they would if directed). **(see para. 8.13)**
- Table of comments received from LBI, Page 2, Local Resident Responses - We note that the proposal states they will be working on Saturdays between 8am and 1pm. Given our proximity and the amount of noise and dust this will create, we do not believe this is appropriate in a residential area and should refrain from working weekends. **(Officer comment: This is covered by the Control of Pollution Act 1974; Construction between 8am-1pm on Sat is considered acceptable.)**
- We note that you say no visit is required given that we have provided pictures. However, as one of our concerns is that of noise, we feel that this can only be measured by a site visit. **(see para. 8.13)**

### **External Consultees**

- 5.4 Camden Council – No objection.
- 5.5 The Highgate Society – No response received
- 5.6 Better Archway Forum – No response received

### **Internal Consultees**

- 5.7 Access Officer – A commitment to satisfy policies DM2.1 and DM2.2 is welcome. Remind applicant that relevant code of practice for NHS is BS 8300:2009 and the reception area should be designed accordingly. Clear way finding and inclusive signage is welcome. The site has a PTAL rating of 6a but Archway Station is, and will remain for the foreseeable future, inaccessible therefore complementary measures should be included (blue badge parking, safe drop off, storage and charging for mobility scooters, accessible cycle parking). Further information is required on the gradient of the ramped entrances; the arrangement for automatic sliding doors at the entrance during out of hours times; clarification on what is meant by 'ambulant WCs for staff only' and 'semi-ambulant WCs for patients and visitors'; where the accessible bath/shower facilities are; consideration should be given to the provision of a Changing Places WC; a unisex wheelchair accessible WC should be provided wherever there are mainstream facilities; a protected pedestrian route to the main entrance should be provided. Majority of rooms

are not labelled and no furniture or equipment is shown and it is therefore not possible to gauge the adequacy of the WC provision in terms of location and amount (condition 8).

- 5.8 Conservation and Design Officer No objection to the proposal given the amendments to the roof plant and screens and the significant public benefits from the scheme that outweigh any concerns regarding the height and bulk of the roof plant and screens.
- 5.9 Energy Conservation Officer – Has discussed the Energy Report with the applicant and raised questions because the Energy Report does not calculate the CO2 emissions against building regulations. Further information was requested regarding exploring a future district heating connection and a lower carbon shared heat network in order to reduce the CO2 emissions. Requested identification of/protection of an area on the hospital site for a future energy centre. Some of this information has been submitted in an addendum Energy Report and the officer has no objection, subject to conditions and S106 clauses (first S106 Head of Term and conditions 10-14).
- 5.10 Public Protection Division (Noise Team) - No objection, subject to conditions regarding noise thresholds imposed on the new rooftop plant and CEMP (conditions 5 and 7).
- 5.11 Transport / Highways Officer – No objection. A transport assessment has been submitted to assess the trip generation and overall, there will only be a small increase in the number of trips to and from the site. No change to on site vehicular parking is proposed. The development complies with Islington's cycle parking requirements. Servicing and refuse collection arrangements are to remain unchanged. The threshold for the provision of a travel plan is 50 or more staff and the applicant should be encouraged to refresh the existing hospital wide travel plan (third S106 Head of Term).

## **6. 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**

- 6.1 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. Since March 2014 planning practice guidance for England has been published online.

### **Development Plan**

- 6.2 The Development Plan is comprised of the London Plan 2015 (revised with alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, Site Allocations Development Plan Document 2013 and the Finsbury Local Plan 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report. The application site is adjacent to site allocation ARCH2 (Whittington Hospital Ancillary Buildings) which is the northern part of the hospital site.

### **Planning Advice Note/Planning Brief**

- 6.3 A document entitled 'Regeneration proposals for Archway' was adopted by the Council's Executive on 5 July 2011. These proposals outline the Council's desire to overcome some of the barriers to physical regeneration, strengthen the local economy and improve the vitality of the town centre. Funding allocations for various regeneration projects were agreed within this document (none of which directly relate to the Whittington Hospital).

6.4 Archway Development Framework SPD (adopted 2007). The Core Strategy at paragraph 2.2.1 states that this SPD will remain in place after the adoption of the Core Strategy and that the document adds detail to the Core Strategy Site Allocation (CS1). The site is not within the core area of this document but falls within the 'contextual area'. Development within the wider contextual area should take into consideration the guidance and the following key objectives:

- Delivery of a beacon sustainable development – delivery of a truly sustainable community and thus contribute to environmental, economic and social sustainability.
- Delivery of a mixed use development to build upon Archway's strengths as a district centre and enhance this role.
- The improvement of the pedestrian environment to provide a safe environment and improve the pedestrian links through to the adjoining areas.
- The creation of high quality public spaces to provide an environment where people can visit, shop, relax while providing links to the surrounding areas and uses in Archway;
  - This document states that priority for planning obligations within Archway will be focussed towards improvements to the public realm and local employment.

### **Designations**

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

- Core Strategy Area (Archway)
- Within 100m of Archway Town Centre
- Within 100m of TfL Road Network
- Within 100m of Strategic Road Network
- Within 50m of Grade II Listed Building - F block, St Mary's Wing, Whittington Hospital

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

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

## **7. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**

7.1 No EIA screening/ scoping opinion was requested by the applicant. Whilst the development does not fall within 'Schedule 1' and is not within a sensitive area (SSSI, AONB, World Heritage Site) it does fall within Schedule 2 (being an urban development project on a site larger than the 0.5ha threshold - at 2 hectares). Using the criteria and thresholds for Schedule 2 schemes (characteristics of development, location of development and characteristics of the potential impact), it is considered that the scheme would not constitute a 'major development' of more than local importance, be within a 'environmentally sensitive location' or 'create any unusual or hazardous effects' pursuant to the selection criteria of Schedule 3 of the EIA 2011 regulations.

## **8. ASSESSMENT**

8.1 The main issues arising from this proposal relate to:

- Land Use
- Design, Conservation and Heritage considerations
- Neighbouring amenity
- Accessibility
- Landscaping and trees
- Highways and transportation

- Sustainability and renewable energy

## 8.2 Land-use

8.3 The proposal is to improve the quality of accommodation in the hospital's existing maternity and neonatal services to re-provide improved operating theatres, labour rooms and ancillary facilities. There are therefore no land use issues.

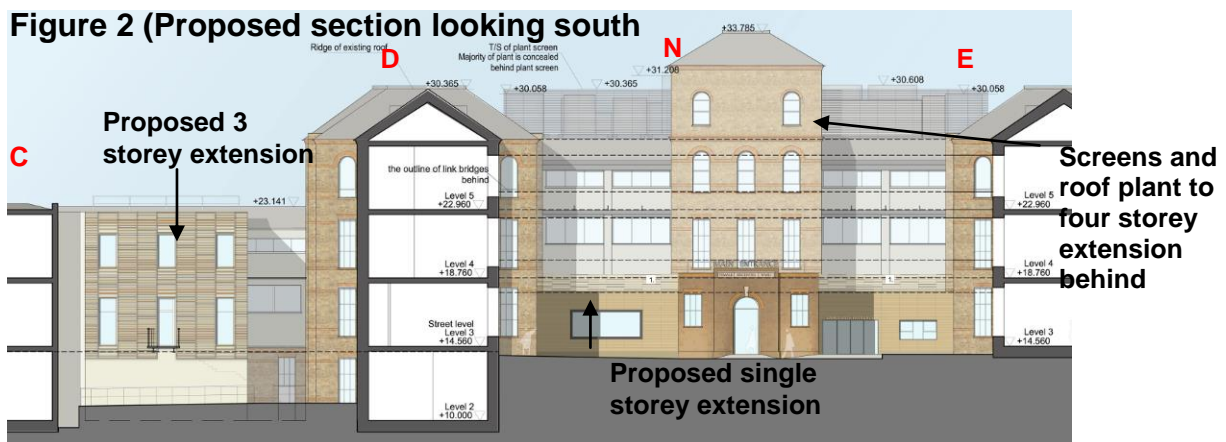
## 8.4 Design, Conservation and Heritage Considerations

8.5 Changes in level across the site mean that the three storey extension will appear as two storeys of the same height as building C and 1-2 storeys lower than buildings D and N (figures 1, 2 and 3).

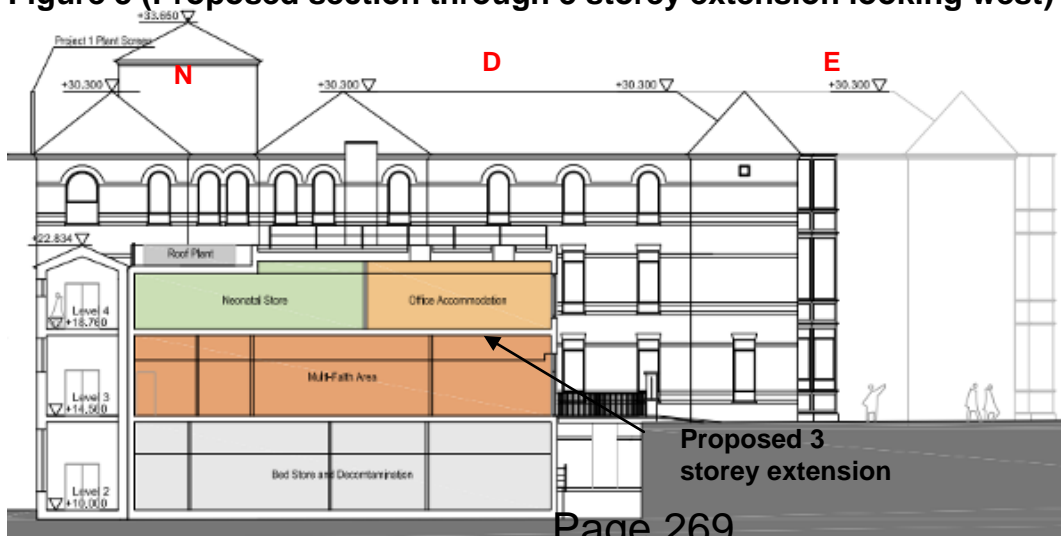
**Figure 1 (Existing section looking south)**



**Figure 2 (Proposed section looking south)**

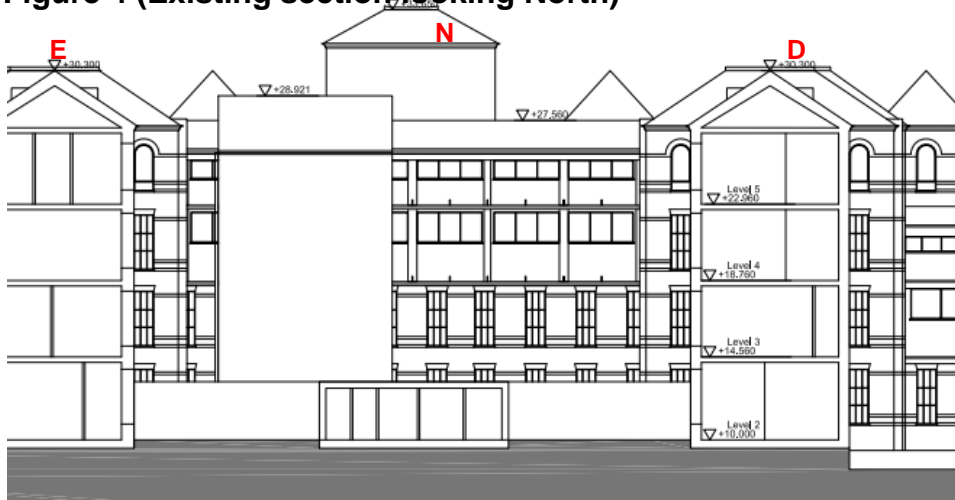


**Figure 3 (Proposed section through 3 storey extension looking west)**

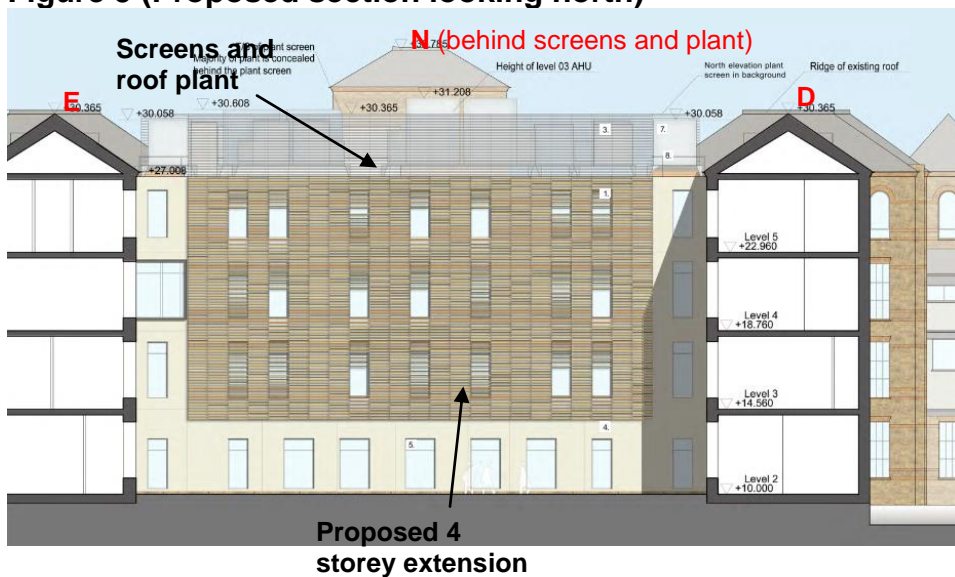


- 8.6 The overall height, size and location of this building and the single storey building adjacent to building N and are considered acceptable. They are discreetly located between existing buildings and are subordinate in height and size to them and are only visible in glimpses through the existing buildings.
- 8.7 The four storey extension to the south of block N in between blocks D and E will be partially visible from Magdala Avenue looking north through the open footbridges linking buildings D and E, after building P is demolished (figures 4, 5 and 7). The screens and roof plant to this building will also be visible in long views from adjacent residential units at Holbrook Close looking south (figures 2 and 6), but will not be visible from Dartmouth Park Hill or from within the site (figure 7).

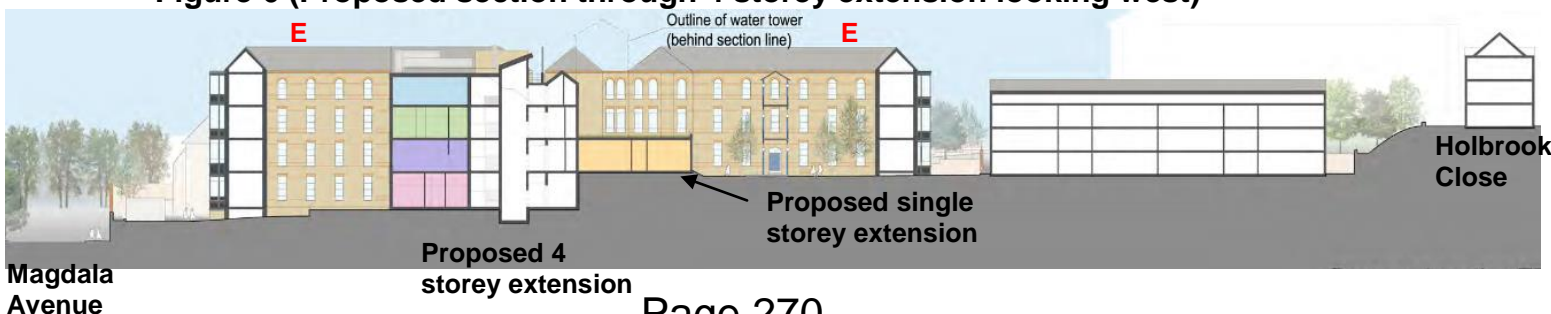
**Figure 4 (Existing section, looking North)**



**Figure 5 (Proposed section looking north)**



**Figure 6 (Proposed section through 4 storey extension looking west)**





8.8 The location, footprint and height of this building are considered acceptable. The size and height of the roof plant and screens was questioned at pre application stage and have been objected to by residents of Holbrook Close. The applicant has confirmed the following:

- The existing plant provides hot water, cold water and heating and is located at level 2 (basement level because of level changes on site) with little spare capacity for new equipment. Ventilation and cooling is not currently provided to the wards or theatres and there are temperature control issues. Air handling units and chillers are required to provide mechanical ventilation and cooling and it is not possible to provide these in the existing plant rooms;
- Various options were explored to locate the plant equipment including within the existing buildings (lack of space or ductwork and unsuitable distribution routes) and within the new extensions (they provide vital accommodation including theatres and bed/cot bays and unsuitable for plant equipment);
- The proposed plant has been set back from the edge of the roof;
- The plant screen will limit the visual impact of the plant but has been set lower than the plant itself and set in from the boundary with buildings D and E to reduce any potential dominance of the screen; and
- Views have been submitted from Dartmouth Park Hill and Magdala Avenue showing the minimal visual impact of the extensions (Figure 7).
- The plant has been sized to meet the clinical requirements of the accommodation in accordance with Department of Health guidance and to meet Building Regulations and BREEAM requirements. Specifically the uppermost sections of the plant are the exhaust ducts from the air handling units with a 10m distance from fresh air intake to meet BREEAM requirements.
- The applicant has amended the scheme since submission and the roof plant has been reconfigured and reduced in height to minimise its visibility.

**Figure 7 (Proposed views with existing photos for comparison)**



(Dartmouth Park Hill northern end looking south)



(Dartmouth Park Hill looking north east)



(Magdala Avenue looking north)



(junction of Dartmouth Park Hill and Chester Road looking north – Note proposed view is a close-up view for clarity and the buildings are visible in the distance in reality)

- 8.9 There have been objections due to the impact on views towards St Joseph's Church, and along Dartmouth Park Hill looking north and south. As can be seen in Figure 7 there is limited, if any, visibility of the extensions from Dartmouth Park Hill looking south or north or from Chester Road looking north. It is acknowledged that the roof plant and screens will be visible to residents of Holbrook Close, from St Joseph's Church and from points within the hospital site. However private views are not protected; the distances between the proposed building and Holbrook Close (over 70m); the fact that this sort of paraphernalia is to be expected in roof top locations; the need for this plant to provide cooling for the maternity and neonatal facilities; and the lack of any other locations within the hospital. It is therefore considered that there is no detrimental impact on the outlook from these properties. Noise issues are dealt with in paragraph 8.4.2.
- 8.10 Since the pre application discussions the design of the extensions has been amended to have more vertical emphasis, as per the existing buildings. During the course of the application the roof plant has been reconfigured and reduced in height. The design and materials palette of the extensions is considered sympathetic to the existing buildings and nearby listed building. Condition 3 is recommended to ensure that there are high quality materials and detailing used in the final scheme.
- 8.11 **Neighbouring Amenity**
- 8.12 The hospital site is bounded by residential units on Magdala Avenue to the south, Dartmouth Park Hill to the west and Holbrook Close to the North.



- 8.13 The proposed roof plant is approximately 70m away from the nearby residential properties (on Salisbury Walk, Magdala Avenue) with either other hospital buildings or the roads in-between. An acoustic report has been submitted, along with indicative specifications, which show that:
- The roof top plant will be designed to meet the Council noise standards of 5dBA below background noise levels, specifically the background noise levels have been identified as 40dBA daytime and 37dBA night time and the equipment will be designed to 35dBA daytime and 32dBA night time maximums and condition 5 is recommended to require compliance with this.
  - The noise survey included the nearest residential properties, which are on Magdala Avenue. Noise levels will therefore be lower at Holbrook Close and the Council's acoustic officer has confirmed that this is the case: The Holbrook Close residential units are approximately double the distance of the nearest residential at Magdala Avenue (at approximately 120m away). As a rule of thumb, a doubling of distance leads to a drop in the sound pressure level of 6dB, hence the predicted level would be 6dB lower at Holbrook Close. Fully obscuring the line of sight to the noise source reduces the level by a further 10dB, partially screening by 5dB. If the plant noise complies with the criteria at Salisbury Walk, it should comfortably comply at Holbrook Close.
  - Acoustic screens and enclosure measures are proposed to achieve the necessary noise levels. The details submitted to date are considered acceptable, but to ensure that the detailed design and noise mitigation does not result in a requirement for larger acoustic screens and given the size of the proposed plant, condition 4 is recommended to ensure that the size of plant is minimised, that the noise levels are achieved and that appropriate noise mitigation measures are provided.
- 8.14 New plant will be fitted with anti-vibration mounts to minimise vibration to the floors within the building and this will minimise any vibration impact on surrounding neighbours. The nearest neighbours are at Magdala Avenue which is some 70m away from the extension. The Council's acoustic officer has confirmed that this is acceptable.
- 8.15 The applicant has confirmed that the air handling units roof top plant will only be exhausting the extracted air from the hospital and that the chillers will have no discharge. There are no boiler flues with this scheme and therefore no NOx/carbon monoxide emissions proposed.

### **Daylight/Sunlight and Outlook**

- 8.16 All three extensions are located in-between and adjacent to the existing buildings and are approximately 70m away from nearby residential properties. There is therefore not considered to be any impact in terms of daylight, sunlight, outlook or privacy to existing residents.

### **8.17 Accessibility**

- 8.18 The applicant has submitted a Design and Access Statement and has outlined how inclusive design has been considered, including with step free access through the proposed main entrance, signage and wayfinding in accordance with BS8300:2009 and accessible WCs.
- 8.19 Whilst the site has a PTAL rating of 6a, Archway Station is, and will remain for the foreseeable future, inaccessible and therefore it is important to provide complementary measures such as blue badge parking, safe drop off, storage and charging for mobility scooters, accessible cycle parking. The applicant has confirmed that there is existing blue badge parking on site and this remains unchanged, as does the drop off point outside the maternity entrance and the scooter charging facilities at the main

entrance. Of the proposed 9 cycle spaces one will be accessible. Details of the design of this accessible space will be secured by condition 8. There are outstanding questions from the Access Officer with regard to the detailed design of all gradients/ramps, accessible WCs and the inclusion of a 'Changing Places' WC and these details will be secured by condition 8.

#### 8.20 **Landscaping and Trees**

8.21 There is one tree adjacent to building C close to the proposed three storey extension, and the applicant has confirmed that this tree will be protected during construction. A condition is recommended in order to ensure that these works are carried out (condition 6).

8.22 Green roofs are proposed to the three storey extension and single storey extension and four bat boxes and four bird boxes will be located in the south courtyard on the east and west elevations of the existing buildings.

#### 8.23 **Highways and Transportation**

8.24 The existing arrangements provide a set down at the main entrance on Magdala Avenue for patients and visitors arriving by car or taxi. The internal highways layout provides a one way circulatory system with emergency access provided at the east of the site off Highgate Hill and goods vehicle access provided from Dartmouth Park Hill. A vehicular exit only allows cars, ambulances and servicing / waste collection vehicles to enter back onto the highway network on Magdala Avenue.

8.25 There is no parking at the hospital during the day. Parking is allowed between 5pm and 8am Mondays to Fridays and all day at the weekends. The first 20 minutes is free and after that is charged at £3.00 per hour. There is a limited amount of pay and display parking on the roads around the hospital.

8.26 The only physical changes proposed that relate to transportation is an adjustment to the ambulance entrance and the provision of cycle parking spaces.

#### **Transport Assessment**

8.27 The applicant has provided a Transport Statement, including trip generation forecasts based on data obtained from the NHS trust, the Whittington Hospital Travel Plan and the TRICS database. The assessment demonstrates that the proposed hospital expansion will result in a typical uplift of 109 patients and visitors arriving and departing per day. It is considered that the travel plan and a S106 contribution towards accessible parking bays will mitigate against any impacts from these increased trips.

8.28 The threshold for the provision of a travel plan is provided in Development Management Policy DM8.2 and Appendix 5, the threshold for D1 hospitals is equal to or more than 50 staff. The applicant has submitted their existing hospital-wide Travel Plan to reflect the changes proposed in this application and a S106 head of term is recommended requiring this to be refreshed to take account of this scheme.

#### **Vehicle Parking**

8.29 Core Strategy Policy CS10 (Sustainable Development), Part H, requires car free development. Development Management Policy DM8.5 (Vehicle parking), Part B (Non-residential parking) states that parking will only be permitted where this is essential for operational requirements and integral to the nature of the business/service (such as a car hire or storage/distribution use). There are no changes proposed to on site parking levels.

### **Cycle parking**

- 8.30 The site has a total of 108 cycle parking spaces, including 38 secure cycle parking spaces for staff. Development Management Policy DM8.4 (Walking and cycling), Part C requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking for staff and visitor use. The applicant is proposing 18 new cycle parking spaces (9 x Sheffield stands). The number of stands and their location meet the policy requirements.

### **Servicing**

- 8.31 The Transport Assessment expects there to be an additional 2 x 2 way service vehicle trips per day. Servicing and refuse collection arrangements are to remain unchanged and this on-site servicing is in line with Development Management Policy DM8.6 (Delivery and servicing for new developments), Part A.

### **Construction Management**

- 8.32 The applicant has submitted a construction methodology statement and a construction impact section in the Transport Assessment, which includes the following (condition 7 requires the submission of a Demolition and Construction Logistics plan to cover potential transport and environmental health issues):
- The construction period will be carried out in three stages, with the main bulk of the construction work taking place in stages 1 and 2 and taking 54 weeks.
  - During stages 1 and 2 there are expected to be a peak of 49 trips into and out of the site in total in a one week period (10 trips per day). The applicant has assumed that this will result in 2 x 2 way vehicle trips during the am peak (8-9am). During the rest of the construction period there are expected to be between 2 and 40 trips in total in a one week period.
  - HGV access to the site will need to be agreed prior to initiation of the demolition and construction works but it is anticipated that the majority of the vehicles will approach the site via Holloway Road/A1 with access onto the site via Dartmouth Park Hill and from the site via Magdala Avenue.
  - Deliveries will load/unload directly outside the compound area and will be controlled by 'just in time' principles with each delivery having an allocated time period.
  - A traffic marshal will be appointed to control site vehicular movements outside the site
  - All deliveries will be controlled, planned and pre-booked in order to avoid undue congestion along the surrounding streets.
  - The two storey site compound will be located by the western elevation of the southern part of Block E. This will house site offices, the canteen, changing room and toilets
  - A protective pedestrian gantry will be erected at second floor level to Block E (west staircase) to maintain the fire escape route.
  - All compressors, percussion tools and vehicles will be fitted with silencers. Particular care will be required when working near to the existing NICU unit as there are stringent noise parameters to work within due to the sensitivities of the neonatal babies.

### **8.33 Sustainability, Energy Efficiency and Renewable Energy**

#### **Sustainability**

- 8.34 All major developments should achieve the highest feasible level of nationally recognised sustainable building standard (in Islington's case this is considered to be BREEAM Excellent or equivalent). This is set out in Core Strategy policy CS10 and Development Management policy DM7.4. Two BREEAM assessment methodologies have been applied because part of the scheme is new build (BREEAM New Construction 2014) and part is refurbishment (BREEAM Healthcare 2008)

- 8.35 The applicants have confirmed a commitment to achieve BREEAM 'Very Good' for both assessments. Without a lower carbon heating/cooling supply the development is unlikely to achieve the additional 5 credits required to meet BREEAM Excellent. The applicant has identified further credits that could be targeted depending on the outcome of a feasibility study regarding the use of low or zero carbon energy. Condition 14 is recommended in order to secure at least a 'Very Good' with best endeavours to achieve an 'Excellent' rating.
- 8.36 In accordance with policy DM7.4 all credits for water efficiency in the relevant BREEAM scheme should be achieved. Low flow sanitary fittings are proposed throughout along with water meters and a water leak detection panel and this will achieve 2 out of 5 credits for the 2014 new build criteria and 3 out of 3 credits for the 2008 healthcare criteria. A feasibility assessment of the possibility to include rainwater harvesting (CS10, DM6.6) is secured by condition 17.
- 8.37 The Council require all development to minimise the environmental impact of materials through sustainably sourced, low impact and recycled materials. This is set out within the BREEAM, with a requirement that 50% of the materials credits are achieved. The proposed development would deliver 3 out of 5 credits for the 2014 new build criteria, which is considered to be acceptable. Information regarding how the scheme's procurement will meet the minimum 10% total value of materials requirement to be derived from recycled and reused content is to be secured by condition 3(f).
- 8.38 Development proposals should protect the existing ecology and make the fullest contribution to enhancing biodiversity (CS10, DM6.5) e.g. by maximising the inclusion of green roofs, ecological landscaping, greening of facades and artificial nesting sites. Policy DM6.5 requires the maximisation of provision of green roofs and requires major developments to use all available roof space for green roofs (subject to other planning considerations). The scheme includes green roofs to the three storey extension and single storey extension and four bat boxes and four bird boxes in the south courtyard on the east and west elevations of the existing buildings. All roofs should be biodiversity based extensive substrate roofs with a minimum substrate depth of 80-150mm. Conditions 15 and 18 are recommended to secure these features.
- 8.39 Government legislation has recently changed with regards to sustainable urban drainage SUDs (6 April 2015) and the expectation is that where appropriate, SUDs should be provided for all major developments following consultation with the lead Local Flood Authority. Policy DM6.6 expects all major development to include details to demonstrate that SUDs has been incorporated and this new legislation gives additional weight to this as well as introducing the issue of maintenance of the SUDs system. The applicant has confirmed that because the proposal is for infill extensions and refurbishment of existing buildings the only appropriate SUDs measure that is proposed are the biodiverse green roofs. Condition 16 is recommended confirming that the applicant will maintain the SUDs system.

### **Energy Efficiency and Renewable Energy**

- 8.40 Islington's Core Strategy policy CS10 (part A) states that all major development should achieve an on-site reduction in total (regulated and unregulated) carbon dioxide emissions of at least 40% in comparison with total emissions from a building which complies with the Building Regulations 2006, unless it can be demonstrated that such provision is not feasible. This 40% saving is equivalent to a 30% saving compared with the 2010 Building Regulations, and 27% compared with the 2013 Building Regulations. A higher saving (50% in comparison with total emissions from a building which complies with the Building Regulations 2006) is required to be achieved. This requirement is translated into a 39% saving compared with

the 2013 Building Regulations) is required of major development in areas where connection to a decentralised energy network (DEN) is possible. Development Management Policy DM7.3 requires all major developments to be designed to be able to connect to a DEN, and connection is required if a major development site is within 500 metres of an existing or a planned future DEN. Part J of Core Strategy policy CS7 and part F of Finsbury Local Plan policy BC2 set out aims and requirements relating to expansion of existing DENs.

- 8.40 The GLA's guidance on preparing energy assessments (April 2014) states, that the Mayor will apply a 35% carbon reduction target beyond Part L 2013 of the Building Regulations - this is deemed to be broadly equivalent to the 40% target beyond Part L 2010 of the Building Regulations, as specified in Policy 5.2 of the London Plan for 2013-2016.
- 8.41 The Sustainable Design and Construction statement (dated 6 February 2015) and the document responding to the Energy Officer's comments (dated 26 March 2015) states that a 5% reduction in CO2 emissions (based on 2010 Building Regulations baseline). As the application has progressed the applicant has agreed to the inclusion of between 60-100sqm of photovoltaics on two of the roofs which is likely to increase this figure. Even so it is short of the on-site carbon reduction policy target, of which full compliance would be particularly challenging given the energy demands associated with the equipment and ventilation requirements of the theatres and maternity/neonatal wards. Condition 10 is recommended to secure a revised / updated Energy Strategy to be submitted to demonstrate all reasonable measures to improve on-site performance of the scheme have been exhausted. Policy CS10 requires all remaining carbon emissions to be offset by a contribution to the Council's Carbon Offset fund. The applicant has stated that it is not viable for the scheme to include a carbon offset financial contribution (which would be at least £1million). It is acknowledged that the proposal is unique in a number of ways including that the scheme will provide essential critical health infrastructure that is run by the NHS as a not-for-profit service for local public benefit as well as being unique in its function and subsequent energy demands. Accordingly in this very specific and particular instance it is considered that a carbon offset financial contribution will not be sought. A number of other measures have been secured including a S106 head of term to identify and protect space on the hospital site for an energy centre associated with a future District Energy Network in Archway, which is a strategically important project with associated CO2 reductions. In S106 heads of terms are recommended to ensure that the feasibility of connection to a heating and cooling network and potential CHP on site are explored and that connection to any future District Energy Network is secured (see paragraph below).
- 8.42 Policy DM 7.3 states, '*Major developments located within 500 metres of an existing DEN, and minor new-build developments located within 100 metres, will be required to connect to that network, including provision of the means to connect to that network and a reasonable financial contribution to the connection charge, unless a feasibility assessment demonstrates that connection is not reasonably possible*'. The Energy Strategy states there is no district network available in close proximity to the site. The development is located within an opportunity area for district heating within the core strategy and the Council has recently developed an Energy Master Plan for the Archway area which has confirmed a District Heating Network (DHN) is likely to be viable providing key heat loads including the hospital are connected. A high-level feasibility study has proposed that the network could be delivered in phases, and identifies a new CHP energy centre, located at the Whittington Hospital, could facilitate this development. The applicant has consequently been in discussion with the Energy Team and has agreed to identify and protect space on the hospital site for this energy centre, as well as submitting a revised Energy Report that includes feasibility studies for connection to a District

Energy and CHP on site.

- 8.43 In summary, the application delivers the re-use of the existing buildings (along with new build extensions), secures CO2 reductions, and includes the reservation of space for an energy centre for a potential District Heating Network in Archway. The applicant has agreed to further explore connection to a DEN. The scheme would deliver a BREAM 'Very Good' scheme, green roofs and biodiversity enhancements. The scheme is supported in energy and sustainability terms subject to planning conditions and s106 heads of terms.

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

- 8.45 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.
- 8.46 The agreement will include the following agreed heads of terms:
- Identification of and protection of space on the hospital site for an energy centre associated with a future District Energy Network and an obligation to co-operate with the Council with regard to the provision of the Energy Centre and the District Energy Network.
  - Feasibility study analysing the potential for the connection to a future district energy network (at the time of writing the report the applicant had agreed to the principle of this clause but had questions regarding the timescales).
  - Feasibility study analysing the potential for and details of a CHP facility.
  - Future proof on site heating and power solution so that the development can be connected to a local energy network if a viable opportunity arises in the future. (at the time of writing the report the applicant had not agreed to this clause as they had questions regarding the exact details).
  - The provision of 2 additional accessible parking bays or a contribution towards bays or other accessible transport initiatives of £4,000.
  - Submission of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase.
  - Compliance with Code of Employment and Training including delivery of 3 work placements during the construction phase of the development, lasting a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay wages (must meet London Living Wage). If these placements are not provided, LBI will request a fee of £15,000
  - Compliance with the Code of Local Procurement.
  - Compliance with the Code of Construction Practice, including a monitoring fee of £2,570 and submission of a site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
  - Green Performance Plan.
  - The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
  - Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106.

- 8.47 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's Community Infrastructure Levy (CIL) is not chargeable on this application as the development is wholly for the provision of medical or health services.

### **National Planning Policy Framework**

- 8.48 Paragraph 17 of the NPPF sets out 12 core planning principles that should underpin decision-taking. The current proposal is strong in relation to the principles relating to the reuse of land, high quality design, promoting the vitality of main urban areas and improving health wellbeing. Subject to conditions and the necessary S106 agreement, the proposed development is also largely in compliance with the principles relating to climate change and making the fullest possible use of public transport, walking and cycling.
- 8.49 In the final balance of planning considerations officers have also considered the proposal in the context of the presumption in favour of sustainable development set out in the NPPF.

## **9. SUMMARY AND CONCLUSION**

### **Summary**

- 9.1 The proposal is located at the south western corner of the Whittington Hospital complex. The buildings are not listed nor in a conservation area, but there is a nearby Grade II listed building within the hospital complex to the north (known as the Jenner building or building F). The proposal is for improvements to critical health infrastructure that is run by the NHS, with the refurbishment and extensions to the hospital's maternity and neonatal services to accommodate additional delivery theatres, neonatal intensive care and high dependence cot bays along with an improvement in the quality of facilities provided. There will be an increase of 2,569.9sqm of floorspace with three extensions (single storey, three storey and four storey). The new facilities will see a 17.5% increase in births, from 4,000 to 4,700 per year and a consequent uplift of 109 patients and visitors arriving and departing per day and an additional 2 x 2-way service vehicle trips per day.
- 9.2 During the determination of this application the scheme has been amended to respond to concerns raised by officers and residents regarding the size and height of the proposed roof top plant.
- 9.3 The main issues concern design, specifically the overall height of the four storey extension; impact on neighbouring amenity, specifically any impact from the proposed roof plant; transport impact from the additional trips; and sustainability/renewable energy.
- 9.4 The application has been considered with regard to the Development Plan and National Planning Policy Framework (NPPF) and the NPPG and Ministerial Statement dated 28<sup>th</sup> November 2014, including the presumption in favour of sustainable development. The comments made by residents have been considered, as have responses from consultee bodies.
- 9.5 The proposal is considered to be acceptable in terms of providing substantial public benefit with the improvement of facilities at the hospital site; the location, footprint, height and design of the extensions are considered acceptable; there is not considered to be any impact on neighbour amenity including noise, daylight/sunlight and outlook; sustainability and energy. It is acknowledged that the roof plant and screens will be visible to residents of Holbrook Close but this visibility is not considered to have a

detrimental impact in terms of outlook or protected views. Whilst there will be an increase in the number of patients and visitors to the site there is not considered to be an adverse impact on public transport or the road network. Conditions are recommended and a Section 106 (S106) agreement, the Heads of Terms of which have been agreed with the applicant.

9.6 It is recommended that planning permission be granted.

### **Conclusion**

9.7 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.



# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

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

- Identification of and protection of space on the hospital site for an energy centre associated with a future District Energy Network and an obligation to co-operate with the Council with regard to the provision of the Energy Centre and the District Energy Network.
- Feasibility study analysing the potential for the connection to a future district energy network (at the time of writing the report the applicant had agreed to the principle of this clause but had questions regarding the timescales).
- Feasibility study analysing the potential for and details of a CHP facility.
- Future proof on site heating and power solution so that the development can be connected to a local energy network if a viable opportunity arises in the future. (at the time of writing the report the applicant had not agreed to this clause as they had questions regarding the exact details).
- The provision of 2 additional accessible parking bays or a contribution towards bays or other accessible transport initiatives of:£4,000
- Submission of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase.
- Compliance with Code of Employment and Training including delivery of 3 work placements during the construction phase of the development, lasting a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay wages (must meet London Living Wage). If these placements are not provided, LBI will request a fee of : £15,000
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £2,570 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- Green Performance Plan.
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106.

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

ALTERNATIVELY should this application be refused including refusals on the direction of The

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

## RECOMMENDATION B

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 begin no later than the of 3 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 list</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved drawings and information:</p> <p>Site Location Plan; 00(20)AP0011 rev D; -AP0010 rev D; -AP0012; 01(20) AS2101 rev B; -AS2102 rev B; -AS2103; -AS2104; -AS2000; -AE3122 rev B; -AE3101 rev B; AE3123 rev B; -AE3124 rev C; -AP1102 rev B; -AP1103 rev B; -AP1104 rev B; -AP1105 rev B; -AP1106 rev B; -AE3132 rev G; -AE3111 rev G; -AE3133 rev E; -AE3134 rev E; -AS2001 rev B; -AS2111 rev D; -AS2112 rev E; -AS2113; -AS2114; -AP1112 rev D; -AP1113 rev D; -AP1114 rev C; -AP1115 rev D; -AP1116 rev E; Design &amp; Access Statement 01(00)AR6001, prepared by BDP, February 2015; Planning Statement 2006593 rev 2, prepared by BPD, February 2015; Heritage Statement DP/HB/18067, prepared by CGMS, January 2015; Transport Statement 22788501, prepared by Steer Davies Gleave, February 2015; Construction Methodology P21+0361, prepared by Procure 21 and IHP, undated; Sustainable Design and Construction statement and associated appendices REP(SUS)WHI-001 rev C, prepared by BDP, 6 February 2015; Preliminary Ecological Appraisal 141588, prepared by the Ecology Consultancy, 16 December 2014; Health Impact Screening Assessment, prepared by BDP, February 2015; Air Quality Statement rev 03 10/05718, prepared by Hoare Lea, 5 February 2015; Noise survey and assessment rev 02, prepared by Hoare Lea, 5 February 2015; Statement of Community Involvement, prepared by BDP, February 2015; Response to Islington Council's Comments Doc 1 rev A, prepared by BDP, 26 March 2015; Travel Plan,</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Materials and Samples</b>
	<p>CONDITION: Details and samples 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 and samples shall include:</p> <p>a) all facing materials (including details of seams, gaps and any profiling);</p> <p>b) window and door treatments including sections and reveals);</p>

	<p>c) roofing materials;  d) balustrading treatment (including sections);  e) any other materials to be used on the exterior of the development (including to the roof top plant and screens); and  f) a Green Procurement Plan for sourcing the proposed materials.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>4</b>	<b>Roof Level Structures (details)</b>
	<p>CONDITION: Notwithstanding the drawings hereby approved, updated details of the proposed roof-top structures/plant/enclosures (which includes plant, screens lift/stair overruns and ancillary enclosures/structures) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site, to include the following:</p> <p>a) A report is to be commissioned by the applicant, using an appropriately experienced &amp; competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 5. Any noise mitigation measures required shall be installed before commencement of the use hereby permitted and permanently retained thereafter</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. No roof-level structures shall be installed other than those approved following the submission and approval of the details set out in a) above.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
<b>5</b>	<b>Plant Noise and Fixed Plant (Compliance)</b>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level <math>L_{Aeq,T}</math> arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level <math>L_{AF90,T}</math>. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:1997.</p> <p>The development shall be carried out strictly in accordance with the scheme so approved prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
<b>6</b>	<b>Tree Protection (details)</b>
	<p>* CONDITION: Prior to the development commencing, a Tree Protection Plan (TPP) shall be submitted to and agreed in writing by the Local Planning Authority.</p>

	<p>The TPP shall indicate the trees that are to be retained and protected in accordance with BS 5837 2012 –Trees in Relation to Demolition, Design and Construction by the erection of protective hoarding.</p> <p>The hoarding shall consist of a rigid, exterior grade ply high sterling board.</p> <p>For the duration of the demolition and construction work no access to this hoarded off area is to be permitted without the express written authority of the local planning authority.</p> <p>No materials, chemicals or noxious substances are to be stored or used within this hoarded off area. No plant, machinery, digging vehicles, to be allowed within the hoarded area or under the canopy spread of the tree, for the period of any demolition or construction activities on site.</p> <p>REASON: In the interest of the protection of trees and to safeguard visual amenities.</p>
<b>7</b>	<b>Demolition and Construction Logistics Plan (details)</b>
	<p>* CONDITION: No demolition shall take place until a Demolition and Construction Logistics Plan (DCLP) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The report shall detail the logistics issues arising from the development and the measures in place to deal with these; assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers; together with means of mitigating any identified impacts. The impacts assessed should include, but not be limited to, noise, air quality including dust, smoke and odour and vibration</p> <p>The development shall be carried out strictly in accordance with the approved Plan throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development</p>
<b>8</b>	<b>Access (details)</b>
	<p>CONDITION: Notwithstanding the plans hereby approved the scheme shall be constructed in accordance with the principles of Inclusive Design. Plans and details confirming that these standards have been met shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include:</p> <ul style="list-style-type: none"> <li>a) Details of all gradients and ramps;</li> <li>b) Layout of all Accessible and Changing Places WCs;</li> <li>c) Layout of all accessible bath/shower room facilities;</li> <li>d) An emergency evacuation plan, including provisions to meet the needs of those with mobility impairments;</li> <li>e) Accessible cycle storage</li> <li>f) Storage and charging facilities for mobility scooters within easy reach of new entrance (within 30 minutes of fire protection);</li> </ul> <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 order to facilitate and promote inclusive and sustainable communities.</p>

<p><b>9</b></p>	<p><b>Security and General Lighting (details)</b></p> <p>CONDITION: Details of any external general or security lighting (including full specification of all luminaries, lamps and support structures), and the location and design of any CCTV camera equipment shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on the site.</p> <p>The details shall be installed and operational prior to the first occupation of the development hereby approved and maintained as such permanently thereafter.</p> <p>REASON: In the interest of protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
<p><b>10</b></p>	<p><b>ENERGY STRATEGY AND RENEWABLE ENERGY (DETAILS):</b></p> <p>* CONDITION: An updated Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The revised energy strategy shall seek to achieve the policy target of 27% on-site total (regulated and unregulated) CO<sub>2</sub> reduction in comparison with a building compliant with Part L of the Building Regulations 2010. The revised energy strategy shall include the following information:</p> <ul style="list-style-type: none"> <li>a) A full energy model including a breakdown of regulated and unregulated emissions in respect of a Part L 2010 compliant development, Lean efficiency measures, Clean low carbon energy and Green Renewable energy;</li> <li>b) Thermal insulation and air tightness with improved U values;</li> <li>c) Internal temperature modelling and evidence that the development has maximised measures in accordance with the cooling hierarchy;</li> <li>d) Passive cooling measures in accordance with the cooling hierarchy including insulating internal communal heating pipework;</li> <li>e) Estimate of the annual cooling energy demand and CO<sub>2</sub> emissions;</li> <li>f) Measures to recover heat from the cooling systems for the provision of heat to serve domestic hot water;</li> <li>g) The inclusion of at least 60sqm of photovoltaic panels to the roofs of the single storey and three storey extensions including the CO<sub>2</sub> reduction.</li> </ul> <p>The updated energy strategy shall provide for no less on-site total CO<sub>2</sub> reduction than as detailed within the 'Sustainable Design and Construction Statement and associated appendices REP(SUS)WHI-001 rev C, prepared by BDP, 6 February 2015' and 'Response to Islington Council's Comments Doc 1 rev A, prepared by BDP, 26 March 2015 '.</p> <p>Details of the renewable energy technology(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include:</p> <ul style="list-style-type: none"> <li>a) the resulting scheme, together with any flue/stack details, machinery/apparatus location, specification and operational details;</li> <li>b) a management plan and maintenance strategy/schedule for the operation of the technologies;</li> </ul> <p>The energy efficiency measures/features and renewable energy technology(s) within the revised energy strategy shall be provided/carried out strictly in accordance with the details so approved, shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that the CO<sub>2</sub> emission reduction targets by energy</p>

	efficient measures/features and renewable energy are met.
<b>11</b>	<b>BREEAM (details)</b>
	<p>CONDITION: Prior to any superstructure works commencing on the site, a design stage recognised accreditation certificate and supporting assessment confirming that the development achieves a BREEAM 2008 Healthcare Criteria rating and BREEAM New Construction rating (2014) of no less than 'Very Good' with best endeavours used to achieve a rating of 'Excellent' shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall achieve the agreed rating(s) and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
<b>12</b>	<b>Green and Brown Roofs (Details)</b>
	<p>CONDITION: Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be maximised and be :</p> <ol style="list-style-type: none"> <li>a) biodiversity based with extensive substrate base (depth 80-150mm);</li> <li>b) laid out in accordance with and no less than shown on plan 01(20)AP1116 rev E hereby approved; and</li> <li>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).</li> </ol> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>13</b>	<b>Sustainable Urban Drainage System (SUDS) (details)</b>
	<p>CONDITION: Details of a detailed drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems and be designed to maximise water quality, amenity and biodiversity benefits in accordance with DM Policy 6.6 and the National SuDS Standards. The submitted details shall:</p> <ol style="list-style-type: none"> <li>i. provide information about the design storm period and intensity, the method employed (SuDS management train) to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;</li> <li>ii. include a timetable for its implementation; and</li> <li>ii. provide a management and maintenance plan for the lifetime of the</li> </ol>

	<p>development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.</p> <p>The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
<b>14</b>	<b>Rainwater and Greywater Recycling (details)</b>
	<p>CONDITION: Details of the rainwater and greywater recycling system shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite.</p> <p>The details shall demonstrate the maximum level of recycled water that can feasibly be provided to the development.</p> <p>The rainwater and greywater recycling system shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the building to which they form and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable management and use of water, and to minimise impacts on water infrastructure, potential for surface level flooding.</p>
<b>15</b>	<b>Birds and Bats (Compliance)</b>
	<p>CONDITION: The development shall at all times be implemented and managed in accordance with the measures recommended in the Preliminary Ecological Appraisal 141588, prepared by the Ecology Consultancy, 16 December 2014. Specifically with regard to the emergence and/or re-entry bat surveys and the provision of at least 4 (total) bird and bat nesting boxes / within the development. These bird/bat boxes shall be installed prior to the first occupation of the building to which they form part and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>16</b>	<b>Cycle Parking (Compliance)</b>
	<p>CONDITION: The secure internal cycle parking provision as shown on drawings 00(20)AP0012 and 01(20)AP1113 rev D hereby approved shall be installed as shown prior to first occupation of the development hereby approved.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>17</b>	<b>No External Piping (Compliance)</b>
	<p>CONDITION: Other than any pipes shown on the plans hereby approved, no additional plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to any elevation(s) of the buildings hereby approved.</p>

	<p>Should additional pipes be considered necessary the details of those shall be submitted to and approved in writing by the Local Planning Authority prior to installation of any such pipe.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would detract from the appearance of the building.</p>
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**List of Informatives:**

<b>1</b>	<p><b>S106</b></p> <p>SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
<b>2</b>	<p><b>Superstructure</b></p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
<b>3</b>	<p><b>Car-Free Development</b></p> <p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
<b>4</b>	<p><b>Working in a Positive and Proactive Way</b></p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p>
<b>5</b>	<p><b>Accessibility</b></p> <p>The applicant is reminded that the relevant code of practice for the NHS is BS 8300:2009 + A1:2010 and the reception area should be designed accordingly. WC facilities should be design in accordance with that code of practice and provided within easy reach of the reception and any waiting areas. Travelling distances to accessible WCs should be no more than 40m from any point in the hospital.</p>
<b>6.</b>	<p><b>Roof top plant</b></p> <p>The applicant is advised that any additional roof top plant not shown on the approved plans will require a separate planning application.</p>
<b>7</b>	<p><b>Construction works</b></p> <p>Noise from demolition and construction works is subject to control under the Control</p>



	<p>of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email <a href="mailto:pollution@islington.gov.uk">pollution@islington.gov.uk</a>) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
<p><b>8</b></p>	<p><b>Construction management</b></p>
	<p>You are advised that condition 7 covers transport and environmental health issues and should include the following information:</p> <ol style="list-style-type: none"> <li>1. identification of construction vehicle routes;</li> <li>2. how construction related traffic would turn into and exit the site;</li> <li>3. details of banksmen to be used during construction works;</li> <li>4. the method of demolition and removal of material from the site;</li> <li>5. the parking of vehicles of site operatives and visitors;</li> <li>6. loading and unloading of plant and materials;</li> <li>7. storage of plant and materials used in constructing the development;</li> <li>8. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;</li> <li>9. wheel washing facilities;</li> <li>10. measures to control the emission of dust and dirt during construction;</li> <li>11. a scheme for recycling/disposing of waste resulting from demolition and construction works;</li> <li>12 noise;</li> <li>12 air quality including dust, smoke and odour;</li> <li>13 vibration; and</li> <li>14 TV reception.</li> </ol>

## APPENDIX 2: RELEVANT POLICIES

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

### 1 National Guidance

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

### 2. Development Plan

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

#### A) The London Plan 2011 - Spatial Development Strategy for Greater London

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

1.1 Delivering the strategic vision and objectives for London

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

2.9 Inner London  
2.14 Areas for regeneration  
2.15 Town centres

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

3.1 Ensuring equal life chances for all  
3.2 Improving health and addressing health inequalities  
3.17 Health and social care facilities

##### **5 London's response to climate change**

5.1 Climate change mitigation  
5.2 Minimising carbon dioxide emissions  
5.3 Sustainable design and construction  
5.4 Retrofitting  
5.5 Decentralised energy networks  
5.6 Decentralised energy in development proposals  
5.7 Renewable energy  
5.8 Innovative energy technologies  
5.9 Overheating and cooling  
5.10 Urban greening  
5.11 Green roofs and development site environs  
5.12 Flood risk management  
5.13 Sustainable drainage  
5.14 Water quality and wastewater infrastructure

##### **6 London's transport**

6.1 Strategic approach  
6.2 Providing public transport capacity and safeguarding land for transport  
6.3 Assessing effects of development on transport capacity  
6.5 Funding Crossrail and other strategically important transport infrastructure  
6.7 Better streets and surface transport  
6.9 Cycling  
6.10 Walking  
6.11 Smoothing traffic flow and tackling congestion  
6.12 Road network capacity  
6.13 Parking

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

7.1 Building London's neighbourhoods and communities  
7.2 An inclusive environment  
7.3 Designing out crime  
7.4 Local character  
7.5 Public realm  
7.6 Architecture  
7.8 Heritage assets and archaeology  
7.13 Safety, security and resilience to emergency  
7.14 Improving air quality  
7.15 Reducing noise and enhancing soundscapes  
7.18 Protecting local open space and addressing local deficiency  
7.19 Biodiversity and access to nature  
7.21 Trees and woodlands

- 5.15 Water use and supplies
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste

## **8 Implementation, monitoring and review**

- 8.1 Implementation
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

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

#### **Spatial Strategy** CS 1(Archway)

- CS 11 (Waste)
- CS 12 (Meeting the Housing Challenge)

#### **Strategic Policies** CS 9 (Protecting & Enhancing Islington's Built & Historic Environment) CS 10 (Sustainable Design)

#### **Infrastructure and Implementation** CS 18 (Delivery and Infrastructure) CS 19 (Health Impact Assessments) CS 20 (Partnership Working)

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

#### **Design and Heritage**

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

#### **Shops, culture and services**

- DM4.12 Social and strategic infrastructure and cultural facilities

#### **Health and open space**

- DM6.1 Healthy development
- DM6.5 Landscaping, trees and biodiversity
- DM6.6 Flood prevention

#### **Energy and Environmental Standards**

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

#### **Energy and Environmental Standards**

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

#### **Transport**

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

#### **Infrastructure**

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

### **E) Site Allocations June 2013**

The application site is adjacent to site allocation ARCH2 (Whittington Hospital Ancillary Buildings) which is the northern part of the hospital site.

#### **4. Planning Advice Note/Planning Brief**

4.1 A document entitled 'Regeneration proposals for Archway' was adopted by the Council's Executive on 5 July 2011. These proposals outline the Council's desire to overcome some of the barriers to physical regeneration, strengthen the local economy and improve the vitality of the town centre. Funding allocations for various regeneration projects were agreed within this document (none of which directly relate to the Whittington Hospital).

4.2 Archway Development Framework SP (adopted 2007). The Core Strategy at paragraph

2.2.1 states that this SPD will remain in place after the adoption of the Core Strategy and that the document adds detail to the Core Strategy Site Allocation (CS1). The site is not within the core area of this document but falls within the 'contextual area'. Development within the wider contextual area should take into consideration the guidance and the following key objectives:

- Delivery of a beacon sustainable development – delivery of a truly sustainable community and thus contribute to environmental, economic and social sustainability.
- Delivery of a mixed use development to build upon Archway's strengths as a district centre and enhance this role.
- The improvement of the pedestrian environment to provide a safe environment and improve the pedestrian links through to the adjoining areas.
- The creation of high quality public spaces to provide an environment where people can visit, shop, relax while providing links to the surrounding areas and uses in Archway;
  - Microclimate – minimise wind impact due to down draught;
  - This document states that priority for planning obligations within Archway will be focussed towards improvements to the public realm and local employment.

## 5. Designations

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

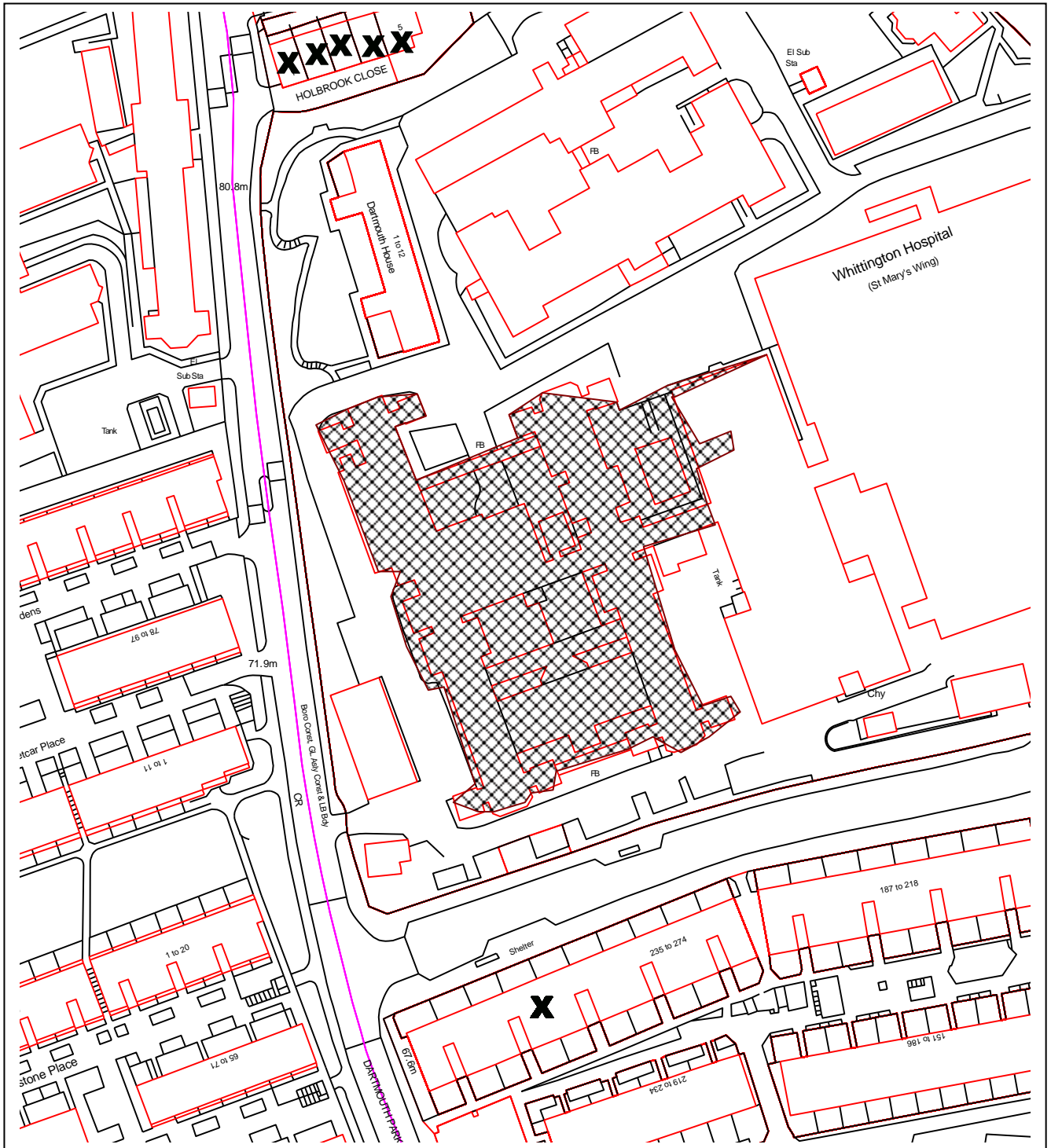
- <b>Core Strategy Key Area</b>	<b>Archway</b>
- <b>Grade II Listed Building</b>	<b>F block, St Mary's Wing, Whittington Hospital</b>

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

The following SPGs and/or SPDs are relevant:

<b>Islington Local Development Plan</b>	<b>London Plan</b>
- Accessible Housing in Islington	- Accessible London: Achieving and Inclusive Environment
- Car Free Housing	- Housing
- Conservation Area Design Guidelines	- Sustainable Design & Construction
- Green Construction	- Providing for Children and Young Peoples Play and Informal Recreation
- Inclusive Landscape Design	- Planning for Equality and Diversity in London
- Planning Standards Guidelines	
- Planning Obligations and S106	
- Urban Design Guide	
- Environmental Design SPD	
- Streetbook SPD	

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