



AGENDA FOR THE PLANNING COMMITTEE

Members of Planning Committee are summoned to a meeting, which will be held in the Council Chamber, Town Hall, Upper Street, N1 2UD on **27 April 2017 at 7.30 pm.**

Lesley Seary
Chief Executive

Enquiries to : Ola Adeoye
Tel : 020 7527 3044
E-mail : democracy@islington.gov.uk
Despatched : 19 April 2017

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.**


Committee Membership

Wards

Substitute Members

Councillor Khan (Chair)	- Bunhill;	Councillor Caluori	- Mildmay;
Councillor Klute (Vice-Chair)	- St Peter's;	Councillor Fletcher	- St George's;
Councillor Donovan (Vice-Chair)	- Clerkenwell;	Councillor Gantly	- Highbury
Councillor Chowdhury	- Barnsbury;	East;	
Councillor Convery	- Caledonian;	Councillor Kay	- Mildmay;
Councillor Nicholls	- Junction;	Councillor Wayne	- Canonbury;
Councillor O'Halloran	- Caledonian;	Councillor Webbe	- Bunhill;
Councillor Poyser	- Hillrise;		
Councillor Picknell	- St Mary's;		
Councillor Ward	- St George's;		

Quorum: 3 councillors



A. Formal Matters	Page
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	1 - 4
6. Minutes of Previous Meeting	5 - 6
B. Consideration of Planning Applications	Page
1. FINSBURY TOWER, 103-105 BUNHILL ROW, LONDON, EC1Y 8LZ	7 - 202
2. ISLINGTON ARTS FACTORY, 2 PARKHURST ROAD & 2A PARKHURST	203 -

	ROAD, LONDON N7 0SF	288
3.	ISLINGTON ARTS FACTORY, 2 PARKHURST ROAD & 2A PARKHURST ROAD, LONDON N7 0SF	289 - 318
4.	THE TRIANGLE ESTATE, GOSWELL ROAD/COMPTON STREET/CYRUS STREET & 131-135 [ODD] GOSWELL ROAD, LONDON, EC1	319 - 394
5.	WILLIAM MARTIN COURT, 65 MARGERY STREET, LONDON, WC1X 0JH	395 - 436
C.	Consideration of other planning matters	Page
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, 23 May 2017

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

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 Ola Adeoye 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.

COMMITTEE AGENDA

1 Finsbury Tower
103-105 Bunhill Row
London
EC1Y 8LZ

2 Islington Arts Factory, 2 Parkhurst Road & 2A Parkhurst Road, London N7 0SF.

3 The Triangle Estate, Goswell Road/Compton Street/Cyrus Street & 131-135[odd] Goswell Road
London
EC1

4 William Martin Court
65 Margery Street
London
WC1X 0JH

1 Finsbury Tower
103-105 Bunhill Row
London
EC1Y 8LZ

Ward: Bunhill

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

Application Number: P2016/3939/FUL

Application Type: Full Planning Application

Case Officer: Simon Greenwood

Name of Applicant: Finsbury Tower Estates Ltd.

Recommendation:

2 Islington Arts Factory, 2 Parkhurst Road & 2A Parkhurst Road, London N7 0SF.

Ward: Holloway

Proposed Development: Refurbishment and conversion of Grade II listed former Verger's Cottage and refurbishment of former Sunday School building to provide 413 square metres (GIA) of office floorspace (Use Class B1), including repairs to and reinstatement of window glazing and frame, along with demolition of link extension to the rear. This application may affect the setting of a listed building. Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (as amended); [In association with Listed Building Consent Application P2015/0330/FUL].

Application Number: P2016/5054/LBC

Application Type: Listed Building

Case Officer: John Kaimakamis

Name of Applicant: Mr Mike Kettle

Recommendation:

Ward: Holloway

Proposed Development: Redevelopment of the site consisting of demolition of the existing garage structure, refurbishment of the Grade II listed former Verger's Cottage and former Sunday School building to provide 413 square metres (GIA) of office floorspace (Use Class B1), refurbishment and conversion of the Church building to provide 7 private residential units (2 x 1-bed, 4 x 2-bed and 1 x 3-bed) and construction of a new 5-storey building with basement below to provide 792 square metres (GIA) of community floorspace (Use Class D1) and ancillary cafe, 132 square metres of office floorspace (Use Class B1) and 18 affordable residential units (7 x 1 bed, 9 x 2 bed and 2 x 3 bed), resulting in a total of 25 residential units (9 x 1-bed, 13 x 2-bed and 3 x 3-bed), along with associated landscaping, access, parking and public realm works. This application may affect the character and appearance of the conservation area and setting of a listed building. Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (as amended); [Revised Description] [In association with Listed Building Consent Application P2016/5054/LBC].

Application Number: P2015/0330/FUL

Application Type: Full Planning Application

Case Officer: John Kaimakamis

Name of Applicant: Mr Mike Kettle

Recommendation:

**3 The Triangle Estate, Goswell Road/Compton Street/Cyrus Street &
131-135[odd] Goswell Road
London
EC1**

Ward: Bunhill

Proposed Development: Demolition of six dwellings, the central podium, garages and one retail unit and the construction of 54 new dwellings (including 27 homes for social rent), provided as infill developments, an additional seventh floor on existing residential blocks and a new part 7/part 8 storey corner building with associated private amenity space, bicycle storage, a new landscaped courtyard garden and improvements to the public realm. The application also includes the provision of 146.8sqm of retail floorspace to replace the demolished unit.

Application Number: P2016/4634/FUL

Application Type: Full Planning (Council's Own)

Case Officer: Stefan Sanctuary

Name of Applicant: Islington Council - Mathew Carvalho

Recommendation:

**4 William Martin Court
65 Margery Street
London
WC1X 0JH**

Ward: Clerkenwell

Proposed Development: Use of premises as a hostel providing residential accommodation for hotel staff (Sui Generis).

Application Number: P2016/2405/FUL

Application Type: Full Planning Application

Case Officer: Matthew Duigan

Name of Applicant: Imperial London Enterprises Limited

Recommendation:

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London Borough of Islington

Planning Committee - 6 February 2017

Minutes of the meeting of the Planning Committee held in the Council Chamber, Town Hall, Upper Street, N1 2UD on 6 February 2017 at 7.30 pm.

Present: **Councillors:** Robert Khan (Chair), Klute (Vice-Chair), Donovan (Vice-Chair), Convery, Poyser and O'Halloran

Also Present: **Councillor:** Diarmaid Ward

Councillor Robert Khan in the Chair

267 INTRODUCTIONS (Item 1)

Councillor Khan welcomed everyone to the meeting. Members of the Committee and officers introduced themselves and the Chair outlined the procedure for the meeting.

268 APOLOGIES FOR ABSENCE (Item 2)

Apologies were received from Councillors Nicholls and Picknell.

269 DECLARATIONS OF SUBSTITUTE MEMBERS (Item 3)

There were no declarations of substitute members.

270 DECLARATIONS OF INTEREST (Item 4)

There were no declarations of interest.

271 ORDER OF BUSINESS (Item 5)

The order of business would be as the agenda.

272 MINUTES OF PREVIOUS MEETING (Item 6)

RESOLVED:

That the minutes of the meeting held on 17 January 2017 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

273 **LAND AT TURK'S HEAD YARD, 75A TURNMILL STREET, EC1M 5SY (Item 7)**

Erection of new three storey office (plus basement) building providing 1,083sqm B1(a) floorspace, with associated landscaping, servicing and parking.

(Planning application number: P2016/4298/FUL)

In the discussion the following points were made:

- The legal officer advised that boundary and private rights of access concerns raised by an objector were not relevant to the determination of the planning application. It was advised that concerns relating to the structural integrity of adjacent buildings could be a material consideration; however the existence of other regimes such as building control and the Party Wall Act was also relevant and the Committee were entitled to assume that these regimes would be properly applied.
- The Committee noted that the council's policy favoured car-free development and did not consider that a B1(a) use at this location represented a strong case for car parking. It was commented that dissolution of the car parking spaces would bring amenity to the area.
- The Committee commented that an affordable workspace provision of 54sqm would be an appropriate size for a small enterprise. Whilst the Committee considered an off-site affordable workspace contribution to be acceptable, it was proposed that this should be spent within the same ward as the application site (Clerkenwell Ward).

Councillor Convery proposed a motion to amend Condition 8 to remove the use of car parking on the site. This was seconded by Councillor Donovan and carried.

Councillor Klute proposed a motion to amend Condition 3 to require solid brickwork. This was seconded by Councillor Convery and carried.

Councillor Donovan proposed a motion that the affordable workspace contribution set out in the proposed Planning Obligation specify that the contribution be spent in the Clerkenwell Ward. This was seconded by Councillor Convery and carried.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and conditions 3 and 8 as amended above; and subject to 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 of the officer report and as amended above.

The meeting ended at 8.05 pm

CHAIR

PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 3333
 222 Upper Street
 LONDON N1 1YA

PLANNING COMMITTEE	AGENDA ITEM NO: B1
Date: 27 April 2017	NON-EXEMPT

Application number	P2016/3939/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	Unlisted but adjacent to Grade I listed Bunhill Fields Burial Ground, HAC grounds (Grade II* and Grade II) and Grade II listed terrace at 20 & 21-29 Bunhill Row)
Conservation area	No
Development Plan Context	Central Activities Zone (CAZ), Employment Priority Area (General)
Licensing Implications	Licensing applications may be required for A3 uses
Site Address	Finsbury Tower, 103-105 Bunhill Row, London EC1Y 8LZ
Proposal	Erection of a 12 storey extension to the existing 16 storey building and a 3 to 6 storey extension to the existing podium block up to 7 storeys to provide additional office (Use Class B1a) floorspace; recladding of the existing building to match the materials of the extensions; change of use of part of the ground floor accommodation to flexible Class A1 (retail) and A3 (restaurant/cafe) uses; demolition of single storey structures and the erection of 6 storey block adjacent to the western elevation to provide 25 affordable dwellings; alterations to the public realm, including landscaping and highways improvements and other associated works.

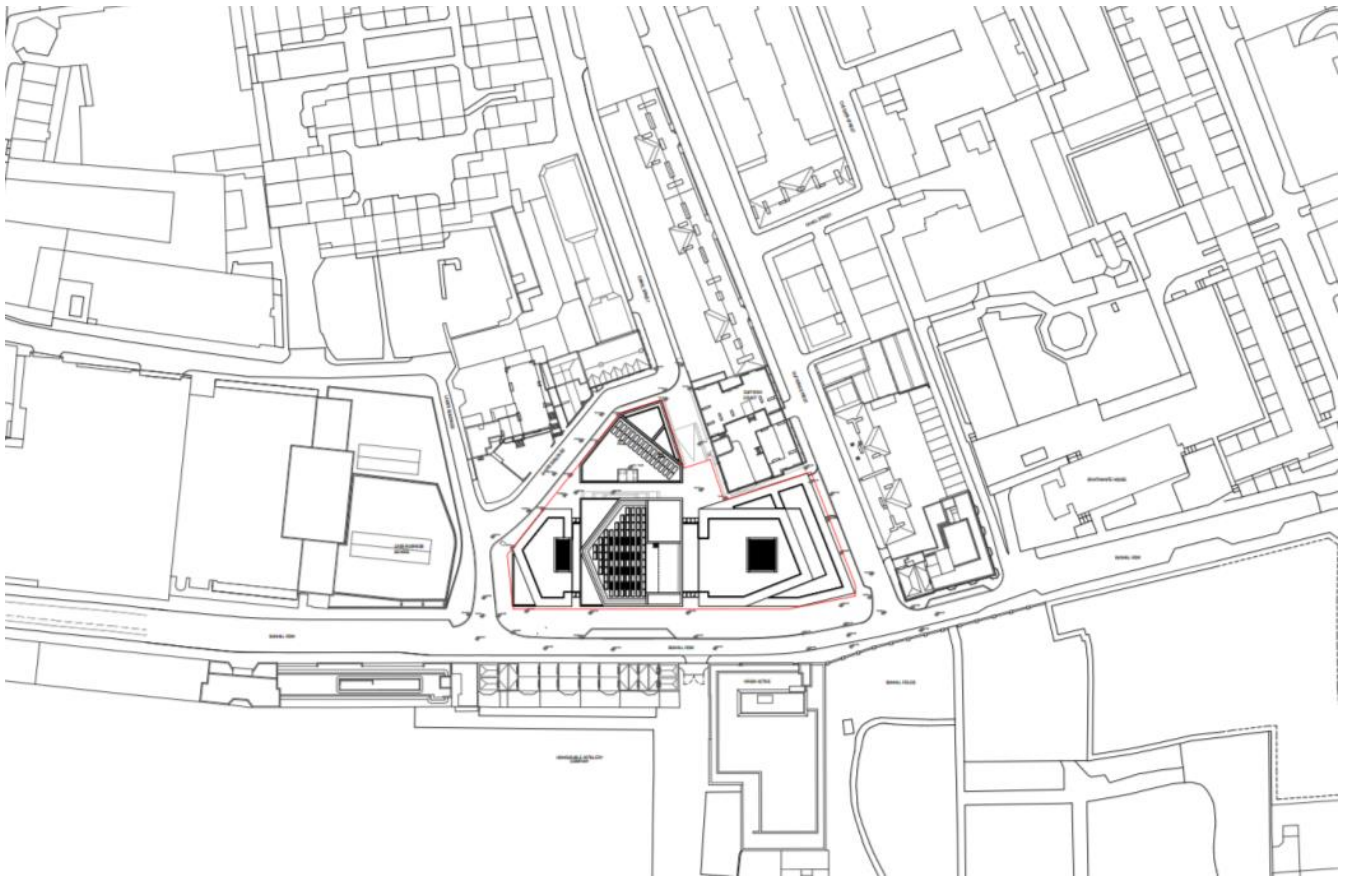
Case Officer	Simon Greenwood
Applicant	Finsbury Tower Estates Ltd.
Agent	DP9 - Mr David Morris

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in red)

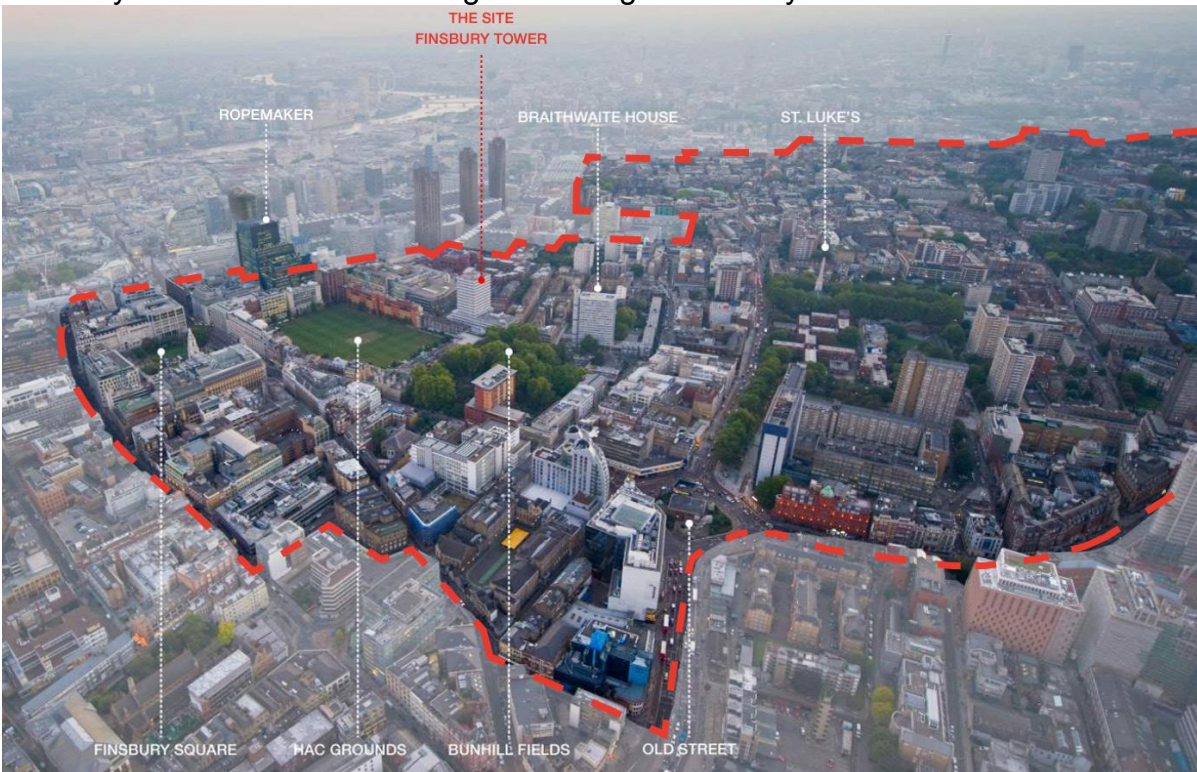


3. PHOTOS OF SITE/STREET

Aerial view of site from the west



'Birds Eye' View of Site with Islington Borough Boundary indicated



Views of existing building looking north and south along Bunhill Row



4. SUMMARY

- 4.1 It is proposed to erect a 12 storey extension to the existing 16 storey building and a 3 to 6 storey extension to the existing podium block up to 7 storeys to provide 12,687m² (GIA) additional office (Use Class B1a) floorspace including 1000m² (GIA) affordable workspace (7.9% of the new floorspace created) to remain affordable in perpetuity. The existing building will be re-clad to match the materials of the extensions. Part of the ground floor accommodation will be changed to a flexible Class A1 (retail) and A3 (restaurant/cafe) use. It is also proposed to demolish single storey plant and storage structures to the western part of the existing building and erect a 6 storey block to provide 25 affordable (social rented) dwellings. Public realm improvements are proposed around the site including two public routes through the site.
- 4.2 The site is located in a highly accessible location within the Central Activities Zone (CAZ) and within an Employment Priority Area (General). The site occupies a sensitive location adjacent to a number of heritage assets including Bunhill Fields, a Grade 1 Registered Park and Garden, the Honourable Artillery Company (HAC) grounds which include the Grade II* listed Armoury House and Grade II listed Finsbury Barracks, and a Grade II listed terrace (20 & 21-29 Bunhill Row) immediately opposite the site. The site is also located adjacent to the Bunhill Fields / Finsbury Square Conservation Area and the St. Luke's Conservation Area.
- 4.3 The proposal would result in the transformation of an existing poorly composed and dated looking building into an elegantly proportioned building of high quality design and materials. However, the proposal would result in a significant increase in the height of the tower and an increase in the height and massing of the podium, resulting in harm to the setting of Bunhill Fields Burial Ground, the HAC grounds heritage assets and the character and appearance of the adjacent conservation areas.

- 4.4 Sections 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 4.5 The proposal is considered to result in less than substantial harm to the significance of Bunhill Fields and the HAC heritage assets and to the character and appearance of the Bunhill Fields / Finsbury Square Conservation Area and the St. Luke's Conservation Area, albeit the overall harm will be at the higher end of less than substantial harm. The proposal also results in harm in policy terms by reason of conflict with Development Plan policies CS9 and BC9, and harm to the daylight amenities of the occupants of adjacent dwellings at 1-56 Dufferin Court.
- 4.6 However, the proposal is considered to result in substantial public benefits. In particular, the scheme would deliver a significant amount of new and upgraded office floorspace in the CAZ and would maximise the provision of affordable housing and affordable workspace, alongside public realm improvements including the creation of new routes through the site.
- 4.7 The proposal is very finely balanced in planning terms. However, on balance, it is recommended that planning permission be granted.

5. SITE AND SURROUNDINGS

- 5.1 The 0.5 hectare site is located on Bunhill Row, between the junctions of Dufferin Street and Lamb's Passage, abutting Lamb's Buildings and Errol Street to the rear. The site is currently occupied by a late 1960s constructed 16 storey office building with 4 storey podium (21,837m² GIA floorspace) and split level basement car park (85 spaces).
- 5.2 The existing 1960s building occupies the site of the former De La Rue main office and print work buildings which were bombed extensively during the Second World War. The post-war Bunhill Fields Comprehensive Development Area designated the site for a tall building. The building was designed to accommodate printing machinery, bank note counting machines, security services and offices. The building was never used for its originally intended purpose as a printing works but was later used as a telephone exchange. As a result of the building's design each floor is able to support roughly twice the loading than that of a modern office floor. The existing building therefore has considerable structural redundancy which would support a significant vertical extension.
- 5.3 The existing building was renovated externally with replacement windows and aluminium cladding in the late 1980s or early 1990s, some of which is now in a poor condition. The building is also generally in a poor condition internally having not been significantly upgraded since construction. The application advises that the facilities are outdated and inadequate in terms of the requirements of present day occupants and accordingly the building is predominantly vacant and unlikely to be let in its present state.

Existing cladding in a poor condition



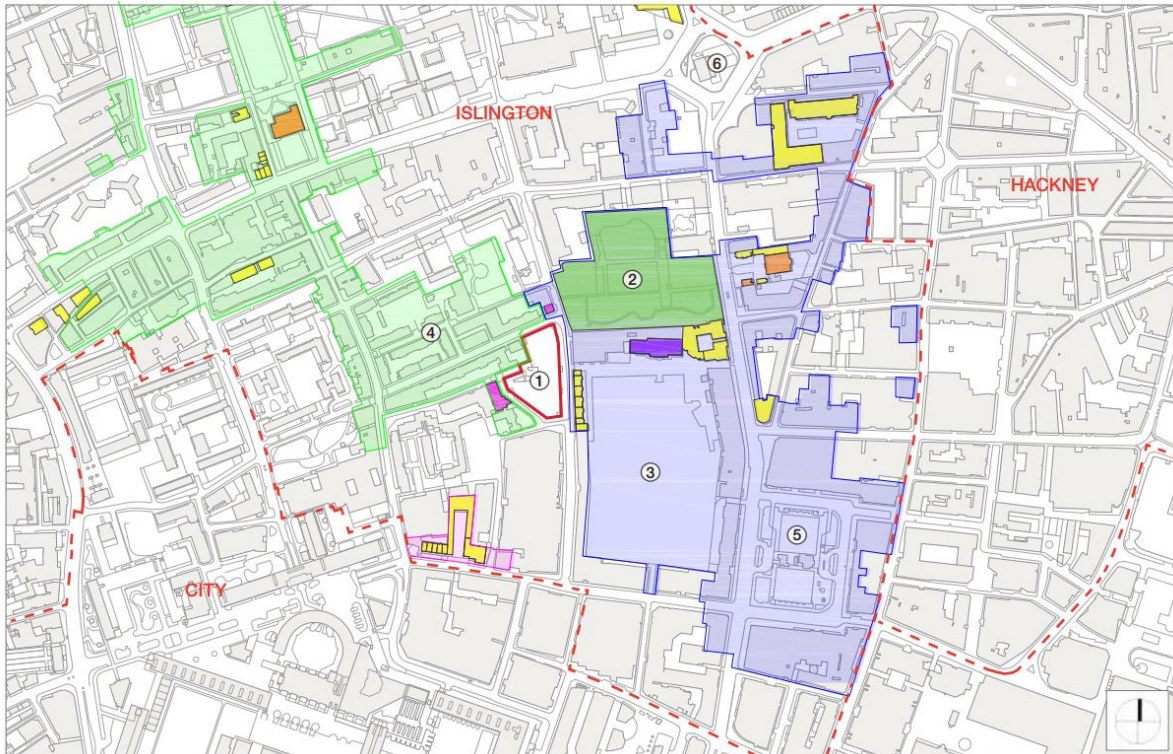
- 5.4 The Design and Access Statement provides an architectural appraisal of the existing building through reference to acclaimed examples of podium and tower buildings and identifies that it represents a poor example of podium and tower design, in particular due to the squat proportions of the tower and the lack of articulation between the two elements of the building.
- 5.5 There are single storey ancillary structures to the rear of the site and a blank perimeter wall at the junction of Errol Street and Lamb's Buildings which make a negative contribution to the local townscape.

Blank frontages to existing building at ground floor level



- 5.6 The site is sensitively located adjacent to a number of heritage assets which are identified on the following map.

Map identifying heritage assets in the locality



Primary Spaces

- ① Finsbury Tower - Proposal Site
- ② Bunhill Fields
- ③ Honourable Artillery Grounds
- ④ Peabody Estate
- ⑤ Finsbury Square
- ⑥ Old Street Roundabout

Listed Buildings

- Grade I
- Grade II*
- Grade II
- Locally listed

Registered Park and Garden

- Grade I

Conservation Areas

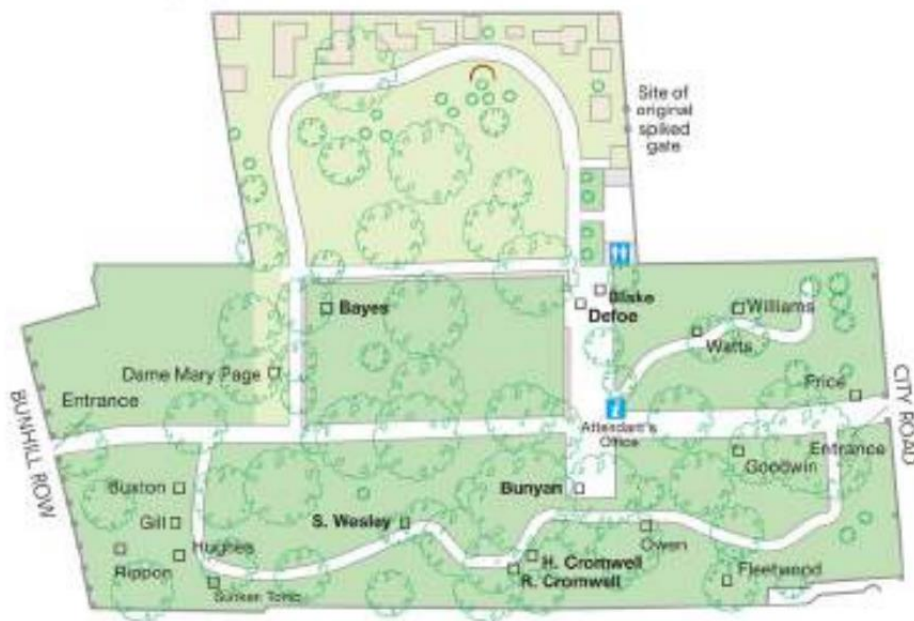
- Bunhill Fields / Finsbury Square
- St. Luke's
- Chiswell Street

Note: Bunhill Fields contains numerous grade II and II* listed memorials, tombs and other structures including gates and railings.

5.7 Bunhill Fields Burial Ground is located to the north-east and is Grade I listed on the Register of Historic Parks and Gardens. It is a burial site for non-conformists from the late 17th Century to the mid-19th Century and includes Grade II and Grade II* individually listed memorials, tombs and other structures including gates and railings. It contains the graves

of many notable people including John Bunyan (1628-1688) and William Blake (1757-1827) and is owned and maintained by the City of London Corporation.

Plan of burial ground and key tombs



- 5.8 Other non-conformist landmarks in the area include the Quaker gardens (formerly Quaker burial ground) to the west of Bunhill Fields and John Wesley's House and Methodist Chapel (Grade I) to the east of Bunhill Fields on the opposite side of City Road, which were constructed in the 1770s.
- 5.9 Nos. 20 and 21-29 Bunhill Row is located opposite the site to the east and is a Grade II listed residential terrace built in 1830-31 for the HAC. The HAC Grounds are located to the east beyond the Virgin Active Gym on Bunhill Row and include the Grade II* listed Armoury House and Grade II listed Finsbury Barracks buildings which were constructed in the 18th and 19th century. The locally listed Artillery Arms is situated on the western side of Bunhill Row opposite the site and comprises a 19th century three storey public house building. A detailed assessment of these nearby heritage assets is provided later within this report.
- 5.10 The 12 storey Lexington Apartment building is located to the north of Bunhill Fields, along with Monmouth House and Speedfix House which benefit from planning permission issued by the former Mayor of London for an office-led, mixed use redevelopment, rising up to 11 storeys in height.
- 5.11 The 8 storey Cass Business School and the 6 storey University of Law are located on either side of Bunhill Row immediately to the south of the site with large scale commercial buildings beyond. The borough boundary with the City of London is approximately 170m to the south and the area is characterised by taller buildings within the City including the Barbican and large commercial developments such as Ropemaker Place, CityPoint and Milton Gate.
- 5.12 The Peabody Estate is located to the north and west of the site and comprises 5-6 storey residential buildings. The area to the west also includes Whitecross Street, which typically

comprises 4-6 storey buildings with a number of ground floor retail units, as well as the Golden Lane Campus and the London City Shopping Complex. There are residential buildings north of the site including the 19 storey Braithwaite House and the 4 storey Quaker Court beyond, whilst there are a number of taller buildings located along Old Street and around Old Street roundabout.

- 5.13 The Bunhill Fields/Finsbury Square Conservation Area is located to the east of the site and is characterised by large Victorian and Edwardian commercial buildings on City Road and Tabernacle Street as well as historic open spaces including Bunhill Fields and the HAC Grounds.
- 5.14 The Chiswell Street Conservation Area is a small conservation area to the south of the site which includes the Grade II listed North Yard building and Nos. 42 to 46 Chiswell Street.
- 5.15 The St Luke's Conservation Area includes a variety of 19th Century commercial building types, St. Luke's Church, St Joseph's Church and locally listed No.12 Errol Street and the late 19th Century Peabody residential buildings on Dufferin Street and Whitecross Street.
- 5.16 Bunhill Fields is a designated Borough Grade 2 Site of Importance for Nature Conservation (SINC).
- 5.17 The application identifies the site as lying at the juxtaposition of four distinctive character areas, which have informed the design development of the proposed building, and these are identified as follows:
- A - City scale buildings and commercial uses
 - B - Social housing, local shops, businesses and street market
 - C - Predominantly commercial pepper potted with residential uses
 - D - Open spaces, both public and private, defined by low scale building, some of which are important heritage assets.

Character areas map



5.18 The site has a Public Transport Accessibility Level (PTAL) of 6b, which is the highest level. The site is located within the Central Activities Zone (CAZ) and is within an Employment Priority Area (General).

5.19 The site is not located within any Strategic Viewing Corridors, Lateral Assessment Areas or Background Assessment Areas of St. Pauls Cathedral, as identified within the London View Management Framework (2012).

6. PROPOSAL (IN DETAIL)

6.1 It is proposed to erect a 12 storey extension to the existing 16 storey building and a 3 to 6 storey extension to the existing podium block up to 7 storeys to provide 12,687m² (GIA) additional office (Use Class B1a) floorspace (inclusive of the affordable workspace). The proposed building will increase from an existing height of 79.04m AOD by 43.48m to 123.52m AOD. The existing building will be re-clad to match the materials of the extensions. Part of the ground floor accommodation will be changed to a flexible Class A1 (retail) and A3 (restaurant/cafe) use. It is also proposed to demolish single storey plant and storage structures to the western part of the existing building and erect a 6 storey block to provide 25 affordable (social rented) dwellings.

6.2 The proposed floorspace is detailed in the following table:

Use Class	NIA (m ²)	GIA (m ²)	GEA (m ²)
Existing			
Offices (B1a)	14,226	21,837	22,353
Proposed			
Offices (B1a)	22,403	33,524	38,279
Offices (B1a) (Affordable Workspace)	798	1,000	1,059
Retail/Restaurant (A1/A3)	1,263	1,326	1,415
Residential (C3)	1,783	2,476	2,704
Total	26,863	38,326	43,457

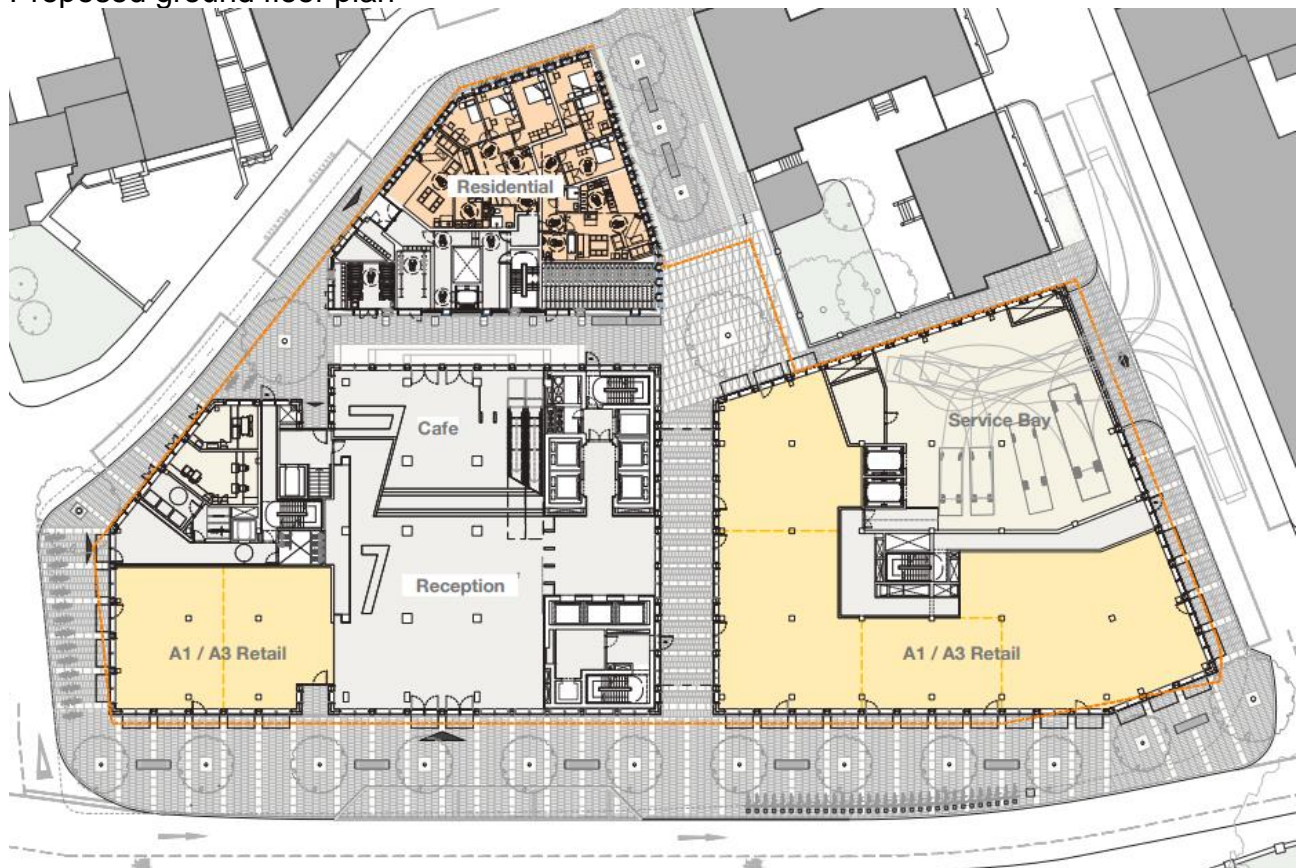
6.3 The affordable housing block will be six storeys high with a set-back top floor and will be accessed from Lambs Buildings. The proposed unit mix is as follows:

Unit type	Number of units	Percentage
1 bed 2 person	4	16
2 bed 3 person	4	16
2 bed 4 person	15	60
3 bed 5 person	2	8
Total	25	100

6.4 Public realm improvements are proposed around the site including tree planting, seating and hard landscaping. A pedestrian arcade is proposed linking Bunhill Row and Errol Street which would represent the reinstatement of a historic route through the site to replace an existing dog-leg alleyway, whilst it is also proposed to create a new north to south route between the residential and commercial blocks. A TfL cycle hire docking bay is proposed to the front of the building.

6.5 There will be retail uses at ground floor level fronting Bunhill Row, Dufferin Street and along the pedestrian arcade through the site to Errol Street, wrapping around to Lambs Passage. These will be provided as two flexible spaces capable of subdivision into virtually any size units required. The main office entrance will front Bunhill Row and will provide access to a reception lobby which will lead to a two level lift lobby with the upper level accessed via a pair of escalators. The office entrance will also be accessible via the café to the rear of the ground floor. The ground floor would also comprise an emergency exit and loading bay and a separate entrance to the affordable workspace along with a short section of service accesses, primarily for UK Power Networks equipment.

Proposed ground floor plan



6.6 The podium levels are served primarily by a bank of 3 low rise lifts accessed at ground level whereas the tower levels are served by 8 'TWIN' lifts operating in the 4 shafts that run the full height of the building. TWIN lifts are a system that allow for 2 lift cars to operate independently within the same lift shaft which maximises the efficiency of the lift installation in taller, slender buildings. During off peak period the TWIN lifts can be programmed to also serve the podium levels if there is tenant demand and the lifts will be programmed to allow wheelchair access to all levels.

6.7 1,000m² (GIA) of affordable workspace would be provided within the podium of the building at first floor level. The floorspace would benefit from a flexible floorplate, dedicated access from the street, dedicated storage and lift provision and an independent cycle store and refuse store off the entrance area.

- 6.8 The northern end of the 1st floor and the remaining floors above provide flexible general office workspace. The podium levels (2nd to 6th) would provide the largest floor plates (up to 2,200m²) and would therefore be more suitable for larger organisations. The tower floorplates at 7th floor and above would be more compact and would range from 500m² to 625m². These floorplates would be more suited to smaller companies or in multiples to larger enterprises that do not require their entire workforce to be at the same level.
- 6.9 The podium levels are designed to allow for a single subdivision in an approximate 60%:40% ratio with both parts retaining full access to all facilities. The tower levels are not designed for formal subdivision but could be suitable for a more informal shared workspace for several small enterprises.
- 6.10 The existing structure within the podium and tower would restrict the floor to ceiling heights to 2.55m, whereas there will be a slightly increased ceiling height of 2.7m within the new tower levels. The application notes that the internal design of the building remains a 'work in progress' and in the event that an 'industrial' aesthetic with exposed services is adopted then the ceiling height would refer to the lowest level of the services with the visible structural soffit being some 400–500mm higher. The highest office level is intended to provide a higher standard 'penthouse' office space and will feature an enhanced floor to ceiling height of over 3.6m.
- 6.11 Roof terraces and gardens would be provided at 4th, 7th, 16th, and 26th floor where the building steps back to provide amenity areas for the office users and ecological features to accommodate wildlife.
- 6.12 The building will feature set-backs of the tower and podium extensions and angled splays to reflect the surrounding context and street geometry and to create contrasting facades of light and shadow. The tower has an angled set back to reflect the height of the existing tower and to create a slimmer tower when viewed from Bunhill Fields. The set-backs on the upper podium floors and angled facades on the north face respond to views up and down Bunhill Row and when seen from inside Bunhill Fields. The heights of these podium elements are defined by heights of adjacent buildings along all the streets surrounding the site. The southern element relates to Sir John Cass building in both plan form and height. The northern podium element responds to the angle of Bunhill Row and 90 degree corner into Dufferin Street in plan and in heights to the Artillery Arms opposite and Peabody housing adjacent. The angled facade and set back relate to Bunhill Fields opposite.
- 6.13 The residential building steps in height to relate to the different heights of the adjacent Catholic Church building and Peabody housing whilst also relating to the height of the podium levels of the office building.
- 6.14 The façade would feature a masonry finish comprising brickwork panels featuring a slim, lighter coloured brick with flush pointing to provide uniformity and texture. Bronze anodising would be used for the metal windows, reveals, shopfronts and canopy structures at ground floor. The glazing would vary according to the different levels of the building. On the ground to 3rd floor the glazing would be flush with the brick masonry to create a more reflective facade that would embody the memory of the existing podium. The 4th to 15th floors would feature glazing that is semi-recessed by approximately 250mm in order to create a depth to the facade with shadow and exposed metal reveals and to define the existing height of the tower within the facade design. The upper tower levels (16th to 26th

floor) would feature glazing that is fully recessed by approximately 500mm to creates deep shadowed reveals.

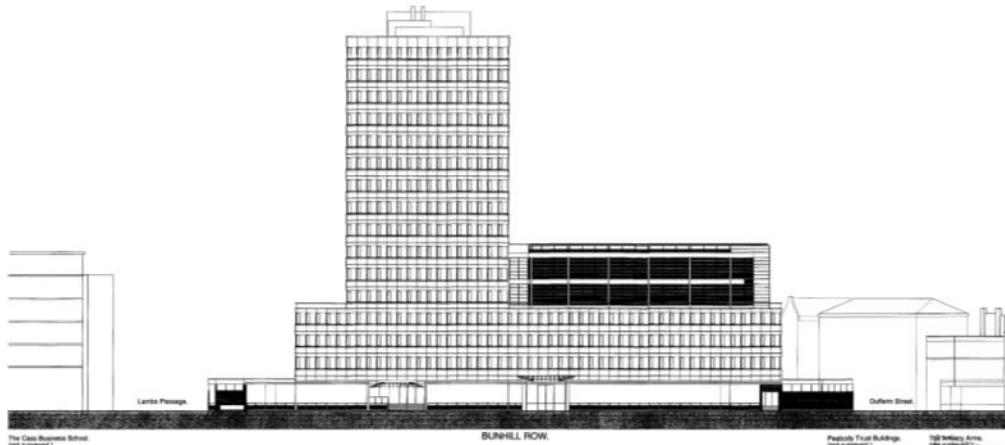
- 6.15 The facade of the residential building has been designed to relate closely to the office building so when viewed together they are seen as a unified composition. The residential building uses a different and slightly darker brick with a darker metalwork shade than that proposed for the tower, reflecting its land use and nature of the residential area to the west of the site. The residential building would feature a similar palette of materials but with a slightly darker patina in order to create a better visual relationship with the more aged and darkened London stock bricks of adjacent buildings.

7. RELEVANT HISTORY

Planning Applications

- 7.1 The following previous planning applications relating to the application site are considered relevant to the current pre-application proposal.
- 7.2 Planning permission was refused in April 2006 a fourth and fifth floor extension over the existing podium to the north side of the tower to provide additional office accommodation (application reference P060245). The grounds of refusal related to the impact of the design, height, scale and bulk of the extension on the appearance of the existing building; the overall streetscape; the setting of nearby listed buildings; and the character and appearance of the nearby conservation areas. Furthermore, it was considered that the extension would result in an unacceptable visual impact and loss of light at the adjacent Peabody housing. It should be noted that these decisions were taken under the former Unitary Development Plan (UDP) policies and the then Planning Policy Guidance Note 15 (PPG15). A subsequent appeal (reference APP/V5570/A/06/2029672) was dismissed and the inspector noted that the proposed extension would increase the dominance of Finsbury Tower over Nos. 20 and 21-29 Bunhill Row and would further enclose Bunhill Fields and the listed features within it. It was noted that Armoury House and Finsbury Barracks would be similarly affected, but to a lesser extent, and that the proposal would detract in a general sense from the Bunhill Fields/Finsbury Square Conservation Area. The Inspector also considered that the proposed development, by reason of its height, position and bulk, would appear overbearing and oppressive to the occupants of dwellings on the north side of Dufferin Street and to the occupants of dwellings in Dufferin Court.

Application ref. P060245 – Proposed east elevation

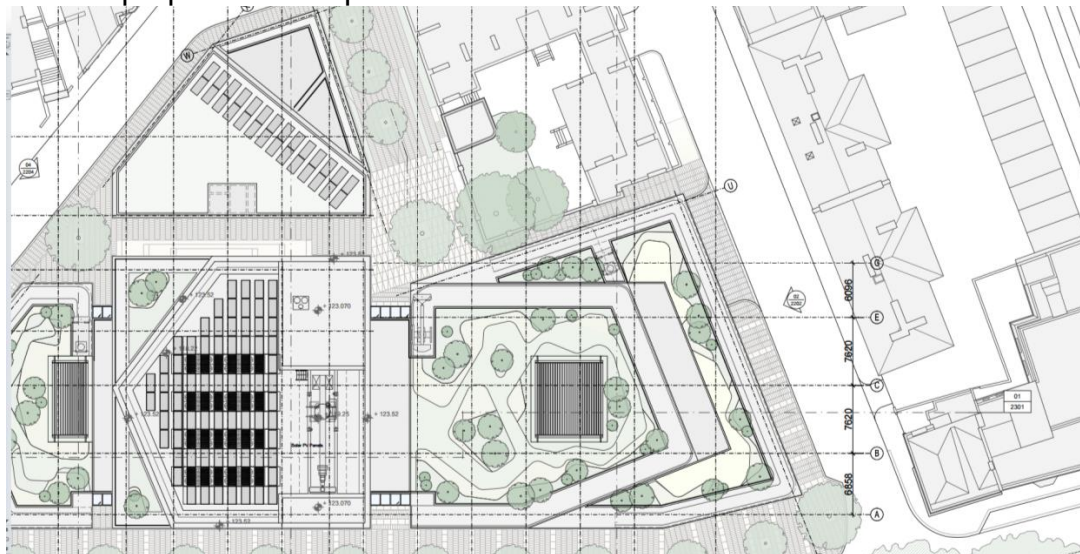


7.3 It is noted that the current proposal features a higher podium that the appeal scheme detailed above. However, the currently proposed podium is set back above fourth floor level and would therefore result in less visual impact upon the occupants of dwellings on the north side of Dufferin Street and the occupants of Dufferin Court. The design and massing of the currently proposed podium is not directly comparable to the earlier scheme in terms of its impact upon 20 & 21-29 Bunhill Row and upon Bunhill Fields, and the impact of the current proposal on these heritage assets is considered in detail later within this report.

Current proposal - east elevation



Current proposal – roof plan



7.4 Planning permission was granted in January 2013 for the change of use of part of the 3rd floor from B1(a) office to B1(a) office/D1(c) educational use for a temporary period ending

on 25 April 2015 (application reference P122417). It is not known whether this permission was implemented.

- 7.5 Planning permission was granted in August 2015 for change of use of part (1170m²) of the basement (ancillary office, Use Class B1a) and 44m² of the ground floor (Use Class B1a) to gym use (Use Class D2); installation of new roof plant and external alterations to the existing office building, including the creation of a new entrance at ground floor; additional remodelling of basement car park area, cycle spaces, showers and locker facilities with associated minor plant and storage facilities (application reference P2015/1049/FUL). This permission has not been implemented but will remain extant until August 2018.

Recent planning history adjacent to Bunhill Fields

- 7.6 A number of recent planning consents are considered of particular relevance, including development affecting the setting and context of Bunhill Fields, a Grade I Registered Park and Garden.

Moorfields School

- 7.7 Planning permission was refused in April 2011 for the redevelopment of the former Moorfields Primary School to provide a part five, part six and part seven storey building on Featherstone Street, part six and part seven storey building on Bunhill Row and 6 three storey townhouses adjacent to the eastern boundary of the site to accommodate 121 residential units and 4 flexible use commercial/community units along Featherstone Street and Bunhill Row at ground floor level (application reference P102545). The following plans indicate the layout, scale and massing of the proposed development:

Layout and Section Plan – dismissed Moorfields School proposal



- 7.8 In relation to the impact of the proposal on Bunhill Fields the Planning Inspector noted:

‘The height and bulk of the perimeter block would make it a very substantial block, and its size would exert a considerable influence over the burial ground. The increase in scale, particularly along Bunhill Row would threaten the sense of seclusion and tranquillity by altering the balance from one of harmony between the

built form and the open burial ground to one where the surrounding buildings would be oppressive and dominant.

Although there is a larger block of flats (Lexington Apartments) adjoining the burial ground, it appears intrusive and an incoherent element in the townscape. There are also larger buildings in the area including those on the opposite side of Featherstone Street and Bunhill Row to the appeal site. While these buildings are visible from the burial ground they have a fundamentally different relationship as they are set further away and have less of an immediate impact. The heritage considerations would therefore be different to those of the appeal scheme. The larger developments in the area would not therefore justify the proposed scheme.

The setting would be further harmed by the introduction of houses at the rear of the Bunhill Row block of flats. Their siting and form would be uncharacteristic of development surrounding the burial ground. They would stand out visually and disrupt the continuity of enclosure and simple layout of the perimeter blocks. Their height and the proximity to the burial ground would add to the oppressive nature of the development. The overall effect would be a cluttered and claustrophobic development, undermining the simple and tranquil character of the burial ground and its surroundings. The enjoyment and appreciation of the burial ground, the listed monuments, tombs and walls, and the attractive landscape would be diminished and there would be significant harm to the historic and architectural interest of the heritage assets.'

- 7.9 Planning permission was subsequently granted in December 2012 for a part one, part three, part four and part five storey building on Bunhill Row and a part three, part four storey building fronting on to Featherstone Street to accommodate 65 residential units (application reference P112564).

CGI representation of approved former Moorfields School scheme from Bunhill Fields



Monmouth House

- 7.10 Planning permission was refused by the Council under application reference P2015/3136/FUL for the demolition of the existing buildings at Monmouth House and redevelopment of the site to provide a building of part 10, part 11 storeys fronting City

Road and five storeys along Featherstone Street to provide 13,393m² of office space (B1a) including affordable workspace; 404m² of retail (A1) with associated development.

- 7.11 The Monmouth House site is located to the north east of Bunhill Fields. It was considered that the height, bulk, scale and detailed design of the proposed development would result in undue harm to Bunhill Fields, the Conservation Area and the streetscape, and that there were insufficient public benefits to outweigh this harm. It was also considered that the proposal would unduly harm the residential amenities of the occupants of nearby dwellings whilst it had not been adequately demonstrated that the proposal would be acceptable in terms of wind impacts. Furthermore, a satisfactory Section 106 legal agreement had not been put in place at the time of the decision.
- 7.12 The then Mayor of London subsequently directed (under Section 2A of the 1990 Town and Country Planning Act) that he would act as the local planning authority for the purposes of determining the application. The former Mayor's reasons were set out as follows:
- a) The development would have a significant impact on the implementation of the London Plan because of the potential for the scheme to contribute towards the aims of London Plan policies 2.11, 2.10 and 4.10 and the implications for London's continued success as a world city and ability to plan for continued growth and changing circumstances.
 - b) The development would have a significant effect on one or more borough because of a clear functional relationship with the wider CAZ and City Fringe Opportunity Area. Furthermore the site is located within an area of nationally significant economic activity which contributes towards the strategic employment function of London as a whole.
 - c) There are sound planning reasons for my intervention, because failure to promote appropriate development on sites such as this could potentially impact upon the economic health of the City Fringe Opportunity Area, the Central Activities Zone, the City of London and London as a whole.
- 7.13 The Mayor also had regard to the Council's net loss of B use floorspace in recent years and the requirement to deliver new employment floorspace to meet the indicative target of 14,000 new jobs in Bunhill and Clerkenwell by 2025 and 70,000 new jobs in the City fringe Opportunity Area.
- 7.14 The GLA Stage 2 report noted that the scale of the development was not considered to be harmful to the setting of Bunhill Fields or the monuments within, nor would there be any harm to the Wesleyan Chapel or the adjacent Bunhill Fields and Finsbury Square Conservation Area. The Mayor of London granted planning permission at a public representation hearing on 8 February 2016.

CGI representation of Monmouth House scheme from Bunhill Fields



Errol Street YMCA

7.15 Planning permission was granted in May 2014 for redevelopment of the YMCA building on Errol Street to provide a new, improved hostel facility (146 rooms) with ancillary office, gym training and communal facilities along with two flexible use commercial units (76m²) all within a seven storey building (with upper two floors set back) reference (P2012/0637/FUL). The permission has not yet been implemented but several pre-commencement conditions have been discharged.

CGI representation of YMCA development with Finsbury Tower to the rear



Design development and pre-application advice

7.16 The proposal has been the subject of several pre-application meetings with Officers which commenced in December 2015. The initial proposal involved the use of different materials to relate to the adjacent contexts. The scheme was subsequently revised to incorporate a series of amendments including a more expressive treatment of the top of the tower.

Initial and subsequent proposals



7.17 Further pre-application discussions followed and further design comments were provided, including the suggestion that the tower feature an architectural 'event' half way up to break up the verticality of the building and to celebrate the original building within the design. The subsequent revised design featured differing elevational treatments to relate to the character areas, a double height expression at the top of the tower and the suggested architectural 'event'.

Revised design – south and east elevations



CGI of revised design from the HAC South Gate and Bunhill Fields



7.18 The revised scheme was subsequently presented to the Council's Design Review Panel (DRP) on 14th June 2016. The Panel's feedback is summarised as follows:

- Public realm improvements and ground floor uses are supported;
- Massing and height should respond to immediate context in all directions;
- Differing elevational designs is not supported;
- Roof set backs on lower buildings do not integrate with the tower;
- There is an opportunity to celebrate the transition between existing and proposed in tower and podium;
- The design should reflect the unique history and form of existing building;
- Design and elevations should make better reference to the surrounding character areas;
- High quality of materials and detailing is essential;
- Horizontal louvres would collect dirt and prove difficult to maintain.

7.19 The application proposal represents a response to the Panel's feedback and the design is assessed in detail within the Design and Appearance section of this report. A follow up DRP review took place on 16 September 2016 and the formal response letter was issued on 7 October 2016.

8. **CONSULTATION** **Public Consultation**

8.1 Letters were sent to occupants of 1441 adjoining and nearby properties at Bunhill Row, City Road, Chiswell Street, Featherstone Street, Whitecross Street, Shrewsbury Court, Old Street, Old Street Yard, Lambs Passage, Dufferin Street, Dufferin Avenue, Finsbury Square, Finsbury Pavement, Leonard Street, City Road, Banner Street, Cherry Tree Walk, Roscoe Street, Worship Street, Cahill Street, Chequer Street and Errol Street on 21 October 2016. A site notice and a press advert were displayed on 27 October 2016. The public consultation of the application therefore expired on 17 November 2016. 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 26 objections and 1 representation in support of the proposal had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph(s) that provides responses to each issue indicated within brackets):

- Significant harm to adjacent and nearby heritage assets and conservation areas / Bunhill Fields, Wesley's Chapel, Armoury House, HAC Grounds and the Artillery Arms public house are heritage assets with historic significance and will not be enhanced by the proposals / Nos. 20-29 Bunhill Row will be dominated by the proposed development / Significant impact on HAC grounds and buildings from key viewpoints (paras. 10.79-10.172);
- Whitecross Market, Quaker Gardens, Braithwaite House, Lambs Buildings and Lambs Passage have historic significance and will not be enhanced by the proposals (paras. 10.160-10.170);
- The conclusions of townscape and heritage assessment are questionable (paras. 10.79-10.172);
- Increased sense of enclosure of HAC Grounds which is not addressed in townscape report (paras. 10.131-10.159);
- Excessive height, bulk and scale of both tower and podium block / overdevelopment / over-dominant appearance / out of character / proposal will be at odds with lower rise character of its surroundings (paras. 10.79-10.172);
- Proposal is contrary to Council's tall buildings policies (paras 10.30-10,35, 10.74-10.76 and 11.1-11.15);
- Loss of light to surrounding area / loss of light to nearby dwellings, including on Bunhill Row, Dufferin Street (including Dufferin Court) and Chequer Street and to 12 Erroll Street, St. Joseph's Church and 21-29 Bunhill Row / 1-56 Dufferin Court will be worst affected by the proposed development, in particular the units to the lower floors / scheme should be revised to reduce loss of daylight to 1-56 Dufferin Court (paras. 10.214-10.306);
- Conclusions of applicant's assessment of daylight and sunlight impact on 21-29 Bunhill Row are questionable / properties cannot be altered to admit more light / properties are divided into flats for military personnel who spend more time at home during daytime hours due to shift and leave patterns / habitable rooms facing the street already have limited light due to existing Finsbury Tower and current daylight is precious / increased massing of podium has significant daylight impact / loss of light is greater than has been considered acceptable on other schemes (e.g. refused scheme at Moorfield's Primary School) *Officer's note: the Moorfield's Primary School proposal was located opposite single aspect residential units with very deep plan forms* (paras. 10.226-10.259);
- Daylight and Sunlight Assessment should address impact on Cass Business School teaching accommodation at 106 Bunhill Row (para 10.308);
- Wind impact on surrounding area / Microclimate impact (wind, temperature and light) on Bunhill Fields and Quaker Gardens (paras. 10.179-10.187 and 10.393-10.397);
- Increased overshadowing / transient overshadowing study is inadequate to assess full impact of proposal (paras. 10.179-10.187);
- Loss of privacy at adjacent dwellings (10.314-10.319);

- Increased traffic / Increased pollution / Increased noise and disturbance / Noise, disruption and pollution from construction activity (paras. 10.320-10.321 and 10.342-10.348);
- Excessive amount of development in the City in last 12 months resulting in increased pollution and overcrowding – more business and residential space is not needed (paras.10.2-10.25);
- Additional restaurant/café uses are not required in the area (paras. 10.2 and 10.26-10.29);
- Application for change of use of basement and ground floor to gym and internal remodelling (ref. P2015/1049/FUL) did not mention trees on application form whilst a further gym is not required as there are two on Bunhill Row *Officers note – no gym is proposed and the comment regarding trees is not considered relevant to this application*;
- Proposed loading bay location is inappropriate and will result in vehicular, cyclist and pedestrian conflicts at junction of Bunhill Row and Dufferin Street (paras. 10.371-10.388);
- Layout of development will focus activity on Lamb’s Passage side at the expense of Dufferin Street (paras. 6.5 and 10.377-19.378);
- Public realm improvements may result in increased anti-social behaviour in the evenings (para. 10.204);
- 24 hour telephone contact should be included within Construction Management Plan (condition 24);
- Increased pressure on local infrastructure, services and green space (para. 10.422)
- Statement of Community Involvement focuses on positives and overlooks adverse impacts *Officers note – the Council has carried out its own neighbourhood consultation, detailed here*;
- Social and community benefits could be delivered with less development / Viability appraisal review should be carried out to demonstrate that amount of development is not driven by price paid for site (para. 10.403-10.419);
- Affordability of social housing is questioned (para. 10.14-10.18).

8.3 The objection received on behalf of the HAC is accompanied by a Townscape Impact Assessment which has been prepared by Henry Van Sickle and provides an appraisal of the applicant’s Townscape Assessment. The key points are summarised as follows:

- Applicant’s Heritage Townscape Visual Impact Assessment (HTVIA) overstates the negative contribution of the existing tower;
- HTVIA states that existing tower is out of keeping with its surroundings – it is not obvious that a much taller podium and tower would be more in keeping;
- Dilapidated appearance and low quality treatment of the public realm are not inherent characteristics or intractable design flaws that could not be addressed by refurbishment rather than redevelopment;
- HTVIA distinguishes between publically accessible Bunhill Fields and private HAC playing fields – both are historic and important open spaces and impact of adjacent development upon their significance as heritage assets is not contingent upon their occupancy tenure;
- Character Area 4 description in HTVIA identifies development in the vicinity of Bunhill Fields including several recently permitted schemes – some are restricted to

5 storeys and none exceed 12 storeys – it is difficult to see how these developments support the introduction of a 28 storey tower;

- Applicant's HTVIA is inconsistent in asserting that existing building detracts from setting of Bunhill Fields where it is visible through the tree screening, whilst the proposed development will have a limited impact due to screening by interposing development and trees – strength or effect of screening is not contingent upon the architectural quality of a site's buildings;
- Tall buildings in the City do not self-evidently provide a more relevant urban context for Bunhill Fields and the HAC than the 5-12 storey (existing and proposed) surrounding buildings;
- HTVIA emphasises aesthetic merits of proposed building – whilst a taller, articulated tower is undoubtedly more elegant as a stand-alone building it is not obvious that the proposed building has a 'negligible impact' on the existing urban setting of Bunhill Fields unless it is accepted that the existing setting is the City to the south, rather than the immediately surrounding medium rise buildings;
- HTVIA acknowledges harm to 20 & 21-29 Bunhill Row from increased height of tower but understates impact of increased height of podium – aesthetic improvement to Finsbury Tower is not a public benefit sufficient to outweigh harm from the increase in height;
- Improvements at ground floor (street trees, active uses and human scale of development) are not contingent on raising the podium and tower and could be achieved through refurbishment, re-cladding and re-ordering of street front uses;
- Assessment of impact on Armoury House and Finsbury Barracks relies on tall City of London Buildings being as much a part of the urban context as the surrounding low and medium rise development, which is questionable;
- Assessment of impact on Finsbury Barracks and Bunhill Fields / Finsbury Square Conservation Area relies on public benefits from aesthetic improvements but does not directly address impact of taller building in the low to medium rise Conservation Area;
- Unclear how proposed tower is less incongruous than existing building in View 1 from Finsbury Street entrance to HAC Grounds, whilst the claim that it comparable in scale to the existing buildings is not supported by the visualisation;
- View 2 from City Road demonstrates that that proposed building will fill the gap between Finsbury Barracks and the adjacent building on City Road, whilst the proposed building will have an equivalent or greater impact than the existing building;
- View 3 at corner of City Road with Epworth Street demonstrates that tower will compete with skyline of Finsbury Barracks, whilst the contrasting materials of the buildings will appear incongruous;
- View 16 from north east corner of HAC Grounds demonstrates that tower will appear out of scale with surrounding urban context and would represent an excessive and oppressive visual domination of the HAC's historic buildings and playing fields;
- The fact that HAC Grounds are private does not alter potential impact of development on heritage assets;
- Aesthetic improvement is minor public benefit in terms of justifying less than substantial harm as demanded by paragraph 134 of NPPF.

8.4 This objection is considered within the Heritage section of this report.

8.5 The representations received included a representation in support of the application which is summarised as follows:

- Area will benefit from the proposed investment;
- Retail and restaurant uses are welcomed;
- Proposed design and increase in height is attractive and befits the location.

External Consultees

8.6 Greater London Authority – the application was referable to the Greater London Authority as it falls under the categories 1B (development which comprises or includes the erection of a building or buildings in Central London and with a total floorspace of more than 20,000m²) and 1D (development which comprises or includes the alteration of an existing building where the development would increase the height of the building by more than 15 metres and the building would, on completion of the development, exceed 30 metres) of the schedule to the Town and Country Planning (Mayor of London) Order 2008. The Council received the Mayor of London's Stage 1 response on 12 December 2016 which is summarised as follows:

Principle of development

- Proposal to increase the quantum and quality of office floorspace within the CAZ, along with new housing, is strongly supported;
- Proposed retail units would complement the proposed uses and activate the ground floor frontages, which is also supported;
- Provision of 8% affordable workspace at a peppercorn rent in perpetuity would exceed the Council's policy requirement of 5% and is strongly supported;

Housing

- Proposed mix of housing, whilst not prioritising family housing, has been devised to address the particular demands of the local area and is acceptable;
- Proposal to provide all 25 units as social rented accommodation would help to meet an acute need in this location and is a significant public benefit;
- Applicant has calculated a requirement for 238m² children's playspace – it is acknowledged that the site is heavily constrained and provides a significant public realm contribution, therefore the absence of on-site children's play space is considered acceptable – a financial contribution towards the improvement of nearby play facilities should be secured through a Section106 agreement;

Urban Design

- Approach to layout is considered to be well resolved and the network of passages and spaces created would be intimate and human in scale, reflecting the historic street pattern and informal character of the locality;
- Overall contribution of the scheme to the pedestrian route network and public realm quality is strongly supported and is a key benefit to justify the scale of development proposed;
- Height of the enlarged tower would be appropriate in this location within the CAZ;
- Podium extensions would create good levels of enclosure to the surrounding streets and the proposed routes, whilst being broadly in keeping with the immediate context;

- Massing of the building at fourth floor level and above would be further broken down by recessed glazing, giving the effect of grounding the building and reducing its visual impact in the immediate street scene, which is supported;
- Approach taken to the design of the massing of the building is broadly supported;
- Scale of the proposal is considered acceptable in the context of strategic views policy;
- Overall approach to the appearance of the building is strongly supported - however the quality of the detailing and specification of materials will be critical to the appearance and durability of the scheme;
- Quality of residential accommodation would be high;

Heritage

- Tree screening would virtually obscure most views of the development from Bunhill Fields in summer whilst in winter it would be more visible but would be seen in the context of a number of other tall buildings;
- Whilst the proposal would increase the scale of the building the massing would be slender and the architectural quality would be very high whilst the proposed masonry treatment would better complement the Portland stone that predominates in the burial ground;
- There would be no harm to the setting of Bunhill Fields Grade I listed Registered Park and Garden, nor to any of the listed monuments and structures within it;
- Increased mass of proposed building would affect setting of listed terrace opposite (Nos. 20 and 21-29 Bunhill Row), however public views would be limited and the impact is mitigated by the high quality contextual design of the elevations;
- Proposal would improve the public realm on Bunhill Row and rationalise the building line – approach to articulation of the building would represent an improvement to the setting of Nos. 20 and 21-29 Bunhill Row in the streetscene;
- Having regard to the verified views provided, there would be no harm to the setting of the adjacent conservation areas or the adjacent locally listed buildings, which would be enhanced as a result of the improved quality of architecture, ground floor uses and public realm;
- Whilst the increased scale of the proposal would be apparent in the settings of the listed Armoury House and Finsbury Barracks, this would be seen in the existing and emerging urban context of these buildings, including the taller buildings to the north around the Old Street Roundabout;

Inclusive Design

- Scheme is acceptable in terms of inclusive design;

Climate Change

- It is accepted that it is financially prohibitive to connect to the Citigen DEN. Eon Citigen have recommended that the viability of connection to the DEN be revisited in the future as it is planned to extend their network north along Bunhill Row and connection costs will be dramatically reduced as their upgraded pipework infrastructure will be located immediately outside the development - a condition should be attached to any planning permission requiring the applicant to contact Eon prior to commencement of works on-site and identify potential changes associated with the proposed network (condition 13);
- Scheme is acceptable in terms of climate change.

8.7 Transport for London

- Proposed pedestrian links should be designed to safely accommodate both pedestrians and cyclists, with 24/7 access provided;
- 32 point docking station is welcomed by TfL albeit subject to further dialogue with TfL relating to the proposed location of the docking station and clarification is required in relation to servicing arrangements - £220,000 should be secured through the Section 106 agreement for the installation of the docking station (condition 23);
- Dimensions of cycle lifts should accord with the standards set out in the London Cycle Design Guidance and the provision of automated doors. Short stay cycle space provision should be in accessible areas and outside locked spaces. Cyclists changing facilities should be secured by condition (condition 32);
- A travel plan should be secured, enforced, monitored and reviewed through the Section 106 agreement and have stretching mode share targets and contain measures to meet these targets;
- A Delivery and Servicing Plan and a Construction and Logistics Plan should be secured (conditions 23 and 24).

8.8 City of London (Planning) – no objections raised.

8.9 City of London (Open Spaces Department) – the proposed building would:

- Completely overwhelm Bunhill Fields, casting shadow on the space, starving it of sunlight and daylight, greatly impacting upon its character and amenity and damaging the setting of the historic listed landscape;
- Exacerbate the enclosing effect from other tall buildings, including recently permitted Monmouth House;
- Introduce a significantly larger built mass into the skyline affecting outlook from the garden thereby causing great detriment to its open and natural aspect and impinging upon its tranquillity and the public enjoyment of this important, historic and much valued open space.

8.10 The overshadowing of the Burial Ground would ‘impact negatively on the amenity, ecological value and functionality of the space’ and the SINC will be adversely affected. It should be noted that one of the main reasons Bunhill Fields is designated as a SINC is its varied wildflower understory which relies upon the dappled sun received.

8.11 Historic England – the existing building is of little architectural merit and its height makes it visible in local and some longer views, causing harm to some designated heritage assets. The podium is large and imposing at street level. The proposals would cause some further harm to the setting of neighbouring designated heritage assets, particularly the setting of the Honourable Artillery Company’s listed buildings and associated grounds. However, the harm is considered to be less than substantial. The harm identified must be considered by the Council in its assessment of the application and balanced against the public benefits of the scheme in accordance with the National Planning Policy Framework (NPPF). A more detailed assessment of the impact of the proposal is provided and is summarised as follows:

- Greatest impact will be from the HAC grounds and the forecourt to Armoury House and above the listed terrace - the new tower will be significantly taller than the

existing although its form and design goes some way to help mitigate the impact of the increased height, scale and bulk of the extension;

- Podium is currently largely unseen from the HAC grounds - the proposed increased height will project above the roofline of the listed terrace and cause some further harm to the setting of forecourt of Armoury House;
- The tower will also appear in views from City Road just north of the barracks the increased height will make it partially visible and reduce the visual impact of the turret's imposing silhouette on the north-east corner of the building;
- Whilst there is a greater impact and some increase in the harm to the setting of the HAC assets, it remains less than substantial;
- The increased height of the tower will also be perceptible from Bunhill Fields and cause some further harm to its setting - Given the long-established urban setting of the burial ground and the mixed character of the City Fringe in this area, any additional harm is limited.

8.12 Historic England (Greater London Archaeology Advisory Service) – the archaeological desk-based assessment clarifies the extent and depth of ground disturbance from the existing tower foundations and basement, and the likely impact of the proposed development. The assessment concludes that, given the high level of previous disturbance and nature of the proposed works, the impact will be low. This conclusion is agreed and the proposals are very unlikely to cause significant harm to archaeological interests, and may cause none at all. No further assessment or conditions are therefore necessary.

8.13 The Ancient Monuments Society raise an objection which is detailed as follows:

'The present tower block is already an intruder, at once overbearing and banal. The tragedy of the present scheme is that, rather than reduce the visual impact on nearby Bunhill Fields, it escalates it.

This is not the first time that we have written in defence of Bunhill Fields, one of the most atmospheric locations in London.

The teeming humanity of City Road and Bunhill Row is in stark contrast to the sense of permanence, peace, history and Nature that is conjured by Bunhill - at present the balance is delicate but effective. The plane trees, many more than 200 years old, shade and separate the 1600 monuments and mask but do not exclude the buildings that overlook it. Bunhill is the more special because of the dramatic changes manifested in its appreciation by the contrasting seasons - urbanity intrudes as the leaves come down but then recedes in the Spring and Summer.

The newcomer is just too vast. Part of the character of Bunhill is that sense of modern life crowding in but not spoiling it - its mood is the more rarefied precisely because of that tension. And yet where, as now proposed, a redevelopment threatens to overwhelm it, in all seasons, that delicate balance is undone.

It is important that the planning regime is consistent. How can it be fair for the Moorfield School application to be rejected as recently as 2011 without this present proposal falling for the same reasons? "Oppressive and negative impact", the view of the Inspector, could as well apply to this application as that for the building

planned for the School site. (Officer note: a subsequent application for development was approved following this appeal.)

The person who comes every week to place pebbles on the grave of William Blake knows that Bunhill is a rare and precious place - we hope that Islington understands that sentiment.

We urge that the chance be taken in the redevelopment of Finsbury Tower to spread and lower the new build not to hugely inflate its height and dominance.'

- 8.14 Save Britain's Heritage – share and fully endorse the concerns raised by the Ancient Monuments Society. As a result of the increase in height it is considered that the proposal would have a serious deleterious impact on surrounding heritage assets. This would be most notable on the Grade I listed Bunhill Fields, intruding into views to and from the designated heritage asset and over powering its setting, and disrupting its tranquil atmosphere.
- 8.15 Metropolitan Police (Crime Prevention) – the overall design and layout of the scheme is very good from a security perspective. Windows and doors should be required to meet the relevant security standards.
- 8.16 London Fire and Emergency Planning Authority – no objections raised.
- 8.17 Thames Water – no objections raised.

Internal Consultees

- 8.18 Access Officer – no objections raised.
- 8.19 Design and Conservation Officer has raised objections to the proposal and his assessment of harm and design quality is detailed as follows:

'The National Importance of the site's setting - The first significant appeal decision on heritage under the NPPF was concerning the setting of the Bunhill Fields Burial Ground and its national significance, as well as that of the surrounding heritage assets, was clearly established at the Public Inquiry held in February 2012.

Bunhill Fields Burial Ground has exceptional national and international architectural and historic significance as a rare surviving early inner-city burial ground and the pre-eminent final resting place for Nonconformists in England including Blake, Bunyan and Defoe. It is designated Grade I on the Register of Historic Parks and Gardens, contains within it 76 Grade II and Grade II* listed monuments and its walls, gates and railings are listed Grade II. It has substantial aesthetic and communal value as a rare green open space on the edge of the city which is much used and enjoyed by workers and local residents.

The site is also within the setting of the Grade II* Headquarters of the Honourable Artillery Company (1734-6; flag-tower of 1806; wings to either side of 1828) and its extensive training ground, an important historic green open space. The HAC's

Barrack buildings (1857) are Grade II and 21-29 Bunhill Row (c.1830), a terrace built for the HAC are also Grade II.

The site is within the setting of Bunhill Fields Conservation Area and Finsbury Square Conservation Area.

Public Inquiry, February 2012 (former Moorfields School redevelopment) - It was the Council's case that the excessive scale of the proposed development within the setting of the heritage assets would result in an overbearing sense of enclosure which would detract from the burial ground's sense of openness and intimacy. The public benefits of the proposed development were not considered to outweigh the substantial harm arising from it.

In her decision Inspector Christine Thorby was clear that the development would 'threaten the sense of seclusion and tranquility by altering the balance from one of harmony between built form and the open burial ground to one where the surrounding buildings would be oppressive and dominant'. The inspector concluded that the heritage assets are of 'outstanding historic and architectural interest and they make a considerable contribution to society. The harm to their setting would damage the appreciation and experience of the heritage assets to the public. In my view, the proposed benefits, although considerable, would not outweigh the harm'.

Harm to Heritage Assets and Townscape - The existing excessively tall 16 storey tower is completely inappropriate for its location set within low-rise townscape including a high number of nationally important designated heritage assets.

The proposal to raise the tower to 28 storeys exacerbates the existing harm and in my view must be considered substantial harm. However, even if the view were to be taken that the harm is less than substantial that harm must still be considered to be significant and approaching substantial harm.

Views 4, 5, 6, 7, 9 and 10 demonstrates the substantial harm caused by the tower and podium to the setting of the Bunhill Fields Burial Ground, Grade I on the Register of Historic Parks and Gardens, and the 76 Grade II and Grade II* listed monuments and its Grade II walls, gates and railings. The excessive scale of the proposal would result in an overly dominant built mass with an overbearing sense of enclosure which would detract from the historic structures and monuments, the burial grounds extremely important sense of openness and intimacy. It substantially harms the Burial Ground's aesthetic and communal value as a rare green open space on the edge of the city which is much used and enjoyed by workers and local residents.

Views 1 and 16 in the Visual Impact Assessment demonstrates the substantial harm caused by the tower (View 1) and the tower and podium (View 16) to the setting of the Grade II* Headquarters of the HAC and its training ground, an important historic green open space. The excessive scale of the proposal would result in an overly dominant built mass with an overbearing sense of enclosure which would detract from the low-rise historic buildings and the training ground's sense of openness.

Views 2 and 3 demonstrate the substantial harm caused to the setting of the Grade II HAC Barrack buildings and Grade II 21-29 Bunhill Row. Again the excessive scale of the tower and podium would result in an overly dominant built mass with an overbearing sense of enclosure which would detract from the low-rise historic buildings and how the important silhouette of Barrack Building is currently read against open sky.

Views also demonstrate the substantial harm to the Bunhill Fields Conservation Area and Finsbury Square Conservation Area as well as to the general townscape of the area.

Design Quality - The general design quality of the proposals is by no means outstanding. Given the lack of information on the proposed 'mesh' to the glazing it is not possible to ascertain precisely what the proposed building would look like. The precise appearance of a 28 storey building must not be left to conditions should the scheme be recommended for approval.

Conclusion and Recommendation to Refuse - The proposal to raise the tower to 28 storeys exacerbates the existing harm that it causes to the nationally important designated heritage assets and must be considered substantial harm. However, even if the view were to be taken that the harm is less than substantial that harm must still be considered to be significant and approaching substantial harm.

Consequently the proposed scheme should be refused.'

- 8.20 Energy Conservation Officer – no objections raised. The applicant has minimised carbon emissions as far as reasonably possible and a financial contribution should be secured to offset the shortfall against the Council's target. The office and retail elements of the proposal are expected to achieve BREEAM rating of 'excellent' and this is supported. The applicant has detailed technical and financial constraints to connection to the Eon Citigen Decentralised Energy Network (DEN) and a gas fired Combined Heat and Power (CHP) system is proposed. The development will be future proofed for connection to a DEN. *Officer note: as detailed above, the GLA have requested a condition securing a review of the feasibility of connection to the Eon Citigen network prior to the commencement of development (condition 13).*
- 8.21 Infrastructure and Section 106 Officer – 7.9% affordable workspace on the first floor of the podium to be provided at a peppercorn rent in perpetuity is very welcome indeed.
- 8.22 Public Protection Division (Air Quality) – no objections raised subject to a condition securing a Construction Environmental Management Plan (condition 27).
- 8.23 Public Protection Division (Noise) – no objections raised subject to a condition restricting plant noise levels, a condition securing sound insulation to the residential units and a condition securing a Construction Environmental Management Plan (conditions 6, 10 and 26).
- 8.24 Public Protection Division (Land Contamination) – no objections raised subject to a condition securing a programme of land contamination investigation and appropriate remediation (condition 9).

- 8.25 Planning Policy – the proposal is contrary to Policy CS9 of the Council's Core Strategy.
- 8.26 Spatial Planning and Transport (Transport Officer) – no objections raised.
- 8.27 Sustainability Officer – no objections raised. The commitment to achieve BREEAM excellent for the office and retail elements of the scheme is welcomed. The proposed water efficiency measures are supported. Details of bird and bat boxes, Sustainable Urban Drainage System (SuDS) measures and the green roof should be secured by condition (condition nos. 8 and 18).

Other consultees

- 8.28 Design Review Panel – At pre-application stage the proposal was considered by the Design Review Panel on 14 June 2016 and 16 September 2016. 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 most recent observations of 16 September 2016 are attached at **Appendix 3** and are detailed below.

Design and materials

Panel members felt that the overall design had improved since the first review and were particularly supportive of the ground floor treatment and terraces. The Panel felt that there was a strong rationale to the design of the lower part of the building and commented on the way in which the design team had used the surrounding street and building geometries to inform the form of the building and relate to the context.

However, concerns were raised over the design of the top section of the tower and particularly when this was viewed from the Honorary Artillery Company (HAC) Grounds. Panel members suggested that a marginal set back in the elevation and/or articulation of the corners may improve this and reduce the bulky appearance from this key view point. The Panel felt that from this view the building did not relate well to its context and advised that the top should be more elegant and better articulated.

The Panel were generally supportive of the proposed materials, colour palette and more homogenous design approach. They felt that the proposals now represented a more sophisticated contextual response. Some concerns were raised regarding the proposed treatment of the cores; panel members wanted to ensure that these were sufficiently tied into the overall design or alternatively expressed honestly as the cores.

Officer's comments: The applicant has proposed some revisions to the design of the building in order to address the Panel's comments and these are detailed in the Design and Appearance section of this report. The Council's Design and Conservation Officer is not convinced that the revisions address the Panel's concerns. However, it is considered that there is justification for accepting that the applicant has made reasonable attempts to address the Panel's concerns in view of the constraints that arise from the design and layout of the existing building and this matter is addressed in more detail in the Design and Appearance section of this report.

Height and impact on heritage assets

The Panel were generally accepting of the proposed height, however concerns were still raised over the impact on the conservation area and surrounding listed buildings and burial ground. Some panel members felt that the improvements to the public realm and to the base of the building associated with the proposals may not be sufficient to outweigh the harm caused by the additional height. Panel members felt that more work was required by the design team to ensure that the building would have a positive impact on its surroundings.

Officer's comments: The impact of the proposal on heritage assets is considered in detail within this report and it is concluded that there will be some harm to the significance of adjacent heritage assets. Paragraph 134 of the NPPF indicates that such harm can be weighed against the public benefits of a proposal.

Public Realm

As at the first review the Panel were very supportive of the public realm improvements, although continued to have concerns about the amount of sunshine that would get into the public space. Panel members requested verified CGIs that would accurately show the sunlight within the space at different times of the day and year. They also questioned the security and controlled access within the space.

Officer's comments: The application is accompanied by a report which considers Amenity Within the Site. The report includes details of a Sun Hours on Ground assessment which has been undertaken on the public amenity space at ground level in accordance with BRE recommendations. The result indicate that 63.5% of the public amenity space area will receive two or more hours of direct sunlight on 21st March, exceeding BRE's minimum recommendation of 50%. Furthermore, sun exposure assessments have also been undertaken for the equinox and summer solstice. The results show that the majority of the area will receive three or more hours of direct sunlight on the equinox and four or more hours on the summer solstice. The report concludes that the public amenity space at ground level would receive good levels of sunlight.

Summary

The Panel felt that there had been a general overall improvement since the first review and welcomed the way in which the ground floor and public realm had been developed to better relate to each other and to human scale. The Panel were positive about the creation of a new public space, but felt it was important for the design team to ensure that they were creating an attractive environment.

Panel members were generally positive about the details, materials, colours and textures proposed. The Panel did not, however, agree on the height of the building and whether or not this was appropriate here. Although, they did agree that it was dependant on how the design team could take a form or a building that currently has a negative impact on its surroundings and turn that into a positive contributor. The Panel was not convinced that the design team had achieved this yet and felt that this point needed to be addressed.

Officer's comments: As noted above, the applicant has proposed revisions to the design of the building in order to address the Panel's comments.

The Panel felt there was a strong rationale towards the base of the building in the way the surrounding street and building geometries have been used to form the articulation of the building. However, panel members felt that it became much more arbitrary higher up because this section of the building is not seen directly with the context at ground level. They questioned whether or not the architectural expression at upper levels gave the building the elegance and interest that a building of this height would need to have. It was felt that the cores and corners may need to be better articulated and that the elevation when seen from the HAC Grounds required further development. The main concern raised was how the design team would make the top of the proposed building a beautiful and successful element. The Panel was divided in opinion; however, it was felt that if this issue could be resolved there would be a greater chance that the scheme would be fully supported.

Officer's comments: The scheme has been amended in order to address the panel's concerns and these revisions are detailed within the Design and Appearance section of this report. Officers consider that these revisions represent an improvement to the proposal in design terms.

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 (2016), Islington Core Strategy (2011), Finsbury Local Plan (2013) and Development Management Policies (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 2016, Islington Core Strategy 2011 and Development Management Policies 2013:

- Bunhill and Clerkenwell Key Area
- Central Activities Zone (CAZ)
- Employment Priority Area (General)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land use
- Design and appearance
- Impact on heritage assets
- Density
- Accessibility
- Landscaping, Trees and Ecology
- Neighbouring amenity (including overshadowing)
- Quality of Resulting Residential Accommodation
- Sustainability, energy efficiency and renewable energy
- Highways and Transportation
- Archaeology
- Contaminated Land
- Wind
- Aeronautical Safety
- Electronic Interference
- Financial Viability
- Planning obligations and Community Infrastructure Levy.

Land-use

Mixed Use Development

10.2 Policy BC8 of the Finsbury Local Plan is concerned with achieving a balanced mix of uses and states, inter alia, that:

‘A. Within the Employment Priority Areas (General and Offices) designated on the Policies Map and shown on Figure 16:

- ii. Proposals should incorporate the maximum amount of business floorspace reasonably possible on the site.

B. Within the Employment Priority Area (General) designated on the Policies Map and shown on Figure 16, the employment floorspace component of a development or change of use proposal should not be unfettered commercial office (B1(a)) uses, but, where appropriate, must also include retail or leisure uses at ground floor, alongside:

- ii. Office (B1(a)) or retail (A1) floorspace that may be suitable for accommodation by micro and small enterprises by virtue of its design, size or management, and/or
- iii. Affordable workspace, to be managed for the benefit of occupants whose needs are not met by the market.

For proposals in excess of 10,000m² gross employment floorspace, the proportion of micro, small and/or affordable workspace or retail space to be provided should be equivalent to at least 5% of the total amount of proposed employment floorspace.

D. Throughout the area, major development proposals that would result in a net increase in office floorspace should also incorporate housing, consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for the provision of housing off-site.

I. New business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation; and should provide full separation of business and residential floorspace where forming part of a mixed use residential development.'

- 10.3 The site is within an Employment Priority Area (General) and the proposal would provide a mix of uses in accordance with Policy BC8 and these uses are considered further within the following section of the report. The scheme would deliver 12,687m² of additional B1(a) office floorspace.

B1(a) Offices

- 10.4 Policy 2.10 of the London Plan is concerned with the strategic priorities of the CAZ and states, inter alia, that boroughs should:

'enhance and promote the unique international, national and Londonwide roles of the CAZ, supporting the distinct offer of the Zone based on a rich mix of local as well as strategic uses and forming the globally iconic core of one of the world's most attractive and competitive business locations.'

- 10.5 Policy 4.1 of the London Plan is concerned with Developing London's Economy and states, inter alia, that:

'The Mayor will work with partners to:

- a1) promote and enable the continued development of a strong, sustainable and increasingly diverse economy across all parts of London, ensuring the availability of sufficient and suitable workspaces in terms of type, size and cost, supporting infrastructure and suitable environments for larger employers and small and medium sized enterprises, including the voluntary and community sectors
- d) support and promote the distinctive and crucial contribution to London's economic success made by central London and its specialist clusters of economic activity
- e) sustain the continuing regeneration of inner London and redress its persistent concentrations of deprivation.'

- 10.6 Policy 4.3 of the London Plan states that 'Within the Central Activities Zone...increases in office floorspace...should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies within this plan'.

- 10.7 Policy 4.2 of the London Plan is concerned with Offices and states, inter alia, that 'the Mayor will and boroughs and other stakeholders should:

- a) support the management and mixed use development and redevelopment of office provision to improve London's competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises.
 - c) encourage renewal and modernisation of the existing office stock in viable locations to improve its quality and flexibility
 - d) seek increases in the current stock where there is authoritative, strategic and local evidence of sustained demand for office-based activities in the context of policies 2.7, 2.9, 2.13 and 2.15–2.17'
- 10.8 The Islington Core Strategy identifies the site as being located within the Bunhill and Clerkenwell Key Area and notes at paragraph 2.8.2 that 'Overall, it is estimated that the Bunhill and Clerkenwell area may need to accommodate an additional 14,000 B-use jobs and around 3,200 new homes by 2025.'
- 10.9 Policy CS7 of the Core Strategy is concerned with Bunhill and Clerkenwell and states, inter alia, that:
- 'A. Employment development within Bunhill and Clerkenwell will contribute to a diverse local economy which supports and complements the central London economy...Creative industries and Small/Medium Enterprises (SMEs), which have historically contributed significantly to the area, will be supported and encouraged. Accommodation for small enterprises will be particularly encouraged.'
- 10.10 Policy CS13 of the Core Strategy sets out how the Council will provide and enhance employment space throughout the Borough. New business floorspace will be encouraged in the CAZ and town centres, where access to public transport is greatest. New business space will be required to be flexible to meet future business needs and will be required to provide a range of unit types and sizes, including those suitable for SMEs. Development should provide jobs and training opportunities, including a proportion of small, micro and/or affordable workspace or affordable retail space.
- 10.11 Paragraph 3.4.3 of the Core Strategy notes that employment in Islington is expected to increase by around 35,000 to 45,000 jobs between 2012 and 2027. Furthermore it notes that the Islington Employment Study 2008 projected that just over 50% of these jobs will be provided within B-use floorspace. Paragraph 3.4.4 states that
- 'The CAZ is expected to continue to be the most attractive location for increases in B-use floorspace, accounting for around 75% of total growth. In terms of the Key Areas identified in the Spatial Strategy, Bunhill and Clerkenwell is expected to account for around 70% of the borough's new B-use floorspace'.
- 10.12 Islington Council's Annual Monitoring Report (AMR) for 2013 states that there was a net decrease of 23,466m² B use floorspace during the 2011/12 reporting period and a further decrease of 13,655m² during the 2012/13. Paragraph 6.6 of the AMR notes that 'Although the five year trend indicates an overall net increase in B1 floorspace, the net loss of B1 floorspace in two consecutive years is a concern, particularly in light of the changes to permitted development rights which now allow change of use from office to residential use.'

10.13 It is therefore the case that the policy framework provides strong support for commercial development and employment growth in this location. The proposal would result in the delivery of 34,534m² new and refurbished office floorspace to contribute towards meeting an identified need with corresponding economic and employment benefits. The application estimates that the new and refurbished floorspace would accommodate 2,320 jobs based upon 10m² per full time employee (NIA). Significant weight can be attached to the benefits of the delivery of the 12,687m² new and 21,837m² refurbished office floorspace.

Residential

10.14 The London Plan identifies a minimum target of 42,389 net additional homes to be provided within London each year. In order to assist in meeting this target Islington has been set a target to deliver a minimum of 12,641 homes to be delivered during the period 2015-2025.

10.15 Policy CS7 of the Core Strategy is concerned with Bunhill and Clerkenwell and states (inter alia) that:

D. The area is home to a significant residential community. Housing growth will be sought across the area to meet the needs of the current population and to cater for increased demand. A wider range of dwelling types, affordable tenures and family-sized homes will be encouraged to ensure that a mixed community can be accommodated.'

10.16 Core Strategy Policy CS12 'Meeting the housing challenge' seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets.

10.17 Policy BC8 of the Finsbury Local Plan is detailed above and requires the provision of housing equivalent to 20% of the uplift in office floorspace on the site.

10.18 A total of 25 social rented affordable residential units are proposed in the block immediately to the west of the main building and these would be handed to a registered provider. The proposal comprises a mix of one and two bedroom units and three bedroom family wheelchair units which has been agreed with the Council's Housing Division in consultation with a Registered Provider to address a specific demand in the area. The proposed development would deliver a net increase in office floorspace of 8,177m² (NIA) (excluding the affordable workspace) which would give rise to a policy requirement for 1,635m² (NIA) residential floorspace including 50% affordable housing (with a tenure split of 70% social housing and 30% intermediate housing). The proposed 1,783m² (NIA) affordable housing therefore exceeds the policy requirement in terms of the amount of residential floorspace and the provision of 100% social rented affordable units effectively doubles the amount of affordable housing that would be secured by a (in purely land use terms) policy compliant scheme. Accordingly it is considered that the proposed affordable housing block represents a significant benefit of the proposal.

Affordable workspace

10.19 Policy 2.7 of the London Plan identifies that the Mayor and boroughs should manage and improve the stock of industrial capacity to meet both strategic and local needs, including those of small and medium size enterprises, start-ups and businesses requiring more affordable workspace, including flexible, hybrid office/industrial premises.

- 10.20 Policy BC8 of the Finsbury Local Plan is detailed above and requires the provision of 5% of the uplift in office floorspace to be provided as affordable workspace. The policy indicates that the workspace can be provided as micro, small and/or affordable workspace. Affordable workspace is defined within the Finsbury Local Plan as workspace provided for rent at a value below the market rate, usually owned or managed by not-for-profit or public sector organisations.
- 10.21 Policy DM5.4 of the Council's Development Management Policies Document is concerned with the size and affordability of workspace and states, inter alia, that:
- 'A. Within Employment Growth Areas and Town Centres, major development proposals for employment floorspace must incorporate an appropriate amount of affordable workspace and/or workspace suitable for occupation by micro and small enterprises.
- D. Where affordable workspace is to be provided, evidence should be submitted demonstrating agreement to lease the workspace at a peppercorn rate for at least 10 years to a council-approved Workspace Provider.'
- 10.22 The subtext at paragraph 5.25 states that 'Research prepared for the council in 2011 indicated that very large schemes of around 10,000m² could viably provide at least 5% of floorspace on an affordable basis.
- 10.23 Paragraphs 5.27-5.28 state, inter alia, that:
- 'Generally, the council will consider affordable workspace to be B1(c), B2 or B8 workspace, or managed workspace in the B1 Use Classes where rent and service charges, excluding business support services, are less than 80% of comparable market rates (although it is noted that, for some sectors and locations, much reduced rents may be needed to render them affordable to target occupiers).
- The design of workspace for small or micro enterprises will vary, depending on the end occupier or sector. In general; however, applicants should demonstrate that workspace for small/micro enterprises incorporates:
- a basic, but good quality fit-out, which incorporates servicing to all areas of workspace;
 - flexible internal arrangements that permit a number of different internal work areas to be accessed from shared spaces;
 - good standards of internal sound insulation;
 - a range of shared spaces and facilities, such as communal breakout space, kitchen areas, bike storage and goods lifts; and
 - external space reserved for loading/unloading.'
- 10.24 The proposal includes 1,000m² (GIA) of affordable workspace, which represents 7.9% of the net uplift in B1(a) office floorspace proposed. The floorspace would be finished to a Category A standard and would be designed for occupation by small and medium sized businesses. The floorspace would be handed to the Council as a head lessee and would be offered at a peppercorn rate in perpetuity. The affordable workspace would be provided within the podium of the building at 1st floor level and would have a dedicated entrance,

dedicated lift provision, cycle store, refuse store and storage facilities. This segregation reduces the on-costs of the service charge relating to the larger building whilst the space itself would remain an integral part of the main office building.

- 10.25 The affordable workspace offer and design has been agreed with the Council's Infrastructure and Section 106 Officer. The proposed development maximises the provision of affordable workspace both in terms of its affordability and the duration of its provision. Accordingly, it is considered that the proposed affordable workspace represents a significant benefit of the proposal.

Retail

- 10.26 Policy CS14 (Retail and services) and Policy DM4.4 (Promoting Islington's Town Centres) seek to maintain and enhance the retail and service function of the borough's town centres through focussing major new retail and proposals in designated town centres. Policy DM4.4 states at Part B that:

'For applications proposing more than 80m² of floorspace within the A Use Classes, D2 Use Class and for Sui Generis main Town Centre uses within the Central Activities Zone...applications...must demonstrate that:

- i) the development would not individually, or cumulatively with other development, have a detrimental impact on the vitality and viability of Town Centres within Islington or in adjacent boroughs, or prejudice the prospect for further investment needed to safeguard their vitality and viability;
- ii) proposed uses can be accommodated without adverse impact on amenity; and
- iii) the proposal would support and complement existing clusters of similar uses within or adjacent to the Central Activities Zone, particularly important retail frontages.'

- 10.27 Flexible Class A1 (retail) and A3 (restaurant/café) use units with a total floor area of 1,326m² (GIA) are proposed to complement the main office use of the commercial building.

- 10.28 The applicant has provided a response to Policy DM4.4 which includes the following points:

- Paragraph 24 of the NPPF requires proposals to for new retail development in Out of Centre locations to undertake a sequential approach to site selection where retail uses should first be located within Town Centre locations (Principal Shopping Centres (PSCs) in this instance), then in Edge of Centre and then in Out of Centre locations - the closest PSCs are Angel (LB Islington) and Moorgate (City of London), which are located approximately 1.2km and 0.5 away from the site respectively (as the crow flies);
- Retail element of the proposal is an integral part of the wider development and will principally support the office workers in the building as well as those in the immediate vicinity (including residents, students at Cass Business School, passers-by on Bunhill Row etc.) - As the retail floorspace will only come forward as part of the wider development it is not considered necessary to consider the potential to accommodate this floorspace as a separate entity in nearby PSCs;

- Policy BC8(B) of the Finsbury Local Plan encourages retail or leisure uses to the ground floor of B1(a) office development within Employment Priority Area (General), where appropriate;
- The proposed flexible retail element would comprise 1,326m² (GIA) and therefore well below the 2,500m² threshold set out in the NPPF for a retail impact assessment;
- Available studies indicate that Angel and Moorgate PSCs are vital and viable centres performing well against key 'health check' indicators – Angel 'health check' indicated a 3.3% vacancy rate in the primary frontage and a 7.1% vacancy rate in the secondary frontage in 2012 whilst Moorgate 'health check' indicated an 8% vacancy rate in 2016, although this amounted to just 2% of total floorspace;
- Public realm improvements, improved permeability through the site, introduction of active frontages and improved natural surveillance will enhance the current environment at ground floor level with corresponding amenity benefits;
- Applicant would be agreeable to conditions restricting noise and opening hours in order to avoid any harm to residential amenity (conditions 10, 26 and 28);
- Flexible retail uses would support existing clusters of activity in the vicinity including proposed office floorspace, residential uses and students in the Cass Business School. The south of Bunhill Row is generally mixed use in nature at the ground floor level and the proposed flexible retail uses would not be out of character.

10.29 The proposed flexible retail uses would primarily complement the proposed office use and other uses in the vicinity, and it is therefore considered that the retail uses would be appropriate, in accordance with Policy BC8. The applicant's response detailed above is considered to satisfactorily demonstrate that the proposal would not result in adverse impacts on town centres within Islington or the City of London. Furthermore, the proposal would be acceptable in amenity terms (subject to conditions) and would complement surrounding uses within the CAZ. The proposal is considered to be in accordance with Policy DM4.4 and the proposed flexible retail uses are considered acceptable in land use terms.

Principle of Tall Building

10.30 Policy CS9 of the Core Strategy is concerned with protecting and enhancing Islington's built and historic environment and states, inter alia, that:

'Tall buildings (above 30m high) are generally inappropriate to Islington's predominantly medium to low level character, therefore proposals for new tall buildings will not be supported. Parts of the Bunhill and Clerkenwell key area may contain some sites that could be suitable for tall buildings, this will be explored in more detail as part of the Bunhill and Clerkenwell Area Action Plan.'

10.31 Policy BC9 of the Finsbury Local Plan is concerned with tall buildings and contextual considerations for building heights and states, inter alia, that:

A. Within the area covered by this plan, tall buildings are considered to be buildings or structures that are substantially taller than their neighbours and/or which significantly change the skyline.

B. Buildings of 30 metres in height or more may be appropriate only within the areas indicated on Figure 17. These areas include sites identified in Policy BC2 (City

Road Basin) and Policy BC3 (Old Street), as well as an area adjacent to the City of London boundary at Moorgate.

C. Elsewhere, building heights must respond to the local context, particularly those contextual factors indicated on Figure 17.

10.32 Paragraph 11.2.6 of the Finsbury Local Plan states that:

'A number of existing buildings over 30 metres in height lie outside the two identified areas. As stated in English Heritage and CABI's Guidance on Tall Buildings, "The existence of a tall building in a particular location will not of itself justify its replacement with a new tall building on the same site or in the same area". The council will therefore expect proposals for all new buildings to conform to Policy BC9, unless an exceptional case can be proven, through robust analysis and justification.'

10.33 The site is not identified within an area suitable for tall buildings, but is occupied by a tall building. The applicant considers that the proposal would be in accordance with the Development Plan if an exceptional case is proven, and that there would be no requirement for the proposal to be treated as a departure from Policy CS9. The applicant argues that the existing building is a 'tall' building as it is over 30m in height and it would be counter intuitive to resist improvements to an existing 'tall' building that sits outside of defined locations identified in Policies BC9 and CS9 simply because it is already over 30m, and therefore considered tall. It is put forward that the presumption in favour of a tall building in this location has been accepted given the nature of the existing building already being defined as tall. The applicant has set out an 'exceptional case' to justify the proposed tall building with reference to the planning and public benefits, including the proposed affordable housing and affordable workspace, and the substantial economic and employment benefits.

10.34 The site is occupied by an existing tall building but is not located within an area identified as suitable for tall buildings within the Development Plan. The proposal does not involve the erection of a new tall building, but comprises the extension of an existing tall building. The Council's Planning Policy team have commented that the proposal would be contrary to policy CS9, and this is accepted. It is also considered that the proposal is contrary to policy BC9. The proposal would therefore not be in accordance with the Development Plan and it is therefore necessary to consider whether the benefits of the proposal outweigh the harm in policy terms, and all other identified harm.

10.35 The impact of the harm in policy terms arising from the conflict with Policies CS9 and BC9 may be considered to be outweighed in this case by the substantial benefits of the proposal, which include the proposed affordable housing and affordable workspace, the public realm improvements and the significant uplift in office floorspace on the site. An overall assessment of the balance between the benefits and harm of the proposal is provided at the final section of this report.

Design and Appearance

10.36 Paragraph 63 of the NPPF states that ‘in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design generally in the area.’

10.37 Policy 2.11 of the London Plan is concerned with the strategic functions of the CAZ and states, inter alia, that boroughs should:

‘seek solutions to constraints on office provision and other commercial development imposed by heritage designations without compromising local environmental quality, including through high quality design to complement these designations’

10.38 London Plan Policy 7.4 is concerned with Local Character and states, inter alia, that:

‘Buildings, streets and open spaces should provide a high quality design response that:

- a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass
- b) contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area
- c) is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings
- d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.’

10.39 London Plan Policy 7.6 states, inter alia, that:

Buildings and structures should:

- a) be of the highest architectural quality
- b) be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- c) comprise details and materials that complement, not necessarily replicate, the local architectural character
- d) not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings
- e) incorporate best practice in resource management and climate change mitigation and adaptation
- f) provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- g) be adaptable to different activities and land uses, particularly at ground level
- h) meet the principles of inclusive design
- i) optimise the potential of sites.

10.40 Policy DM2.1 (Design) requires all forms of development to be of a high quality, to incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Development which fails to take the opportunities available for improving the character and quality of an area and the way that it functions will not be supported.

Tall Building Design Policy

10.41 The Development Plan includes design policies specific to tall buildings which set out detailed criteria that must be satisfied, including a requirement for exceptional standards of architecture. As these policies are considered particularly relevant to the assessment of this proposal they are detailed at the end of this section, where compliance against each of the relevant criteria is addressed.

Building Form

10.42 The applicant identified at an early stage of the design process that the site lies at the juxtaposition of four distinct character areas and that any proposed design must ensure the townscape, materials, scale, proportions and public realm positively respond to the different surrounding character areas and immediate context.

10.43 The design of the building is therefore intended to relate to the scale, height and rhythm of adjacent buildings, the street geometry and the setting of heritage assets. The following diagram illustrates the response of the proposed building to its immediate and wider context and this is explained below.

Geometric Design Response



1. The building line along Dufferin Street is set back to align with the building line of the Peabody Mansions along Dufferin Street;
2. The set back at higher level aligns with the Peabody residential buildings along Dufferin Street and opposite with the exposed corner of no's 1-19 Dufferin Street;
3. The building turns the corner at Duffrin Street at a right angle to relate to the geometry of the public house opposite and respond to the changing angle of Bunhill Row. This alignment reveals the elegant side elevation of the Artillery Arms when approaching from the south and the geometry and higher level set back are orientated towards Bunhill Fields;
4. The change of angle along Bunhill Row aligns with the corner of the Virgin gym opposite;
5. The open arcade through the site exits on to Bunhill Row opposite the open metal gates to the HAC grounds. The corner of the tower aligns with the end of the terrace opposite;
6. The lower podium element at the junction with Lamb's Passage is at right angles whilst the extended higher element is angled to be inline with the street geometry to the west and responds to the chamfered angle of Sir John Cass Business School Building and thus opens up the aspect to Bunhill Row and the listed terrace buildings from the junction of Lambs Passage and Lambs Buildings;
7. The upper extended portion of the tower has an angled set back that is aligned with the geometry of the streets to the west and its angled elevation has a respectful nod towards the city towers. This angled set back reduces the scale and width of building to Bunhill Row and when viewed from Bunhill Fields;
8. A higher level angled set back defines the open expression at the top of the tower and is aligned with the geometry of Lamb's Buildings;
9. The scale and geometry of the Errol Street elevation of the residential building aligns with the Peabody building;
10. The residential set back storey is angled to relate to the differing scales of the surrounding buildings and thus respects the slightly lower building housing the Royal Statistical Society and steps up to relate to the taller church buildings on Lamb's Buildings.

10.44 The height of the podium is intended to align with the Peabody Mansions block along Dufferin Street and the Sir John Cass building along Bunhill Row, as illustrated on the following elevations.

Alignment of podium with Sir John Cass Building



Alignment of podium with Peabody Mansions



- 10.45 The height of the podium is also intended to better relate to the scale of development on Lambs Buildings.
- 10.46 It is noted that the Council's Design Review Panel considered that there was a strong rationale to the design of the lower part of the building.
- 10.47 The design of the proposed building is intended to express the transition between the existing and new building forms with the set back at 17th floor level and a subtle change in the design of the fenestration. A further set back is introduced at 26th floor level. The set-backs are intended to reduce the massing of the building on Bunhill Row and surrounding streets and to ensure that the extended portion of tower would have a slimmer appearance when viewed from Bunhill Fields. The existing and new building forms are further expressed through the elevational treatment and detailed architectural design of the building and this is considered in more detail later in this report.
- 10.48 The existing tower 'sits atop' the podium which accentuates its squat and 'stumpy' appearance. The proposed tower is redefined to 'come to ground' which, along with its increased height, is intended to improve its proportions and to emphasise a more elegant and slim appearance. The more slender proportions along with the set-backs to the upper levels are intended to ensure that the building does not have a monolithic appearance when viewed from key points.

Model Photographs



- 10.49 The proposed building form has been considered through what the applicant has demonstrated to be a thorough design development process. The applicant has demonstrated that the building would respond positively to the surrounding street geometry and to the form and layout of surrounding development and has therefore presented a convincing rationale for the proposed form of the building.

Public Realm

- 10.50 Public realm improvements are proposed, including landscaped areas which are intended to offer places to dwell and relax and for outside eating whilst providing visual interest as well as defensible spaces to existing and proposed residential uses. A new north to south route will be created through the site between the main building and the residential block. An existing dog-leg alleyway will also be replaced through the reinstatement of a historic pedestrian route in the form of an arcade fronted by the office lobby, restaurant and retail units. These routes would enhance permeability and connectivity in the area and are viewed positively. Semi-mature tree planting is proposed around the buildings, including along Bunhill Row, and it is intended that this would introduce a human scale whilst also improving the setting at street level to the listed terrace opposite. New hard paving is proposed unite the network of external spaces and routes whilst sculptures, light art and special tree species would be provided and integrated with an external lighting strategy to ensure a high quality public realm. Details will be secured through a landscaping and a lighting condition (conditions 4 and 12).

CGI of public realm along Bunhill Row



10.51 An area of public realm described as 'The Yard', is proposed at the point where the two pedestrian routes meet and it is intended that this will provide a sitting out area for the proposed café/restaurant use.

CGI of 'The Yard'

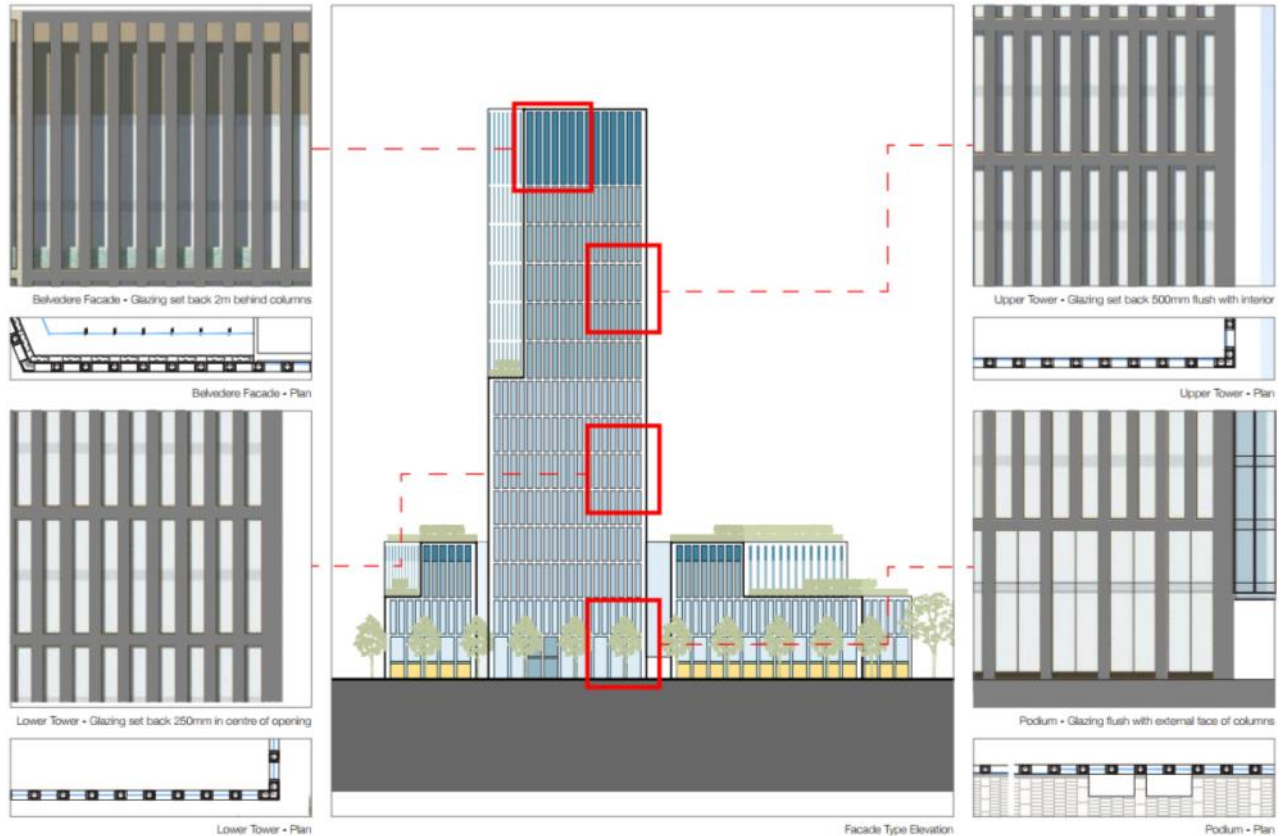


- 10.52 The existing public realm around the site is considered to be of little value and therefore the proposed public realm improvements are considered to represent a significant benefit of the scheme.

Materials and Detailed Architectural Design

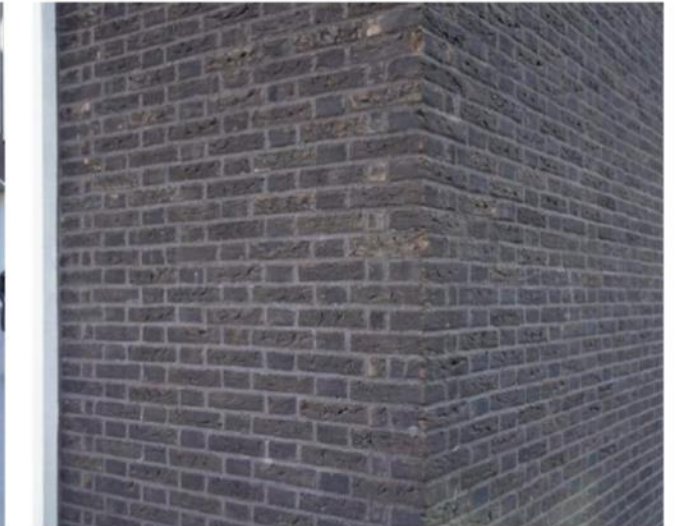
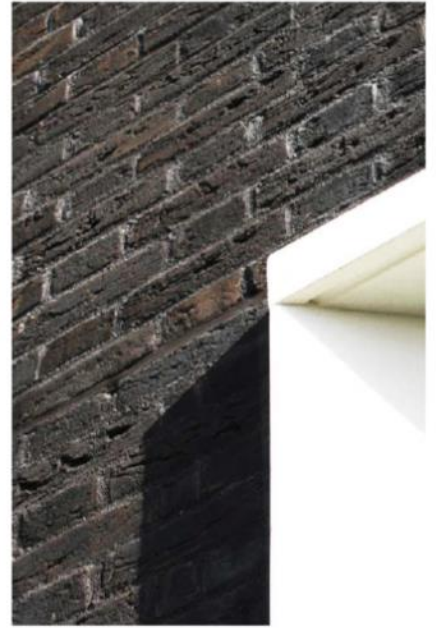
- 10.53 The design of the building at ground floor level is intended to coordinate the various functions of the building at this level both vertically and horizontally to ensure the design concept is continuous around the base of the building. Canopies are intended to identify the retail shop fronts and are set at a height that relates to the fascia of the pub and balcony railings on the listed terrace opposite. This approach is intended to create a human scale to Bunhill Row and to provide a degree of shelter when entering and exiting the units. The canopies also hide the retail louvres and allow diffused light through to the ground level. Shop front signage will be controlled and displayed behind the glazing to the shop fronts and a condition is recommended to secure a signage strategy (condition 38).
- 10.54 The massing form of the building is intended to create a sculptural architectural composition which requires a single architectural facade design in order to unify and express the composition. Slim double height window openings are proposed which are intended to appear elegant in their proportions and to reflect the proportions of the tower. The planes of the glazing lines within the openings vary in depth across the different components of the building. The first to third floor podium glazing is flush with the masonry columns, which is intended to provide a more reflective façade whilst creating a horizontal 'plinth' in order to unite the three elements and to represent the existing podium form. On the 4th to 15th storeys the glazing is semi-recessed by approximately 250mm which is intended to create a depth to the facade with shadowed reveals and to define the height of the existing tower within the facade design. On the 16th to 26th storeys the glazing is fully recessed by approximately 500mm which is intended to create very deep shadowed reveals to the facade openings and to distinguish the new structure from the existing. On the top floors to podium and a triple height to the top of the tower the glazing is set back 2m behind the facade creating an open belvedere. This is intended to animate the skyline and unite the composition of tower and podium buildings.

Planes of glazing lines within openings

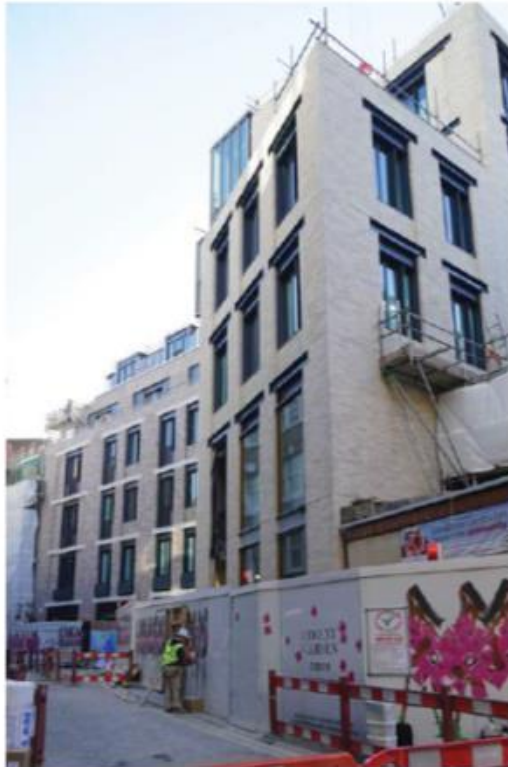


- 10.55 It is proposed that the façade would primarily feature slim brickwork precast panels, which it is understood are manufactured by embedding bricks into concrete panels and applying a mortar. Construction in traditional brickwork is not considered feasible and the product would offer a practical and expedient means of cladding the building to provide a brickwork appearance. The brick finish is intended to provide a response to the character and urban structure of the surrounding environment and integrate with the surrounding streets. The brickwork panels are intended to create texture from the slim shape and bonded pattern.
- 10.56 The applicant has provided two examples of recent developments which have used a similar product as follows:

Techrete Cladding, Hannover Square, Mayfair, London 2012



Grants Cladding, Kings Court, London 2017



10.57 The applicant has provided manufacturer advice that the panels have a minimum design life of 60 years and should last at least 100 years or more. They are intended to be generally maintenance free and if they require cleaning due to environmental factors then this will be no more onerous than a traditional brick facade.

10.58 The applicant has advised that it would not be feasible or viable to use traditional brickwork in the construction of the building and, in view of the height and scale of the building, this can be accepted. Subject to securing through condition the use of a high quality product

which does not obviously appear as a panel then the proposed brickwork panels may be considered acceptable.

- 10.59 A patina of bronze anodising would be used for the metal windows, reveals, shopfronts and canopy structures at ground floor. It is stated that its texture, reflectivity and colour will be refined with specialist manufacturers to ensure it contrasts well with the suggested brick.
- 10.60 The residential building has a similar palette of materials but would feature a slightly darker patina. This will create a better visual relationship with the more aged and darkened London stock bricks used on adjacent buildings.

CGI of proposed development looking south along Bunhill Row



- 10.61 The overall quality of materials and finishes is considered to be key to the success of the proposed development. In particular, the detailed appearance of the brickwork cladding is considered critical to ensuring the delivery of a building of suitably high quality appearance. It is acknowledged that this level of detail would not have been finalised at this stage of the design development. The architects have submitted information demonstrating their rigorous approach to detailed façade design in relation to another scheme under development in Canary Wharf. Condition 3 is recommended to secure the submission of material samples for the Council's approval to ensure the delivery of a high quality development.

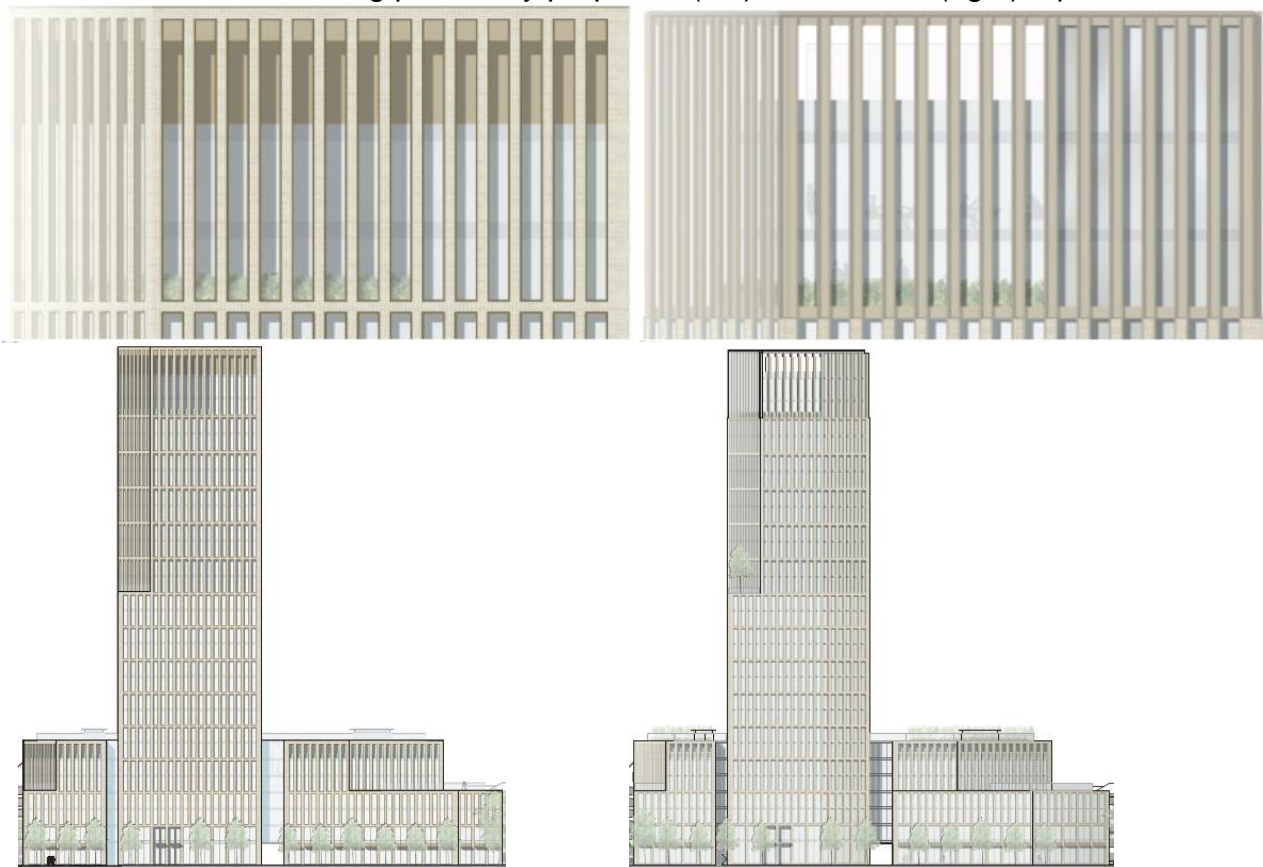
Applicant's further response to Design Review Panel

- 10.62 The applicant has submitted details of further design refinements in response to concerns raised by the DRP that over the design of the top section of the tower, particularly when this was viewed from the Honorary Artillery Company (HAC) Grounds. Panel members

suggested that a marginal set back in the elevation and/or articulation of the corners may improve this and reduce the bulky appearance from this key view point. The Panel felt that from this view the building did not relate well to its context and advised that the top should be more elegant and better articulated.

- 10.63 The applicant has also provided a design response to the Panel’s concerns regarding the proposed treatment of the cores. Panel members wanted to ensure that these were sufficiently tied into the overall design or alternatively expressed honestly as the cores.
- 10.64 In relation to the top floors, the applicant advises that further cut backs to the north-east or north-west corners of the top of the tower are not possible due to the fixed location of the cores. The top of the building has therefore been reviewed with a view to creating a more elegant and better articulated appearance. A subtle change to the facing material of the top three floors is proposed along with detailing of the frame to create a light effect that is integrated into the existing overall form. It is intended that this would reduce the bulky appearance of the top of the building.
- 10.65 A profiled metal frame is proposed to the top 3 floors, expressed as a refined extrusion of masonry columns below, in order that the frame appears more slender, precise and stylish. The frame would be finely detailed in order to emphasise depth, shadow and dappled reflections. It is also proposed that louvres would be removed to open up views of the sky and allow the columns to be viewed against open space which is intended to give greater delicacy and exactness to their form.

Plans and CGIs indicating previously proposed (left) and revised (right) top floors





10.66 The applicant has proposed to integrate the cores into the overall form and appearance of the building through a continuous mesh interlayer within the glazing across the entire north façade in place of the previously proposed back painted glass to the cores. It is intended that the mesh layer would unify both cores and the north façade and would prevent visibility into cores whilst allowing clear visibility out from the offices. The mesh interlayer would be a warm beige/silver colour and is intended to create varied coloured reflections in differing lighting conditions and thereby avoid the flat tone of back painted glass. It is also suggested that visible openings would be introduced in the core where the structure permits.

Example of mesh interlayer at Des Moines Public Library, Iowa (2006) (David Chipperfield)



CGI Visualisation of proposed glazing to cores on north façade



CGIs indicating previously proposed (left) and revised (right) glazing to north facade



- 10.67 The design revisions have not been referred back to the Design Review Panel and, in view of the limited and specific nature of the outstanding concerns, it can be considered that an officer appraisal of the revisions is sufficient.
- 10.68 The Council's Design and Conservation Officer has commented that the removal of the louvres 'opens up limited views of the sky and could be argued to fractionally reduce the bulky appearance at top of building'. The Officer further comments that:
- 'In my view the subtle changes do little to mitigate against the concerns of the DRP over the bulky and inelegant top to this tall building, especially when viewed from the HAC grounds. The top of the building will essentially have the same visual impact as before.'
- 10.69 The Council's Design and Conservation Officer has further commented that the appearance of the mesh interlayer glazing which is not clear and, in view of the prominence of the building, should be understood at application stage.
- 10.70 The Design and Conservation Officer's comments are noted. However, it is considered appropriate to have regard to the limitations imposed by the design, structure and layout of the existing building. A more radical alteration to the design of the top of the building may detract from the architectural integrity of the building and/or may not be feasible from a structural point of view. Furthermore, the location of the cores is fixed due to the design of the existing building and there are no further opportunities to 'cut away' another corner.
- 10.71 The Design Review Panel suggested that the top of the building should be 'more elegant and better articulated'. It is considered that the proposed profiled metal frame and the removal of the louvres to provide an open appearance to the top floors would represent a successful design response to the concerns raised by the DRP and would provide a more elegant and better articulated appearance, as sought by the Panel.
- 10.72 The Panel suggested that the treatment of the cores should be sufficiently integrated into the overall design of the building or alternatively expressed honestly as the cores. It is acknowledged that there are limited design options in terms of addressing this concern. The location of the cores is determined by the layout of the existing building and, if they are to be integrated into the design of the building there appear few alternatives to a more solid appearance to the glazing. The Design and Conservation Officer's comment that details

should be provided at application stage are noted. However, the proposed development is at planning application stage and detailed design development and procurement are processes which would be expected to follow post planning. The application can be determined on the basis that it is understood that the glazing to the cores would appear more solid than the remainder of the building. It is considered that the proposed revisions to the glazing treatment are sufficient in terms of integrating the cores into the overall design of the building and that the specific appearance of the glazing can be sufficiently addressed through the suggested materials condition (condition 3).

- 10.73 Overall, in terms of detailed architectural design, the proposals have been carefully considered. Subject to further details of materials to be secured by condition the proposal would represent a high quality and appropriate design response which would enhance the character of the building and the surrounding area.

Overall assessment and consideration against Tall Buildings Policy

- 10.74 It is considered that overall the proposal satisfies the tall building design requirements set out in Finsbury Local Plan Policy BC9 and London Plan Policy 7.7. These are addressed in italics as follows:

Policy BC9

'D. Proposals for tall buildings must satisfy all of the criteria set out in Part 4 of English Heritage and CABE's Guidance on Tall Buildings (2007), alongside other Development Plan policies. Specifically, proposals must:

- i. Reinforce the legibility and identity of the wider area and enhance the quality of street-level and long distance views, including across borough boundaries – *the proposals improve pedestrian permeability with two new routes through the site whilst public realm improvements and active frontages are proposed at ground level. The extended tower would provide a high quality landmark in longer distance views ;*
- ii. Conserve and enhance designated and non-designated heritage assets and their setting – *the proposal does not meet this requirement and this is covered in detail in the following Heritage section and the concluding section of this report;*
- iii. Not create unacceptable impacts on infrastructure, including transport capacity; and adequately mitigate any transport impacts – *this requirement would be met subject to the requirements of the Section 106 agreement and relevant condition and is covered in detail in the Highways and Transportation Section of this report;*
- iv. Exhibit an exceptional standard of architecture – *the proposal is considered to represent an high standard of architecture;*
- v. Create an active and interesting street frontage appropriate to the local context – *the proposal involves the introduction of active frontages at ground floor level of the commercial building;*
- vi. Exhibit the highest standards of sustainable design and carbon minimisation, by incorporating green roofs and/or walls, involving services engineers from an early design stage to ensure that energy use associated with mechanical cooling and lighting is minimised, utilising sustainable materials, and controlling solar gain, -. *this requirement is considered to be met and is covered in detail within the Sustainability, Energy Efficiency and Renewable*

- Energy section of this report. It is particularly noted that the proposal involves the re-use of the existing concrete frame which is welcomed in terms of carbon minimisation;*
- vii. Provide public space, including, where appropriate, mid-block pedestrian routes and the extension of (and integration with) neighbouring areas of public space – *the proposal involves significant public realm improvements and new routes through the site;*
 - viii. Provide private amenity and play space where residential uses are proposed as part of the development, and – *private amenity spaces are provided to all residential units whilst a financial contribution in lieu of on-site playspace will be secured through the Section 106 agreement;*
 - ix. Not have adverse environmental effects at ground level, nor overshadow neighbouring habitable rooms or formal public spaces – *the Wind Microclimate Report demonstrates that the wind impact will be acceptable or can be adequately mitigated whilst overshadowing is covered in detail later in this report - neighbouring residential habitable rooms will be significantly impacted but primarily by the podium and not the tower.*

London Plan Policy 7.7

'B. Applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria below. This is particularly important if the site is not identified as a location for tall or large buildings in the borough's LDF.

C. Tall and large buildings should:

- a) generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport – *the site is located within the CAZ and benefits from the highest level of Public Transport Accessibility;*
- b) only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building – *the existing building is a tall building and the impact of the proposal on the locality is considered in detail in the previous section of this report;*
- c) relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level; - *the proposed development is the result of a very comprehensive design development process informed by a detailed analysis and response to the surrounding character areas clearly demonstrated through the design of the building;*
- d) individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London – *the extended building will result in a significant improvement to the appearance of an existing tall building and will deliver an improvement to the London skyline through its high quality design and appearance;*
- e) incorporate the highest standards of architecture and materials, including sustainable design and construction practices – *the proposal is considered to exhibit an high standard of architecture with materials selected to complement the surrounding area, whilst the proposal involves the retention*

of the structure of the existing building and sustainability is addressed in detail within the Sustainability, Energy Efficiency and Renewable Energy section of this report;

- f) have ground floor activities that provide a positive relationship to the surrounding streets – *the proposal introduces flexible retail uses with active frontages to the ground floor;*
- g) contribute to improving the permeability of the site and wider area, where possible – *the proposal provides two pedestrian routes through the site;*
- h) incorporate publicly accessible areas on the upper floors, where appropriate – *it is not considered that there are compelling reasons to require public access in this case;*
- i) make a significant contribution to local regeneration – *the proposal would deliver substantial economic and employment benefits.*

D. Tall buildings:

- a) should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference – *the applicant has submitted reports to satisfactorily address the relevant potential impacts and these are detailed later within this report;*
- b) should not impact on local or strategic views adversely – *the applicant has demonstrated within the HTVIA that the proposal will not impact on strategic views.*

E. The impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings, registered historic parks and gardens, scheduled monuments, battlefields, the edge of the Green Belt or Metropolitan Open Land, World Heritage Sites or other areas designated by boroughs as being sensitive or inappropriate for tall buildings – *the building alterations are viewed as causing 'less than substantial' harm to designated heritage assets requiring balancing against the public benefits and detailed analysis is provided in the Heritage section. It is noted that the GLA support the scheme in design terms and consider that there will be very limited harm in heritage terms.*

10.75 The existing Finsbury Tower building is considered to have a detrimental impact upon the character and appearance of the surrounding area including upon the significance of adjacent and nearby designated heritage assets. In particular, the ground floor frontages to surrounding streets are blank or uninviting whilst the tower is poorly proportioned and the appearance of the dilapidated white cladding has a detrimental impact on the wider townscape.

10.76 Considered in isolation, the proposed commercial block is considered to represent a high standard of design and would result in a significant improvement to the character and appearance of the site and the way it functions. In particular, it would:

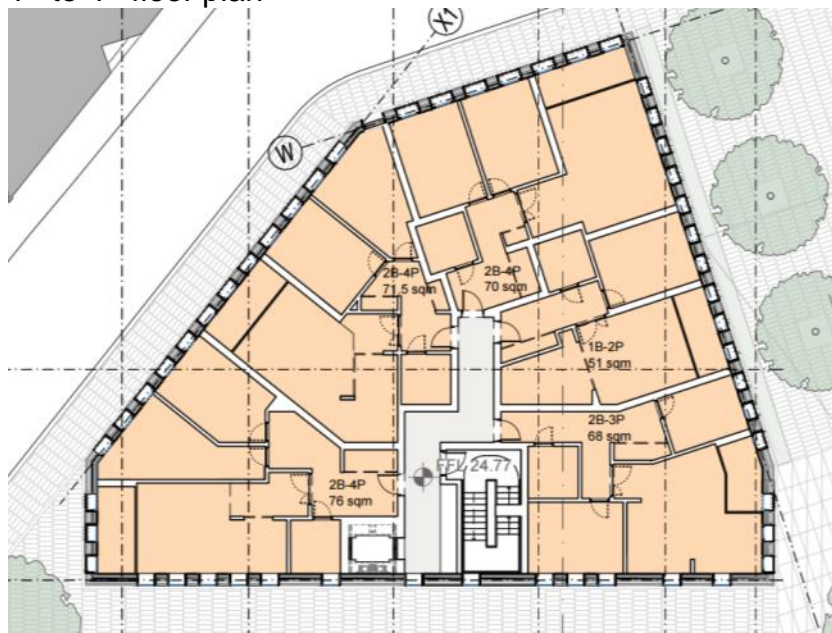
- Better relate to the historic urban form of the site and surrounding character areas;
- Provide enhancements to the public realm along Bunhill Row and surrounding streets with improved landscaping;

- Introduce active uses and an improved human scale at ground floor level;
- Improve permeability through the site and pedestrian connectivity to the surrounding area;
- Improve the appearance of the existing building, including through a more elegantly proportioned tower, a high quality elevational treatment and through that better reflect the prevailing built form in the locality.

Housing Block

10.77 The 6 storey affordable housing block, accessed off Lamb's Buildings is located to the west side of the site, bounded by Lamb's Buildings, Errol Street and the western side of the tower. The block has an unusual plan shape which is informed by the shape of the site and it steps in height to relate to the different heights of the adjacent St Joseph's Catholic Church building and Peabody housing whilst also relating to the height of the podium levels of the office building.

1st to 4th floor plan



10.78 The facade of the residential building has been designed to relate closely to the office building in terms of its massing, facade design and materiality so they are seen as a unified composition. The double height openings within the residential building are slimmer and smaller than those within the office building, but are of the same design concept. The residential building uses a different and slightly darker brickwork panel with a darker metalwork shade than that proposed for the tower, reflecting its land use and nature of the residential area to the west of the site. The residential block is considered to appropriately relate in design terms to both the proposed commercial development and the existing residential buildings in the immediate locality.

CGI of housing block



Heritage legislation and policy

- 10.79 Section 70(2) of the Town and Country Planning Act 1990 states that in dealing with a planning application ‘the authority shall have regard to the provisions of the development plan, so far as material to the application,... and to any other material consideration.’
- 10.80 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that ‘If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.’
- 10.81 There are the following additional requirements when considering planning applications which affect the setting of a listed building or the character and appearance of a conservation area. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: ‘In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses’.
- 10.82 Section 72(1) of the Act states: ‘In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.
- 10.83 The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of

listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.

10.84 The National Planning Policy Framework (NPPF) sets out the Government's policies for decision making on development proposals. At the heart of the framework is a presumption in favour of 'sustainable development'. Conserving heritage assets in a manner appropriate to their significance forms one of the 12 core principles that define sustainable development. NPPF policy advises that for new development to be sustainable it needs to encompass an economic, social and environmental role, with the latter including the protection and enhancement of the built and historic environment. Paragraph 8 notes that these roles are mutually dependent and should not be taken in isolation; and that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Paragraph 7 of the NPPF states that the environmental role of a development includes protection and enhancement of the historic environment, while section 12 sets out how the historic environment should be conserved and enhanced.

10.85 The NPPF addresses the determination of planning applications affecting designated and non-designated heritage assets at paragraphs 128-135 which state, inter alia, that:

‘128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal...

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is

necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

10.86 Significance is defined in the NPPF as:

'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.'

10.87 The setting of a heritage asset is defined in the NPPF as:

'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'

10.88 Paragraph 9 of the NPPG notes that

'Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.'

10.89 Paragraph 17 of the NPPG provides guidance on assessing whether a proposal results in substantial harm to a heritage asset and states that:

'What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting

Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.'

10.90 The Guidance detailed above notes that substantial harm is a high test. Case law in this matter is of some assistance, such as Bedford Borough Council v Secretary of State for Communities and Local Government and Nuon UK Ltd, where substantial harm is referred to in the context of circumstances where the impact on significance is "serious such that very much, if not all, of the significance was drained away", or "an impact which would have such a serious impact on the significance of the asset that its significance was either vitiated or very much reduced"

10.91 Paragraph 20 of the NPPG defines public benefits as:

'Anything that delivers economic, social or environmental progress...Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.'

10.92 The Historic England (formerly English Heritage) guidance document Conservation Principles (2008) sets out a framework for assessing the significance of historic buildings and places. It defines significance as the 'sum of the cultural and natural heritage values of a place, often set out in a statement of significance.' It is commonly agreed that Grade I and II* buildings are of "exceptional" and "particularly important" interest; therefore these are generally considered of greater significance.

10.93 London Plan policy 7.8 is concerned with heritage assets and states, inter alia, that 'development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.'

10.94 Policy CS9 of the Core Strategy is concerned with 'Protecting and Enhancing Islington's Built and Historic Environment' and states, inter alia, that:

'High quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive.'

B. The historic significance of Islington's unique heritage assets and historic environment will be conserved and enhanced whether designated or not. These assets in Islington include individual buildings and monuments, parks and gardens, conservation areas, views, public spaces and archaeology.'

10.95 Policy DM2.3 of the Council's Development Management Policies document is concerned with Heritage and states, inter alia, that:

A. Conserving and enhancing the historic environment

Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. Development that makes a positive contribution to Islington's local character and distinctiveness will be encouraged.

B. Conservation Areas

i)...new developments within Islington's conservation areas and their settings are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. Harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Substantial harm to the significance of a conservation area will be strongly resisted.

C. Listed buildings

iii) New developments within the setting of a listed building are required to be of good quality contextual design. New development within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.

D. Registered historic parks and gardens, London squares and other heritage landscapes

iii) Developments must not detract from the enjoyment, layout, design, character, appearance or setting of historic parks, gardens or squares and key views out from the landscape, or prejudice future restoration.

Heritage Assessment

10.96 The existing building, due its poor quality exterior, incongruous materiality and 'squat' proportions may be considered to have a negative impact upon the setting of the adjacent heritage assets as well as the character and appearance of the adjacent conservation areas. The application is accompanied by a Heritage, Townscape and Visual Impact Assessment (HTVIA) which assesses the impacts of the proposal on designated heritage assets. The Case Officer has also carried out site visits to the surrounding heritage assets in order to inform an assessment of the impact of the proposed development on these assets.

Bunhill Fields

10.97 The reasons for the designation of Bunhill Fields as a Grade I listed Park and Garden are stated as follows:

- Outstanding historic interest as the pre-eminent graveyard for Nonconformists in England;

- A rare surviving inner-city burial ground which is unsurpassed as evidence for the cramped appearance of metropolitan burial grounds in the Georgian period;
- A large number of listed tombs, notable either for the person they commemorate (for example, Blake, Bunyan and Defoe) or their artistic quality;
- Distinctive aesthetic character in contrast to Victorian cemeteries, with monuments almost entirely in Portland stone or sandstone;
- An extremely well-documented place where antiquarians have recorded inscriptions from the 1720s and for which the City Corporation holds extensive burial records;
- High quality design and materials of 1964-5 phase, by the renowned landscape architect Sir Peter Sheppard.

10.98 The HTVIA provides an assessment of the significance of the heritage assets in the vicinity of the application site. The author provides a commentary on Bunhill Fields as follows:

‘Bunhill Fields Burial Ground was designated as a Grade I Registered Park and Garden in May 2010. Bunhill Fields is a non-conformist burial ground which dates from the 1660s. Its current boundaries were established by the mid-18th Century. The area of the burial ground is roughly a T-plan, bounded by walls, railings, and gates. There are over 2,000 monuments in Bunhill Fields which are almost entirely made of Portland stone, with some sandstone from the later Georgian period. The monuments are fairly plain, owing to their non-conformist benefactors. The grave markers are tightly packed, characterising the typical cramped conditions of Georgian burial grounds. Paths wind through the ground, which is augmented by London planes, oaks, and limes. Burials ceased in 1853 and Bunhill Fields became a public garden in 1867. Parts of the site have been re-landscaped by notable architects such as Sir Peter Sheppard (1913-2002), who worked at Bunhill Fields after it sustained damaged from aerial bombing in the Second World War. Bunhill Fields contains 75 memorials, tombs and other structures including gates and railings, which are individually listed as being either Grade II* or Grade II. Most of these are located in the southern part of the burial ground, with others along the western perimeter of the grassed area to the north.

...Cherry and Pevsner (1998) refer to the site as ‘The most celebrated Nonconformist burial ground in England’, where it is renowned as a rare surviving example of a Georgian metropolitan burial ground, with a distinct and unique aesthetic character. The later alterations also have a high value, as do the many listed monuments which also contribute to its significance. Bunhill Fields is also rich in historical associations as a burial ground for non-conformists from the late 17th century to the mid-19th century. It contains the graves of many notable people including John Bunyan (1628-1688) and William Blake (1757-1827). According to the list description ‘The realignment of paths to focus on Bunyan, Blake and Defoe in the 1960s scheme has historic interest in the context of post-war national pride and identity.’

10.99 The author identifies that the significance of Bunhill Fields lies primarily in its historical, architectural, and recreational value. The assessment notes that:

‘Where once the burial ground would have been on the fringes of the city sprawl, the setting now comprises dense urban development, including tall buildings.’ The

burial ground is screened by large trees which inhibit views in or out, and an appreciation of the quality of the interior space.

This very special landscape experience is in a dense urban environment and the setting does not contribute to the special interest of the heritage asset.'

10.100 Historic England has provided the following advice on the significance of Bunhill Fields:

'Bunhill Fields; the most celebrated non-conformist burial ground in the country. Used for burials between late C17 and early C19, it contains a number of separately listed monuments to notable historic figures as well as historic railings and gates. Its relationship with Wesley Chapel and museum (Grade I) which stands opposite its entrance on City Road is also highly significant. It appears on the Register of Parks and Gardens at Grade I and is valued for its aesthetic, communal and historic qualities which are notable and much admired in this part of London.'

10.101 As detailed above, the HTVIA suggests that the setting does not contribute to the special interest of Bunhill Fields. However, the document provides an assessment of the impact of the proposed development upon the setting of Bunhill Fields, which is summarised as follows:

- Where the existing building is visible it is a detracting feature of the wider urban setting of Bunhill Fields due to its poorly proportioned form and discordant and dilapidated white clad façades. It also presents an incongruous and unattractive frontage to Bunhill Row, opposite the entrance to Bunhill Fields, with uninviting ground floor frontages and poor quality public realm;
- Impact of the proposal on the setting of Bunhill Fields is considered to be limited due to the altered setting of Bunhill Fields and existing interposing development and trees that screen views between the site and the heritage assets - where the proposed development is visible it is partially obscured by interposing development and/or trees and is visible in the context of the wider urban setting of Bunhill Fields which includes the large scale modern buildings of the City of London to the south;
- Proposed development would represent a marked improvement in townscape and architectural design terms compared to the existing building and is considered to represent an overall enhancement to the setting of Bunhill Fields - the existing 'squat' proportions of the building would be replaced with a tower element that appears more slender and elegant and whose elevational treatment better reflects the surrounding built context - the increase in height of the building would therefore have a negligible impact on the existing urban setting of Bunhill Fields;
- Proposal would greatly improve the appearance and functionality of Bunhill Row - it would provide a positive relationship with Bunhill Row and new and improved public realm, which would enhance permeability through the site and improve pedestrian connectivity to Bunhill Fields and the wider area.

10.102 The dense tree screen inhibiting views in and out of Bunhill Fields will be in place during the summer months but the trees are deciduous and the surrounding urban environment will be more apparent in winter months. It can be agreed that the significance primarily lies in the historical and architectural value of the site. However, the identification of significance in relation to its recreational value is not accepted as this is not in line with the NPPF definition of significance. The significance of the setting of the Burial Ground has

been identified by the Council's Design and Conservation Officer and the Inspector considering the Moorfields School appeal, as detailed above. It is considered that the impact of the proposal on the setting of the burial ground must be assessed in considering the proposal.

10.103 Planning permission has recently been granted for redevelopment of two sites immediately adjacent to Bunhill Fields, as noted in section 7 of this report. The immediate context is primarily characterised by buildings up to 12 storeys in height, with the 12 storey Lexington Apartments adjoining the burial ground to the north east of the Bunhill Fields, whilst the approved Monmouth House scheme would rise to 11 storeys, albeit the higher part of the development would be located to the City Road end of the site in order to respect the setting of Bunhill Fields. The 19 storey Braithwaite House on the opposite side of Bunhill Row is visible from within the Burial Ground. The Inspector considering the dismissed Moorfields School proposal noted that Lexington Apartments appear as an 'intrusive and an incoherent element in the townscape'. However, Lexington Apartments form part of the immediate setting of the burial ground which, along with the permitted Moorfields School and Monmouth House schemes, would contribute to a built up urban character of development around the burial ground. It is therefore considered that one could be justified in taking an alternative view to the Inspector's identification of the 'simple and tranquil character of the burial ground and its surroundings', particularly in view of the development permitted since the Inspector's report was published. It is also noted that the Inspector considered that the proximity of the proposed buildings to the burial ground contributed to their 'oppressive nature'. Furthermore, she noted that the existing Finsbury Tower had less of an immediate impact on the burial ground due to its location. It is therefore considered that a distinction can be made between the former Moorfield's school site and the application site in view of their differing proximity to the Burial Ground.

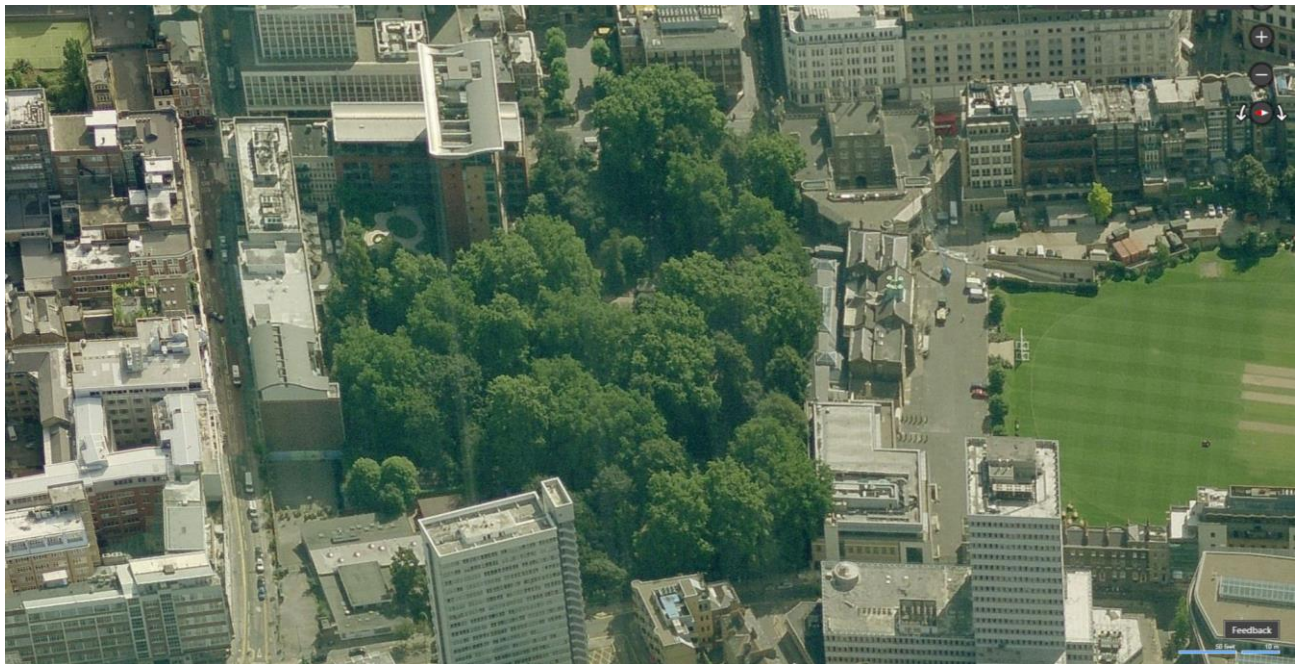
Braithwaite House and former Moorfields School (left) / Virgin Gym, Finsbury Tower and other surrounding development (right)



Existing Monmouth House (foreground) and other surrounding development (left) / Lexington Apartments (right)



East facing birds-eye view indicating existing context prior to commencement of Moorfields School redevelopment

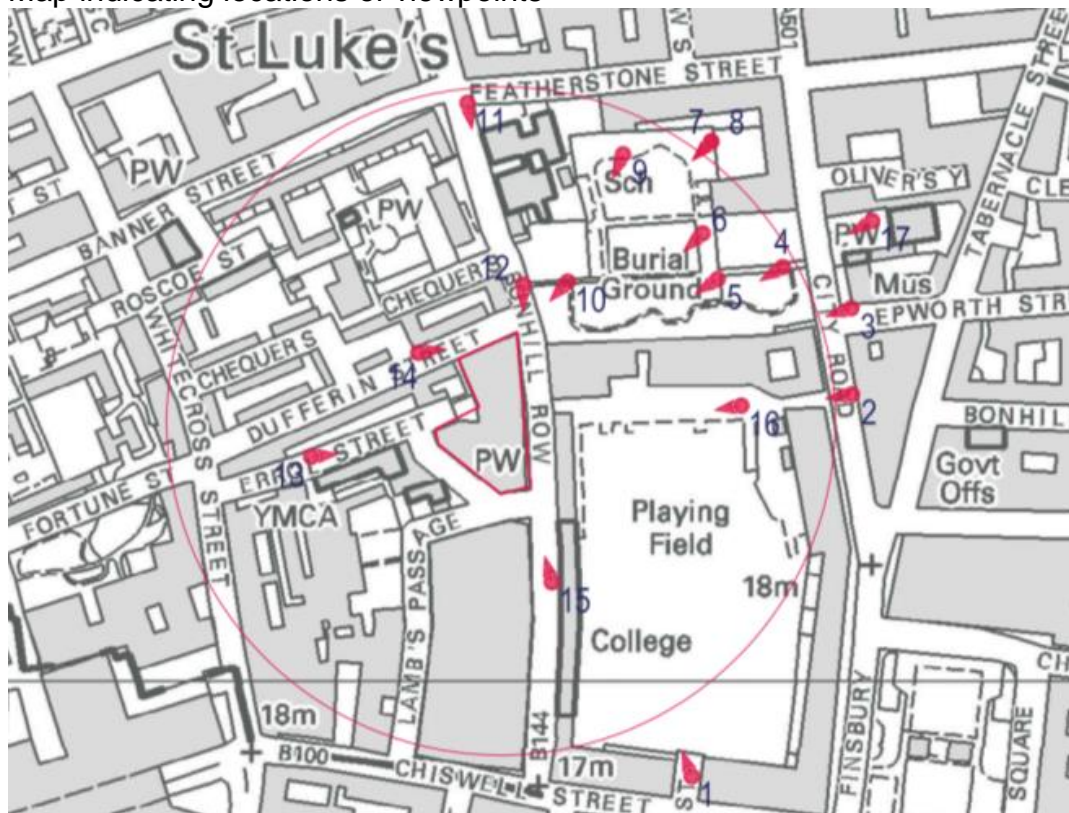


10.104 The HTVIA includes a visual impact study which tests the visual impact of the proposed development through accurately prepared photomontage images or Accurate Visual Representations (AVR) which are designed to show the visibility and appearance of the proposed development from a range of publically accessible locations around the site. It should be noted that the HTVIA that has been undertaken is unlikely to have captured and assessed every receptor point and so too in this report, it is acknowledged that a review of the impact on every element of townscape is not possible and in many cases not appropriate, as it would give rise to considerable repetition. It is thus intended to review the main impacts in detail and to summarise wider and replicating impacts.

10.105 A comprehensive series of proposed views from Bunhill Fields have been provided by the applicant in order to inform an assessment of the impact on this particular heritage asset.

The viewpoints chosen for the assessment are considered appropriate. The viewpoints are detailed on the map below and considered as follows:

Map indicating locations of viewpoints



View 4



Note: Proposed building indicated in wireframe

10.106 View 4 is taken in winter from the walkway at the eastern entrance to Bunhill Fields and will be primarily experienced by pedestrians using the walkway to Bunhill Row. It is noted that views of the existing and proposed development are partially screened by trees and interposing development, and that this screening will be denser when the trees are in leaf. Furthermore, the proposed development would be viewed in the context of the wider urban setting of Bunhill Fields, which in this view includes the large scale buildings of the Barbican and Braithwaite House.

10.107 The proposal would result in taller building in relatively close proximity to the burial ground. Whilst the visual impact of the building would be offset to a degree by the improved design and appearance of the proposed building it is considered that when the trees are not in leaf the building will have a greater visual impact, primarily by reason of the increased height and scale of the tower. However, this viewpoint is approximately 160m from the proposed development and the increased height will be perceived in the context of large scale buildings in the wider urban context. It is therefore considered that, whilst there would be harm to the setting of Bunhill Fields from this viewpoint when the trees are not in leaf, the degree of harm is minor.

View 5



10.108 This viewpoint is taken in winter from the seating area adjacent to the walkway through the southern section of Bunhill Fields and is approximately 115m from the proposed building. The seated area provides the opportunity for pedestrians and visitors to stop and appreciate this part of Bunhill Fields, including the monument to John Bunyan (Grade II*). The rear of Armoury House and the Virgin Active Gym are visible in the foreground and the residential tower of the Barbican is visible in the background.

10.109 The existing building is relatively prominent from this viewpoint during the winter months and is considered to make a negative contribution to the setting of Bunhill Fields. It is clear that the proposed development will result in an increased visual impact from this viewpoint. However, some harm caused by the increase of the height and massing of the proposed building from this viewpoint is considered to be partially offset by its improved appearance in terms of higher quality elevational treatments and the sculptured geometric form, which reduces the mass of the upper section of the tower. It is also noted that views of the proposed development will be predominantly obscured by tree screening when they are in leaf and when the grounds will likely attract more visitors. Whilst the proposed building would be perceived as part of a wider urban setting it would be significantly taller than existing buildings in close proximity to the Burial Ground and it would be prominent when

the trees are not in leaf. The proposal is therefore considered to result in harm to the setting of Bunhill Fields from this viewpoint when the trees are not in leaf. However, in view of the distance from the application site and given the wider urban context the degree of harm is considered to be relatively minor.

View 6



Note: proposed building indicated in wireframe

- 10.110 This viewpoint is taken in winter from the area adjacent to the monument to William and Catherine Sophia Blake (Grade II) and the monument to Daniel Defoe (Grade II*). Views of these monuments are generally orientated to the north, away from the application site. This viewpoint is approximately 120m from the proposed building.
- 10.111 As with View 5, the existing building is considered to have a negative impact and any additional harm as a result of the increased height and massing of the proposed building is considered to be partially offset by the improved appearance of the proposed building. Due to the presence of interposing and surrounding development the proposed building would be viewed as part of the wider urban setting of Bunhill Fields. It is noted that views of the proposed building would be predominantly obscured by tree screening when the trees are in leaf. However, it is considered that due to the increased scale of the proposed development, and in particular the increased height of the tower, there would be harm to the setting of Bunhill Fields when the trees are not in leaf. Again, this harm is considered to be minor.

View 7



Note: Proposed building indicated in wireframe (yellow) and Former Moorfields School redevelopment indicated in wireframe (orange)

10.112 This viewpoint is taken in winter from the seating area adjacent to the walkway that passes around the northern section of Bunhill Fields, approximately 180m from the application site. The immediate urban context includes the rear of the Virgin Active Gym, the Artillery Arms, 100 Bunhill Row (Turnberry House) and Braithwaite House and the proposed development would be viewed as part of this wider urban setting.

10.113 Again, it is considered that the improvements to the appearance of the building will go some way towards offsetting the additional harm as a result of the increased height and massing of the proposed development. It is noted that the bulk and mass of Braithwaite House appears substantial in this viewpoint. It is therefore considered that any additional harm from this viewpoint will only occur when the trees are not in leaf and would be minor.

View 8



10.114 This viewpoint is the same as View 7 but is taken in summer and demonstrates the extensive screening provided by the trees when they are in leaf. The immediate urban context along the boundary of Bunhill Fields is almost totally screened by existing trees with only elements of Braithwaite House partially visible. The viewpoint demonstrates that the proposed development would have a negligible impact on the setting of Bunhill Fields when the trees are in leaf due to the extent of the screening.

View 9



10.115 This viewpoint is taken in winter from a bench adjacent to the walkway that passes around the northern section of Bunhill Fields. The immediate urban context includes the rear of Armory House, the Virgin Active Gym, the Artillery Arms, and 100 Bunhill Row (Turnberry House) whilst the wider urban setting includes tall buildings within the City of London.

10.116 As with previous views from Bunhill Fields, it is considered that the improved appearance of the proposed building would partially offset the additional harm as a result of the increased height and massing. Again, the building would be viewed as part of the urban context of the burial ground and will be substantially screened when the trees are in leaf. In view of the increased height and prominence of the proposed building it is considered that there will be minor harm to the setting of Bunhill Fields from this viewpoint when the trees are not in leaf.

View 10



10.117 This viewpoint is approximately 40m from the proposed building and is taken in winter from the walkway close to the western entrance to Bunhill Fields. The view will be primarily experienced by those who are using the walkway. The rear of the Virgin Active Gym and the Artillery Arms are visible in the foreground. The existing building is very prominent

from this viewpoint and the poor quality of its design and external appearance is apparent and detracts from the setting of Bunhill Fields and the locally listed Artillery Arms public house.

- 10.118 The proposed development would represent a significant improvement on the existing building in terms of architectural form and materials and this would be apparent from this viewpoint where the building would be viewed more closely. Again, there would be partial screening of the building when the trees in the foreground are in leaf. The CGI does not represent the increased height of the building and if one were to look upwards from this viewpoint the building would appear notably taller than development in the immediate locality and may appear somewhat imposing due to its close proximity. The increased height of the podium may result in a slight increase in the sense of enclosure to the Burial Ground. View 10 is the closest view of the proposed development provided within the HTVIA and the perception of the building from this location is considered to represent the most significant impact of the proposal upon the setting of Bunhill Fields. It is therefore considered that the proposal would result in harm to the setting of Bunhill Fields from this viewpoint, in particular when the trees are not in leaf. However, the degree of harm is considered to be less than substantial, in particular given the prominence and poor quality of the existing building from this viewpoint.

Overall Assessment of Impact Upon Significance of Bunhill Fields Burial Ground

- 10.119 Bunhill Fields is a Grade 1 listed registered Park and Garden and is of outstanding historic interest, and is therefore a very important heritage asset. If harm occurs to the significance of a heritage asset of this level of importance then great weight must be given to the conservation of that asset.
- 10.120 It is noted that the GLA Stage 1 response considered that there would be no harm to the setting of Bunhill Fields Grade I listed Registered Park and Garden, nor to any of the listed monuments and structures within it.
- 10.121 The Council's Design and Conservation Officer considers that there will be substantial harm by reason of the excessive scale of the proposal, its overly dominant built mass and its overbearing sense of enclosure, which would detract from the historic structures and monuments as well as the Ground's important sense of openness and intimacy.
- 10.122 Historic England considered that the increased height of the tower would be perceptible from Bunhill Fields and cause some further harm to its setting but that, given the long-established urban setting of the burial ground and the mixed character of the City Fringe in this area, this is considered to fall within the 'less than substantial harm' category of the NPPF.
- 10.123 The significance of Bunhill Fields primarily relates to its historical and architectural value and its setting is considered relevant. The proposal would not result in any direct harm to the individual listed monuments and structures within Bunhill Fields, nor would it result in direct impacts upon its historic and architectural interest. It is therefore appropriate to consider any harm to its significance arising from the impact upon its setting.
- 10.124 Views from the Burial Ground will be subject to substantial screening by dense tree foliage during late spring, summer and early autumn months when the Burial Ground will likely to

attract greater numbers of visitors. Any harm to the setting of the Burial Ground when the trees are in leaf is likely to be quite limited.

- 10.125 The proposal would result in a significant increase in the height of development in the immediate vicinity of the Bunhill Fields, and consequently would result in an increased visual impact when viewed from the Burial Ground during months when the trees are not in leaf. However, it will be perceived alongside existing large scale urban development including the 12 storey Lexington Apartments, which is particularly imposing upon the Burial ground by reason of its siting, and the substantial bulk of the 19 storey Braithwaite House. The more distant view of the proposed development from the Burial Ground will include views of the 42 storey Barbican towers. Given this densely built up urban context it is considered that the increase in the height and scale of the building from more distant views within the Burial Ground will result in a minor degree of harm to its setting. In closer views it is considered that the proposed development, whilst significantly taller, would represent an improvement over the existing building in terms of its design, and in particular its elevational treatment. The improvement in architectural design terms is considered to offset some of the impact from the increased height and scale of the proposed building. Accordingly, whilst it is considered that there will be a greater degree of harm to the setting of Bunhill Fields from closer viewpoints, the degree of harm will be minor.
- 10.126 Overall, it is considered that the increased visual impact upon the setting of Bunhill Fields as a result of the increased height and scale of the proposed building will result in a minor degree of harm to the setting of Bunhill Fields, and accordingly will be well within the NPPF categorisation of 'less than substantial harm'. This view has been reached by Planning Officers having considered the representations of the Council's Design and Conservation Officer, the GLA and Historic England responses and all other consultee responses.
- 10.127 If Members conclude that there is a greater degree of harm to the setting of Bunhill Fields than that identified by Officers then, in view of the importance of the heritage asset as a Grade 1 Listed Park and Garden, great weight must be attached to that harm in assessing the proposal.

Wesley's Chapel and associated structures and buildings

- 10.128 The HTVIA provides the following commentary on Wesley's Chapel and the associated buildings and structures:

'Wesley's Chapel was designated as a Grade I listed building in December 1950. It is located approximately 220m east of the Site. The Chapel was originally built in 1778 as the Mother Church of World Methodism. In the 19th century, architectural features were added or modified by Elijah Hoole (dates unknown) including the single storey wings to either side in 1899. The listed Chapel is two storeys set over a 5 window range. It has a central prostyle portico, and the main facade is articulated by a slightly projecting centrepiece of three bays. There are many internal features of note described in detail in the list description.

The primary significance of the Chapel lies in the high architectural quality of the original building, later additions, and interior features. Its historical association with the Methodist movement is also of interest. There are a number of listed buildings associated with Wesley's Chapel which we list below. All are Grade II unless otherwise stated.

- John Wesley's House and attached railings (Grade I)
- Tomb of John Wesley in the burial ground of Wesley's Chapel (Grade II*)
- Entrance Gates to Wesley's Chapel
- Statue of John Wesley in the forecourt of Wesley's Chapel
- Wesley's Chapel Memorial to Susannah Wesley in the forecourt of Wesley's Chapel
- The Manse
- Benson Building abutting Wesley's Chapel
- Gates to John Wesley's House
- Chapel Keeper's House.

The listed buildings and structures date from either the late 18th or late 19th centuries. They were listed in either 1950 or 1972. The listed buildings and structures are principally significant for their historical and architectural interest, and value as a group. The setting of these heritage assets is defined principally by the Chapel, and they share with it the wider urban context.

The original setting of the Chapel and associated listed buildings and structures would have been characterised by its location on the urban fringe of the City. Semi-rural, with the Bunhill Fields burial ground opposite. The setting is now wholly urban with large urban plots and 20th century buildings of several storeys situated along the busy thoroughfare of City Road. The open courtyard to the front of the Chapel contributes to its setting by creating a sense of separation and enclosure from the main road and dense nearby urban development. Views toward the application site are limited and obscured by interposing development and the densely planted trees of Bunhill Fields.'

10.129 The HTVIA includes the following viewpoint taken from the open courtyard outside Wesley's Chapel looking south west toward application Site, across City Road and Bunhill Fields.

View 17



10.130 View 17 demonstrates that in summer the proposed development would be screened by interposing development and foliage. It is not clear how much of the development would be visible during the winter months. However, it is considered that in view of the 220m separation of the chapel from the application site, any visibility of the extended tower would have a negligible impact on the significance of Wesley's Chapel and associated buildings and structures.

HAC Heritage Assets

10.131 The HAC heritage assets share their setting and are considered together in the following part of this report.

Armoury House

10.132 The HTVIA provides the following commentary on Armoury House:

'Armoury House was designated as a Grade II* listed building in August 1957. It is located approximately 100m to the east of the Site on the opposite side of Bunhill Row. Armoury House is the Headquarters of the Honourable Artillery Company which received the Royal Charter in 1537. The oldest building is the central block, which was built in 1734-36 to the Palladian design of Thomas Stibbs. The principal elevation faces south to the large, private grounds. There are later 19th Century additions, including east and west wings, and a third storey. The interiors retain many original features, and later features of historic interest. Armoury House is significant for its historic association with the Honourable Artillery Company, as well as its age, high architectural quality, and intact interiors. It also has aesthetic value in contributing to the local townscape.

The setting of the Armoury House includes the Bunhill Fields Burial Ground and emerging development around Old Street to the north, and the HAC's private grounds to the south. The principal elevation faces the grounds of the HAC and the City of London is visible beyond. To the east and west the urban environment is densely developed along City Road and Bunhill Row. The existing Finsbury Tower building is visually prominent to the west and presents a poor frontage of low architectural quality to the grounds of the HAC and the setting of Armoury House. Armoury House has a positive relationship with the listed terrace properties at 20-29 Bunhill Row, which were originally built for the HAC.'

Armoury House and the HAC Grounds which provide its setting



10.133 The HTVIA provides an assessment of the impact of the proposed development upon the setting of Armoury House which is summarised as follows:

- Public views of Armoury House that include the Proposed Development are limited to glimpse views through the entrance gates off of City Road and to views north through the entrance gates at Finsbury Street;
- Podium and tower element of the proposed development would be of an increased height compared to the existing Finsbury Tower building and would be visually prominent in views orientated to the west – the impact of the additional mass is mitigated in part by the high quality of the elevational treatments proposed and the articulation of the facades that assist with breaking up the mass of the proposed building;
- Public views to the west are limited and where the proposed development would be visible from within the private grounds of the HAC it would be seen within the context of the existing surrounding urban environment that includes the taller buildings of the City and the Barbican to the south and west.

Finsbury Barracks

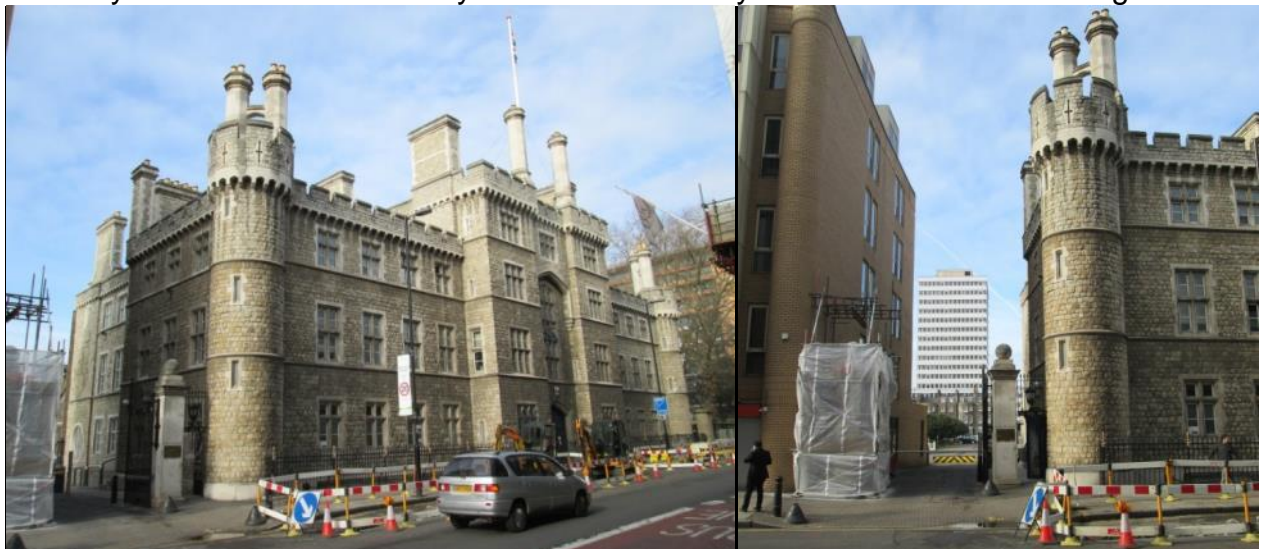
10.134 The commentary on Finsbury Barracks is as follows:

'Finsbury Barracks and attached railings were designated as Grade II listed buildings in December 1990. The Barracks is located approximately 200m east of

the site. The Barracks were built in 1857 by J. J. Jennings for the Honourable Artillery Company. According to Pevsner, Jennings' designs were "demonstrably alluding to a historic past" with "a heavily rockfaced castellated fortress front with angle turrets and a broad gatehouse". The building was refurbished 1994 by Arnold and Boston. It is located adjacent to Armoury House to the west. The building is primarily significant for its architectural interest and association with the Honourable Artillery Company. It contributes to the context of the group of listed building associated with the Company.

The setting to the west includes the Grade II* listed Armoury House and the open setting of the HAC grounds. The landscaped open space of the Bunhill Fields burial ground is located to the north. The building fronts the busy thoroughfare of City Road, which is fronted by dense urban development and connects Old Street to the City. The development on City Road is primarily 20th century, and the dominant building heights are of 6-7 storeys. Glimpsed views of the existing Finsbury Tower building can be seen in the background of the listed Barracks when viewed from certain points along City Road.'

Armoury House viewed from City Road and Finsbury Tower visible in the background



10.135 The HTVIA provides an appraisal of the impact of the proposed development which is summarised as follows:

- Glimpsed views of the existing Finsbury Tower building are possible where it isn't obscured by existing landscaping and interposing development and it can be seen in the distant background of the listed Barracks when viewed from certain points along the busy thoroughfare of City Road;
- Where visible the existing Finsbury Tower building does not form a positive feature of the setting of Finsbury Barracks, which is due to the poorly proportioned form of the tower and the discordant appearance and low quality of the existing Finsbury Tower white clad facades;
- Where visible the massing, form and appearance of the proposed development would not be prominent and would represent an improvement to the existing Finsbury Tower building and the wider urban setting of Finsbury Barracks - The

existing 'squat' proportions of the Finsbury Tower building would be replaced with a tower element that appears more slender and elegant;

- The articulation of the façades of the proposed development assist with reducing the perceived mass of the tower and podium and add interest and the proposed materials for the façades better reflect and compliment the Kentish ragstone of the Barracks.

20 and 21-29 Bunhill Row

10.136 The HTVIA commentary on 20 and 21-29 Bunhill Row is as follows:

'The 20 and 21-29 Bunhill Row were designated at Grade II in September 1972. The terraced houses are located opposite the site on the east side of Bunhill Row. 20 and 21-29 Bunhill Row were built in 1830-31 for the Honourable Artillery Company, whose headquarters were located at Armoury House to the east. They are three storeys with a basement, set over two bays. They are constructed of yellow and brown brick set in a Flemish bond with some stucco dressing, and the roof is obscured by a parapet. Some of the terraced properties have an additional fourth storey. The terraced houses are primarily significant for the character, appearance and architectural quality of their elevations to Bunhill Row, as some of the surviving Victorian development in the area. The historical association with the Honourable Artillery Company is also important, and further established by Armoury House (Grade II*) to the rear.

The application site falls within the immediate setting of the Grade II listed terraced houses. The original Victorian context has been all but lost as a result of the aerial bombing during the Second World War and the subsequent redevelopment of the area that includes the post war developments of Finsbury Tower and Braithwaite House and the more recent developments that include the Cass Business School, Virgin Active Gym and Gravelle House. The existing Finsbury Tower building detracts from the setting of the terrace by virtue of its unsympathetic form and architectural detailing and the dead frontages it presents along Bunhill Row. To the rear of the terrace, the setting is more intact, and includes the grounds of the HAC and the Palladian frontage of Armoury House.'

20 and 21-29 Bunhill Row viewed from Bunhill Row and from within HAC Grounds



10.137 The impact of the proposed development on this heritage asset is considered within the HTVIA and is summarised as follows:

- The podium and tower would be increased in height and mass compared to the existing building and elements of the proposed development would be visible above parts of the roofline of the listed terrace when viewed from the rear from within, and across, the privately accessible HAC grounds;
- Public views of the rear of the terrace are limited to views from the entrance gates of the HAC grounds at Finsbury Street and off of City Road - the limited harm to the setting of the terrace, caused by this additional mass, is considered to be less than substantial and mitigated in part by the high quality of the contextually responsive elevational treatments proposed and the articulation of the facades that assist with breaking up the mass of the Proposed Development;
- The landscaped roof terraces result in a sculptured geometric form that adds visual interest and assists with reducing the perceived mass of the tower and podium;
- In addition, the proposal would improve the public realm and frontage along Bunhill Row with active uses at ground floor whilst the proposed street trees would provide definition to Bunhill Row;
- Articulation of the proposed development at lower levels introduces an improved human scale at ground floor level along Bunhill Row and would represent an improvement to the existing impersonal and dead frontages along Bunhill Row by the existing building.

10.138 Historic England have provided the following commentary on the significance of the HAC heritage assets:

‘The Honourable Artillery Company (HAC) is located on the eastern side of the road and includes Armoury House (listed Grade II*) and Finsbury Barracks (grade II) which are set within grounds which are used for both training and ceremonial activity as well as by MoD helicopters. It is the oldest regiment in the British Army and has a historic association with the City of London which makes it unique. It is of great historic, aesthetic and communal value. Its military use means that public access is limited although glimpse views can be afforded from the street. 20-29 Bunhill Row is a residential terrace of 1830s houses which are particularly attractive group with a largely consistent roofline and frame the view west from the HAC grounds. They are listed Grade II.’

10.139 It is accepted that the significance of the HAC heritage assets relate to their character and appearance, their architectural quality and their historic relevance, in particular their association with the Honourable Artillery Company. It is also considered that their setting should be considered significant, in particular as the setting includes the historic HAC Grounds, which lie within the Bunhill Fields/Finsbury Square Conservation Area.

10.140 The HTVIA visual impact study demonstrates the impact of the proposed development on the HAC heritage assets and is considered as follows:

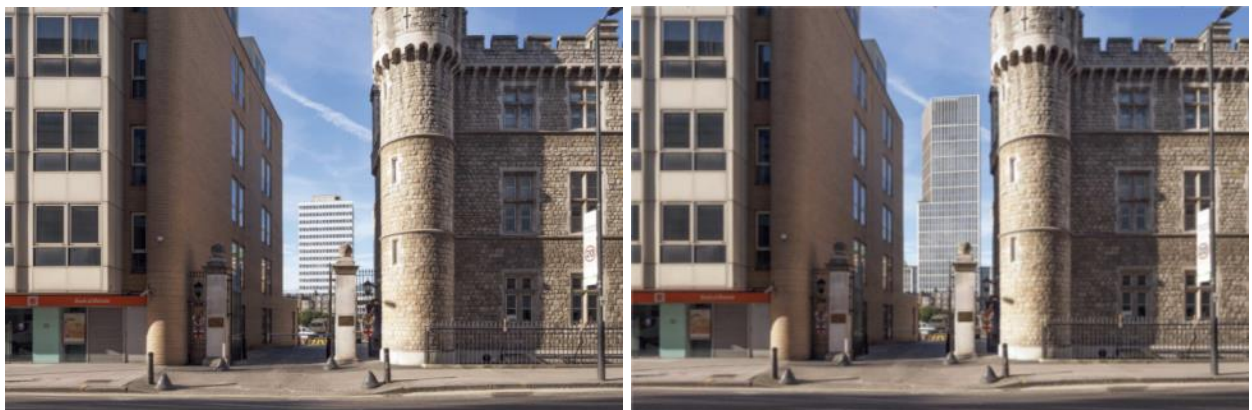
View 1



10.141 This viewpoint is taken from the entrance gate to the privately accessible HAC grounds at the end of Finsbury Street. Armoury House is visible at the far end of the grounds along with an oblique view of the rear of Nos. 20 and 21-29 Bunhill Row ground. The White Collar Factory at Old Street Roundabout and the Lexington Apartments on City Road are visible behind Armoury House. The existing Finsbury Tower building is visible above the University of Law building and it can be considered that it has a negative impact upon the setting of Armoury House, Nos. 20 and 21-29 Bunhill Row and the HAC grounds which lie within the Bunhill Fields/Finsbury Square Conservation Area.

10.142 The proposed building would be seen across the HAC grounds in the context of an existing urban environment. The height and mass of the building will be significantly increased and there will be an impact on the setting of the heritage assets. However, the building would be read as separate to the HAC grounds due to the presence of interposing development. The improvement to the appearance of the building in terms of the proposed design and materials would offset some of the harm that would occur as a result of its increased scale. It is also considered that the sculptural form of the building from this viewpoint would reduce some of its perceived mass. It is therefore considered that there would be a degree of harm to the setting of Armoury House and to the HAC grounds, but that this harm is relatively minor and within the NPPF category of 'less than substantial'. Due to the limited visibility of Nos. 20 and 21-29 Bunhill Row it is considered that the impact of the proposed development on the setting of this heritage asset from this viewpoint would be negligible.

View 2



10.143 This viewpoint is taken from the pavement on City Road opposite the entrance to the HAC grounds, approximately 190m from the proposed development. Finsbury Barracks is visible in the foreground and part of the HAC grounds and part of the rear of Nos. 20 and 21-29 Bunhill Row are also visible. The existing building is framed between the flank and turret of Finsbury Barracks and No. 32 City Road and does not have a positive impact in townscape terms. The proposal building would represent a significant increase in the height and mass of the building but would remain subservient to the principal elevation of Finsbury Barracks. It is again considered that the significant improvement in the quality of the design and the elevational treatment would go some way towards balancing out the harm from the increase in height and massing. The viewpoint is within a busy urban location and would be primarily experienced relatively briefly by people passing by. In view of the distance from the application site and the very limited extent to which this viewpoint would be experienced it is considered that the harm to the setting of Finsbury Barracks would be minor.

View 3



10.144 This viewpoint is taken from the pavement on City Road on the corner of Epworth Street, approximately 190m from the application site. Part of Finsbury Barracks is visible in the foreground as is part of the southern section of Bunhill Fields. Views of the Site are primarily experienced by those who are moving through the area along City Road. The proposed development would be partially visible to the rear of Finsbury Barracks but would not be unduly prominent and would be partially screened when the interposing trees are in leaf. The turret would no longer be read against open sky which would detract from the setting of the Barracks. However, the significant distance between the buildings would assist in ensuring that this impact was limited. It is therefore considered that the proposed development would result in some harm to the significance of Finsbury Barracks setting from this viewpoint, but that this harm would be minor.

View 16



- 10.145 This panoramic viewpoint is taken from within the private HAC grounds outside the entrance to Armoury House. The HAC grounds are a significant feature of the Bunhill Fields/Finsbury Square Conservation Area and the setting of Armoury House. The rear of Nos. 20 and 21-29 Bunhill Row are visible in the foreground of Finsbury Tower. The immediate context to the south of the HAC grounds includes the office buildings along Chiswell Street including 21-24 Chiswell Street and Ropemaker Place whilst the wider context includes CityPoint and other large scale commercial buildings within the City of London and the Barbican towers. The existing Finsbury Tower is considered to have a negative impact from this viewpoint, in part due to its inappropriate materials, tired appearance and squat proportions.
- 10.146 The impact of the proposed development will be significant from this viewpoint due to the increase in the height and mass of the tower and its proximity to the HAC Grounds and 20 & 21-29 Bunhill Row. The podium and tower will rise above part of the roofline of the listed terrace and will appear more prominent. The increased visual impact is partly offset by the improvements to the building in terms of its high quality design including a more elegant architectural form and a more sensitive use of materials.
- 10.147 In terms of the impact upon the HAC Grounds and the setting of Armoury House it is considered that, although the proposed building will be more prominent and will

undoubtedly have a greater visual impact from this viewpoint, it is noted that the existing building has a fairly substantial impact. It is also noted that the proposed building will be viewed in the context of a number of other large scale commercial buildings including tall buildings in the background. However, the scale of the proposed building will be well in excess of any existing development in close proximity to the grounds. It is therefore considered that the proposed building would result in a harmful impact to the setting of Armoury House and the character and appearance of the Bunhill Fields/Finsbury Square Conservation Area, the harm would be significant but within the NPPF category of 'less than substantial harm'.

10.148 In terms of the impact upon the setting of the 20 and 21-29 Bunhill Row, the proposed building would appear more dominant and overbearing from this viewpoint by reason of the increased height of the tower and the increased height of the podium which will become far more prominent above the roofline of part of the terrace. It is considered that this impact upon the setting of the Grade II listed terrace would be one of the most harmful impacts of the proposed development. However, the increased height of the podium would be perceived in the context of generally larger scale surrounding development whilst the existing tower has an overbearing impact by reason of its height and the impact of the proposed tower will be balanced to some extent by the significant improvements in terms of its architectural form and elevational treatment. Whilst it is noted that this is not a public viewpoint it is considered that the impact upon the setting of the listed terrace is quite significant but would not represent substantial harm to the significance of this heritage asset.

View 15



10.149 This viewpoint is taken from the eastern side of Bunhill Row looking north, approximately 70m from the proposed building. There is an oblique view of Nos. 20 and 21-29 Bunhill Row on the right hand side of the street. The Cass City Business School Building is visible in the foreground with Gravelle House opposite. The existing Finsbury Tower building is considered to have a negative impact in townscape terms from this viewpoint in particular by reason of its inelegant proportions, its tired façade and dead frontages at ground floor level.

10.150 The above viewpoint does not represent the impact of the increased height of the building were one to look upwards from this location the increased height may appear somewhat imposing but not out of place in this City Fringe location. It is otherwise considered that from this viewpoint the proposed development would have a positive impact in townscape terms, in particular by reason of its sculptured architectural form, high quality elevational

treatment and improvements to the public realm including tree planting along Bunhill Row. Whilst not apparent from the above visualisation it is noted that the introduction of retail uses at ground floor level will provide active frontages which would represent an improvement over the current dead frontages. In view of the limited visibility of Nos. 20 and 21-29 Bunhill Row it is considered that there will be an overall neutral impact on its setting from this viewpoint.

10.151 The following viewpoint is taken looking south down Bunhill Row with 20 and 21-29 Bunhill Row visible on the left and the locally listed Artillery Arms visible on the right. The HTVIA provides the following commentary on the Artillery Arms Public House:

‘The Artillery Arms Public House is located immediately to north of the application site on the opposite side of Dufferin Street. It was added to the Council’s register of locally listed buildings in September 1993. The Artillery Arms comprises a 19th century three storey building of London stock brick with stucco window surrounds and a traditional black painted public house fascia. It is significant as a remnant of the earlier historic townscape, but has lost much of its original context. The existing Finsbury Tower building is a detracting feature and is located on the opposite side of Dufferin Street. The deteriorating and uncomplimentary façades of the existing Finsbury Tower building present a blank frontage to the locally listed building and are incongruous with the neighbouring building lines fronting Dufferin Street and/or Bunhill Row.’

The Artillery Arms



10.152 The HTVIA provides an assessment of the impact of the proposed development on the Artillery Arms which is summarised as follows:

- Existing Finsbury Tower building is a detracting feature - the deteriorating and uncomplimentary façades of the building present a blank frontage to the locally listed building and are incongruous with the historic building lines fronting Dufferin Street and/or Bunhill Row;

- High quality of the design of the proposed development is in keeping with the appearance of the Artillery Arms building and the proposed massing steps down and positively responds to the scale of the locally listed building;
- The proposed development would provide enhancements to the public realm along Bunhill Row and Dufferin Street and the articulation of the building at lower levels with the introduction of retail uses would provide an improved human scale at ground floor level that would help to activate the streets whilst enhanced permeability through the site will enable improved pedestrian connectivity with the wider area.

View 12



10.153 The existing Finsbury Tower building is considered to have a negative impact from this view in particular by reason of its architectural form and its tired and dilapidated appearance. The proposed development would represent an increase in height and mass and this would be perceived in the context of tall buildings visible in the background. The massing and building line of the podium has been designed to respond to the Artillery Arms. It is considered that the proposed development would have a neutral or marginally positive impact on the setting of the Artillery Arms from this viewpoint.

10.154 It is considered that the increased height and massing of the proposed development would result in some harm to the setting of 20 and 21-29 Bunhill Row from this viewpoint. However, this should again be balanced against the proposed improvements to the public realm, the introduction of active uses at ground floor level and the high quality design and elevational treatments. It is considered that the improvements that would be delivered at ground floor level go some way towards offsetting the harm to the setting of the listed terrace as a result of the increased height and massing and that any harm is limited.

Applicant's Response to HAC Objection

10.155 The applicant has submitted a response to the Townscape Impact Assessment submitted on behalf of the HAC, detailed earlier within this report. The response contests assertions made regarding matters including the context of the application site and Bunhill Fields, and the effect of tree screening. It is considered that the preceding section of this report adequately addresses these matters. The response also asserts the refurbishment of existing building would not enable design and public realm improvements and provision of affordable housing and workspace. Furthermore, the following comments have been provided in relation to the distinction made between public and private views:

- Distinction between public views and the private views within the HAC is in accordance with the Guidelines for Landscape and Visual Impact Assessment, Third Edition (Landscape Institute and Institute of Environmental Management and Assessment, 2013) which highlights that the context of viewpoints should be established and that, *“An assessment of visual effects deals with the effects of change and development on the views available to people and their visual amenity”* (para 6.1). It goes on to state that, *“The types of viewers who will be affected and the places where they will be affected should be identified”* (para 6.14) and that *“viewpoints used for assessment should take account of a range of factors including... the accessibility to the public”* (6.20). Therefore distinguishing between publicly and privately accessible locations is a necessary consideration when establishing the townscape and visual context of the proposed development and assessing its impact;
- The assessment of heritage assets’ significance has been prepared using Historic England’s guidance document Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (2015), which acknowledges that the contribution that setting makes to the significance of a heritage asset does not depend on there being public rights or an ability to access or experience that setting. The HTVIA clearly details the significance of the HAC grounds and their significance as an element of the setting of associated heritage assets.

Overall Assessment of Impact Upon Significance of HAC Heritage Assets

- 10.156 It is noted that the GLA’s Stage 1 response indicated that the increased mass of the building would affect setting of 20 and 21-29 Bunhill Row but that public views would be limited and the impact would be mitigated by the high quality contextual design of the elevations.
- 10.157 The Council’s Design and Conservation Officer asserts that there would be substantial harm to HAC Grounds and Armoury House by reason of the excessive scale of the proposal and its overly dominant built mass. The proposed development would result in an overbearing sense of enclosure which would detract from the low-rise historic buildings and the training ground’s sense of openness. It is also noted that the proposed building would affect how the important silhouette of Finsbury Barracks is currently read against open sky.
- 10.158 Historic England note that the greatest impact will be from the HAC grounds and the forecourt to Armoury House and above the 20 and 21-29 Bunhill Row. The form and design of the proposed building goes some way to help mitigate the impact of its increased height, scale and bulk. The proposed increased height of the podium will project above the roofline of the listed terrace and cause some further harm to the setting of the forecourt of Armoury House. The tower will also appear in views from City Road just north of the barracks the increased height will make it partially visible and reduce the visual impact of the turret’s imposing silhouette on the north-east corner of the building.
- 10.159 It is considered that the proposed development will result in a degree of harm to the setting of Armoury House, Finsbury Barracks and 20 & 21-29 Bunhill Row as well as to the HAC Grounds, which lie within the Bunhill Fields/Finsbury Square Conservation Area. The most significant harm will be that demonstrated within View 16, whilst Views 1 and 3 notably identify some minor harm to the setting of the HAC heritage assets. The harm identified to the setting of 20 & 21-29 Bunhill Row within View 16 is considered to be significant but

would not represent substantial harm to this heritage asset. It is considered that there would be some improvement to the setting of 20 & 21-29 Bunhill Row at street level by reason of improvements to the appearance of the proposed building and to the public realm. It is therefore considered that, overall; the proposed development would not result in substantial harm to the significance of the HAC heritage assets.

Other views

View 11



Note: Permitted former Moorfields School site scheme indicated in wireframe

10.160 This viewpoint is taken from the pavement on the corner of Bunhill Row and Featherstone Street. Part of the front elevation of Nos. 20 and 21-29 Bunhill Row is visible in the background whilst the Moorfields Primary School construction site is visible on the left in the foreground and Quaker Court and Braithwaite House are visible on the right. The existing Finsbury Tower is partially visible in the background. The proposed development would result in a significant increase in the height of the building but would not appear out of context from this viewpoint. The Moorfields Primary School redevelopment will provide a more urban context from this viewpoint once it is completed.

View 13



Note: Permitted YMCA building indicated in wireframe

10.161 This viewpoint is taken from the pavement on Errol Street looking east toward the application site on the boundary of the St. Luke's Conservation Area. A residential block within the Peabody Estate is visible on the left and the existing YMCA building is visible on the right. The proposed development will result in an increase in height and mass compared to the existing building but would replace an existing poor quality building with a

new development of high quality design that would therefore result in a minor degree of harm to the character and appearance of the St. Luke's Conservation Area. The permitted YMCA building is indicated in wireframe and would reduce the visibility of the tower element of the proposed development.

View 14



10.162 The viewpoint is taken from the pavement outside Nos. 19-20 Dufferin Street looking east toward the application site from within the St. Luke's Conservation Area. Residential blocks of the Peabody Estate are visible on either side of Dufferin Street. The existing building, and in particular the single storey structure in the foreground, appears unsightly from this view and the proposed development would represent a significant improvement in terms of architectural form and materials.

View 18



10.163 This viewpoint is taken from the pavement on the west side of Helmet Street outside St. Luke's Church (Grade I) looking south east toward the application Site. The proposed development is entirely obscured by existing landscaping and interposing development.

10.164 The site does not fall within any strategic views as determined by the adopted London View Management Framework (LVMF) (2012). Notwithstanding, the HTVIA assessment

tested the impact upon viewpoints from Blackfriars and Southwark Bridge and demonstrated that there would be no impact upon views of St Paul's Cathedral.

No. 12 Errol Street

10.165 The HTVIA provides the following commentary on the locally listed No. 12 Errol Street:

'No. 12 Errol Street is located immediately to the west of the application Site. It was added to the Council's register of locally listed buildings in August 2001. It was constructed in 1889 to the designs of W. H. Boney by Holloway Builders. It is a former Mission building in a board school style of two storeys in yellow and red brick, with mezzanines off the main stairs. There is a multiple gabled elevation to the east. The historic setting of the locally listed building has been lost, with later 20th century development introduced to the south, east, and west. The existing Finsbury Tower building does not, at present, complement the locally listed building.'

12 Errol Street



10.166 The HTVIA provides an assessment of the impact of the proposed development on No, 12 Errol Street which is summarised as follows:

- No. 12 Errol Street that fronts Lamb's Buildings is located opposite the goods entrance and blank ground floor elevations of the existing Finsbury Tower building;
- Proposed development would replace an existing poor quality building with a new development that better reflects the historic urban form of the area and improves the character and appearance of the site and setting of the locally listed building, including through the reinstatement of a historic route through the Site from Errol Street to Bunhill Row;
- The proposed built form would respond positively to the existing mass and building frontages along Errol Street and Lamb's Buildings and would improve the setting of locally listed building with new and improved areas of public realm and enhanced permeability through the site.

10.167 It is considered that, whilst the increase in the height and massing would have a more overbearing impact on No. 12 Errol Street, there would be significant improvements to the

currently poor setting of this building at ground floor level. It is considered that overall the proposed development may deliver an improvement to the setting of this locally listed building.

Bunhill Fields/Finsbury Square Conservation Area

- 10.168 The site lies to the west of the Bunhill Fields/Finsbury Square Conservation Area which is primarily characterised by the open spaces of Bunhill Fields and the HAC Grounds which have been considered in the preceding part of this report. In terms of the overall impact on the character and appearance of the Bunhill Fields/Finsbury Square Conservation Area, the proposal would result in the redevelopment of an existing building which is quite highly visible from surrounding locations within the conservation area and is considered to have a detrimental impact for reasons previously identified. The increased height, bulk and massing of the building would result in a degree of harm to the character and appearance of the Conservation Area, including in terms of the impact upon Bunhill Fields, Armoury House, Finsbury Barracks 20 & 21-29 Bunhill Row and the HAC Grounds. The proposal would result in an improvement to the existing building in terms of the high quality of architecture proposed, improvements at street level including the introduction of active uses and a human scale to the building as well as more cohesive and permeable townscape that would result from the proposed public realm improvements. It is considered that, whilst there would be a degree of harm to the character and appearance of the conservation area which would occur primarily due to the impact upon Nos. 20 and 21-29 Bunhill Row and the HAC Grounds, this harm would be within the category of less than substantial.

St. Luke's Conservation Area

- 10.169 The application site relates to the southern part of the conservation area, which contains a range of commercial buildings along Whitecross Street and the 19th century Peabody housing estates. The existing Finsbury Tower building contrasts with the built form of the conservation area and represents an incongruous element on its south eastern boundary where it interrupts the historic urban grain. The building presents an unattractive frontage to Dufferin Street, Errol Street and Lamb's Buildings whilst the taller part of the building is visible from locations within this part of the conservation area. The proposed development would provide active frontages at ground floor level whilst the form of the building is designed to better align with the existing building lines along Dufferin Street and Errol Street. Furthermore, the proposed public realm improvements would provide improved permeability through the site and pedestrian connectivity between the conservation area and wider area. The proposed residential use would be in keeping with the character of the adjacent part of the conservation area. The proposed building would be more prominent than the existing building in the wider context but is considered to be of a high architectural quality and appropriate in terms of its materiality. It may therefore be considered that any harm to the character and appearance of the St. Luke's Conservation Area by reason of the increased height and prominence of the building will be limited.

Overall conclusion on impact on designated heritage impacts

- 10.170 The increase in the height, scale and mass of the proposed development results in a more prominent building, and the preceding section identifies varying degrees of harm to designated heritage assets. There will be some significant harm to the Grade II listed 20 & 21-29 Bunhill Row and some minor harm to Bunhill Fields Burial Ground (a Grade I listed Park and Garden), Grade II listed Finsbury Barracks, Grade II* listed Armoury House, the Bunhill Fields/Finsbury Square Conservation Area and the St. Luke's Conservation Area.

10.171 Substantial harm is a high test and is considered to represent harm that is destructive to the significance of a heritage asset. As indicated by the Planning Practice Guidance, it is a matter of judgement whether or not a proposal causes substantial harm or less than substantial harm, and indeed it is considered perfectly reasonable to conclude that within the parameters of the phrase 'less than substantial harm', some impacts can be more harmful than others. Having given consideration to the significance of the designated heritage assets it is considered that the overall harm to their significance does not amount to substantial harm, and is therefore considered to represent less than substantial harm, albeit the harm may be towards the higher end of less than substantial harm. In cases where the degree of harm is considered to be less than substantial, paragraph 134 of the NPPF is of relevance and this indicates that the harm should be weighed against the public benefits of the proposal. The public benefits include a significant uplift in employment on the site, 25 social rented affordable housing units, 1,000m² of affordable workspace at a peppercorn rent in perpetuity, and public realm improvements including new routes through the site. The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is that where harm is identified, that harm should be given considerable importance and weight in the planning balance. An overall assessment is carried out later in this report.

Density

10.172 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The development scheme proposes a total of 25 new residential dwellings.

10.173 In assessing the appropriate housing density for the application site it is necessary to consider the Density Matrix (Table 3.2) within 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.

10.174 The site has a public transport accessibility level (PTAL) of 6b (Excellent). Table 3.2 and London Plan Policy 3.4 suggests that a density level of 200-700 habitable rooms per hectare is appropriate in an urban location whilst 650-1100 habitable rooms per hectare is appropriate in a central location. Urban and central locations are defined as follows:

'Urban – areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys located within 800 metres walking distance of a District centre, or along main arterial routes.

Central – areas with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre.'

10.175 The mixed character of the surrounding area could be considered to possess characteristics of both of the above definitions.

10.176 The residential density has been calculated on the basis of the footprint of the residential building and some curtilage around the building to allow access to cycle and bin stores but

excluding highway land. The residential density of the site is 341 dwellings per hectare and 996 habitable rooms per hectare.

10.177 The residential density would therefore fall within the London Plan Density Matrix parameters for a central site but would exceed the density range for an urban site. However, it should be noted that the site has an excellent PTAL rating whilst the scheme is considered to represent an acceptable quantum of development from a design point of view. Accordingly, the proposed development is considered acceptable in density terms.

Overshadowing

10.178 The Daylight and Sunlight Report includes a Transient Overshadowing Assessment which models the additional overshadowing that will occur as a result of the proposed development on 21 March, 21 June and 21 December of each year.

10.179 The City of London's Open Space's Division have raised an objection that the proposal will overshadow Bunhill Fields, 'starving it of sunlight and daylight, greatly impacting upon its character and amenity and damaging the setting of the historic listed landscape'

10.180 The assessment demonstrates that on 21 March there will be additional overshadowing to Quaker Gardens at 11am as illustrated below. However, by 1pm the shadow will have moved east and will not return for the remainder of the day. There will be additional overshadowing to Bunhill Fields between 12pm-4pm with the shadow falling away between 4pm and 5pm. The overshadowing at 2pm is illustrated below. There will be no additional overshadowing to the HAC's playing field.

11am 21st March shadow (existing and proposed)



2pm 21st March shadow (existing and proposed)



10.181 The Report advises that, as the shadow is continuously moving with the path of the sun, the small quantum of additional shadow is not considered to be significant nor should it be perceptible. All three amenity areas will fully comply with the BRE Guidelines in relation to Sun Hours on Ground as they will achieve over two hours of direct sunlight to over 50% of their areas on the 21st March. The report therefore advises that there will be negligible overshadowing impact caused by the proposed development when considering the BRE's Sun Hours on Ground assessment.

10.182 The Assessment demonstrates that on 21st June there will be no additional overshadowing to Quaker Gardens or Bunhill Fields, due to the fact the sun is on a higher trajectory, and thus casts a small shadow. There will be no additional overshadowing to the HAC's playing field between the hours of 6am and 5pm, when the area is likely to be more heavily used in the summer months. There will be a small amount of additional overshadowing cast by the proposal to the HAC's playing field between approximately 5pm and 8pm. However, this shadow would be continuously moving and as such this area will not remain in the shadow cast by the proposal for a significant length of time. The Report advises that the increase in shadow at the HAC's playing field is unlikely to be noticeable.

2pm 21 June shadow (existing and proposed)

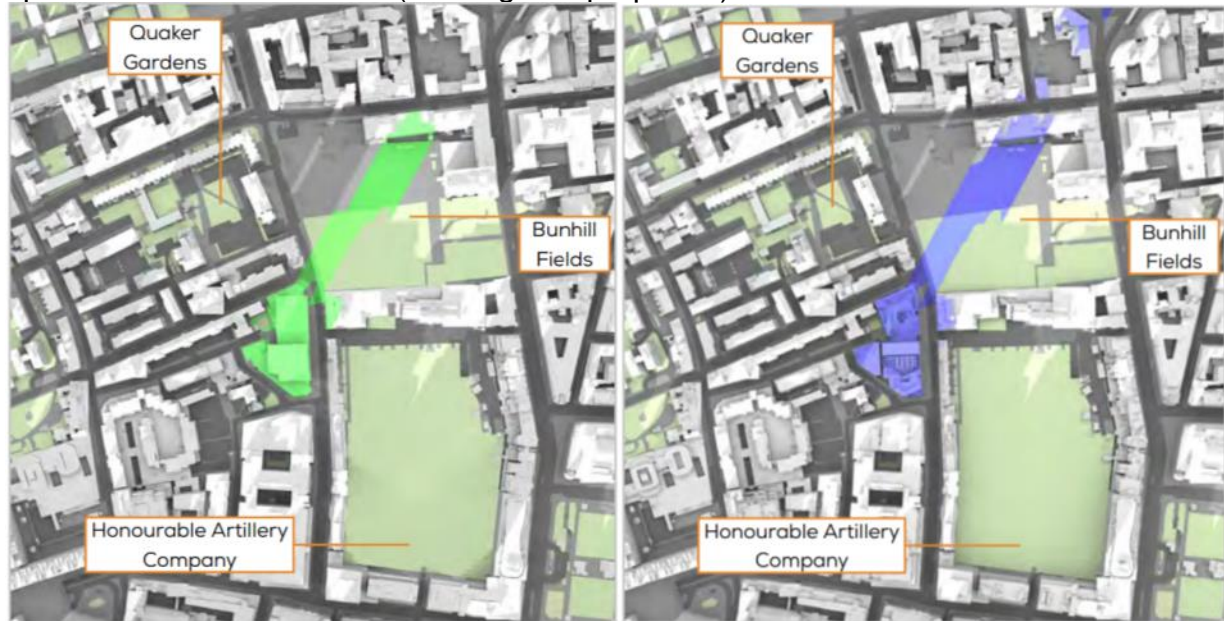


6pm 21 June shadow (existing and proposed)



10.183 On the 21st of December there will be no additional overshadowing to Quaker Gardens, as the existing buildings will already cause overshadowing to the amenity areas. This is also the case for Bunhill Fields, where there will be no additional overshadowing. There will also be no impact upon the HAC's playing field on the 21st of December. The proposal therefore will not cause an additional impact to the amenity areas on the 21st December in relation to overshadowing.

2pm 21 December shadow (existing and proposed)



10.184 It is noted that the most significant increase in overshadowing is identified under the 21 March assessment and that there is likely to be negligible additional impact during the summer months when these amenity areas are likely to be more intensively used. It is noted that where additional overshadowing does occur it will quickly diminish as the sun transits on its south-westerly trajectory.

10.185 It should be noted that as well as the amenity impacts upon Bunhill Fields and the HAC Grounds, consideration should be given to the impact of the additional overshadowing on the setting of the adjacent designated heritage assets. In view of the extent and duration of the additional overshadowing it is considered that any impact upon the setting of the adjacent designated heritage assets will be negligible.

10.186 It is considered that it has been satisfactorily demonstrated that the additional overshadowing that will occur as a result of the proposed development would not result in significant harm in planning terms both in respect of amenity and heritage setting.

Accessibility

10.187 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, ensuring that developments can be used safely, easily and with dignity by all regardless of disability, age gender ethnicity or economic circumstances.

10.188 London Plan Policy 3.8 states there should be genuine housing choice which meets requirements for different sizes and types of dwellings in the highest quality environments. These requirements are reinforced by Islington Core Strategy CS12 and the Accessible Housing SPD.

10.189 Development Management Policy DM2.2 requires all new developments to demonstrate inclusive design whilst Policy DM3.4 provides housing standards for all types of residential

developments. The Council's Inclusive Design SPD sets out guidelines for the appropriate design and layout of dwellings, including wheelchair accessible units.

- 10.190 The recent Housing Standards Review was followed by a Deregulation Bill on 16 March 2015 which was implemented on 1 October 2015. The Bill introduced a new National Standard for Housing Design as an enhancement of Part M of the Building Regulations which will be enforced by Building Control or an Approved Inspector. The new National Standard is broken down into 3 categories: Category 1 (Visitable Dwellings), Category 2 (Accessible and Adaptable Dwellings, similar to Lifetime Homes) and Category 3 (Wheelchair Accessible dwellings, similar to Islington's present wheelchair accessible housing standard).
- 10.191 The GLA have introduced a Minor Alterations to the London Plan which reframes London Plan Policy 3.8 (Housing Choice) to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London.
- 10.192 Two of the apartments (10%) are designed to be adaptable for wheelchair users (meeting Approved Document Part M, Category 3), located on the ground floor. The other 23 apartments are designed to Approved Document Part M, Category 2 – Accessible and Adaptable.
- 10.193 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. It is recommended that these measures would be secured by planning condition (no. 40) to ensure that the proposed development is genuinely accessible and inclusive.
- 10.194 The applicants have provided satisfactory responses to address various technical matters regarding accessibility, including in relation to emergency evacuation and the specification of the wheelchair units.
- 10.195 The Council's Accessibility Officer has raised concerns regarding accessibility to the site given that the nearest bus stop is 640m from the site. A reasonable walking distance for an ambulant disabled person or a wheelchair user is between 50m and 150m. The applicants have amended the proposals to include an additional disabled car parking space to the front of the commercial building on Bunhill Row. It is considered that this represents a satisfactory response.
- 10.196 The Council's Accessibility Officer has raised no specific objections to the proposal and it is considered that outstanding accessibility matters can be satisfactorily addressed through conditions 25, 37, 39 and 40.

Landscaping, Trees and Ecology

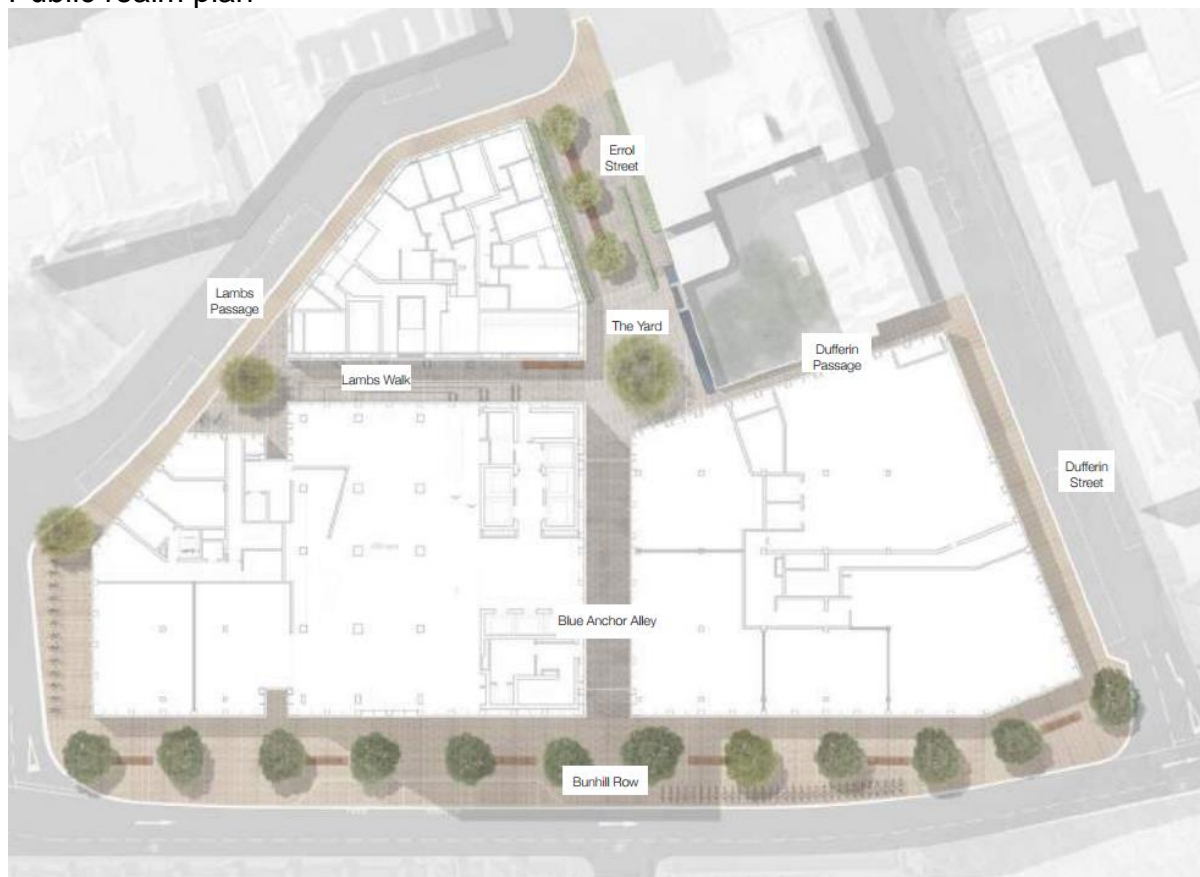
- 10.197 London Plan Policy 7.21 states that existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.

10.198 Islington's Core Strategy identifies the importance of trees and open spaces in the borough with Policy CS15 "protecting all existing local open spaces, including open spaces of heritage value, as well as incidental green space, trees and private gardens".

10.199 Moreover, Islington Development Management Policy DM6.5 maintains that new developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of a development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitat and support the council's Biodiversity Action Plan.

10.200 Public realm improvements are proposed, including landscaped areas which are intended to offer places to dwell and relax and for outside eating whilst providing visual interest as well as defensible spaces to existing and proposed residential uses. New pedestrian routes are proposed to enhance permeability and connectivity in the area. Semi-mature tree planting is proposed around the buildings, including along Bunhill Row, which is intended to introduce a human scale to the development whilst improving the setting of the building and its surroundings. New Yorkstone and granite paving is proposed to unite the network of external spaces and routes. The public realm hard and soft landscaping is indicated on the following plan.

Public realm plan



10.201 The proposal involves the removal of several existing trees around the site. The Council's Trees Officer has reviewed the proposals and advises that there are no objections in

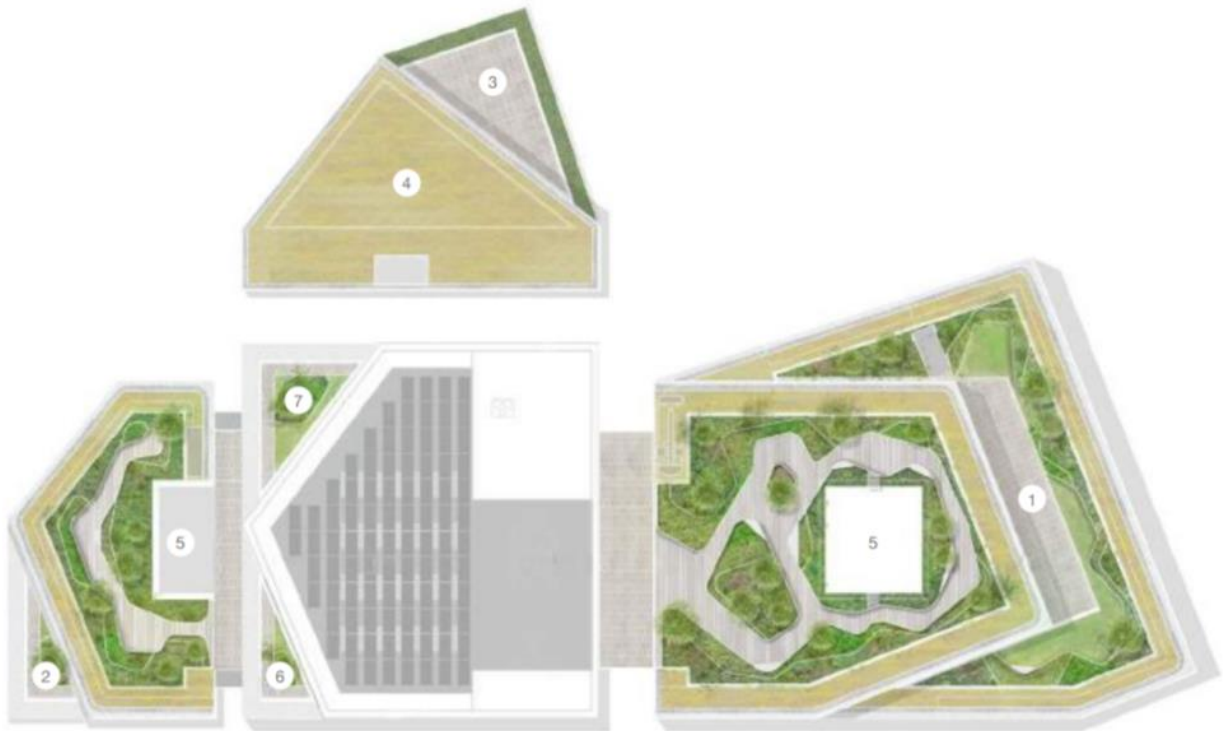
principle to the tree removal and landscaping proposals, subject to adequate mitigation of any tree removal.

10.202 Doorstep play for the under 5s is accommodated within the public realm spaces in the form of playable landscape features includes stone blocks to provide a series of climbable objects and stepping stones, whilst a water feature running along the northern boundary wall would also provide some play opportunities .

10.203 TfL have commented that the pedestrian routes through the site should be open on a 24 hour basis, whilst an objection has been received from a local resident that the proposed public realm could result in increased anti-social behaviour. It is proposed that the pedestrian route through the covered arcade is closed outside of the proposed hours of operation for the retail uses (7am-12am) and it is acknowledged that this may be preferable from a management point of view. It is proposed that the provision of the pedestrian routes through the site be secured through the Section 106 agreement.

10.204 Roof gardens will be provided on the commercial building at levels 4 and 7 to provide break out space for office workers whilst smaller, accessible picture gardens will be provided at levels 4, 16 and 26. The roof gardens and picture gardens will feature a mixture of trees, shrubs, vertical greening, grasses and hedges / topiary. The roof level landscaping is indicated on the following plan.

Roof Gardens and Picture Gardens



10.205 The application suggests that nesting boxes could be incorporated into the building and it is recommended that these be secured by condition. The proposed details of landscaping, tree planting and ecology are considered acceptable subject to further details to be secured by condition (nos. 4, 5, 8, 12 and 41).

Bunhill Fields SINC

10.206 Bunhill Fields is a Borough grade 2 Site of Interest for Nature Conservation (SINC). Policy DM6.3C states that:

‘Planning permission will not be given for any schemes which adversely affect designated SINC of Metropolitan or Borough Grade 1 Importance. SINC of Borough Grade II and Local Importance, and any other site of significant biodiversity value, will also be strongly protected.’

10.207 The subtext at paragraph 6.28 identifies that Sites of Borough Grade II and Local Importance are of ecological value, and also of value to local communities, and are therefore afforded strong protection.

10.208 The reasons for designation of the SINC are as follows:

‘A Nonconformist cemetery of great historical interest, where the 17th century writers Daniel Defoe ('Gulliver's Travels') and John Bunyan ('Pilgrim's Progress') are both buried, along with poet and visionary William Blake. Today the burial ground has an open woodland ambience, with many mature London plane (*Platanus x hispanica*), lime (*Tilia* spp.) and horse-chestnut (*Aesculus hippocastanum*) trees, making it a popular leafy retreat with lunchtime picnickers from local offices. The moist conditions and funerary stonework encourage a lush growth of mosses and lichens, and several unusual species have been recorded. Bunhill Fields won a Green Flag Award for the first time in 2009/10.’

10.209 The ‘Discussion of Current Value’ within the Islington Habitat Survey (March 2011) notes that ‘Habitat mosaic remains. There is much potential for enhancement/planting of woodland ground flora species.’

10.210 The City of London Open Spaces Division have raised concerns that the overshadowing of Bunhill Fields would adversely affect the ecological value of the SINC and that one of the main reasons Bunhill Fields is designated as a SINC is its varied wildflower understory which relies upon the dappled sun received.

10.211 It is noted that the presence of wildflowers does not appear to be a reason for designation of the SINC. The applicant’s ecologist has provided a response which notes that:

‘Bunhill Fields SINC is designated for its mature London plane, lime and horse-chestnut (*Aesculus hippocastanum*) trees. These are urban trees, tolerant of shading from surrounding buildings.

The site is also designated for the moist conditions and funerary stonework which encourage a lush growth of mosses and lichens, and several unusual species have been recorded. These plants are shade-tolerant, for example wall screw-moss (*Tortula muralis*) and capillary thread-moss (*Bryum capillare*) and require shade to maintain this component of the site flora. These and other species have been encouraged at the site for some time (Waite & Archer, 1992). None of the species recorded on the site (AECOM, 2016; Greenspace Information for Greater London, 2016; City of London, 2017) is shade intolerant.

According to the transient overshadowing analysis report (GIA, 2017), there is no area that will have constant additional shadow throughout the day. The burial ground will receive five hours of direct sunlight in February, March and April and current summer light levels will not change. Therefore, it is considered that the Proposed Development will have no effect on the existing wildflower understory, which is reliant on the current conditions.

Based on the fact that the site is designated for shade tolerant species, and assuming conservation objectives are to encourage further shade tolerant species, for example to restore the wooded area of the burial ground, there will not be a significant adverse impact on the ecology of Bunhill Fields SINC.'

10.212 In view of the extent of overshadowing and the ecological advice provided it is considered that the proposal would not result in any adverse impacts to the SINC. The proposal is considered acceptable in terms of ecology.

Neighbouring Amenity

10.213 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan policy 7.6 identifies that buildings should not cause unacceptable harm to the amenity of in particular, residential buildings in respect of matters including privacy and overshadowing. Policy DM2.1 of the Development Management Policies Document 2013 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.

10.214 Daylight and Sunlight: 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.

10.215 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).

10.216 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.

10.217 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.

10.218 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.

10.219 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.

10.220 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.

10.221 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.

10.222 The Report notes that the BRE Guidelines are predicated upon a suburban development model and the 'ideal' baseline target values they set out are based upon a suburban situation i.e. the level of light that would be expected in a situation with two storey dwellings facing one another across a reasonable width road.

10.223 Paragraph 1.3.45-46 of the Mayor of London's Housing SPD states that:

'Policy 7.6Bd requires new development to avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing and where tall buildings are proposed. An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative

targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.

The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.'

10.224 In response to the guidance within the SPD the Daylight and Sunlight Report includes a study of comparable residential typologies whereby seven residential sites were chosen across London to demonstrate more typical VSC levels to dwellings within a dense urban environment. The study demonstrates that the average VSC levels to dwellings within the assessed properties were generally substantially lower than the BRE recommended level of 27%, and the VSC levels to dwellings on lower floors were generally very low. The Daylight and Sunlight Report makes reference to the results of this study in assessing the daylight and sunlight impact of the proposed development. It is not proposed to benchmark the impact of the proposed development against the results of this study within this report, although its conclusions are noted.

21-29 Bunhill Row

10.225 The Daylight and Sunlight Report which accompanied the application was based upon limited information regarding the layouts of Nos. 21-29 Bunhill Row. The applicant has subsequently submitted further information based upon an internal survey of these properties.

10.226 The survey has established that the accommodation facing the application site includes kitchens which all have a total area of less than 13m². Paragraph 1.3.19 of the Mayor of London's Housing SPG states that:

'In some circumstances, a large kitchen or kitchen dining room may be counted as a habitable room, but the approach varies between boroughs. There is no statutory definition for kitchens to be counted as a habitable room, nor is there any statutory size threshold. Many boroughs, however, include a figure of between 13 and 15 square meters in LDFs: any kitchen above that minimum is usually counted as a habitable room. Generally, a kitchen with a small table and chairs in one corner, or a kitchen 'bar', would not be counted as a habitable room. A room with a clearly defined kitchen at one end and a clearly defined dining area at the other (with a dining table and chairs) would be counted as a habitable room.'

10.227 No. 21 Bunhill Row comprises three flats and ground floor office whilst Nos. 23-27 Bunhill Row are in residential use and No. 29 Bunhill Row comprises a commercial use on the basement to second floors with a flat at third floor level. The dwellings are relatively uniform in their layout in as far as the habitable accommodation facing the application site generally comprises a small bedroom and a small kitchen (typically around 5m²) whilst the main bedrooms and living rooms face onto the open HAC Playing Fields and will be unaffected by the proposed development. The report notes that, in view of the size of the kitchens, they may be too small to be considered as habitable accommodation and would

be unlikely to be regularly used for long periods during the day. The report also notes that bedrooms are considered to be a less sensitive in relation to daylight and sunlight.

- 10.228 The analysis establishes that the basement flats typically experience significant reductions in daylight and sunlight. However, it should be noted that the existing daylight and sunlight amenity within these units is likely to be particularly poor by reason of the window arrangements. The flats are served by pavement lights and pavement level windows typically covered by a mesh grille, as indicated in the photograph below. In view of these window arrangements any further impact on the daylight and sunlight amenity of these basement flats may not be accurately represented by the BRE methods of assessment.

Typical basement window at No. 25 Bunhill Row



21 Bunhill Row

- 10.229 It is understood that the basement, first, second and third floor of this property are in residential use and the ground floor is a commercial office.
- 10.230 Flat 1 is located in the basement and comprises seven rooms. Two bathrooms and one 8m² kitchen face the site. The kitchen will experience a 43% reduction in VSC and a 56% reduction in daylight distribution. The kitchen would experience a reduction in winter APSH from 3% to 2% and would retain an annual APSH of 22%, which is marginally below the 25% suggested in the BRE Guidelines.
- 10.231 Flat 3 is located on the first floor of the building and comprises five rooms. A bathroom, a 5m² kitchen and a bedroom face onto the application site. The bedroom will experience a 37% reduction in VSC and a 33% reduction in daylight distribution. The kitchen would experience a reduction in VSC of 32% and a reduction in daylight distribution of 24%.
- 10.232 The bedroom would experience a reduction in winter APSH from 6% to 4% which is marginally below the 5% suggested within the BRE Guidelines. However, the room would

retain an annual APSH of 28% which exceeds the 25% suggested within the BRE Guidelines.

10.233 Flat 4 is split over the second and third floors and comprises six rooms. Four windows face the application site, two of which serve bathrooms and two of which serve a kitchen-dining room. The two windows will experience reductions in VSC of 34% and 29% but the room will achieve BRE compliance in terms of daylight distribution. The room will meet the BRE Guidelines for sunlight.

23 Bunhill Row

10.234 The building is in residential use and comprises four flats on the basement to second floors.

10.235 Flat 7 is located on the basement and comprises five rooms. Two windows face the application site and these serve a kitchen (approximately 9m²) and a non-habitable room. The kitchen will experience a 44% reduction in VSC and a 72% reduction in daylight distribution. The existing level of VSC is 13% therefore the room is particularly sensitive to an increase in mass on the development site.

10.236 The kitchen will experience a reduction in winter APSH from 5% to 4% but would retain an annual APSH of 21%, compared to the BRE recommended 25%.

10.237 Flat 8 is located on the ground floor and comprises five rooms. Three windows look onto the application site and these serve a 4.75m² kitchen, a bedroom and a bathroom. The kitchen will experience a 45% reduction in VSC and a 38% reduction in daylight distribution.

10.238 The bedroom will experience a 44% reduction in VSC and a 49% reduction in NSL which would represent a very notable loss of daylight according to the BRE Guidelines. The retained levels of VSC for these windows would be between 8.1% and 8.5%, which are not considered unusual for ground floor accommodation within a densely built up urban environment.

10.239 The kitchen and bedroom would experience a reduction in winter APSH from 5% to 4% but would retain Annual APSH of 22% and 23% respectively compared to the BRE recommended 25%. The sunlight impact of the proposed development can be considered acceptable.

10.240 Flat 9 is located on the first floor and comprises five rooms. Two rooms face onto the application site and serve a 4.86m² kitchen and a bedroom. The bedroom will experience a 41% reduction in VSC and a 50% reduction in NSL whilst the kitchen will experience a 42% reduction in VSC and a 42% reduction in NSL.

10.241 Flat 10 is located on the second floor and comprises 5 rooms. Three rooms face onto the application site and serve a 4.92m² kitchen, a bedroom and a bathroom. The bedroom will experience a 39% reduction in VSC and a 58% reduction in NSL whilst the kitchen will experience a 39% reduction in VSC and a 47% reduction in NSL.

10.242 The kitchen will achieve BRE compliance in terms of APSH whilst the bedroom will achieve 7% winter APSH, which is above of the BRE criteria, whilst the retained annual APSH will be 24%, marginally below the suggested BRE Guidance.

25 Bunhill Row

10.243 This property is in residential use and comprises four flats located between the basement and second floor.

10.244 Flat 11 is located at basement level and comprises 5 rooms. Two windows face the application site and serve a bedroom and a bathroom. The bedroom window will experience a 34% reduction in VSC and a 55% reduction in daylight distribution. The existing VSC is low at 9% and is therefore particularly sensitive to an increase in mass on the application site, which will result in a reduction to 5.9%. There will be no change in winter APSH and the bedroom will retain an annual APSH of 16%.

10.245 Flat 12 is located on the ground floor and comprises five rooms. A bedroom and a 5m² kitchen window face the application site. The bedroom window will experience a 34% reduction in VSC and a 33% reduction in daylight distribution whilst the kitchen will experience a 36% reduction in VSC and a 34% reduction in daylight distribution. The existing VSC and NSL levels are low which means that the windows and rooms are particularly sensitive to the increased massing of the proposed building.

10.246 Both rooms will meet the BRE Guidelines in terms of winter APSH and the bedroom will experience a reduction in annual APSH from 23% to 18% whilst the kitchen will experience a reduction from 24% to 17%.

10.247 Flat 13 is located on the first floor and comprises five rooms. Three windows face the application site and serve a 4.84m² kitchen, a bathroom and an assumed bedroom. The bedroom and kitchen windows would both experience a reduction in VSC of 37% whilst the bedroom will experience a 31% reduction in NSL and the kitchen will experience a reduction of 30%. Both rooms will achieve BRE compliance in terms of winter APSH and both rooms will retain an annual APSH of 19%.

10.248 Flat 14 is located on the second floor and comprises five rooms. Three windows face the application site and serve a 4.88m² kitchen, a bathroom and a bedroom. The bedroom and kitchen windows would both experience reductions in VSC of 37% whilst the bedroom will experience a 41% reduction in NSL and the kitchen will experience a 42% reduction. Both rooms will achieve BRE compliance in terms of winter APSH and the bedroom and kitchen will retain annual APSH of 19% and 20%.

27 Bunhill Row

10.249 This property is in residential use and comprises 5 flats arranged between the basement and third floor.

10.250 Flat 15 is located at basement level and comprises 5 rooms. Two windows serve the application site and serve a bathroom and a 9.77m² kitchen. The kitchen will experience a 37% reduction in VSC and a 44% reduction in NSL. There will be a reduction in winter APSH from 5% to 3% and a reduction in annual APSH from 16% to 13%.

- 10.251 Flat 16 is located on the ground floor and comprises five rooms. Three windows face the application site and serve a bathroom, a bedroom and a 4.75m² kitchen. The bedroom will experience a 39% reduction in VSC and a 40% reduction in daylight distribution whilst the kitchen will experience a 37% reduction in VSC and a 40% reduction in daylight distribution. The existing VSC levels are low and therefore the windows are particularly sensitive to the increased massing of the proposed development. Both rooms will achieve BRE compliance in relation to sunlight.
- 10.252 Flat 17 is located on the first floor and comprises five rooms. Two windows face the application site and serve a bedroom and a 4.84m² kitchen. The bedroom will experience a 41% reduction in VSC and a 48% reduction in NSL whilst the kitchen will experience a 40% reduction in VSC and a 43% reduction in NSL. Both rooms will meet the BRE Guidelines in terms of sunlight.
- 10.253 Flat 18 is located on the second floor and comprises five rooms. A 4.81m² kitchen and an assumed bedroom window face the application site. The bedroom will experience a 45% reduction in VSC and a 56% reduction in NSL whilst the kitchen will experience a 43% reduction in VSC and a 51% reduction in NSL. Both rooms will achieve BRE compliance in terms of sunlight.
- 10.254 Flat 19 is located on the third floor and comprises five rooms. Two windows face the application site and serve a 4.98m² kitchen and a bedroom. The bedroom will experience a 44% reduction in VSC and a 56% reduction in daylight distribution whilst the kitchen will experience a 42% reduction in VSC and a 49% reduction in daylight distribution.
- 10.255 There is a flat at the third floor level of 29 Bunhill Row and a bedroom window faces the application site. The surveyors were advised on site that the room is not currently in use. The room will experience a 47% reduction in VSC and a 64% reduction in NSL. The room will achieve BRE compliance in terms of sunlight.

Conclusion (21-29 Bunhill Row)

- 10.256 The analysis identifies that there will be some significant loss of daylight and some notable loss of sunlight at dwellings within 21-29 Bunhill Row. However, the survey has established that the accommodation facing the application site generally includes small kitchens. These kitchens may not be considered habitable accommodation, would be unlikely to be used as 'sit in' accommodation and may not be used regularly for long periods during the daytime. Most of the flats include secondary bedrooms facing the application site and the BRE Guidance indicates that bedrooms are considered less sensitive with regards to daylight and sunlight. Each flat includes a living room and main bedroom which look out onto the open HAC Grounds and will be well lit. These rooms are likely to be the main living areas for the occupants of these dwellings and the occupants of these flats would therefore continue to benefit from an overall reasonable level of daylight and sunlight amenity.
- 10.257 The loss of daylight and sunlight to these dwellings primarily arises as a result of the increased height of the podium. It is noted that the height and scale of the proposed podium will be broadly consistent with the scale of development to the south on Bunhill Row. It can therefore be noted that the daylight and sunlight impacts from the increased height of the podium can be considered the result of the introduction of a scale of development which is generally consistent with the surrounding urban context.

10.258 In view of the above it is considered that the proposed development would not result in an unduly harmful impact upon the daylight and sunlight amenities of the occupants of residential dwellings within Nos. 21-29 Bunhill Row.

102 Bunhill Row

10.259 The report notes that the ground and first floor accommodation appear to be in use as part of the Artillery Arms public house and therefore do not require analysis according to BRE Guidelines. The report identifies that there is residential accommodation at second floor level. All of the windows assessed will achieve full compliance in relation to the VSC and NSL assessment.

10.260 In terms of sunlight, two rooms will meet the BRE Guidelines for winter and annual APSH and one room will experience a reduction in winter APSH from 5% to 3%. However, this room will retain 27% annual APSH.

19-20 Dufferin Street

10.261 Twelve windows serving four habitable rooms were assessed for VSC and NSL and it was found that nine would fully comply with BRE Guidelines for VSC. Three windows serving a first floor living room would experience a reduction in sky visibility marginally below BRE Guidelines. However, there are two further mitigating windows which achieve full BRE compliance whilst the room would meet the BRE's NSL criteria.

10.262 All four rooms will meet the BRE guidelines for both winter and annual APSH.

Block A & B Peabody Estate

10.263 69 of the 70 windows assessed would experience a reduction in sky visibility greater than 20%, although in the majority of cases the reduction would be below 30%. Fifteen windows would experience a reduction in VSC between 30.1% and 39.0%. These windows would retain levels of sky visibility between 12% and 24%, which may be considered reasonable within a built up urban environment.

10.264 50 rooms were assessed for NSL and 32 of these would fall below the suggested BRE Guidelines for daylight distribution. Twelve rooms will experience a reduction in NSL of between 20% and 30% and eleven rooms will experience reductions of between 30% and 40% whilst a further six would experience a reduction of between 40% and 50%. The report does not identify the uses of these rooms. Three windows would experience a loss of daylight distribution of over 50% and of these the highest loss would be 61%. The report notes that the retained levels of daylight distribution for the majority of the rooms would be between 53% and 77%, which is common in built up urban locations.

10.265 39 of the 50 rooms would fully comply with the BRE Guidelines in relation to the sunlight criteria. Eleven rooms would experience a reduction in winter APSH of greater than the suggested 20%. 4 rooms experience a reduction in APSH from between 7% and 12% to 4% and 1 room would experience a reduction from 8% to 3%. Three rooms would experience a reduction in APSH from between 5% and 10% to 2%. One room would experience a reduction from 3% to 1% and a further two rooms would experience a reduction from 2% to 1%. However, all of these rooms would retain annual APSH of between 34% and 47% which is considered reasonable sunlight in view of the BRE Guidelines which suggest that 25% APSH should be achieved.

1-56 Dufferin Court

10.266 The Daylight and Sunlight Report which accompanied the application was based upon limited information regarding the layouts of dwellings within 1-56 Dufferin Court. The applicant has subsequently submitted further information based upon actual layouts of the flats.

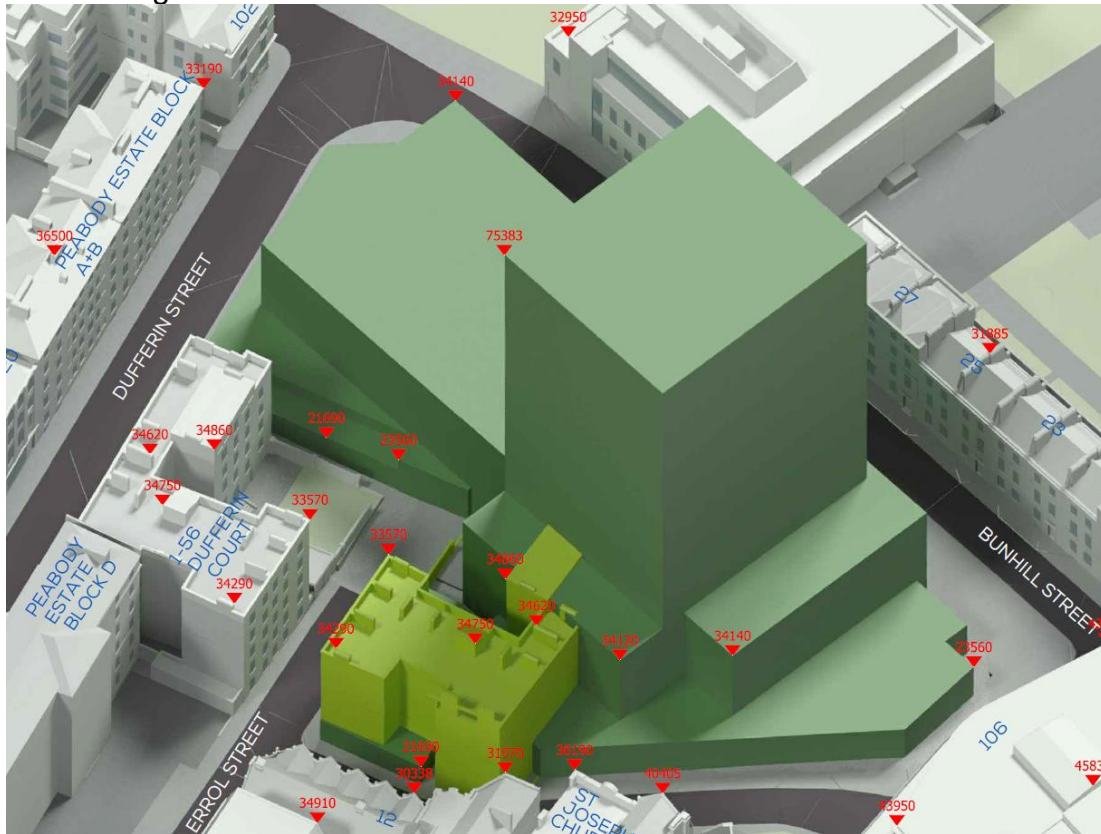
10.267 The rear of 1-56 Dufferin Court currently faces onto a low rise plant enclosure and therefore some of the rooms experience high levels of daylight and sunlight given the urban context of the site. The proposal involves the introduction of a part 5, part 6 storey residential block on the site of the low rise enclosure which results in some significant daylight and sunlight impacts upon the occupants of 1-56 Dufferin Court, in part due to the unusually high levels of daylight and sunlight currently received by some of these dwellings.

Low rise plant enclosure opposite rear of 1-56 Dufferin Court



10.268 The surveyors have modelled a 'mirror image' building which replicates the Dufferin Court Building as if the Peabody Estate was extended over the application site. It is suggested that this approach may be considered to illustrate the impact of the redevelopment of the site on the basis of a more reasonable baseline scenario in the context of an urban environment.

Mirror Image Model



- 10.269 Flat 10 is located on the ground floor and includes three rooms, two of which are in habitable use. A kitchen and a living room/bedroom face the application site and the kitchen would experience a 63% reduction in VSC whilst the living room/bedroom would experience a 66% reduction. The retained levels of VSC would be 7% for the kitchen and 6% for the living area, which may not be considered unusual for ground floor accommodation in a built up urban area. The kitchen would experience an 80% reduction in daylight distribution whilst the living area would experience an 88% reduction in daylight distribution.
- 10.270 The kitchen would experience a 75% loss of winter ASPH and a 47% loss of annual APSH whilst the living area would experience an 86% loss of winter ASPH and a 58% loss of annual APSH. The kitchen would retain 3% winter APSH and 23% annual APSH whilst the living area would retain 2% winter APSH and 19% annual APSH. The BRE Guidelines suggest 5% winter APSH and 25% annual APSH represent acceptable levels of sunlight. It may therefore be considered that the substantial loss of sunlight is due to the unusually high level of sunlight currently received by these rooms.
- 10.271 The proposed development in demonstrated to be BRE compliant with regards to daylight and sunlight under the mirror massing scenario. It is therefore the case that the property currently receives unusually high levels of daylight and sunlight due to the low rise structures currently in place on the application site. However, it can be acknowledged that the property will experience a harmful loss of daylight and sunlight.
- 10.272 Flat 11 is located on the ground floor and comprises four rooms. A bedroom and a living room face the application site. The bedroom and living room will experience a 53% and a 42% reduction in VSC respectively, and will retain 9.4% and 11.7% VSC. The bedroom

will experience a 73% reduction in daylight distribution whilst the living room will experience a 43% reduction.

- 10.273 The bedroom will experience a 36% reduction in winter ASPH and a 33% reduction in annual APSH whilst the living room will experience a 45% reduction in winter ASPH and a 33% reduction in annual APSH. The bedroom will retain 6% winter APSH and winter APSH and 29% annual APSH whilst the living room will retain 7% winter APSH and 31% annual APSH. It is therefore the case that, although there will be a significant loss of sunlight, the rooms would achieve BRE compliance following the proposed development.
- 10.274 The proposed development is demonstrated to be BRE compliant following the proposed development under the mirror massing scenario.
- 10.275 Flat 13 is located on the first floor and comprises five rooms, four of which are in habitable use (two bedrooms, a living room and a kitchen) and which are each served by one window. The two bedrooms will experience a 35% and a 41% reduction in VSC whilst the living room will experience a 59% reduction and the kitchen will experience a 57% reduction. The retained VSC would be 7.6% and 9.3% for the bedrooms, 8.2% for the living room and 9.1% for the kitchen.
- 10.276 The bedrooms will experience 49% and 50% reductions in daylight distribution whilst the living room will experience an 80% reduction and the kitchen will experience a 67% reduction. The mirror massing scenario would demonstrate BRE Compliance in terms of NSL.
- 10.277 The kitchen and living room are relevant for sunlight analysis. The kitchen will experience a 78% reduction in winter APSH and a 46% reduction in annual APSH whilst the living room will experience an 81% reduction in winter APSH and a 50% reduction in annual APSH. The kitchen will retain 4% winter APSH and 28% annual APSH whilst the living room will retain 3% winter APSH and 25% annual APSH. Whilst this property would experience a significant loss of sunlight, the BRE Guidelines suggest 5% winter APSH and 25% annual APSH represent acceptable levels of sunlight and the retained levels of sunlight may therefore be considered acceptable in view of the built up urban context.
- 10.278 Flat 14 is located on the first floor and comprises four rooms, two of which face the site, a living room and a bedroom. The living room would experience a 37% reduction in VSC and would retain 14.2% VSC, whilst the bedroom would experience a 48% reduction and would retain 11.7%. In terms of daylight distribution, the living room would experience a 38% reduction in NSL and the bedroom would experience a 68% reduction.
- 10.279 The living room would experience a 38% reduction in winter APSH and a 30% reduction in annual APSH whilst the bedroom would experience a 47% reduction in winter APSH and a 33% reduction in annual APSH. However, the retained levels of sunlight would exceed the BRE Guidelines.
- 10.280 The mirror massing scenario demonstrates that the proposal would result in a BRE compliant impact in terms of daylight and sunlight.
- 10.281 Flat 16 is located on the first floor and includes a living room which has an oblique view of the site. The room would experience a reduction in VSC from 4.3% to 2.1% and a 48%

reduction in NSL. The room does not require assessment for sunlight due to its orientation. The report notes that the transgression of the BRE Guidance is due to the low levels of light in the existing situation.

- 10.282 Flat 3 is located on the first floor and includes three rooms, one of which is a living room/bedroom and faces the site. The room would experience a reduction in VSC of 43% and a reduction in NSL of 36%. There would be a 60% reduction in winter APSH and a 48% reduction in annual APSH and the room would retain 2% winter APSH and 11% annual APSH. Accordingly, there will be a significant loss of sunlight to this room.
- 10.283 Flat 2 is located on the first floor and includes five rooms of which one bedroom and a living room face the site. The bedroom would experience a 41% reduction in VSC and would retain 9.1% VSC whilst the living room would experience a 42% reduction in VSC and would retain 8.9%. The bedroom would experience a 44% reduction in NSL and the living room would experience a 31% reduction. Both rooms would experience a 56% reduction in winter APSH and the bedroom would experience a 32% reduction in annual APSH whilst the living room would experience a 24% reduction. The retained level of winter APSH for both rooms would be 4% whilst the bedroom would retain 21% annual APSH and the living room would retain 25%.
- 10.284 Flat 18 is located on the second floor and comprises four rooms, two of which face the application site. A living room will experience a 32% reduction in VSC, retaining 16.7% VSC, whilst a bedroom will experience a 40% reduction in VSC, retaining 14.3% VSC. The bedroom will experience a 27% reduction in daylight distribution whilst the living room will experience a 56% reduction. It is noted that bedrooms are considered less sensitive in terms of daylight. The mirror massing scenario demonstrates that the proposed development would be BRE compliant in terms of daylight and sunlight.
- 10.285 Flat 17 is located on the second floor and comprises five rooms, four of which are habitable rooms and face the site. Two bedrooms would experience reductions in VSC of 31% and 38% and would retain 10.0% and 12.2% VSC. The kitchen would experience a 48% reduction in VSC and the living room would experience a 50% reduction, retaining 11.7% and 10.8% VSC. The bedrooms would experience a reduction in NSL of 27% and 39% whilst the kitchen would experience a 48% reduction and the living room would experience a 67% reduction.
- 10.286 The kitchen and living room are relevant for sunlight analysis. The kitchen will experience a 70% reduction in winter APSH and a 38% reduction in annual APSH whilst the living room will experience a 75% reduction in winter APSH and a 42% reduction in annual APSH. The kitchen will retain 6% winter APSH and 34% whilst the living room will retain 5% winter APSH and 32% annual APSH. The retained sunlight would therefore be in accordance with the BRE Guidelines. The mirror image scenario demonstrates that there would be no perceptible difference in terms of the impact on sunlight of the proposed development.
- 10.287 Flat 20 is located on the second floor and includes a living room which has an oblique view of the site. The room would experience a reduction in VSC from 5.5% to 3.1% and a 41% reduction in NSL. The room does not require assessment for sunlight due to its orientation. The report notes that the transgression of the BRE Guidance in terms of VSC is due to the low levels of light in the existing situation.

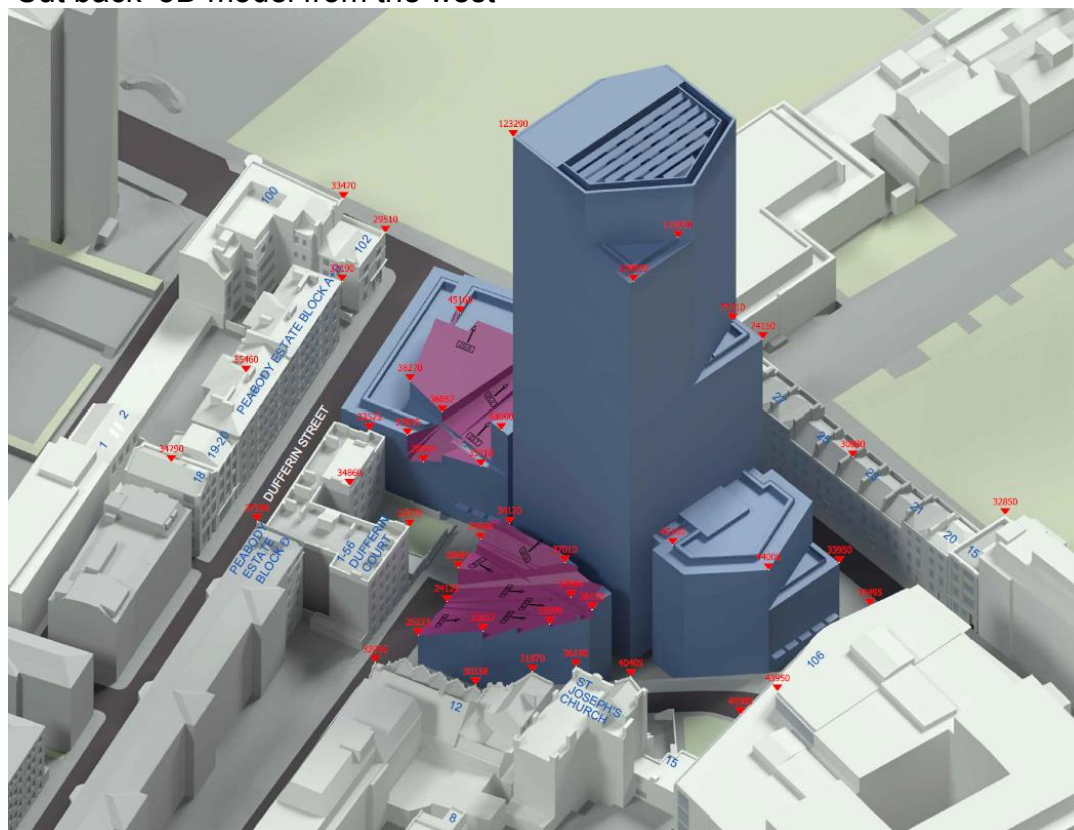
- 10.288 Flat 5 is located on the second floor and comprises three rooms of which a living room faces the site. The living room is served by two windows which have VSC values of 16.3% and 4.4 % and which would experience a reduction to 10.3% and 4.3% following the proposed development. The room would experience a reduction in NSL of 26%.
- 10.289 One of the windows would experience a reduction in winter APSH from 1% to nil and in annual APSH from 13% to 10%. The second window would experience a reduction in winter APSH from 6% to 2% whereas the annual APSH would be reduced from 33% to 18%.
- 10.290 Flat 4 is located on the second floor and includes five rooms of which a bedroom and a living room face the site. The bedroom window will experience a 38% reduction in VSC whilst the living room window will experience a 39% reduction and these windows will retain 11.4% and 11% VSC respectively. The bedroom will experience a reduction in daylight distribution of 35% whilst the living room will experience a reduction of 29%. The retained levels of sunlight for this flat would be in accordance with the BRE Guidelines.
- 10.291 Flat 22 is located on the third floor and includes four habitable rooms, of which a bedroom and a living room face the site. The bedroom would experience a reduction in VSC of 30% and the living room would experience a reduction of 24% which can be considered reasonable in a built up urban context. The NSL assessment indicates a reduction in daylight distribution of 22% to the living room and 44% to the bedroom, which is the less sensitive of the two rooms. The rooms would achieve BRE compliance in terms of sunlight.
- 10.292 Flat 21 is located on the third floor and includes five rooms of which four (two bedrooms, a living room and a kitchen) face the site. The windows would experience reductions in VSC of between 28% and 38% and would retain a minimum of 13.6 % VSC, which is not unusual within a built up urban context. The kitchen would experience a reduction in NSL of 21% whilst the living room would experience a 51% and the bedrooms would experience losses of 22% and 25%. The flat will achieve BRE compliance in terms of the APSH assessment.
- 10.293 Flat 24 is located on the third floor and includes a living room which has an oblique view of the site. The room would experience a reduction in VSC from 7.9% to 5.3% and a 16% reduction in NSL. The room does not require assessment for sunlight due to its orientation. The report notes that the transgression of the BRE Guidance in terms of VSC is due to the low levels of light in the existing situation.
- 10.294 Flat 7 is located on the third floor and includes three rooms of which a living room faces the site. The room would experience a 31% reduction in VSC and would retain 13.6% VSC. The room would be fully BRE compliant in relation to the NSL and APSH assessments.
- 10.295 Flat 6 is located on the third floor and includes five rooms of which a bedroom and a living room face the site. The bedrooms would experience a 35% reduction in VSC whilst the living room would experience a 37% reduction. The rooms would retain 13.8% and 13% VSC respectively. Both rooms would achieve BRE compliance in relation to the NSL and APSH assessments.

- 10.296 Flat 25 is located on the fourth floor and includes five rooms, four of which are in habitable use and face the site. These rooms would experience reductions in VSC of between 21% and 26% and would achieve BRE compliance in relation to the NSL and AP SH assessments.
- 10.297 Flat 9 is located on the fourth floor and includes three rooms, of which a living room faces the site. The room will experience a reduction in VSC of 25% and will achieve full compliance in relation to the NSL and AP SH assessments.
- 10.298 Flat 8 is located on the fourth floor and includes five rooms, of which a bedroom and a living room face the site. The bedroom will experience a 32% reduction in VSC whilst the living room will experience a 36% reduction. The rooms would retain 16.3% and 15% VSC. The rooms would achieve full BRE compliance in relation to the NSL and AP SH assessments.
- 10.299 Flats 12, 15, 19, 23, 26, 27 and 28 would experience full BRE compliance in relation to daylight and sunlight.

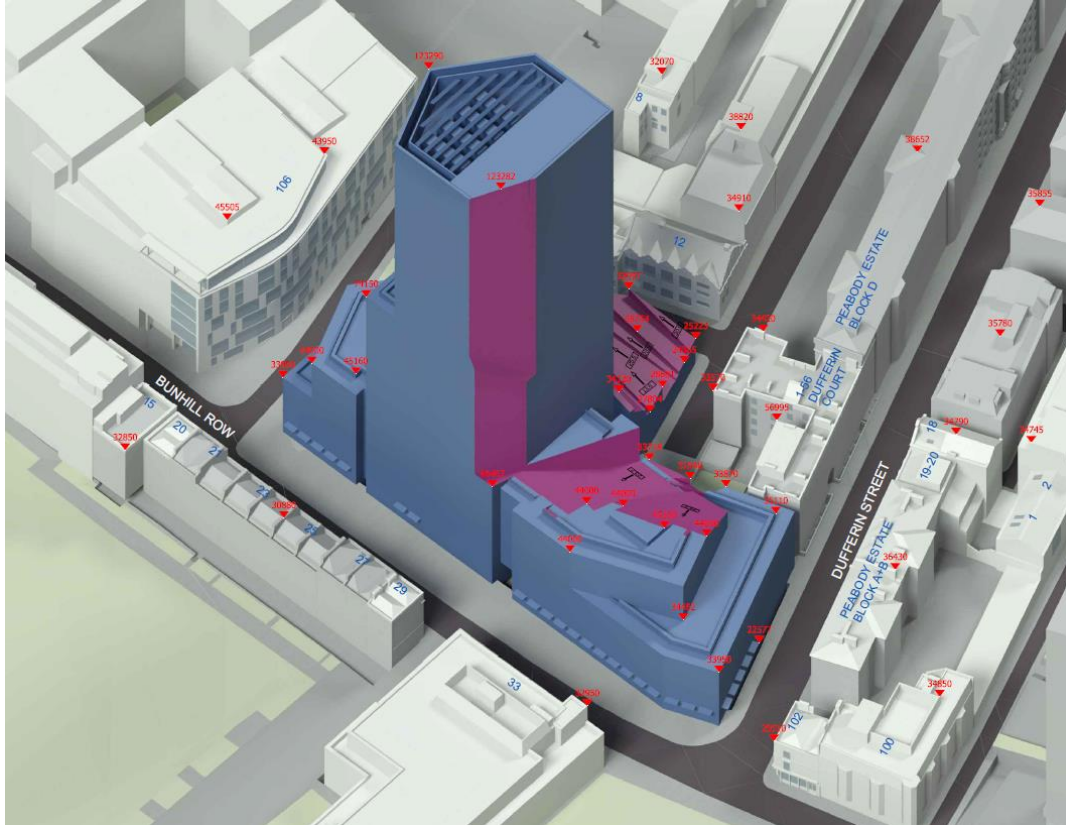
Conclusion (1-56 Dufferin Court)

- 10.300 As noted above, the rear of 1-56 Dufferin Court currently faces onto a low rise plant enclosure and therefore some of the rooms currently experience unusually high levels of daylight and sunlight given the urban context of the site. The proposal results in some significant daylight and sunlight impacts upon habitable accommodation within 1-56 Dufferin Court, in particular to rooms on the lower floors. The applicant has modelled the extent to which the building would need to be 'cut back' in order to achieve full BRE compliance in terms of daylight and sunlight to the dwellings within 1-56 Dufferin Court.

'Cut back' 3D model from the west



'Cut back' 3D model from the east



- 10.301 The modelling indicates that the daylight and sunlight impact on 1-56 Dufferin Court arises to a substantial degree from the introduction of the residential block, whilst the increase in the height of the podium also results in a significant impact. The modelling suggests that the increase in the height of the tower results in a relatively minimal impact upon the daylight and sunlight amenity of the occupants of 1-56 Dufferin Court.
- 10.302 It would appear that, in order to achieve full BRE compliance, the residential block would be required to be reduced to approximately two storeys in height, whilst the northern end of the podium would not be extended. The height, scale and massing of the proposed residential block and podium extension are considered to be broadly consistent with the prevailing forms of development in the locality. The daylight and sunlight impacts may therefore be considered to result from the introduction of a form of development which is typical in this built up urban context. The mirror massing exercise demonstrates that some significant daylight and sunlight impacts would occur in a scenario whereby the Peabody estate is extended onto the application site.
- 10.303 The applicant's financial viability information demonstrates that, if the proposed development were reduced in height and scale to achieve full BRE compliance, then it would become unviable. Furthermore, the proposal could not deliver the affordable housing, which represents a significant benefit of the proposal.
- 10.304 Whilst the retained levels of daylight and sunlight to the affected dwellings may not be considered unusual within a built up urban context, it must be acknowledged that, due to the existing situation, the extent of some of the impacts to dwellings on the lower floors of 1-56 Dufferin Court is substantial. Accordingly it is considered that the loss of daylight and sunlight to residential dwellings within 1-56 Dufferin Court and the impact upon the

residential amenities of the occupants of these dwellings is harmful in planning terms. This harm is considered as part of the overall assessment later within this report.

15 Lambs Passage

- 10.305 Seven windows serving three rooms were assessed and it was found that five would fully comply with the BRE Guidelines for VSC. One bedroom would experience a 39% reduction in VSC and one kitchen would experience a 22% reduction, although both of these serve rooms with mitigating windows meaning the daylight distribution within the rooms remains at complying levels. The sunlight analysis demonstrated that all three rooms would fully comply with the BRE Guidelines.

Other Properties

- 10.306 The assessment also considered the daylight and sunlight impact on Nos. 1 & 2 Chequer Street, 18 Dufferin Street and Block D, Peabody Estate. The analysis demonstrated that these properties would fully comply with the BRE Guidelines for daylight (VSC and NSL) and sunlight (APSH) and therefore there would be a negligible impact on these buildings.

Cass Business School

- 10.307 A representation has been received on behalf of the Cass Business School requesting that the applicant carry out a Daylight and Sunlight Assessment to demonstrate that the proposal would not result in an adverse impact on the quality of the teaching facilities within No. 106 Bunhill Row.

- 10.308 The applicant's surveyors have submitted a response in which they note that the college would expect to have a greater reliance on artificial lighting than residential dwellings and that an analysis has been carried out as a 'neighbourly gesture of goodwill'. 105 windows serving 53 rooms have been assessed for daylight and the surveyors advise that 93% of the windows and 100% of the rooms would adhere to BRE Guidelines for acceptable impacts to residential accommodation. It is also stated that the property does not require consideration for sunlight as it does not include windows that face 90° due south to the development site.

- 10.309 Outlook / Sense of Enclosure: 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.

- 10.310 It is considered that the increase in the form and massing of the proposed development, in particular at podium level, would be most apparent when viewed from 1-56 Dufferin Court and from terraced properties on the opposite side of Bunhill Row. There would also be an impact when viewed from Blocks A and B within the Peabody Estate on Dufferin Street.

- 10.311 There would be an approximately 10m separation between the nearest dwellings within 1-56 Dufferin Court and the proposed residential block which would be 5 storeys high on the Errol Street frontage. There would be an approximately 16m separation between Nos. 21-27 Bunhill Row and the proposed commercial building. It is noted that Nos. 25 and 27 are currently sited opposite the 16 storey tower whilst No. 23 currently looks out onto the 4 storey podium and a single storey section of the building which will be increased to 7

storeys in height. There would be an approximately 13m separation between the proposed building and Blocks A and B within the Peabody Estate where the nearest part of the commercial building would be 4 storeys high.

- 10.312 In view of the degree of separation and the height of the proposed building adjacent to the nearest residential properties, and given the surrounding built up urban context, it is considered that there would be no unduly harmful impacts in terms of outlook and any increased sense of enclosure.
- 10.313 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. 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.
- 10.314 When considering new development, a guideline of 18m habitable room window to habitable room window separation distance should be provided to prevent any undue loss of privacy.
- 10.315 Any increased overlooking as a result of the proposed development will be across a public highway with the exception of 1-56 Dufferin Court, which is separated from the application site by a pedestrian right of way. The proposal will result in an increase in office accommodation within the podium adjacent to 1-56 Dufferin Court. However, the windows to this accommodation will be at an oblique angle to the rear elevation of Nos. 1-17 Dufferin Court and at fourth floor level and above will be separated by a minimum distance of approximately 10m. There will be windows within 18-56 Dufferin Court which directly face the podium although there will be a minimum separation distance of approximately 20m between the office and residential accommodation. It is also noted that there is some tree screening within the garden to 1-56 Dufferin Court. Accordingly, it is considered that there will be limited potential for any increased overlooking of Nos. 1-56 Dufferin Court, particularly given the office floorspace is not habitable residential accommodation.
- 10.316 The proposed residential block will be sited 9.5m from the proposed commercial block, separated by the proposed north-south pedestrian route through the site. This separation distance therefore falls short of the suggested 18m guidance for separation between habitable residential rooms. However, it is considered that a more bespoke assessment is appropriate for separation between office and residential uses. There would be no habitable rooms facing the commercial block at ground floor level whilst the accommodation to the upper levels would include living areas and bedrooms. The application notes that blinds could be provided to the residential accommodation in order to improve privacy.

- 10.317 It is acknowledged that the site is constrained in terms of its size and the presence of the existing podium and tower, whilst the provision of on-site housing is a policy requirement. The provision of the required housing within a separate block can be considered desirable in terms of management, residential amenity, efficiency of building layouts, and in terms of relating the development to the adjacent residential area. It is also noted that the residential dwellings may be occupied more intensively during evenings and weekends whilst the office development may be most intensively used during regular working hours. It may therefore be considered that the separation distance between the commercial and residential blocks is acceptable in this case.
- 10.318 The two proposed ground floor residential units may be subject to some loss of privacy from pedestrian activity. Soft landscaping to provide 'privacy planting' is proposed to provide some defensible space to the proposed unit fronting the Errol Street public realm. The unit fronting Lambs Buildings would not benefit from any defensible space to the adjacent pedestrian footway. These ground floor units may be reliant on internal measures such as blinds or curtains to ensure an adequate level of privacy. Any fixed measures involving a glazing treatment would reduce light diffusion into the accommodation and would be undesirable in daylight amenity terms.
- 10.319 Construction Impacts: 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 Section 106 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 (condition 24).
- 10.320 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) (condition 6).

Quality of Resulting Residential Accommodation

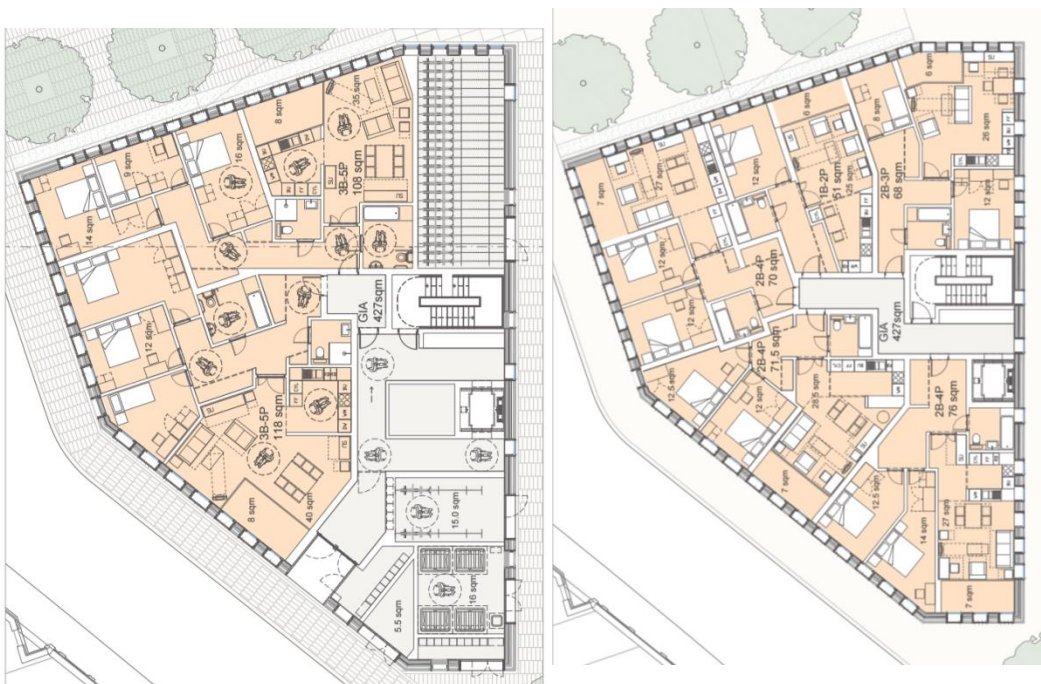
- 10.321 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life, residential space and design standards will be significantly increased and enhanced from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing 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.
- 10.322 Unit Sizes: All of the proposed residential units would comply with the minimum unit sizes as detailed within Policy DM3.4 and within London Plan Policy 3.5, and the majority of units would exceed the minimum sizes. The proposal is therefore considered acceptable in terms of unit sizes.
- 10.323 Aspect/Daylight Provision: Policy DM3.4 part D states that 'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be

demonstrated'. The subtext at paragraph 3.47 advises that 'Dual aspect design is key to maximising natural light, cross ventilation and access to quiet parts of the home. In exceptional circumstances where single aspect dwellings may be acceptable, they must not be exposed to noise exposure categories C or D, or comprise family housing (3 or more bedrooms).

10.324 Sixteen of the proposed dwellings would comprise dual aspect accommodation. One of the proposed ground floor wheelchair units would feature a west and a south west facing elevation whilst the first to fourth floors would each feature a southwest facing single aspect unit and a north/northwest facing single aspect unit, as detailed below.

Ground Floor Pan

First to Fourth Floor Plans



10.325 The Mayor of London's Housing SPG defines a dual aspect dwelling as 'one with openable windows on two external walls, which may be either on opposite sides of a dwelling or on adjacent sides of a dwelling where the external walls of a dwelling wrap around the corner of a building (the provision of a bay window does not constitute dual aspect)'. It may be a matter of opinion whether the ground floor unit represents dual aspect accommodation. Nevertheless, in view of the size of the unit and its west and south west facing aspect it is considered that it would provide an acceptable standard of accommodation.

10.326 The first to fourth floors will feature four south-west facing 2 bedroom 4 person single aspect units and four north/northwest facing 1 bedroom 2 person units. Policy DM3.4D (ii) states that 'where dual aspect dwellings are demonstrated to be impossible or unfavourable, the design must demonstrate how a good level of natural ventilation and daylight will be provided for each habitable room.' The application is accompanied by a Daylight and Sunlight Amenity within the Site document which includes an assessment of the daylight amenity for the proposed dwellings.

- 10.327 The second to fourth floor living rooms and all bedrooms to the south-west facing single aspect units would all exceed the BRE Guidelines for ADF, whilst the first floor living room would have an ADF level of 1.3%, whereas the BRE Guidance recommends 1.5%. Details of a no sky line (NSL) assessment are also provided which demonstrate that there would be direct skylight to 53% of the floorspace within the first floor living room, which would fall short of the 80% recommended within the BRE Guidelines. The remainder of the rooms to the south west facing single aspect units would meet the NSL criteria.
- 10.328 The living room to the first floor north/north-west facing single aspect unit would have an ADF level of 1.3% which would fall short of the BRE recommended 1.5% whilst the remainder of the bedrooms and living rooms to the four north/northwest facing single aspect units on the first to fourth floors would meet or exceed BRE recommendations. The fourth floor unit would exceed the BRE Guidelines by a reasonable margin with an ADF level of 2.1% to the living room and 2.4% to the bedroom. The first floor unit would fall marginally short of the BRE Guidelines in relation to NSL with direct skylight to 79% of the living room floorspace and 63% of the bedroom floorspace. The remainder of the north/northwest facing single aspect units would meet the NSL criteria.
- 10.329 It is noted that the layout of the residential block is informed by its footprint, which in turn is informed by the constraints of the site. All of the units will feature full height openable windows and trickle ventilation which will ensure a good standard of natural ventilation. Furthermore, the daylight to the proposed single aspect units meets BRE Guidelines at second floor and above whilst the first floor units do not fall significantly short of the BRE recommendations. The provision of single aspect units within the proposed residential block can therefore be considered acceptable in this case.
- 10.330 In terms of daylight amenity to the remainder of the units, a number of habitable rooms fall short of the BRE recommendations for ADF and NSL. These are primarily located on the ground floor of the block or on the east facing façade where daylight is obstructed by the high rise tower. The two ground floor units are generously sized dual aspect units which are considered overall to provide a reasonable standard of accommodation. There are five east facing bedrooms and five east facing kitchens which would generally experience relatively low levels of natural daylight. However, these rooms are located within dual aspect units which are also considered overall to provide a reasonable standard of accommodation.
- 10.331 In terms of sunlight, all of the units at first floor level and above would meet the BRE recommendations for APSH. The ground floor units would fall short of the BRE Guidelines although one of these units would only fall marginally short for winter APSH and would meet the BRE criteria for annual APSH.
- 10.332 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).

10.333 All of the units above ground floor level would feature winter gardens in accordance with the minimum requirements detailed within Policy DM3.5 whilst two of the three fifth floor units would benefit from access to private roof terraces.

10.334 The two ground floor wheelchair units would each give rise to a requirement for 30m² private outdoor amenity space. Each of the units would feature 8m² winter gardens, which would accord with the requirements of Policy DM3.5 for upper floor units. Whilst the lack of private amenity space to these family sized units is clearly undesirable from a residential amenity point of view it can be acknowledged that the site is severely constrained in terms of opportunities to provide private amenity space to these units. Occupants of the development will benefit from access to public open spaces within the vicinity of the site, including the proposed public realm within the site, whilst children’s play space is addressed below. It is considered that the shortfall against the Council’s policy requirements can be justified in this instance.

10.335 Playspace: Policy DM3.6 requires Children’s play space to be provided in line with the standards for provision published in the Mayor’s Play and Informal Recreation SPG. Based on the predicted child yield the required play space for the proposed development calculated SPG spreadsheet is 238m². The application identifies that there are numerous areas of playspace within the immediate area. Bunhill Fields is within 100m of the site and provides space for informal play and exploration whilst Quaker Gardens is within 2 minutes’ walk and provides a Multi-Use Games Area and formal play equipment. Notwithstanding the existing local provision, the applicant has agreed to make a financial contribution of £84,000 towards enhancing existing local playspace, including improvements to Toffee Park Adventure Playground which is located within 400m of the site and is suitable for over 5s. The scheme would incorporate some playable features within the public realm which would provide opportunities for doorstep play for under 5’s.

10.336 It is acknowledged that the site is heavily constrained in terms of opportunities to provide on-site children’s play space and it is further acknowledged that the scheme will deliver public realm improvements, whilst off-site play space is available nearby. In view of the proposal to make a financial contribution to the improvement of playspace in the locality it is therefore considered that the lack of on-site play space is acceptable in this case. It is noted that the GLA indicated within their Stage 1 comments that they are satisfied with this approach.

10.337 Dwelling Mix: The scheme proposes a total of 25 residential units with an overall mix comprised as follows:

Unit type	Number of units	Percentage
1 bed 2 person	4	16
2 bed 3 person	4	16
2 bed 4 person	15	60
3 bed 5 person	2	8
Total	25	100

10.338 Policy CS12(e) 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. Policy DM3.1 advises that new development should provide a good mix of unit sizes based upon Islington's Local Housing Needs Assessment. Paragraph 3.14 states that the mix of dwelling sizes appropriate to specific developments will also be considered in relation to the character of the development, the site and the area.

- 10.339 Since the adoption of policy DM3.1, which was informed by Islington's *Local Housing Needs Assessment* (2008) changes to housing legislation (the Welfare Reform Act 2012) to address the under occupation of social housing have created a greater demand for smaller social housing units. This is reflected by the higher proportion of 1 and 2 bedroom units proposed that will allow for mobility within the social housing sector to accommodate these national changes to the welfare system. The provision of smaller units will allow for mobility within the borough which would help to address under occupation.
- 10.340 The proposed affordable housing has been developed in consultation with the Council's Housing Division. 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. Accordingly, the proposal is considered acceptable in terms of unit mix.
- 10.341 Air Quality: Policy 7.14 of the London Plan states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)). Policy DM 6.1 of the Development Management Policies document requires that development should not cause significant harm to air quality, cumulatively or individually.
- 10.342 The application is accompanied by an Air Quality Assessment which notes that the proposal involves the removal of all but 5 of the 85 car parking spaces from the site and traffic generation associated with the development is expected to be low, relating mainly to servicing vehicles and taxis to the building.
- 10.343 The air quality neutral assessment for emissions associated with traffic was conducted using the Gross Internal Areas (GIAs) of each proposed use within the proposed development and predicted net annual trips per land use class. The total benchmarked transport emissions (274.0 kg NO_x/annum and 47.0 kg PM₁₀/annum) are greater than the total transport emissions (79.6 kg NO_x/annum and 14.0 kg PM₁₀/annum), resulting in a negative score. The transport emissions that would result from the proposal are therefore within the 'air quality neutral' benchmarks and no further mitigation is required to offset nitrogen dioxide and PM₁₀ transport emissions, when considered in isolation.
- 10.344 The air quality neutral assessment does not take into account all of the embedded mitigation that is accounted for in the detailed assessment of the energy centre emissions, in that impacts predicted using the guidance take no account of stack height. The air quality neutral assessment has therefore incorporated an emissions profile to predict the energy centre operation in a typical year. The Total Benchmarked Building Emissions (1,156.5 kg NO_x/year) are higher than the Total Building Emissions (292.6 kg NO_x/year) giving a negative score and the building emissions are therefore within the 'air quality neutral' benchmarks. The Air Quality Assessment concludes that the proposed development is not considered to result in any significant impact on air quality.

- 10.345 The Council's Environmental Health Officer has raised no objections to the proposal in terms of emissions as a result of the proposed development. However, it is noted that the whole of Islington is an air quality management area and the site itself is predicted to exceed the nitrogen dioxide annual mean objective at the residential location. Mitigation measures will therefore be required which are likely to include ventilation with nitrogen dioxide filtration. A condition is therefore recommended to secure measures to minimise future occupant's exposure to air pollution (condition 27). The proposal is therefore considered acceptable in terms of air quality.
- 10.346 Noise: Development Management Policy DM6.1 states that noise sensitive developments should be separated from major sources of noise, and that noise generating uses within new developments should be sited away from noise sensitive uses. The application is accompanied by a Noise and Vibration Report which details results of noise monitoring at the site and advises that internal noise within the development can be adequately controlled with suitable glazing. The noise data has also been used to set plant noise emission criteria for future assessment of proposed plant at the development to ensure that noise levels within neighbouring properties are at acceptable levels.
- 10.347 The Council's Environmental Health Officer has raised no objections to the proposal in terms of noise, subject to a condition securing sound insulation and noise control measures (condition 26). The proposal is considered acceptable in terms of noise.

Sustainability, Energy Efficiency and Renewable Energy

- 10.348 London Plan Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent (below 1990 levels) by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). 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.
- 10.349 Core Strategy Policy CS10 requires it to be demonstrated that new development has been designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO₂ emissions reduction of 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 CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.

BE LEAN

Energy efficiency standards

- 10.350 The council's Environmental Design SPD states 'The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified'. 'U values' are a measure of heat loss from a building and a low value indicates good insulation. The proposed U-values for the commercial building are: walls = 0.15w/m²k, roof = 0.15w/m²k, floors = 0.2 w/m²k and glazing = 1.0w/m²k. The proposed U-values for the residential building are walls = 0.15w/m²k, roof = 0.15w/m²k, floors = 0.1 w/m²k and glazing = 1.1w/m²k. These U-values are generally considered to be good or very good. The air

permeability of the commercial building would be 5m³/hr.m²@50pa whilst the permeability of the residential building would be 3m³/hr.m²@50pa.

- 10.351 Low energy and LED luminaires with occupancy and daylight dimming control systems are proposed. These measures are supported and it is recommended that the applicant uses LED lighting and applies these control systems as widely as possible.

BE CLEAN

District heating

- 10.352 Policy DM7.3B requires that proposals for major developments within 500m of an existing or planned District Energy Network (DEN) should be accompanied by a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.

- 10.353 The applicant has investigated connection to the Citigen Heat Network and it is not proposed to connect to the network, primarily on grounds of financial viability. It is stated that the costs of connection would be significantly higher than those of an on-site solution. Technical issues are also cited, with the pipework passing close to the site deemed insufficient to meet the required heat load, and significant costs associated with the extension required to avoid this problem. The applicant therefore proposes an on-site CHP solution, in accordance with the hierarchy set out in London Plan Policy 5.6B. The development would also be required to be future proofed for connection to a District Energy Network and this provision would be secured through the Section 106 agreement.

SHARED HEAT NETWORK

Combined Heat and Power

- 10.354 Policy DM7.3(D) requires that 'Where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible.' It is not proposed to connect to a shared heat network and the Council's Energy Advisor advises that further investigation of shared heat network options would not be expected at this stage.

BE GREEN

Renewable energy technologies

- 10.355 The Sustainable Design and Construction Statement indicates that two photovoltaic arrays covering an area of 190m² would be provided on the office tower and residential roofs and which would produce an output of 28kWp and 30,443kWh/year. The Council's Energy Advisor notes that it would not be practical to expand the array significantly but suggests that the applicant may wish to consider increasing the output of the array if it is feasible to increase the output of the panels. Further details of renewable energy technologies will be secured by condition should planning permission be granted (condition 15).

- 10.356 The proposed commercial building is expected to achieve a BREEAM rating of 'Excellent', and this is supported. The office element is predicted to achieve a score of 77.5% and the retail element a score of 75.4% (condition 7).

- 10.357 Carbon Emissions: Policy CS10A states that the promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO₂ emissions associated with the

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

10.358 Paragraph 2.0.7 of the Council's Environmental Design states that the Council's 'CO₂ reduction targets apply to all major developments, including refurbishments. It is accepted that some schemes, particularly refurbishment schemes, may struggle to reach the relevant target. In such instances the onus will be on the applicant to demonstrate that CO₂ emissions have been minimised as far as reasonably possible.'

10.359 Paragraphs 2.0.8 – 2.0.10 detail the Council's energy hierarchy which should be followed in meeting the Council's CO₂ emissions reduction target. The final stage of the hierarchy requires developers to:

'...offset all remaining CO₂ emissions (Policy CS10) through a financial contribution, secured via a Section 106 agreement, towards measures which reduce CO₂ emissions from the existing building stock (e.g. through solid wall insulation of social housing). For all major developments the financial contribution shall be calculated based on an established price per tonne of CO₂ for Islington. The price per annual tonne of carbon is currently set at £920, based on analysis of the costs and carbon savings of retrofit measures suitable for properties in Islington.

10.360 The applicant proposes a reduction on regulated emissions of 35.8% compared to a 2013 baseline target, which slightly exceeds the London Plan target of 35%. The development is predicted to achieve a reduction in total emissions of 20.2% compared to a 2013 Building Regulations Baseline, which falls short of the Islington requirement of 27%. The Council's Energy Conservation Officer considers that the carbon emissions have been reduced as far as reasonably possible. In order to mitigate against the remaining carbon emissions generated by the development a financial contribution of £1,205,200 would be required.

10.361 The carbon offset contribution comprises £691,196 for the refurbished part of the building and £514,004 for the new build element. The applicant is proposing to make a carbon offset payment of £514,004 which would relate to the new build element of the building only. The Environmental Design SPD acknowledges that refurbishment schemes may struggle to meet relevant CO₂ reduction targets and provides for applicants to demonstrate that carbon emissions have been minimised. However, the SPD is clear that the requirement for a financial contribution relates to all major developments and does not differentiate between new build and refurbishment schemes.

10.362 The proposed development will re-use the concrete frame of the existing building. The concrete industry is one of the two largest producers of carbon dioxide, creating up to 5% of worldwide man-made emissions of this gas, of which 50% is from the chemical process and 40% from burning fuel (source: Wikipedia). The applicant has confirmed that the proposal involves the re-use of 11,000 tonnes of concrete which equates to a saving of embedded CO₂ emissions of 1,100 tonnes. A carbon offset payment for 1,100 tonnes of CO₂ would equate to £1,012,000, based upon the Council's offset charge of £920 per tonne.

10.363 The re-use of the concrete frame represents a substantial benefit in terms of sustainable development through reducing carbon emissions. However, the re-use of the frame does

not address the policy requirement that a carbon offset financial contribution be secured in respect of the entire building.

- 10.364 As detailed later within this report, the proposed development currently results in a £5.79 million deficit in viability terms. The proposal would deliver substantial benefits including affordable housing and affordable workspace. In order to attach significant weight to these benefits the Council should be satisfied that the benefits are deliverable. The requirement for an additional carbon offset contribution of £691,196 would undermine the deliverability of the scheme. It is therefore considered that, in this case, there is a financial viability justification for a reduced carbon offset financial contribution of £514,004.
- 10.365 Overheating and Cooling: Policy DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.
- 10.366 Dynamic thermal modelling has been carried out based on Design Summer Years for 1976, 1989 and 2003 and 2050s. Artificial cooling is not proposed for the apartments which pass the assessment under the CIBSE TM52 criteria. The applicant has provided evidence to demonstrate how the lower levels of the cooling hierarchy have been maximised and it is accepted that artificial cooling would be required in the non-residential areas.
- 10.367 Sustainable Urban Drainage System (SUDS): Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water run-off to a 'greenfield rate', where feasible.
- 10.368 The site is located within Flood Zone 1 and is therefore assessed as having a very low probability of river or sea flooding (less than 1 in 100 year probability). It is proposed to incorporate a separate foul and surface water drainage network within the site, addressing the refurbished and new-build elements of the proposed development. Water collected from the network will be discharged into an existing Thames Water combined sewer. Reduction of the existing peak surface water discharge rate from the proposed development will be implemented through the provision of green roofs to the commercial and residential buildings and through an attenuation tank for gradual release of surface water to the combined sewer. Condition 18 is recommended to secure details of Sustainable Urban Drainage System measures including the proposed green roofs and attenuation tank.
- 10.369 The Council's Sustainable Design Officer has reviewed the proposals and raises no objection subject to further details to be secured by condition. Thames Water raise no objections to the proposal in relation to foul or surface water drainage.

Highways and Transportation

- 10.370 A Transport Assessment (TA) including a Framework Travel Plan for the office element of the proposal and an Interim Travel Plan for the residential element accompanied the planning application.
- 10.371 The site is very well connected and has the highest PTAL rating of 6b (excellent). Barbican, Moorgate, Old Street and Liverpool Street Underground and Rail Stations are located within 1km of the site whilst bus services which can be accessed from Chiswell Street, Finsbury Square, Finsbury Pavement, Old Street and Goswell Road, which are all within 7 minutes' walk of the site. It is anticipated that the proposed development would accommodate 2,320 employees, with 563 arriving during the AM peak hour period and 670 departing during the PM peak hour period. The anticipated peak hour trip generation for the residential element is 12 and 10 during the AM and PM peaks respectively. Overall, the TA demonstrates that the increase in passenger demand as a result of the proposed development would not have a material impact on capacity on existing public transport services. The TA notes that capacity will increase when Crossrail services commence at Liverpool Street in 2018, ahead of the occupation of the proposed development in early 2020.
- 10.372 As a result of the reduction in the existing car parking provision of 85 spaces to 5 disabled car parking spaces, the proposal is anticipated to generate 20 less two-way vehicle movements in the AM peak and 25 less two-way vehicle movements in the PM peak than the existing site, thereby having a positive effect on the local highway network.

Car Parking

- 10.373 The proposed development would be car-free other than the provision of five blue-badge car parking spaces, including three for the office element and two for the residential element. The proposal would therefore result in the net reduction of 80 car parking spaces on the site.

Construction Management Plan

- 10.374 The application is accompanied by a Construction Management Plan which sets out the construction methodology, programme and general logistical requirements for the proposed development. This has been developed to account for the surrounding constraints including the sensitive receptors (primarily the residential uses neighbouring the site); the heritage assets of Bunhill Fields, the HAC and the Catholic Church; and the local highway network). The Council's Highways Officer advises that an updated Plan should be secured by condition which ensures compatibility with Construction Management Plans for adjacent sites which are also subject to redevelopment during the proposed construction programme.
- 10.375 It is also proposed that an Environmental Management Plan would be prepared and implemented by the main contractor as informed by LBI's Code of Construction Practice.

Servicing

- 10.376 Servicing for the office element of the Proposed Development would be carried out on-site within a dedicated service yard, accessed from Dufferin Street. Two on-street parking bays would be relocated from Dufferin Street to Lamb's Buildings to facilitate the service yard. Servicing for the affordable housing block would be on-street from Lamb's Buildings.

10.377 The proposed servicing arrangements have been reviewed by the Council's Highways Officers and are considered acceptable.

Waste

10.378 The application is accompanied by a Waste and Recycling Report. The proposed development is anticipated to produce approximately 113,619 litres of waste from all land uses per week (1,241 tonnes per year). 109,509 litres would be produced by the office and retail uses whilst 4,110 litres would be produced by the residential use. The offices and affordable workspace would be provided with dedicated bin stores whilst the retail units would have allocated space within the curtilage of the units as part of the tenants fit out. A basement room will be provided for compactors and storage in 1100 litre Eurobins for both general refuse and recyclables and it is anticipated that collections will be daily via the loading bay by private contractors. Waste storage spaces within the retail areas will be part of the tenants' fit-outs. Waste from the northern units will be taken via the rear corridor to the loading bay for collection whilst collection from the small units at the south end of the site will be direct off the street. The Council's Waste Officer has advised that further details of the compaction of commercial waste should be secured prior to occupation of the building and this may be informed by specific tenant requirements. It is recommended that an updated Waste Strategy be secured by condition prior to first occupation (condition 43).

10.379 The affordable workspace will have its own self-contained waste storage room in anticipation that collection would be on a weekly basis and might be by the Council. The storage will be located at ground floor with lobbied access from the entrance area and direct doors to the outside on Lamb's Buildings.

10.380 The residential waste would be collected by the Council via a dedicated refuse service area on Lamb's Buildings. Separate storage will be provided for recyclable material, food waste and residual waste.

10.381 The Council's Highways Officer has reviewed the refuse, servicing, relocated parking and vehicular entrances and finds them acceptable. Transport for London have no concerns in relation to these matters.

Cycle Access and Parking

10.382 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. Appendix 6 of the Development Management Policies document requires cycle parking for residential at a rate of 1 per bedroom. The London Plan cycle parking requirements are set out in Table 6.3 and specify a greater requirement for the commercial uses than Appendix 6 as the provision is calculated using GIA rather than GEA. The proposal therefore gives rise to a requirement for a minimum 535 cycle parking spaces which will be provided as follows:

Land Use	Cycle Parking	
	Long Stay	Short Stay
Offices (B1)	425	17
Offices (B1) (Affordable Workspace)	12	2
Office Combined	437	19
Retail / Financial and Professional Services / Restaurant (A1/A2/A3)	8	22
Residential (C3)	48	1
TOTAL	493	42

10.383 The above provision includes 18 accessible spaces for the office use and 2 accessible spaces for the residential use.

10.384 The cycle entrance for general office and retail staff is off Lamb's Buildings. A cycle lift and steps (with Dutch ramps) would provide access to the basement storage facilities. The majority of the cycle storage would be provided as vertical racks but 1/25th of the spaces would be Sheffield stands suitably spaced for use by the less able. Space and charging facilities will also be provided for 4 mobility scooters. Lockers for each user and 25 showers (1 accessible) would be provided. The offices are accessed from the basement via the entrance lift or stairs to the ground floor lobby.

10.385 Cycle storage for the affordable workspace would be provided separately in a room directly off the affordable workspace entrance lobby. Residential cycle storage is also provided separately within the residential block in a secure room with direct access from the external public areas. Visitor's cycle spaces for office use (both the main and affordable), retail, and residential is by external Sheffield stands distributed around the public domain at ground floor.

10.386 It is also proposed to make a financial contribution of £220,000 towards the provision of a cycle hire docking station on the frontage of the site within the public realm, comprising 32 cycle parking bays.

10.387 It is recommended that cycle parking for the development be secured by condition should planning permission be granted (condition no. 17).

Archaeology

10.388 The site is located within an Archaeological Priority Area and the application is accompanied by an Archaeology Report which concludes that, due to the extent of the previous development and ground disturbance, the extent of the previous basement is likely to have removed all but the deepest archaeological deposits. The archaeological impact of the proposed development is therefore assessed to be low.

10.389 Historic England (Greater London Archaeology Advisory Service) advise that the conclusion of the report is agreed and the proposals are very unlikely to cause significant

harm to archaeological interests, and may cause none at all. No further assessment or conditions are therefore necessary.

Contaminated Land

- 10.390 The application is accompanied by a Preliminary Environmental Risk Assessment which identifies the proposed residential use will result in a medium to low risk to human health given that the proposed hard standing on the site will provide a physical barrier between any potential contaminants beneath the site and users of the development. It is therefore concluded that the proposal is unlikely to represent unacceptable risks to health and the environment.
- 10.391 The Council's Environmental Health Officer has raised no objections to the proposal in terms of contaminated land subject to a condition securing a land contamination investigation and a programme of any necessary land contamination remediation works (condition 9). The proposal is therefore considered acceptable in terms of land contamination.

Wind

- 10.392 The application is accompanied by a Wind Microclimate Report which provides an assessment of the effect of the proposed development effect on wind conditions at the site and in the surrounding area. The assessment provides a detailed account of the average gust and wind conditions around the existing building and the proposed development and also assesses the cumulative impact with other proposed developments within the vicinity.
- 10.393 The proposed development and surrounding area have wind conditions ranging from acceptable for 'sitting' use, to acceptable for 'leisure walking' during the windiest season, using the Lawson scale. Wind Conditions which are classified as acceptable for 'leisure walking' use or calmer are considered acceptable for the desired use for thoroughfares, and therefore further mitigation is not required.
- 10.394 The proposed entrance locations on the southern tip of the site on Lamb's Passage and within the new pedestrian route from Bunhill Row would experience wind conditions one category windier than suitable for 'leisure walking'. Mitigation is recommended at these locations in the form of recessed entrances whilst landscaping is also expected to improve these conditions.
- 10.395 An assessment of the cumulative impact with proposed buildings in-situ demonstrates that the wind conditions around the site remain similar to the scenario of the proposed development with the existing surroundings and therefore no further mitigation is required as a result.
- 10.396 It is therefore considered that the proposal is acceptable in terms of wind microclimate subject to the recommended mitigation measures to be secured by condition 33 and further testing with the final scheme of landscaping in place. It is recommended that landscaping to mitigate wind impacts following further testing is secured as part of the landscaping condition (condition 4).

Aeronautical Safety

- 10.397 The application is accompanied by an Aviation Report which comprises a physical safeguarding assessment, which relates to physical obstacles within the surrounding airspace, and a technical safeguarding assessment, which analyses the impact upon communications, navigation and surveillance equipment. The site is located a few hundred metres beyond the limit of the safeguarded area for London City Airport and several kilometres beyond the safeguarded areas of London Heathrow Airport, RAF Northolt, and Elstree Aerodrome. Subsequently, there are no height restrictions at the site associated with the requirements for aerodrome physical safeguarding. The proposed development also lies outside of the geometrical limits of the areas designated for the safeguarding of navigational aids located at the four airports and aerodromes which would trigger the need for an assessment of the potential impact of the development on the signals associated with the operation of those facilities. It is therefore considered that the proposed development will have no adverse impacts on those facilities.
- 10.398 The proposal has therefore been assessed against the relevant safeguarding criteria and it is concluded that it will have no material impacts on aircraft operations.

Electronic Interference

- 10.399 The application is accompanied by an Electronic Interference Report which details the findings of desk-based studies and an on-site survey which have investigated the potential electronic interference effects on terrestrial and satellite TV reception as a result of the proposed addition of 12 storeys to the existing building. The report identifies that the proposal will not result in any increase in the loss or degradation of terrestrial TV reception experienced by residential dwellings. However, it has been determined that the proposed development may result in an increased loss or degradation of satellite TV reception at 55 nearby residential dwellings when compared to the existing building.
- 10.400 The loss or degradation of satellite TV reception at affected dwellings can be addressed by upgrading the existing satellite TV dishes by increasing their height and / or gain, or connecting these dwellings to the available cable TV service at a one-off cost.
- 10.401 The Report recommends that the Council sets up a complaints register where residents can report any resulting disruption or loss of TV signal. Following investigation of the complaint, relevant mitigation measures can be implemented as appropriate if it is found that the disruption or loss of service can be attributed to the proposed development. It is recommended that appropriate measures to secure mitigation of loss or degradation of satellite television signal be secured through the Section 106 agreement.

Financial Viability

Viability Review

- 10.402 The proposal maximises the delivery of affordable housing and affordable workspace which is considered to represent a significant benefit in planning terms. Given that significant weight would be attached to these benefits in assessing the proposal it was considered appropriate that the applicant demonstrate the deliverability of these benefits as this could offer some assurance that they would come forward. Accordingly, a financial viability assessment (FVA) was submitted at pre-application stage. In order to properly

and thoroughly assess the FVA 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.

- 10.403 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.
- 10.404 The submitted FVA was scrutinised by BPS and Council officers and a report providing a review of the FVA was issued by BPS. Updated information was subsequently submitted by the applicant following design development which involved chamfering of the tower and revisions to the podium, resulting in a reduction in the amount of office floorspace proposed. Furthermore, the scheme was amended following discussions with the Council regarding the proposed affordable workspace which was moved from the basement of the affordable housing block to the first floor of the podium. The amended information was assessed and an addendum report was subsequently issued by BPS.
- 10.405 Following submission of the planning application, correspondence was exchanged by BPS and the applicant’s surveyors where it was agreed that the scheme had not altered in viability terms and that the conclusions of the BPS review could be carried over to the application stage proposal. Accordingly, the applicant has agreed that the FVA submitted at pre-application stage be treated as an application document.
- 10.406 The following provides a summary of the conclusions of the review of the FVA. However, given the detailed and comprehensive way that the BPS report deals with financial viability it is not attempted to fully summarise the report here and copies of the initial report and subsequent addendum report are provided at **Appendix 4**. The report considers the refurbishment of the existing building as a benchmark scheme and alternative options involving extensions of the building between 8 and 12 storeys in height. The conclusions of the report are summarised as follows:
- Rents and yields applied to value the completed office floorspace for the proposed extension schemes and all the other cost inputs are agreed.
 - Affordable housing values are based on an offer received from a leading Registered Provider and this constitutes good market evidence and these values are accepted.
 - The refurbishment scheme generates a residual value of £76,767,535, which has been adopted as a Benchmark Land Value.
 - The appraisals demonstrate that the following height options for the initial proposals generated the following deficits against the benchmark land value:
 - 8 storey extension -£10,697,388
 - 10 storey extension -£7,532,798
 - 11 storey extension -£3,835,582
 - 12 storey extension -£136,202
 - The only viable options are the refurbishment option and the 12-storey option – the latter being effectively at a break even position (at that time).

- The residual land value generated by the 12 storey appraisal was £76.63 - following revisions to the scheme this has reduced substantially, to £61.87m.
- The benchmark land value of £76,767,535 has been reduced by Montagu Evans to £67.66m, which is the revised residual value of the refurbishment scheme - this change is due to the increase in the yield from 5.0% to 5.5% which brings it into line with the yield suggested by BPS
- £61.87m residual value of the 12 storey scheme, when compared to a benchmark of £67.66m, shows this scenario to be in deficit by £5.79m.
- Montagu Evans have not made BPS' suggested change to the developer's profit for the refurbishment appraisal (reduction from 15.0% to 12.5% profit on Net Development Value would increase the benchmark scheme's residual value and worsen the proposed scheme's viability) therefore if Montagu Evans were to adopt 12.5% it would increase the £5.79m deficit shown by the 12 storey scheme.

10.407 The scheme is currently demonstrating a £5.79m deficit and is therefore unviable.

10.408 It is noted that any further reduction in the amount of development proposed would result in a further detrimental impact on the viability of the proposed scheme and its ability to support the proposed affordable housing and workspace offer.

10.409 Paragraphs 4.6-4.10 of the Development Viability SPD states that:

'The council has received development appraisals which indicate that a development would generate a significant deficit with the level of planning obligations as proposed by the applicant, even at a level lower than required by policy. This raises questions regarding the commercial basis of the proposed scheme and the terms under which development finance is likely to be secured. This would also appear to be at odds with general market conditions and the high rates of development within the borough (where not explained by circumstances specific to the site).

An appraisal which shows a different level of planning obligations to be viable from that proposed by the applicant raises issues relating to the deliverability of a scheme and makes it difficult for the council to make an informed decision. It also poses the risk of a lower level of planning obligations

If 'outturn' values and costs are applied within an assessment presented to the council, these should also be consistent with those relied on by the applicant being sought by the applicant at a later date (for example through a Section 106 BA application for a reduction in affordable housing) after planning consent has been secured.

An applicant should demonstrate how their proposed scheme is deliverable, taking into account their proposed level of planning obligations. The applicant must clearly demonstrate with reference to viability evidence that the proposed level of obligations is the maximum that can be provided and that the scheme is deliverable with this level of provision. A statutory declaration by the applicant company and by finance providers may be required, which verifies that they consider the scheme as proposed to be deliverable, based on the information provided to the council.

Where the applicant does not intend to build out the scheme themselves, they may be expected to provide evidence from a developer (with experience of delivering schemes of a similar type and scale) that the scheme is capable of being delivered on the basis of the evidence presented in the viability assessments.'

10.410 The SPD sets out the key requirements in relation to Deliverability and Verification as follows:

- To verify the information provided as part of the planning process, a statutory declaration will be sought from the applicant company confirming that:
 - The assessment submitted to the council is a true and fair reflection of the viability of the proposed development; and that costs and values in this assessment are consistent with current costs and values within (or used as a starting point for) viability assessments that have been undertaken for internal or financial purposes.
 - The company undertaking the assessment has not been instructed on the basis of performance related pay or is incentivised in any other way according to the outcome of the viability process and the level of planning obligations that the applicant is required to provide.
- The applicant must clearly demonstrate with reference to viability evidence that the proposed level of obligations is the maximum that can be provided and that the scheme is deliverable with this level of provision.
- A statutory declaration by a director of the applicant company and by finance providers may be required, which verifies that they consider the scheme as proposed to be deliverable, based on the information provided to the council.

10.411 The requirement for statutory declarations regarding deliverability arose in part from concerns relating to the now expired Section 106 BA legislation and specifically to avoid a scenario such as that in the case of Land at 2-2A Crystal Palace Road, East Dulwich (London Borough of Southwark; planning appeal reference APP/A5840/S/15/3121484). In this case the developer revised an affordable housing offer from nil to 35% but did not confirm that this offer was considered viable. The applicant subsequently appealed under Section 106BA of the Town and Country Planning Act to have the planning obligation modified by the removal of the requirement to provide any affordable housing. In allowing the appeal the Inspector noted that, in revising the offer, the appellant had never actually confirmed or demonstrated that the affordable housing was viable.

10.412 Section 106BA legislation was time limited and ended in April 2016. Accordingly, there is no longer a mechanism for developers to be relieved of an affordable housing obligation by demonstrating that it is no longer viable. If the applicant were to revisit the proposal (within five years of the completion of the Section 106 agreement) with a view to revising the affordable housing and/or affordable workspace offer, then the only route would be through a further planning application. It is therefore the case that, should planning permission be granted on the basis that substantial weight is attached to the provision of affordable housing and workspace within the scheme, any future planning application to vary the proposal would be assessed on its merits. The Council could therefore refuse a subsequent planning application on the basis that a reduced provision of affordable housing and workspace would be insufficient to outweigh the identified harm from the proposed development.

10.413 The FVA is demonstrating a deficit. It is considered appropriate that officers and decision makers should be satisfied regarding the deliverability of the public benefits proposed within the scheme in order to give them appropriate weight in the planning balance. The applicant has submitted a signed statutory declaration which incorporates the Council's standard wording in relation to verification and alternative wording in relation to deliverability. The Council's standard wording is as follows:

'The scheme proposed for the development of Finsbury Tower along with the Section 106 planning obligations as set out on pages [page no] to [page no] of [relevant document] dated [date] is fully capable of being delivered as at the date of this declaration and that [company name] is committed to implementing and completing the development as soon as is reasonably possible following the grant of planning consent.'

10.414 The alternative wording incorporated by the applicant is as follows:

'As at the date of this declaration the scheme proposed for the development of Finsbury Tower (including the Section 106 planning obligations that were submitted in draft as part of the planning application and are currently being documented by way of a legal agreement) is capable of being delivered and Finsbury Tower Estates Limited intends to implement and thereafter complete the development within a commercially reasonable timeframe following grant of planning consent, allowing for the securing of funding, procurement of contractors, satisfaction of conditions, neighbourly matters etc.'

10.415 It will be observed that the applicant's suggested wording includes caveats and represents a less strongly binding commitment. However, the caveats acknowledge hurdles that need to be overcome if the scheme is to be delivered. It can be acknowledged, for example, that the Brexit process introduces a degree of uncertainty to the London office market which could have implications in terms of securing funding.

10.416 The applicant has submitted a letter to accompany the statutory declaration which emphasises a commitment to delivering the proposed scheme. It notes that there is a significant financial liability if development does not commence as soon as possible as the income stream from the existing site is predominantly extinguished. It states that the motivation to redevelop is high, and the penalty for not doing so is onerous.

10.417 The applicant has agreed to enter into a planning obligation to be secured through the Section 106 agreement requiring the handover of the affordable workspace and the affordable housing prior to the occupation of the office floorspace. The applicant has also submitted a copy of a contract with Family Mosaic Housing relating to the sale of the affordable housing units.

10.418 On the basis of the above it may be considered that there are reasonable safeguards and assurances in place regarding the delivery and securing of the affordable housing and workspace.

Planning Obligations and Community Infrastructure Levy

10.419 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.

10.420 The Section 106 agreement would include the following agreed Heads of Terms:

- Contribution of £514,004 towards offsetting projected residual CO2 emissions of the development;
- The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required;
- Compliance with the Code of Employment and Training.
- Facilitation of 12 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £60,000 to be paid to LBI;
- Contribution of £121,388 towards employment and training for local residents;
- Compliance with the Code of Local Procurement;
- Compliance with the Code of Construction Practice, including a monitoring fee of £38,350 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;
- Provision of 26 additional accessible parking bays or a contribution of £52,000 towards provision of on-street bays or other accessible transport initiatives;
- Submission of a Green Performance Plan and a post occupation Green Performance Plan;
- Future proofing for connection to a local energy network if a viable opportunity arises in the future;
- 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;
- Payment of Council's fees in preparing and monitoring the S106;
- Removal of eligibility for residents' car parking permits;
- On-site provision of 25 affordable (social rented) housing units;
- On site provision of 1000m² affordable workspace at first floor level fitted out to a Category A specification and provided at a peppercorn rent in perpetuity;
- Contribution of £1,895,520 towards the construction of Crossrail;
- Public realm and highways improvements identified under S278 works;
- TV signal mitigation;
- Play space contribution of £84,000;
- Phasing and delivery of the affordable workspace and affordable housing;
- Contribution of £220,000 towards a TfL cycle hire docking station;
- Provision of public routes through the site.

10.421 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.

11. OVERALL ASSESSMENT, SUMMARY AND CONCLUSION

- 11.1 It is proposed to erect a 12 storey extension to the existing 16 storey building and a 3 to 6 storey extension to the existing podium block up to 7 storeys to provide 12,687m² (GIA) additional office (Use Class B1a) floorspace including 1000m² (GIA) affordable workspace (7.9% of the new floorspace created) to remain affordable in perpetuity. The existing building will be re-clad to match the materials of the extensions. Part of the ground floor accommodation will be changed to a flexible Class A1 (retail) and A3 (restaurant/cafe) use. It is also proposed to demolish single storey plant and storage structures to the western part of the existing building and erect a 6 storey block to provide 25 affordable (social rented) dwellings. Public realm improvements are proposed around the site including two public routes through the site.
- 11.2 As identified within this report, the proposed development would result in identified benefits and identified harm in planning terms.
- 11.3 Section 70(2) of the Town and Country Planning Act 1990 states that in dealing with a planning application 'the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material consideration.'
- 11.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'
- 11.5 There are the following additional requirements when considering planning applications which affect the setting of a listed building or the character and appearance of a conservation area. (Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.
- 11.6 Section 72(1) of the Act states: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.
- 11.7 The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.

- 11.8 The NPPF states at paragraphs 132 and 134-135, inter alia, that:
- 132. 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification...
 - 134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
 - 135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'
- 11.9 The existing building has a tired and dated exterior which detracts from the character and appearance of the area. The building is predominantly vacant at present due to the poor quality of the office floorspace and provides limited employment benefits. The office floorspace requires upgrading if it is to be sustainable and the applicant has demonstrated that the extension of the building and the uplift in floorspace is required in order to make the wider transformation viable.
- 11.10 The proposal would result in the transformation of an existing poorly composed and dated looking building into an elegantly proportioned building of high quality design and materials.
- 11.11 The proposal will deliver a number of benefits including a significant uplift in employment within the Central Activities Zone and Employment Priority Area as a result of the delivery of new, high quality office and retail floorspace. Furthermore, the proposal would involve the delivery of 25 social rented affordable housing units, 1,000m² of affordable workspace at a peppercorn rate in perpetuity, and public realm improvements including new routes through the site. Overall, these benefits are considered to be substantial.
- 11.12 The proposal will result in harm in policy terms due to conflict with Policy CS9 of the Core Strategy and policy BC9 of the Finsbury Local Plan. Furthermore, there will be a degree of harm to residential amenities of some dwellings within 1-56 Dufferin Court by reason of loss of daylight.
- 11.13 This increased height, scale and massing of the proposed building would result in some relatively significant harm to the setting of the Grade II listed 20 & 21-29 Bunhill Row and some minor harm to the setting of Bunhill Fields Burial Ground (a Grade I listed Park and Garden), Grade II listed Finsbury Barracks, Grade II* listed Armoury House and to the character and appearance of the Bunhill Fields/Finsbury Square Conservation Area and the St. Luke's Conservation Area. Overall, it is considered that this harm will constitute less than substantial harm to the significance of designated heritage assets, albeit the

harm will be towards the higher end of less than substantial harm. In cases where the degree of harm is considered to be less than substantial, paragraph 134 of the NPPF is of relevance and this indicates that the harm should be weighed against the public benefits of the proposal. The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is that where harm is identified, that harm should be given considerable importance and weight in the planning balance.

- 11.14 It is considered that the benefits of the proposal will outweigh the harm arising from conflict with the Council's tall building policies and the harm to the residential amenities of the occupants of neighbouring residential dwellings. It is further considered that the benefits will outweigh the less than substantial harm to the significance of 20 & 21-29 Bunhill Row, Bunhill Fields Burial Ground, Finsbury Barracks, Armoury House and to the character and appearance of the Bunhill Fields/Finsbury Square Conservation Area and the St. Luke's Conservation Area.
- 11.15 In summary, it is considered that this is a finely balanced case, and on balance the proposal is considered acceptable in planning terms.

Conclusion

- 11.16 It is recommended that planning permission be granted subject to conditions and S106 legal agreement heads of terms as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted **for the reasons summarised in paragraphs 11.1 to 11.16 of this report** and subject to the prior completion 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.

1. Contribution of £514,004 towards offsetting projected residual CO2 emissions of the development.
2. The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required.
3. Compliance with the Code of Employment and Training.
4. Facilitation of 12 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £60,000 to be paid to LBI.
5. Contribution of £121,388 towards employment and training for local residents.
6. Compliance with the Code of Local Procurement.
7. Compliance with the Code of Construction Practice, including a monitoring fee of £38,350 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.
8. Provision of 26 additional accessible parking bays or a contribution of £52,000 towards provision of on-street bays or other accessible transport initiatives.
9. Submission of a Green Performance Plan and a post occupation Green Performance Plan.
10. Future proofing for connection to a local energy network if a viable opportunity arises in the future;
11. 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.
12. Payment of Council's fees in preparing and monitoring the S106.
13. Removal of eligibility for residents' car parking permits.
14. On-site provision of 25 affordable (social rented) housing units.
15. On site provision of 1000m² affordable workspace at first floor level fitted out to a Category A specification and provided at a peppercorn rent in perpetuity;
16. Contribution of £1,895,520 towards the construction of Crossrail.
17. Public realm and highways improvements identified under S278 works
18. TV signal mitigation
19. Play space contribution of £84,000
20. Phasing and delivery of the affordable workspace and affordable housing
21. Contribution of £220,000 towards a TfL cycle hire docking station
22. Provision of public routes through the site.

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

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:

1	Commencement (compliance)
	<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	Approved plans list (compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: HCL605-0500 Rev P2; HCL605-0501 P2; HCL605-1001 Rev. P2; HCL605-1002 Rev.P2; HCL605-1101; HCL605-1102 Rev. P4; HCL605-1103 Rev. P2; HCL605-1104 Rev. P2; HCL605-1105 Rev. P2; HCL605-1106 Rev. P2; HCL605-1107 Rev. P2; HCL605-1108 Rev. P2; HCL605-1109 Rev. P2; HCL605-1110 Rev. P2; HCL605-1113 Rev. P2; HCL605-1114 Rev. P2; HCL605-1115 Rev. P2; HCL605-1116 Rev. P2; HCL605-1201 Rev. P2; HCL605-1202; HCL605-1203; HCL605-1204; HCL605-1205; HCL605-1206; HCL605-1301; HCL605-1302; HCL605-1303; HCL605-1304; HCL605-1401; HCL605-170316 - Play Space Strategy; ; HCL605-S196; 431/110; RHB Partnership LLB Sustainable Design and Construction Statement (30 September 2016); Sustainable Design and Construction Addendum (19 December 2016); Sustainable Design and Construction Statement Addendum Document No. 2 (28 February 2017); Daylight and Sunlight Assessment (13 October 2016); Daylight and Sunlight Amenity within the Site (14 October 2016); Aecom Air Quality Report (September 2016); Aecom Arboricultural Report (5 October 2016); Aecom Archaeology Report (September 2016); Eddowes Aviation Safety Ltd Aeronautical Safeguarding Assessment P1105/R1 Issue 1 (29 September 2016); Mace Construction Management Plan (August 2016); Horden Cherry Lee Design and Access Statement (30 September 2016) Aecom Drainage Strategy Report (October 2016); Aecom Preliminary Ecology Appraisal (October 2016); Aecom Electronic Interference Memo (October 2016); RBA Accoustics Accoustic Assessment (4 October 2016); DP9 Planning Statement (September 2016); Aecom Preliminary Environmental Risk Assessment (October 2016); Quod Economic Regeneration Statement Ref. Q70360 (October 2016); Four Communications Statement</p>

	<p>of Community Involvement (October 2016); Montagu Evans LLP Heritage, Townscape and Visual Impact Assessment (September 2016); Canapero Associates Transport Assessment (October 2016); Aecom Operational Waste and Recycling Management Strategy (5 October 2016); RWDI Pedestrian Level Wind Microclimate Assessment (4 October 2016);</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials and Samples (Compliance and Details)</p>
	<p>Details and samples (where appropriate) of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of superstructure or relevant works. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Brickwork/cladding details; b) Window treatment (including glazing, sections and reveals); c) Doors d) Balustrade treatment (including sections); e) Terraces; f) Green procurement plan for sourcing the proposed materials; g) Soffits; h) Ground floor canopies; i) Louvres; j) Window cleaning apparatus (samples not necessary) k) Any other materials to be used. <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 interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p>Landscaping/Tree Planting (Details)</p>
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) specification to ensure successful establishment and survival of new planting. b) a schedule detailing sizes, species and numbers of all new trees/plants; c) a biodiversity statement detailing how the landscaping scheme maximises biodiversity; d) existing and proposed underground services and their relationship to both hard and soft landscaping; e) proposed trees: their location, species and size; f) landscaping to mitigate wind impacts;

	<p>g) soft plantings: including grass and turf areas, shrub and herbaceous areas;</p> <p>h) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoils, levels, drainage and fall in drain types;</p> <p>i) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>j) hard landscaping: including ground surfaces, kerbs, edges, rigid and flexible pavings, unit paving, furniture, steps</p> <p>k) sculptures and light art features; and</p> <p>l) 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.</p>
5	<p>Tree Pits and Tree Pit Details (Details)</p> <p>CONDITION: Details of all tree pits; their locations, dimensions and depths in relation to ground levels, underground services, car-parking bays and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority prior to practical completion.</p> <p>The tree pits shall be carried out strictly in accordance with the details so approved, provided/installed prior to occupation and shall be maintained as such thereafter.</p> <p>REASON: To secure the appropriate provision of street-trees and to ensure that the life of the trees would not unduly constrained.</p>
6	<p>Demolition Construction Environmental Management Plan (Details)</p> <p>CONDITION: A Demolition Construction Environmental Management Plan 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 demolition works commencing on site. The report shall assess impacts during the demolition phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. 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>THE Demolition CEMP should pay reference to BS5228:2009, LBI's Code of Construction Practice, the GLA's SPG on construction dust and emissions (including the Non-Road Mobile Machinery register) and any other relevant guidance.</p>

	REASON: In the interests of residential and local amenity, and air quality.
7	BREEAM (Compliance)
	<p>CONDITION: The commercial element of the development shall achieve a BREEAM rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
8	Green/Brown Biodiversity Roofs (Details)
	<p>CONDITION: Details of the biodiversity (green/brown) roofs as shown on plan HCL605-S196 shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works. The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); and b) 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). <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 roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
9	Land Contamination
	<p>Prior to the commencement of works below ground the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority</p> <ul style="list-style-type: none"> a) A land contamination investigation. <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 the relevant works commencing on site:</p> <ul style="list-style-type: none"> b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation. <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> <ul style="list-style-type: none"> 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>REASON: Given the history of the site the land may be contaminated, investigation and</p>

	potential remediation is necessary to safeguard the health and safety of future occupants.
10	<p>Fixed Plant (Compliance)</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: 2014.</p> <p>REASON: In the interests of neighbouring residential amenity.</p>
11	<p>Piling Method Statement (Details)</p> <p>CONDITION: No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.</p>
12	<p>Lighting Plan (Details)</p> <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 relevant works.</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>
13	<p>Connection to Citigen</p> <p>CONDITION: Prior to the commencement of development the applicant shall contact Eon Citigen and identify potential changes associated with the Decentralised Energy Network pipework infrastructure. Any proposals to upgrade the pipework infrastructure should be reflected in the draft updated Energy Statement that is required under the terms of the Section 106 legal agreement attached to this planning permission.</p> <p>REASON: In order that the viability of connection to the Eon Citigen Decentralised Energy Network is considered in the context of any upgrades to the pipework infrastructure.</p>
14	<p>Energy Efficiency – CO2 Reduction (Compliance/Details)</p> <p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy which shall together provide for no less than a 36.3% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building</p>

	<p>Regulations 2013 as detailed within the Sustainability 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 shall be submitted prior to the commencement of the development:</p> <p>A revised Energy Strategy, which shall provide for no less than a 36.3% onsite total CO₂ reduction in comparison with total emissions from a building which complies with Building Regulation 2010. This shall include the details of any strategy needed to mitigate poor air quality (such as mechanical ventilation).</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>Renewable Energy (Compliance)</p>
	<p>CONDITION: The energy efficiency measures/features and renewable energy technology (solar PV panels), which shall provide for no less than 1.7% on-site regulated CO₂ reduction as detailed within the 'Energy Strategy' shall be installed and operational prior to the first occupation of the development.</p> <p>Should, following further assessment, the approved renewable energy option be found to be no-longer suitable:</p> <p>a) a revised scheme of renewable energy provision, which shall provide for no less than 1.7% onsite regulated CO₂ reduction, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The final agreed scheme 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 CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
16	<p>Solar Photovoltaic Panels (Details)</p>
	<p>CONDITION: Prior to relevant works, details of the proposed Solar Photovoltaic Panels 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"> - Location; - Area of panels; and - Design (including elevation plans). <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 and to secure high quality design in the resultant development.</p>
17	<p>Long and Short Stay Cycle Parking Provision (Compliance)</p> <p>CONDITION: The long and short stay bicycle parking indicated on approved plans refs. HCL605-1101 Rev P1 and HCL605-1102 Rev P4 which shall provide no less than 493 long stay and 42 short stay parking spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
18	<p>Sustainable Urban Drainage System (Details)</p> <p>CONDITION: Details of measures to reduce surface water run-off from the site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of superstructure. The details shall include the provision of green roofs and a surface water attenuation tank. 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>The details shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development. A rainwater recycling system shall be installed and operational 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 that sustainable management of water and minimise the potential for surface level flooding.</p>
19	<p>Ground Floor Elevations</p> <p>CONDITION: Full details of the design and treatment of ground floor elevations of the commercial building shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the ground floor elevations of buildings. The details shall include: doors, sections, elevational and threshold treatments, all to be shown in context and to a scale of 1:50. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. The approved design/treatments shall be provided prior to the first occupation of the part of the development to which they form part.</p> <p>REASON: To ensure that the Authority may be satisfied with the access arrangements and the street level external appearance / interface of the buildings.</p>
20	<p>Roof-top Plant and Lift Overrun</p> <p>CONDITION: No roof-top plant, ancillary enclosures/structure or lift overrun shall exceed the height of the parapet unless otherwise agreed in writing by the local planning authority.</p> <p>REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful visual impact.</p>
21	<p>Future Connection</p>

	<p>CONDITION: Details of how the boiler and associated infrastructure shall be designed to allow for the future connection to any neighbouring heating and cooling network shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The agreed scheme shall be installed prior to the first occupation of the development hereby approved. 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 facility is provided appropriately and so that it is designed in a manner which allows for the future connection to a district system</p>
22	<p>Energy Centre</p>
	<p>CONDITION: The Energy centre shall not be operational until details and specification of the proposed CHP have been submitted to and approved in writing by the Local Planning Authority. The details shall include:</p> <ol style="list-style-type: none"> 1 The make and model of the system and details of the additional technology for fitment to reduce air pollution emissions 2 The type, height and location of the flue / chimney 3 A breakdown of the emissions factors of nitrogen oxides and details of any mitigation measures to reduce emissions 4 Ultra low NOx status. <p>The approved CHP shall be installed in strict accordance with the agreed details prior to the occupation of the development and shall be permanently maintained thereafter.</p> <p>REASON: In the interest of securing the centralised energy centre for the site and its sustainable connection to the various uses within the development.</p>
23	<p>Delivery Servicing Plan – TfL (Details)</p>
	<p>CONDITION: Two delivery and servicing plans (DSP) for the commercial and residential parts of the development detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL) prior to the first occupation of the relevant part of the development hereby approved. The DSP for the commercial part of the development shall include arrangements for servicing the cycle hire docking station.</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 therefrom 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>
24	<p>Construction Management Plan and Construction Logistics Plan (Details)</p>
	<p>CONDITION: No construction works shall take place unless and until a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The reports shall 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.</p> <p>The reports should demonstrate that vehicular activity associated with construction will be</p>

	<p>co-ordinated with activity associated with the redevelopment of neighbouring sites in order to manage the cumulative impact on the local highway network.</p> <p>The CMP shall include details of a telephone contact for neighbouring residents in relation to queries or concerns regarding construction management.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP 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>
25	<p>Accessible Housing – Major Schemes (Details)</p>
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, 23 of the residential units shall be constructed to meet the requirements of Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2) and 2 units shall be constructed to meet the requirements of Category 3 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Wheelchair user dwellings' M4 (3). The Category 3 units shall meet the requirements of M4 (3) (2) (b).</p> <p>A total of two 3-bed units shall be provided to Category 3 standards.</p> <p>A total of four 1-bed and nineteen 2-bed units shall be provided to Category 2 standards.</p> <p>Building Regulations Approved Plans and Decision Advice Notice, confirming that these requirements will be achieved, shall be submitted to and approved in writing by Local Planning Authority prior to commencement of superstructure in respect of the residential element.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON - To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs, in accordance with London Plan (FALP) 2015 policy 3.8 (Housing Choice).</p>
26	<p>Sound Insulation (Details)</p>
	<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 commencement of superstructure in respect of the residential element. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB $L_{Aeq, 8 \text{ hour}}$ and 45 dB $L_{max (fast)}$ Living Rooms (07.00-23.00 hrs) 35 dB $L_{Aeq, 16 \text{ hour}}$ Dining rooms (07.00 –23.00 hrs) 40 dB $L_{Aeq, 16 \text{ hour}}$</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p>

	<p>REASON: To ensure satisfactory living conditions for future occupants of the development.</p>
27	<p>Air Quality</p> <p>Prior to the commencement of superstructure in respect of the residential element , a site report detailing steps to minimise 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: In order to ensure satisfactory air quality within the residential accommodation for future occupants of the development.</p>
28	<p>Hours of Operation (Compliance)</p> <p>CONDITION: The ground floor flexible retail units hereby approved shall not operate outside the hours of 7am to 12am.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
29	<p>Refuse/Recycling Provided (Compliance)</p> <p>CONDITION: The dedicated refuse / recycling enclosures serving the residential and commercial accommodation shall be provided in accordance with the details provided within the approved Operational Waste and Recycling Management Strategy (October 2016) and as indicated on approved drawings refs. HCL605-1101 Rev P1 and HCL605-1102 Rev P4 prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>The development hereby approved shall be operated in accordance with the details of the details of the approved Operational Waste and Recycling Management Strategy (October 2016).</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
30	<p>Flue Extracts</p> <p>Should the flexible commercial units be taken up for A3 use details of proposed flues / extraction systems for the units shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the unit to which they relate.</p> <p>The filter systems of the approved flue / extraction units shall be regularly maintained and cleaned; and any filters and parts requiring cleaning or replacement shall be easily accessible.</p> <p>The flues/extraction systems shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the commercial units to which they relate and maintained as such thereafter.</p> <p>REASON: In the interest of protecting future residential amenity and the appearance of the resulting building.</p>
31	<p>Building Maintenance Unit Storage</p> <p>CONDITION: At all times when not being used for cleaning or maintenance the tower Building Maintenance Unit shall be stored behind the parapet and the podium Building</p>

	<p>Maintenance Units shall be stored discreetly in order to minimise their visibility.</p> <p>REASON: To ensure a satisfactory external appearance</p>
32	<p>Cycle Lockers and Showers</p> <p>CONDITION: Unless otherwise approved in writing by the local planning authority, changing facilities and showers, including no less than 25 showers and 445 lockers, shall be provided in accordance with the drawings hereby approved and maintained throughout the life of the building for the use of occupiers of the building.</p> <p>REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters.</p>
33	<p>Wind Mitigation</p> <p>CONDITION: The development shall not be occupied unless and until the identified measures to mitigate any potential wind impacts as outlined in approved document 'Pedestrian Level Wind Microclimate Assessment RWDI # 1603072-PLW Rev C (October 4th 2016) are put in place.</p> <p>REASON: To ensure that adverse impacts are mitigated in the interest of pedestrian and residential amenity.</p>
34	<p>Visitor Cycle Parking</p> <p>CONDITION: Details of the location of the visitor's cycle parking, which shall comprise no less than 42 spaces shall be submitted to and approved in writing by the Local Planning Authority, and installed, prior to the first occupation of the development hereby approved. 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 adequate visitor cycle parking is available to support the resulting use(s) and to promote sustainable modes of transport.</p>
35	<p>Subdivision of Retail Units</p> <p>CONDITION: The flexible retail units on the ground floor of the building shall not be amalgamated or further subdivided unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: The amalgamation or further subdivision of the commercial units is likely to have operational, transportation, aesthetic and amenity implications which would need to be considered under a separate planning application to ensure the provision of premises suitable for small businesses.</p>
36	<p>Retention of Current Architect</p> <p>CONDITION: The current architect shall be retained for the design development phase of the project unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure continuity in the design approach and the standard of the appearance and construction of the development.</p>
37	<p>Mobility Scooter Storage and Charging Facilities</p> <p>CONDITION: The 6 mobility scooter parking spaces with charging points indicated on plan reference HCL605-1101 shall be made available prior to first occupation of the building unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interests of providing an accessible and inclusive development.</p>
38	<p>Retail Signage Strategy</p>

	<p>CONDITION: Prior to first occupation of the retail units, a retail signage strategy including details of internal signage to the retail units shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of maintaining a satisfactory appearance for the building and in the interest of the character and appearance of the area.</p>
39	<p>Disabled Parking Spaces</p>
	<p>CONDITION: The disabled parking spaces shown on drawing No. HCL605_1102 Rev. P4 hereby approved shall be provided prior to the first occupation of the building and the disabled parking bays shall be appropriately line-marked and thereafter kept available for the parking of vehicles at all times. The car parking spaces shall only be occupied by vehicles displaying blue badges.</p> <p>REASON: In the interest of securing the provision of an appropriate number and standard of disabled parking spaces.</p>
40	<p>Inclusive Design (Compliance)</p>
	<p>CONDITION: The development shall be designed in accordance with the principles of Inclusive Design. To achieve this the development shall incorporate step free external space, open space and landscaping, and level access to amenity facilities.</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 there from shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
41	<p>Nesting Boxes (Details)</p>
	<p>CONDITION: Details of bird and bat nesting boxes and/or bricks shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works.</p> <p>The details shall include the exact number, location, specification and design of the habitats.</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>
42	<p>Refuse/Recycling Provided (Compliance)</p>
	<p>CONDITION: The dedicated refuse / recycling enclosures shown on drawing nos. HCL605-1101 and HCL605-1102 Rev. P4 shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
43	<p>Waste Management Strategy</p>
	<p>CONDITION: Details of a Waste Management Strategy for the proposed commercial building shall be submitted to and approved in writing by the Local Planning Authority prior</p>

	<p>to first occupation of the building. The Strategy shall include updated details of arrangements for the compaction of commercial waste.</p> <p>The development shall be operated strictly in accordance with the Waste Management Strategy so approved.</p> <p>REASON: To secure appropriate waste processing procedures in order to support the development.</p>
44	<p>Cycle Lifts and Access</p> <p>CONDITION: The cycle lifts and access to basement level cycle parking within the commercial building shall accord with TfL's London Cycle Design Standards unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure cycle parking is easily accessible on site and to promote sustainable modes of transport.</p>

List of Informatives

1	<p>Planning Obligations Agreement</p> <p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	<p>Superstructure</p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. In this case, the council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of the new element of a building above its foundations, excluding demolition.</p> <p>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>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions:</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These</p>

	conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.
4	Thames Water (Surface Water Drainage)
	With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
5	Thames Water (Mains Water Pressure)
	A Thames Water recommend the following informative be attached to this planning permission. 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.
6	Thames Water (Trade Effluent Consent)
	Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at http://www.thameswater.co.uk/business/9993.htm or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.
7	Thames Water (Fat Trap)
	Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.
8	Thames Water (Groundwater Discharges)
	A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality .
9	Thames Water (Water Main)
	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: 0800 009 3921 for further information.
10	Thames Water (Water Main)
	There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
11	CIL Informative
	<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 London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</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 and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2016, 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 2016 - 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 2.9 Inner London

Policy 2.10 Central Activities Zone – strategic priorities

Policy 2.11 Central Activities Zone – strategic functions

3 London's people

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

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.7 Retail and town centre development

Policy 4.8 Supporting a successful and diverse retail sector

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 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.18 Construction, excavation and demolition waste

Policy 5.21 Contaminated land

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Lifetime Neighbourhoods

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 7.12 Implementing the London View Management Framework

Policy 7.14 Improving air quality

Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate 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 CS7 (Bunhill and Clerkenwell)

Policy CS8 (Enhancing Islington's Character)

Policy CS12 (Meeting the Housing Challenge)

Policy CS13 (Employment Spaces)

Policy CS14 (Retail and Services)

Policy CS16 (Play Space)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

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

DM2.4 Protected Views

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

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

DM3.6 Play space

DM3.7 Noise and vibration (residential uses)

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

Shops, culture and services

DM4.4 Promoting Islington's Town Centres

DM4.8 Shopfronts

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

Employment

DM5.4 Size and affordability of workspace

Health and open space
 DM6.1 Healthy development
 DM6.2 New and improved public open spaces
 DM6.5 Landscaping, trees and biodiversity
 DM6.6 Flood Prevention

D) Finsbury Local Plan June 2013

<u>Role Within London's Central Activities Zone</u>	<u>Delivery and Monitoring</u>
BC8 Achieving a balanced mix of uses	BC10 Implementation
BC9 Tall buildings and contextual considerations for building heights	

3. Designations

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Bunhill and Clerkenwell Key Area
- Central Activities Zone (CAZ)
Employment Priority Area (General)

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

The following SPGs and/or SPDs are relevant:

- | | |
|---|---|
| <p>Islington Local Development Plan</p> <ul style="list-style-type: none"> - Conservation Area Design Guidelines - Planning Obligations and S106 - Urban Design Guide - Environmental Design - Development Viability | <p>London Plan</p> <ul style="list-style-type: none"> - Accessible London: Achieving and Inclusive Environment - Housing - Social Infrastructure - The Control of Dust and Emissions during Construction and Demolition - Shaping Neighbourhoods: Character and Context - Sustainable Design & Construction - Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy - Shaping Neighbourhoods: Play and Informal Recreation - Land for Industry and Transport - London View Management Framework - Central Activities Zone |
|---|---|

**APPENDIX 3: DESIGN REVIEW PANEL RESPONSE LETTER
DATED 7TH OCTOBER 2016**



CONFIDENTIAL

ATT: Mr Edward Law
DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

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
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Our ref: DRP/99

Date: 7 October 2016

Dear Edward Law,

ISLINGTON DESIGN REVIEW PANEL

RE: Finsbury Tower, 103-105 Bunhill Row, London EC1Y 8LZ (pre-application ref. Q2015/4670/MJR)

Thank you for attending Islington's Design Review Panel meeting on 16 September 2016 for a second review of the above scheme. The proposed scheme under consideration is for the erection of a 12 storey extension to the existing 16 storey building and a 3 to 6 storey extension to the existing podium block up to 7 storeys to provide additional office (Use Class B1a) floorspace; recladding of the existing building to match the materials of the extensions; change of use of part of the ground floor accommodation to flexible Class A1 (retail) and A3 (restaurant/cafe) uses; demolition of single storey structures and the erection of 6 storey block adjacent to the western elevation to provide 25 affordable dwellings; alterations to the public realm, including landscaping and highways improvements and other associated works. (officer's description).

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), David Crookes, George Saumarez Smith and Martin Pearson on 16 September 2016 including a presentation from the design team followed by a question and answer session and deliberations at the offices of the London Borough of Islington. There was no site visit as this was a second review. The views expressed below are a reflection of the Panel's discussions as an independent advisory board to the Council.

Panel's observations

The Panel welcomed seeing the proposed scheme for a second review and generally felt that the scheme had improved following the first review. However, the Panel continued to raise some concerns over the height, bulk and design of the building. The Panel made the following observations:

Design and materials

Panel members felt that the overall design had improved since the first review and were particularly supportive of the ground floor treatment and terraces. The Panel felt that there was a strong rationale to the design of the lower part of the building and commented on the way in which the design team had used the surrounding street and building geometries to inform the form of the building and relate to the context.

However, concerns were raised over the design of the top section of the tower and particularly when this was viewed from the Honorary Artillery Company (HAC) Grounds. Panel members suggested that a marginal set back in the elevation and/or articulation of the corners may improve this and reduce the bulky appearance from this key view point. The Panel felt that from this view the building did not relate well to its context and advised that the top should be more elegant and better articulated.

The Panel were generally supportive of the proposed materials, colour palette and more homogenous design approach. They felt that the proposals now represented a more sophisticated contextual response. Some concerns were raised regarding the proposed treatment of the cores; panel members wanted to ensure that these were sufficiently tied into the overall design or alternatively expressed honestly as the cores.

Height and impact on heritage assets

The Panel were generally accepting of the proposed height, however concerns were still raised over the impact on the conservation area and surrounding listed buildings and burial ground. Some panel members felt that the improvements to the public realm and to the base of the building associated with the proposals may not be sufficient to outweigh the harm caused by the additional height. Panel members felt that more work was required by the design team to ensure that the building would have a positive impact on its surroundings.

Public Realm

As at the first review the Panel were very supportive of the public realm improvements, although continued to have concerns about the amount of sunshine that would get into the public space. Panel members requested verified CGIs that would accurately show the sunlight within the space at different times of the day and year. They also questioned the security and controlled access within the space.

Summary

The Panel felt that there had been a general overall improvement since the first review and welcomed the way in which the ground floor and public realm had been developed to better relate each other and to human scale. The Panel were positive about the creation of a new public space, but felt it was important for the design team to ensure that they were creating an attractive environment.

Panel members were generally positive about the details, materials, colours and textures proposed. The Panel did not, however, agree on the height of the building and whether or not this was appropriate here. Although, they did agree that it was dependant on how the design team could take a form or a building that currently has a negative impact on its surroundings and turn that into a positive contributor. The Panel was not convinced that the design team had achieved this yet and felt that this point needed to be addressed.

The Panel felt there was a strong rationale towards the base of the building in the way the surrounding street and building geometries have been used to form the articulation of the building. However, panel members felt that it became much more arbitrary higher up because this section of the building is not seen directly with the context at ground level. They questioned whether or not the architectural expression at upper levels gave the building the elegance and interest that a building of this height would need to have. It was felt that the cores and corners may need to be better articulated and that the elevation when seen from the HAC Grounds required further development. The main concern raised was how the design team would make the top of the proposed building a beautiful and successful element. The Panel was divided in opinion, however, it was felt that if this issue could be resolved there would be a greater chance that the scheme would be fully supported.

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 cursive script, appearing to read 'Lucy', written in black ink.**Luciana Grave**

Design Review Panel Coordinator
Design & Conservation Team Manager

**APPENDIX 4 – BPS INDEPENDENT VIABILITY REVIEW
(AUGUST 2016) AND ADDENDUM (OCTOBER 2016)**

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Finsbury Tower

Independent Viability Review

Prepared on behalf of the London Borough of Islington

August 2016



82 South Street, Dorking, RH4 2HD
www.bps-surveyors.co.uk
Tel: 01483 565 327

1.0 INTRODUCTION

- 1.1 We have been instructed by the London Borough of Islington ('the Council') to review a viability assessment that has been prepared by Montagu Evans, in relation to the proposed redevelopment of Finsbury Tower by Hermes Investment Management.
- 1.2 Estates Gazette Interactive records state that the building was built in the 1960s and was last refurbished in 1995. We have been informed that it was sold for £107m in November 2015 to CIT Group. We have checked Land Registry records, which cite a purchase price of £106m, and states that the freeholder is Finsbury Tower Estates Ltd, which we assume is a company that is affiliated to Hermes.
- 1.3 The previous planning application, P2015/2222/FUL, was for a, "*Partial refurbishment comprising external alterations to the existing office building including re-cladding of the podium (ground floor) , creation of a new portico main entrance on Bunhill Row, creation of a secondary entrance to the rear and conversion of the existing rear services yard to a landscaped garden*". This application was withdrawn.
- 1.4 A Planning application was also submitted for the change of use of the basement and ground floor of the existing building and the refurbishment and alteration to the building resulting in a loss of 1,214 sq m (gross) of office space. This application was by Hermes Real Estate Investment Fund, under P2015/1049/FUL.
- 1.5 The applicant has explored five different options, of which Option 1 (the proposed development) is the preferred option and is the only one that is shown to generate a surplus in Montagu Evans' appraisals - thus is the only one that is considered to be viable. The proposed development entails:
- 12-storey extension to the existing tower
 - 2-storey extension to the existing podium
 - The erection of a 4-storey extension on the corner of Bunhill Row and Dufferin Street
 - A new 5-6 storey building to the rear of the tower, with a frontage onto Lambs Buildings, to accommodate 21 units of affordable housing (100% social rent) and affordable workspace
 - Various public realm improvements, including a new pedestrian route through the site, connecting Bunhill Row with Errol Street.
- 1.6 This proposed scheme is shown below as option 5:
- Option 1) Refurbishment of existing 15 storey building
 - Option 2) 8 storey extension
 - Option 3) 10 storey extension
 - Option 4) 11 storey extension
 - Option 5) 12 storey extension
- 1.7 The refurbishment scheme generates a residual value of £76,767,535, which has been adopted as a Benchmark Land Value. The results of the appraisals are:

Development Option	Residual land value	Surplus generated (compared against £76.8m benchmark)
8 storey extension	£66,070,147	-£10,697,388
10 storey extension	£69,234,737	-£7,532,798
11 storey extension	£72,931,953	-£3,835,582
12 storey extension	£76,631,333	-£136,202

- 1.8 In the above table, the only viable options are the refurbishment option and the 12-storey option - the latter being effectively at a break even position.
- 1.9 The Montagu Evans development options all assume the provision of Affordable Workspace equivalent to 5% of the total Gross Internal Area (GIA), part at a rent of a peppercorn in perpetuity, and part at a rent of a peppercorn for the first 10 years. We understand that the overall provision of 5% of total GIA is in line with Islington planning policy, and that the rental assumptions are more generous than Islington's policy which requires only that Affordable Workspace be let at no more than 80% of Open Market levels.
- 1.10 The proposed scheme will provide up to 25 Social Rented apartments within a standalone building. The applicant's advisers state that, *"Whilst affordable housing is not required under Islington policy covering office floorspace provision, we understand that this is a local priority that our Client intends to satisfy. We understand that the Social Rented tenure is in particular demand in Islington."*
- 1.11 The Council has instructed us to consider whether it is necessary for the extension of the building to be as high as 12 storeys. It is argued that this height of extension is required in order to ensure that the scheme remains viable.
- 1.12 This Viability Review does not constitute a 'Red Book' valuation, meaning that Valuation Practice Statements 1-4 of the Red Book (RICS Valuation - Professional Standards, January 2014) are not of mandatory application. The Valuation Date for this Viability Review is the date of this report, as stated on the title page. This Viability Review has been undertaken in accordance with the Terms & Conditions provided to the Council and with any associated Letters of Engagement, and should only be viewed by those parties that have been authorised to do so by the Council.

2.0 CONCLUSIONS & RECOMMENDATIONS

- 2.1 Following our review of the viability assessment by Montagu Evans, we note that it is generally very detailed and based on good market evidence in respect of the adopted costs and values. We have, however, suggested some relatively minor changes to office yields (for the refurbishment scheme) and profit levels (for the development and refurbishment schemes).
- 2.2 The scheme's delivery of an affordable housing block is effectively resulting in the tower extension having to be as high as 12 storeys - in order for sufficient revenues from new office space to be generated, to ensure the scheme is viable. There is therefore a trade-off between affordable housing delivery and the restriction on the height of the building. There is also a trade-off between height restriction and the rent discounts granted to the affordable workspace, which will require further consideration by planning officers.
- 2.3 In the remainder of this Section, we discuss the different Options in turn, and finally discuss the affordable workspace valuation.

12-storey extension scheme

- 2.4 We agree with the rents and yields that have been applied to value the completed office floorspace, and agree with all the other cost inputs.
- 2.5 Regarding the affordable housing values, these total £2.5m and are based on an offer received from a leading Registered Provider. This constitutes good market evidence thus we accept these values, although it would be useful to be provided with a copy of this offer.
- 2.6 Regarding the profit targets, these are arguably higher than is typical. We suggest 17.5% on Cost for the proposed development (rather than the 17.5% on GDV). This increases the residual value from £76.63m to £81.91m.
- 2.7 Given that the site was purchased for £106m according to Land Registry, this suggests that the purchaser formulated its final bid on the basis of considerably more optimistic appraisal assumptions than have been adopted by Montagu Evans; we suggest that this may in part reflect a lower profit requirement, and also that future improvements in viability were factored in. We have, however, reviewed viability entirely on the basis of present-day costs and values - as is required by the National Planning Policy Guidance in its guidelines on how to assess viability for planning purposes.

Refurbishment (benchmark) scheme

- 2.8 The refurbishment scheme generates a residual value of £76,767,535, which has been adopted as a Benchmark Land Value.
- 2.9 In considering the investment market and comparable sales transactions, we suggest that the office yield differential is not great enough between the refurbishment option (5.0%) and development options (4.5%). The rents and yields applied to the development options are consistent with recent market evidence that we have analysed. However, with respect to the refurbishment scheme (i.e. benchmark scheme), we do suggest that a higher yield should be applied in order

to show a greater difference between this and the development options - in terms of their relative appeal to investors. This reflects the limited level of refurbishment undertaken and the constraints posed by retaining the existing façade.

- 2.10 We calculate that by increasing the yield from 5.0% to 5.25%, this reduces the office capital values by £7.49m, and increasing this to 5.5% would change it by £14.29m. Making this £7.49m reduction in the refurbishment appraisal, reduces the residual from £76.8m to £72.0m. We also suggest a lower profit target is appropriate, in part because we view the profit differential shown by Montagu Evans (15% vs. 17.5%) to be insufficient to fully reflect the large differences between the refurbishment and development options - especially their difference development periods and levels of risk. We have therefore reduced the profit to 12.5% on Cost, which increases the residual from £72.0m to £75.8m.
- 2.11 The aforementioned revised benchmark land value of £75.8m can be compared to the £81.9m revised residual land value for the proposed scheme (12 storeys), and suggests a surplus of just over £6m.

8-, 10- and 11-storey extension options

- 2.12 Our revisions to the 12-storey extension increased the surplus from -£0.14m to £6.1m. Applying these changes to the other options would lead to the 11-storey option showing a surplus, while the 8- and 10- storey options would remain unviable.
- 2.13 We suggest that further discussion is required with the applicant's advisers regarding profit levels, refurbishment costs, the specification of the refurbishment option and affordable workspace values (see following paragraph)."

Affordable workspace

- 2.14 Part of the affordable workspace will be let at a peppercorn rent for 10 years, after which it will revert to full market rent. The capital value is £5,964,000 (after deduction of purchaser's costs) in the appraisals of the development options. After being provided with the detailed valuation for this space, we can confirm that it has been calculated correctly.
- 2.15 Regarding the affordable workspace that is at a peppercorn rent in perpetuity, we note that this is lower than the typical requirement that affordable workspace should be at c80% of Market Rent, therefore the Council may wish to consider allowing a higher rent in order to increase values and thereby improve viability - which could allow the scheme to proceed with a lower number of extension floors. For example, at 80% of Market Rent in perpetuity, this space would have a capital value (after deducting purchaser's costs) of £6.74m - which could enable the height of the extension to be lowered.

3.0 OFFICE VALUES

- 3.1 The office rents for all the Options have been estimated by Strutt & Parker, who provide a floor-by-floor rent schedule for each Option. On request, comparable lettings evidence has been provided. We analyse this evidence below, and in particular we focus on comparing the rents that have been applied in the different Options.
- 3.2 For Option 5 - the proposed scheme - the rents range from £60.50 (ground floor) up to £80 psf (27th floor), with a steady gradient as one moves up the building. By comparison to the refurbishment option, the 10th floor (as one example) has a £59 per sqft rent, compared to the £66 per sqft rent shown in the proposed scheme.
- 3.3 We have considered whether this differential suitably reflects the higher appeal of upper floor buildings. We would expect there to be a gradient, which we have seen in many high rise office buildings, including Centre Point and the Heron Tower.
- 3.4 Strutt & Parker assume that a very high specification will be provided for the proposed scheme's offices. It is referred to as "extremely high". Their valuation was undertaken in May 2016. This is prior to the 'Brexit' vote, therefore they may wish to revise this valuation to reflect the current market uncertainty, which has had an impact on the capital values of London offices. It is, however, likely that any changes (such as, for example, a 'softening' of yields) would apply both to the benchmark scheme (i.e. the refurbishment scheme) and the extension schemes, therefore would counteract each other, thus limiting the impact on overall scheme viability.

Proposed scheme's office rents

- 3.5 The site is in the City Fringe market and close to the Silicon Roundabout area surrounding the Old Street Roundabout. It is therefore an up and coming office area, which we would expect to generate substantial levels of occupier demand. The new-build letting evidence provided by Strutt & Parker includes the following, which we have commented upon:
- [10 Finsbury Square](#) - lettings on the 3rd, 4th and 5th floors, all at £63.50 psf. This is a new-build. Deals agreed in January 2016. In very close proximity, just to the south east of Finsbury Tower. Grade A offices. Comparing this to the proposed scheme, which has £61.50 psf to £62.50 psf for the 3rd-5th floors, this suggests that Strutt & Parker's estimate is reasonable. This new-build 10 Finsbury Square office may be marginally superior to the proposed scheme which is constrained by the existing building structure - for example the floor to ceiling heights. This comparable has an excellent outlook, being adjacent to attractive playing fields. It has an excellent double-height reception. Floor to ceiling heights are 2.75m with a 150mm raised floor void.
 - [Cordy House, Curtain Road](#) - this new-build is in close proximity, to the east of Finsbury Tower. It achieved £50 per sqft in Q3 2015. Improvements in rents since then may justify higher rents at the proposed scheme. This rent was for the 1st-3rd floors, and compares to £60.50-£61.50 per sqft applied to the proposed scheme's 1st-3rd floors.

- [White Collar Factory, 100 City Road](#) - this Derwent London building is very close to Finsbury Tower. It is a high quality office building, and has achieved high-£50s/low-£60s for many of its floors. The latest letting cited is £63.50 for the 7th & 8th floors. By comparison, the proposed scheme has £64.00 and £64.50 psf for the 7th and 8th respectively. We would not expect the proposed scheme's (on a floor to floor comparison) to significantly exceed values at 100 City Road, *unless* it is the case that there has been substantial growth in rents since this date.
- 3.6 According to CBRE, for Q1 2016, *“Prime Central London offices again showed significant growth of 2.6% across both rents and capital values. The capital also contained most of the nation’s hotspots. Prime offices in the City saw its highest rental growth in six years at 4.6%, while London Docklands saw increases of 5.4%.”* It is unclear what the impact of Brexit will be; CBRE’s figures indicate that City offices have thus far been the hardest hit, with a 6.1% decrease in capital values in July. We would therefore be hesitant to apply any inflation to the comparable lettings (such as at 100 City Road) to reach a present estimate of rents and overall capital values.
- 3.7 The quality of the reception area is an important consideration and a key driver of values. The current reception area is somewhat dated. We have sought to establish what works will be undertaken to the reception for the proposed scheme, and how it will alter. We have also made a comparison between this and the reception that the ‘refurbishment option’ will deliver. We have not, however, yet been provided with sufficient information regarding the reception areas, thus are unable to form a final opinion.
- 3.8 The standard of internal fit-out is a key driver of values. These will, we understand, be Grade A, air-conditioned offices. Whilst Strutt & Parker say they will be “extremely high” specification this is not fully apparent from the cost plan, and insufficient levels of detail are provided for us to identify the level of fit out. We have requested further details from Montagu Evans, but have not yet received detailed information regarding specification.
- 3.9 The proposed scheme will provide a new façade and will effectively provide accommodation on a par with new-build. The extension floors will have the same floor to ceiling heights as the existing floors, therefore they will be very similar to the floors below. We therefore agree with the approach taken by Strutt & Parker, whereby similar rents are provided for the new-build and refurbished floors of the proposed scheme (after factoring out the impact of height on rents). For example, there is only a £1 psf difference between the 15th and 16th floors (the latter being the first new-build floor).
- 3.10 The top floor is £80 per sqft. This is difficult to support as there are no comparable lettings cited at rents this high, and none cited at this high above ground level. This is therefore a somewhat untested rent level. We do, however, agree with the rents applied, which show a progression with height and are consistent with the general trend for higher rents on upper floors, where there are better views. There is, however, likely to be a ceiling upon how much occupiers are willing to pay in this location, which is City Fringe thus is outside the core London office markets.

Refurbishment option

- 3.11 As stated above, we consider the proposed scheme's rents to be reasonable. The rents are higher for the extension option than for the refurbishment option. For example, the 5th floor is £56.00 psf for the refurbishment, and 62.50 psf for the extension options. We have considered whether this differential is sufficient to account for the difference in quality; this is just over 10% lower rents.
- 3.12 The refurbishment scenario has rents ranging from £52 psf (tower) up to £64 psf (15th floor), with a steady gradient of increasing rents as one moves up the building. This is assumed to be a 'light touch' refurbishment, therefore our Cost Consultant has sought to establish that this level of refurbishment is reflected in the Cost Plan.
- 3.13 As the building will not be provided with a new façade in the refurbishment scenario, this will impact on values, as the current façade is somewhat dated. The refurbishment would need to take into account the age of the façade and the windows which may need replacing in order to provide modern standards of energy efficiency etc. This may therefore impact on rents.
- 3.14 Based on our experience of other London schemes, including refurbishment schemes, we agree with Strutt & Parker's assertion that the differential in rents between new-build and refurbished space has recently narrowed - driven in large part by the shortage of 'cheap' offices and the loss such offices via residential conversion (under Permitted Development Rights).
- 3.15 We discuss below some of the comparable lettings cited by Strutt & Parker, which are of relevance to refurbished offices:

[The Bower Warehouse, Old Street](#) - comprehensive refurbishment. These let for £50.25-£67.50 per sqft. These were pre-lets in Jan-Nov 15.

[C-Space, 37-45 City Road, EC1](#) - £55.00 to £63.50 per sqft achieved. Comprehensive refurbishment. For example, £63.50 on part 3rd compares to the estimate of £55 per sqft for Finsbury Tower. We have checked the EGi building report for C-Space; it is effectively a new building, as it has a new façade and some extension works. It is therefore arguably more similar to the *proposed* scheme than the refurbishment option, and this is reflected in the rents being closer to the proposed scheme's.

[Alpha Beta, 14 Finsbury Square](#) - historic façade, arguably a more attractive building than the existing Finsbury Tower. These were let in Jan-Apr 15 at £52.00-£60.00 psf, on the 4th-6th floors. By comparison, the refurbishment scheme is estimated at £55.50-56.50 per sqft - which strengthens the view that these estimates are reasonable.

- 3.16 We have, in addition, referred to lettings records on Estates Gazette Interactive, including the following lettings:

[140 Old Street, London, EC1V 9BJ](#) - High quality refurbishment, including a new, plate-glass façade. Let for £60 per sqft in April 2016. Was refurbished in 2003 (to Grade A specification), thus a new refurbishment could achieve higher lettings, although the refurbishment scheme at Finsbury Tower does not include a new façade thus is arguably inferior. This suggests that £54 estimated for the 1st floor of the refurbishment Option is reasonable.

[104-110 Goswell Road, London, EC1V 7DH](#) - Let for £61.50 per sqft in July 2016. This has a dated façade. Specification is short of grade A. Does not have suspended ceilings. Oak floors. 2nd floor letting. This does suggest that the refurbishment Option's estimated values are broadly reasonable, based on the most recent lettings evidence, and may even be somewhat cautious.

[Scrutton Street](#) - let in June 2016 at £54.50 per sqft on 1st floor. This has a dated facade, which has been refurbished but not replaced. Has comfort cooling. Overall, we would expect marginally higher rents for the Finsbury Tower refurbishment, thus £54.00 per sqft for the refurbishment Option is realistic by comparison.

- 3.17 In conclusion, we agree with the rents that have been applied in the refurbishment scenario.

Yields - for all Options

- 3.18 The gross yield for the proposed scheme's offices is 4.5%. For the refurbishment scheme, the gross yield is 5.0%. Arguably this is not sufficiently higher than the application scheme's yield to reflect the difference in quality. We would expect the investment market to look considerably more favourably on the proposed scheme than the refurbishment scheme, given that the latter will retain a dated façade which may result in further works being required in the future to replace parts of this façade. Montagu Evans confirm that the refurbishment option would be an internal-only refurbishment and would not require any planning permission.
- 3.19 No yield evidence has been provided by Montagu Evans in support of their yield estimates. Consequently, we have researched the local market and considered the following investment deals:
- [1 Tudor Street, EC4Y 0AH](#) - Close to Farringdon Crossrail. Second-hand Grade A, a modern building, constructed 2009. Multi-let to high quality tenants, large modern reception. Sold at **4.16%** yield, in July 2015. This is a 70,591 sq ft office.
 - [16-17 Bowling Green Lane](#) - located to the west of Finsbury Tower. Sold at a **3.76%** net initial yield, in August 2015. Multi-let property. Grade-II listed building, Grade A specification. This suggests that a higher yield should be applied to the John Street property.
 - [2 Pear Tree Court, EC1R 0DS](#) - property refurbished in 2000. Close to Farringdon Road tube station. This is a growth area due to the construction of Farringdon Crossrail Station. **3.74%** net initial yield. Single let to Euromonitor International. Sold in August 2015.
 - [20 Red Lion Street, Sandland Street, WC1R 4QN](#). Achieved a net initial yield of 5.0%. Sold Feb 2015. Recently fully refurbished. Modern building. Located in a superior location, to the south of the Site. Refurbished in 1998. Single occupancy, by a Patent Office. High quality office building.

- [2 Bedford Row](#). Listed, prestigious Georgian building. Achieved a 4.4% yield (not mentioned whether this is a gross or net yield). Entire building let to a law firm.
 - [Saffron Court, St Cross Street, EC1N 8XA](#). This sold at a 5.25% net initial yield, in August 2015. 1960s building. Six storeys. In close proximity to John Street, and near Farringdon station.
 - [Isis House, 74 New Oxford Street, WC1A 1EU](#) (grade A - 4.1% yield), achieved in January 2015. Refurbished effectively to a new-build standard in 2013, including a glass façade. Excellent location. Grade A specification, including air conditioning. Would expect considerably higher yield for application scheme's offices, given their inferior location.
- 3.20 With respect to an office in Tavistock Place, in a recent assessment by Crossland Otter Hunt (who were instructed by BPS) of achievable net yields for a fully refurbished (high-quality, Grade B) office, they advised that 4.75%-5.0% is realistic. This is to west of Finsbury Tower, and in the Midtown market. It is similar in being outside the Core office market.
- 3.21 We question the 0.5 percentage point differential between the proposed scheme and refurbishment scheme offices, given the low yields that have been achieved for new-build offices and the benefits of including new floors on the building. The yield achieved for refurbished offices appear dependent on the extent of refurbishment and the quality of the original building.
- 3.22 In light of the Leave vote in the EUV referendum, there has been a fall in capital values of London offices, thus we would not suggest lower yields than Montagu Evans have adopted. Prior to the referendum, sub 4.5% could be expected for a refurbishment that was as good as a new-build (such as provided a new façade etc) - as Alpha Beta demonstrates:
- [Alphabeta \(Former Neptune House, Triton Court\), 14 Finsbury Square, London, EC2A 1BR](#), achieved 3.89% yield in August 2015. This has an historic façade and was comprehensively refurbished. Close proximity to subject site.
- 3.23 For a new-build scheme at 150 Holborn, Crossland Otter Hunt recently advised a net initial yield of 4.25% was appropriate, which is circa 4.00% gross initial yield. This was based on Telephone Exchange on High Holborn (3.4% NIY) and 124 Theobalds Road (4.0% NIY).
- 3.24 In conclusion, have left the proposed scheme's yield unchanged in light of the EU Referendum, and suggest a marginal increase to the refurbishment scheme's yield. We calculate that by increasing the yield from 5.0% to 5.25%, this reduces the office capital values by £7.49m, and increasing this to 5.5% would change it by £14.29m.
- Rent Free Periods**
- 3.25 The rent free period is 12 months for both the refurbishment Option and the four extension Options. This is a realistic allowance.

Void Periods

- 3.26 It is unclear from the appraisal how long the void periods are for each options' office floorspace. This will need to be discussed further with Montagu Evans.

Rent Receivable Letting Period

- 3.27 The appraisal of the refurbishment scheme shows a total of £5,309,575 of income received prior to investment sale, and £655,623 received prior to refurbishment - the latter being documented in Appendix Three of the Viability Report, based on the passing rents in the building. The rents prior to development of the development Option is less (£154,306) which we understand reflects the fact that works will be able to commence on the refurbishment while some of the tenants remain in place, whereas the development scenarios will require full vacant possession immediately.
- 3.28 We agree that the rents prior to investment sale have been correctly applied in the Argus appraisals, and reflect the estimated rents applied by Montagu Evans.

Affordable office values

- 3.29 Montagu Evans describe the affordable workspace that is being offered:

A provision of Affordable Workspace equivalent to 5% of the total GIA, part at a rent of a peppercorn in perpetuity, and part at a rent of a peppercorn for the first 10 years. We understand that the overall provision of 5% of total GIA is in line with Islington policy, and that the rental assumptions are more generous than Islington's policy which requires only that Affordable Workspace be let at no more than 80% of Open Market levels

- 3.30 Regarding affordable workspace, the Guidance on Affordable Workspace (2014) requires the combined rent and service charge to be less than 80% of the average for comparable market rates.
- 3.31 Planning policy CS13 requires the proposed scheme to provide:

"...either a proportion of small, micro and/or affordable workspace or affordable retail space, or contributions towards these, from major non-residential developments where the majority of floorspace is not in public education, community or social infrastructure uses."

- 3.32 Also relevant is policy DM5.4 as it has regard to the size and affordability of workspace. It states that developments,

"...must incorporate an appropriate amount of affordable workspace and/or workspace suitable for occupation by micro and small enterprises."

- 3.33 Planning Officers have previously informed us that the required level of provision is 5% (100 sqm) of the total business floorspace, and that the Council's Business and Employment Support Team will therefore negotiate rents with Affordable Workspace Providers on a case by case basis. The precise level of rents that apply in the case of the application scheme would be a matter for further discussion.

- 3.34 The value of the 11,410 sq ft of space that is at peppercorn for 10 years, then reverting to full market rates, is £5,964,000. We do not have the detailed calculation for this. The affordable workspace is on the 1st-4th floors. We calculate, assuming this workspace is on the 1st floor (at £60.50 per sq ft), a capital value of £6.9m, which is based on a capitalisation of the full market rent then discounting this by ten years - as shown in the following table:

GIA	NIA	Rent	Capitalisation
8,934	6,689	404,663	8,992,509
11,410	8,542	516,813	11,484,724
20,344	15,231		1
			7,395,332
			6,924,468

- 3.35 We have since received a copy of Montagu Evans' investment valuation which shows that the £5,964,000 figure is net of purchaser's costs and letting fees, and that it discounts the capital value by 11 years - this being suitable as it includes the 10 year period plus 1 year of rent free for the future incoming tenant.
- 3.36 Regarding the affordable workspace that is at a peppercorn rent in perpetuity, it is correct that this should have nil capital value in the appraisal. We note that this is lower than the typical requirement that affordable workspace should be c80% of Market Rent, therefore the Council may wish to consider allowing a higher rent in order to increase values and thereby improve viability - which could allow the scheme to proceed with a lower number of extension floors.

4.0 DEVELOPMENT COSTS

Build costs

- 4.1 Our Cost Consultant, Neil Powling, has undertaken a review of the Cost Plan and have benchmarked these costs against BCIS average tender prices. The main conclusion of the review is that the cost estimate for the development Options appear to be reasonable. Neil's estimated closely matches that which has been adopted in the appraisal.
- 4.2 With respect to the refurbishment option, this is stated by Strutt & Parker as being a 'light refurbishment. Neil Powling has looked at the cost estimate and believes that this is indeed a relatively low level of expenditure and is consistent with a light touch refurbishment - as he discusses below:

Option 5 (scenario 1) is the refurbishment of the existing building. The GIA is 235,051ft² (21,837m²). The scenario testing allows for a light refurbishment cost of £26,400,000 (£1,209/m²). The refurbishment states an allowance for repair and re-use of existing cladding. There is no detailed costing and therefore no detail of specification that might be included in the estimated costs. We query how practical a light refurbishment will be in providing a building to satisfy market requirements; the services will need upgrading or more likely replacement to satisfy modern expectations; existing glazing will not provide the modern glazing specifications that may be designed to support the climate control of the building environment. We have determined an estimated cost from a BCIS location adjusted refurbishment rate for an air conditioned office building with a 10% allowance for contingencies of £31,700,000 (£1,452/m²). We consider this a realistic estimate of cost for refurbishment of the building to a reasonable but nevertheless moderate or mid-range specification.

- 4.3 Based on the market evidence we have considered in respect of our rent and yield analysis, we consider the overall capital value applied to the refurbished space to be too high for a scheme that has this level of refurbishment. This discrepancy can be addressed by way of a yield shift - or alternatively by an increase in refurbishment costs so as to deliver a quality of space commensurate with the rents and yields that Montagu Evans have used. Neil has suggested an increase to the costs (inclusive of contingency) of £5.3m.
- 4.4 We calculate that by increasing the yield from 5.0% to 5.25%, this reduces the office capital values by £7.49m, and increasing this to 5.5% would change it by £14.29m. We therefore suggest that applying a yield shift (to 5.25%) is appropriate and removes the need to revise the refurbishment costs, as the 'light touch' refurbishment is reflected in the costs and then factored in to our yield estimate.

Professional Fees

- 4.5 The professional fees allowance is 10% for the development options, which is a reasonable rate. We note that for the refurbishment option, these fees are 8%. Our Cost Consultant states that professional fees are typically *higher* for refurbishment schemes, thus we have requested further justification for this lower rate.

Developer's Profit

- 4.6 A developer's profit of 17.5% on GDV is adopted for the development options. This compares to the 15% on GDV applied to the refurbishment scheme. This 17.5% profit is in line with typical rates for commercial developments. Given the lower cost of the refurbishment option, and the lesser risk it entails (including lower 'planning risk') it is logical to have a differential in profit - indeed, it is common to see lower profit requirements for refurbishment/extension schemes.
- 4.7 The overall profit on Cost is shown as 16.83% in the refurbishment scheme (and 13.98% on GDV). It is not clear how this estimate has been reached, as it does not match the 15% on GDV cited by Montagu Evans.
- 4.8 We have considered comparable evidence of profit targets that have been applied by developers in respect of recent schemes we have been involved in:
- 31-32 Alfred Place - experienced office agent undertook a conventional residual valuation to determine the value of an office refurbishment scheme, and used a developer's profit of 15% on Cost. Extensive works were required. The works to the adjoining building were less extensive, so no profit added to these costs.
 - Oliver's House, 51-53 City Road - extensive office refurbishment. Savills undertook a residual valuation and included a 15% profit on Cost.
 - Merchant's Hall, 46 Essex Road - extensive office refurbishment. Agent applied a 15% profit on GDV in the office refurbishment appraisal. The agents' client would have 'benefitted' from a higher profit target as this would have made this office scheme less viable and would therefore reduce the surplus available for contributions towards affordable workspace. Therefore they had no interest in *under-estimating* the profit target.
 - Diorama, Park Square East - extensive office refurbishment and reconfiguration. CBRE's target profit of 15% on Cost. The applicant in this case was seeking to prove that office use is 'obsolete', thus had no incentive to under-estimate the profit target.
- 4.9 The above are all Central London properties and these valuations were all within the last few years, thus comprise highly relevant evidence. These profit levels are in line with the advice of Crossland that, "*Traditionally, a developer would look for a 15-20% return on costs, including making an allowance for financing on a traditional residual valuation*". Thus the 16.8% on Cost in Montagu Evans' appraisal is at the upper end of this range suggested by Crossland, and as higher than many other developers' have required, as shown by our comparable schemes.
- 4.10 For the refurbishment scheme, the £21,561,202 profit requirement does appear to be very high for a refurbishment scheme. Reducing this would impact on viability by increasing the benchmark land value.
- 4.11 Moving on to the development option's profit, cited at 17.5% on GDV in the Viability Report, this is 16.34% on GDV (20.41% on Cost) in the appraisal. We have requested an explanation for this discrepancy. Taking into account the comparable evidence above, we view this as being at the upper end of the range; 17.5% is in line with profit rates applied to residential, and it is common for lower rates to be

- applied to commercial space. Given the excellent location of this building within the office market, and that the majority of the space will be refurbishment space
- 4.12 These development options include £2.5m of affordable housing, which would typically be assigned a lower profit requirement of c6% on Cost.
- 4.13 For example, Farringdon Road scheme applied 17.5% on *Cost* to a predominantly office scheme. Thus perhaps the profit is excessive on Finsbury scheme, especially given that most of the space will only need to be refurbished.
- 4.14 We have considered the relationship between IRR and profit on Cost for each option:
- The IRR is 15.68% for the refurbishment option, compared to its 16.83% profit on Cost;
 - and for the development option (12-storey) the IRR is 13.32%, compared to its 20.41% profit on Cost.
- 4.15 This shows that the refurbishment option is gaining a better return (IRR) once the 'time value of money' is taken into account. This is a function of the shorter development period. It indicates that the refurbishment option's profit on Cost may be somewhat high, and that the *difference* between the profit on Costs for the refurbishment and development options may be insufficient, especially given how much long the latter's development period is. Moreover, the refurbishment scheme receives income while part of refurbishment is underway, which improves scheme cashflow; the lettings commence 17 months in to the refurbishment project, but 30 month in to the development project. Clearly if the *difference* in profit were to be *increased*, this would tend to worsen viability (by making the development option less valuable relative to the refurbishment option).
- 4.16 In conclusion, we have applied a lower profit of 17.5% on Cost to the development options, and likewise a lower profit of 12.5% on Cost to the refurbishment option - which increase the difference between these two profit levels.

Other costs - development options

- 4.17 The appraisal includes Carbon Credits of £547,000 for all the development Options. We have requested confirmation from Planning Officers that this is a required contribution.
- 4.18 There is a £77,083 payment for early termination of the 4th floor lease. This is a realistic allowance.
- 4.19 Letting Agent Fees of 10% and Letting Legal Fees of 5% are in line with typical rates.
- 4.20 Disposal Fees (0.60% sales agent and 0.30% sales legals on offices; 1.00% sales agent and 0.50% sales legals on retail and affordable workspace). These are reasonable.
- 4.21 The interest rate of 7% is a standard rate, which is the default shown in the GLA Toolkit. The duration of the 12 storey scheme is 55 months. By contrast, the refurbishment scheme is 33 months. This further shows that a lower profit

requirement is suitable due to the shorter period in which capital is tied up in the scheme. Our Cost Consultant has analysed these and considers them to be realistic.

BPS Chartered Surveyors

Appendix One:

Independent Cost Review by Neil Powling

1 SUMMARY

- 1.1 The estimate includes for the provision of 4 twin lifts, we understand this is a design solution for vertical transport constrained by limited floor space, but as there is only one supplier for this product the cost of £960,000 per twin lift equivalent to £480,000 per single lift is a high cost that cannot be tested by competitive tender. We have allowed for this higher cost in our adjusted benchmarking.
- 1.2 An adjustment of £3,450,000 has been made for inflation to 2Q2016 calculated at 2.72%. The base date of the estimate before the inflation adjustment has not been stated. The current forecast all-in BCIS TPI for 4Q15, 1Q16 and 2Q16 is unchanged at 274. The TPI for the current quarter 3Q16 is 273. The forecast TPIs earlier this year were above this level but the market changes leading to the EU referendum and the result have caused significant reductions in the forecast levels. We therefore believe the market changes mean that no adjustment is required to the base estimate.
- 1.3 Our benchmarking of the commercial element yields an adjusted rate of £3,450/m² compared to the Applicant's £3,420/m² (before the inflation adjustment). We are therefore satisfied that the Applicant's commercial costs are reasonable.
- 1.4 Our benchmarking of the residential element yields an adjusted rate of £2,612/m² compared to the Applicant's £2,601/m² (before the inflation adjustment). We are therefore satisfied that the Applicant's commercial costs are reasonable.
- 1.5 Option 5 (scenario 1) is the refurbishment of the existing building. The GIA is 235,051ft² (21,837m²). The scenario testing allows for a light refurbishment cost of £26,400,000 (£1,209/m²). The refurbishment states an allowance for repair and re-use of existing cladding. There is no detailed costing and therefore no detail of specification that might be included in the estimated costs. We query how practical a light refurbishment will be in providing a building to satisfy market requirements; the services will need upgrading or more likely replacement to satisfy modern expectations; existing glazing will not provide the modern glazing specifications that may be designed to support the climate control of the building environment. We have determined an estimated cost from a BCIS location adjusted refurbishment rate for an air conditioned office building with a 10% allowance for contingencies of £31,700,000 (£1,452/m²). We consider this a realistic estimate of cost for refurbishment of the building to a reasonable but nevertheless moderate or mid-range specification.

2 METHODOLOGY

- 2.1 The objective of the review of the construction cost element of the assessment of economic viability is to benchmark the Applicant's costs against RICS Building Cost Information Service (BCIS) average costs. We use BCIS costs for benchmarking because it is a national and independent database. Many companies prefer to

benchmark against their own data which they often treat as confidential. Whilst this is understandable as an internal exercise, in our view it is insufficiently robust as a tool for assessing viability compared to benchmarking against BCIS.

- 2.2 BCIS average costs are provided at mean, median and upper quartile rates (as well as lowest, lower quartile and highest rates). We generally use mean or occasionally upper quartile for benchmarking. The outcome of the benchmarking is little affected, as BCIS levels are used as a starting point to assess the level of cost and specification enhancement in the scheme on an element by element basis. BCIS also provide a location factor compared to a UK mean of 100; our benchmarking exercise adjusts for the location of the scheme. BCIS Average cost information is available on a default basis which includes all historic data with a weighting for the most recent, or for a selected maximum period ranging from 5 to 40 years. We generally consider both default and maximum 5 year average prices; the latter are more likely to reflect current regulations, specification, technology and market requirements.
- 2.3 BCIS average prices are available on an overall £ per sqm and for new build work on an elemental £ per sqm basis. Rehabilitation/conversion data is available on an overall £ per sqm and on a group element basis ie. substructure, superstructure, finishings, fittings and services - but is not available on an elemental basis. A comparison of the applicants elemental costing compared to BCIS elemental benchmark costs provides a useful insight into any differences in cost. For example: planning and site location requirements may result in a higher than normal cost of external wall and window elements.
- 2.4 If the application scheme is for the conversion, rehabilitation or refurbishment of an existing building, greater difficulty results in checking that the costs are reasonable, and the benchmarking exercise must be undertaken with caution. The elemental split is not available from the BCIS database for rehabilitation work; the new build split may be used instead as a check for some, but certainly not all, elements. Works to existing buildings vary greatly from one building project to the next. Verification of costs is helped greatly if the cost plan is itemised in reasonable detail thus describing the content and extent of works proposed.
- 2.5 BCIS costs are available on a quarterly basis - the most recent quarters use forecast figures, the older quarters are firm. If any estimates require adjustment on a time basis we use the BCIS all-in Tender Price Index (TPI).
- 2.6 BCIS average costs are available for different categories of buildings such as flats, houses, offices, shops, hotels, schools etc. The Applicant's cost plan should ideally keep the estimates for different categories separate to assist more accurate benchmarking. However if the Applicant's cost plan does not distinguish different categories we may calculate a blended BCIS average rate for benchmarking based on the different constituent areas of the overall GIA.
- 2.7 To undertake the benchmarking we require a cost plan prepared by the applicant; for preference in reasonable detail. Ideally the cost plan should be prepared in BCIS elements. We usually have to undertake some degree of analysis and rearrangement before the applicant's elemental costs can be compared to BCIS elemental benchmark figures. If a further level of detail is available showing the build-up to the elemental totals it facilitates the review of specification and cost allowances in determining adjustments to benchmark levels. An example might be

fittings that show an allowance for kitchen fittings, bedroom wardrobes etc that is in excess of a normal BCIS benchmark allowance.

- 2.8 To assist in reviewing the estimate we require drawings and (if available) specifications. Also any other reports that may have a bearing on the costs. These are often listed as having being used in the preparation of the estimate. If not provided we frequently download additional material from the documents made available from the planning website.
- 2.9 BCIS average prices per sqm include overheads and profit (OHP) and preliminaries costs. BCIS elemental costs include OHP but not preliminaries. Nor do average prices per sqm or elemental costs include for external services and external works costs. Demolitions and site preparation are excluded from all BCIS costs. We consider the Applicants detailed cost plan to determine what, if any, abnormal and other costs can properly be considered as reasonable. We prepare an adjusted benchmark figure allowing for any costs which we consider can reasonably be taken into account before reaching a conclusion on the applicant's cost estimate.
- 2.10 We undertake this adjusted benchmarking by determining the appropriate location adjusted BCIS average rate as a starting point for the adjustment of abnormal and enhanced costs. We review the elemental analysis of the cost plan on an element by element basis and compare the Applicants total to the BCIS element total. If there is a difference, and the information is available, we review the more detailed build-up of information considering the specification and rates to determine if the additional cost appears justified. If it is, then the calculation may be the difference between the cost plan elemental £/m² and the equivalent BCIS rate. We may also make a partial adjustment if in our opinion this is appropriate. The BCIS elemental rates are inclusive of OHP but exclude preliminaries. If the Applicant's costings add preliminaries and OHP at the end of the estimate (as most typically do) we add these to the adjustment amounts to provide a comparable figure to the Applicant's cost estimate. The results of the elemental analysis and BCIS benchmarking are generally issued as a PDF but upon request can be provided as an Excel spreadsheet.

3 GENERAL REVIEW

- 3.1 We have been provided with and relied upon the Viability Submission dated 21.6.16 issued by Montagu Evans, the Strutt & Parker letter dated 23.5.16, summary tables of the five development options, comparison costs of Finsbury Tower with South Bank Tower dated 27.7.16 issued by Arcadis and a further cost breakdown/elemental cost plan dated 5.8.16 issued by Arcadis.
- 3.2 The building for option 1 is a 12 storey vertical extension of the existing 17 storey office building - 29 storeys in total. The Affordable residential block comprises 6 stories of residential above a basement and lower ground of affordable B1 - 8 storeys in total.
- 3.3 The Arcadis costs from Appendix 4 of the Viability Submission are given for options 1 to 5. We have considered option 5 in paragraph 3.15 below. This report otherwise considers option 1 - the vertical extension of +12 storeys commercial cost £130,373,000 and residential cost £6,777,000. The residential costs for options 1 to 4 are the same and our comments relating to residential costs below are applicable to all these options. We have not considered separately the

- commercial costs for options 2, 3 and 4 but as the estimates have a common derivation we would expect our conclusions to remain unchanged from those for option 1.
- 3.4 The estimate includes for the provision of 4 twin lifts, we understand this is a design solution for vertical transport constrained by limited floor space, but as there is only one supplier for this product the cost of £960,000 per twin lift equivalent to £480,000 per single lift is a high cost that cannot be tested by competitive tender. We have allowed for this higher cost in our adjusted benchmarking.
- 3.5 The cost plan is on a current day basis with an inflation update to 2Q2016. Our benchmarking uses current BCIS data which is on a current tender firm price basis.
- 3.6 The cost plan includes an allowance of 12.5% for preliminaries. The allowance for overheads and profit (OHP) is 5%; we consider both of these allowances reasonable. The allowance for contingencies is 5% which we consider reasonable.
- 3.7 An adjustment of £3,450,000 has been made for inflation to 2Q2016 calculated at 2.72%. The base date of the estimate before the inflation adjustment has not been stated. The current forecast all-in BCIS TPI for 4Q15, 1Q16 and 2Q16 is unchanged at 274. The TPI for the current quarter 3Q16 is 273. The forecast TPIs earlier this year were above this level but the market changes leading to the EU referendum and the result have caused significant reductions in the forecast levels. We therefore believe the market changes mean that no adjustment is required to the base estimate.
- 3.8 The residential units all intended as affordable with no market sale. Specifications of the cost plan are intended on this basis.
- 3.9 We have downloaded current BCIS data for benchmarking purposes including a Location Factor for Islington of 125 that has been applied in our benchmarking calculations.
- 3.10 Refer to our “Elemental analysis and BCIS benchmarking”, below.
- 3.11 The proposed development comprising vertical extension of the building and refurbishment of the existing space plus a new build 8 storey block for affordable residential with some affordable B1 is an uncommon form. Arcadis have used a similar project (South Bank Tower) that has been procured and is under construction to inform their estimate and we have been provided with details of the costs used.
- 3.12 We consider the BCIS average rate for 6+ storey flats to be the most appropriate for benchmarking the residential element; and the average rate for offices generally vertical extension as an appropriate base rate for benchmarking the commercial element.
- 3.13 Our benchmarking of the commercial element yields an adjusted rate of £3,450/m² compared to the Applicant’s £3,420/m² (before the inflation adjustment). We are therefore satisfied that the Applicant’s commercial costs are reasonable.

- 3.14 Our benchmarking of the residential element yields an adjusted rate of £2,612/m² compared to the Applicant's £2,601/m² (before the inflation adjustment). We are therefore satisfied that the Applicant's commercial costs are reasonable.
- 3.15 Option 5 (scenario 1) is the refurbishment of the existing building. The GIA is 235,051ft² (21,837m²). The scenario testing allows for a light refurbishment cost of £26,400,000 (£1,209/m²). The refurbishment states an allowance for repair and re-use of existing cladding. There is no detailed costing and therefore no detail of specification that might be included in the estimated costs. We query how practical a light refurbishment will be in providing a building to satisfy market requirements; the services will need upgrading or more likely replacement to satisfy modern expectations; existing glazing will not provide the modern glazing specifications that may be designed to support the climate control of the building environment. We have determined an estimated cost from a BCIS location adjusted refurbishment rate for an air conditioned office building with a 10% allowance for contingencies of £31,700,000 (£1,452/m²). We consider this a realistic estimate of cost for refurbishment of the building to a reasonable but nevertheless moderate or mid-range specification.

Finsbury Tower, Bunhill Row ECLY 8TG
Elemental analysis & BCIS benchmarking

	Commercial						Residential				Total		BCIS new build mean rates			
	37,109		2,536		39,645		LF100		LF125		LF100		LF125			
	£	€/m ²	£	€/m ²	£	€/m ²	€/m ²	€/m ²	€/m ²	€/m ²	€/m ²	€/m ²	€/m ²	€/m ²		
Demolitions	5,144,275	139			5,144,275	130										
1 Substructure	3,574,275	96	659,000	260	4,233,275	107	119	149	117	146						
2A Frame, upper floors & roof	19,304,275	520	546,000	215	19,850,275	501	105	131	98	123						
2B Upper Floors	inc		inc		inc		52	65	68	85						
2C Roof	1,374,275	37	136,000	54	1,510,275	38	94	118	77	96						
2D Stairs	inc		inc		inc		32	40	26	33						
2E External Walls	18,804,275	507	990,000	390	19,794,275	499	158	198	150	188						
2F Windows & External Doors	inc		inc		inc		90	113	75	94						
2G Internal Walls & Partitions	1,744,275	47	246,000	97	1,990,275	50	48	60	53	66						
2H Internal Doors	979,275	26	136,000	54	1,115,275	28	29	36	44	55						
2 Superstructure	42,206,375	1,137	2,054,000	810	44,260,375	1,116	608	760	591	739						
3A Wall Finishes	2,147,275	58	136,000	54	2,283,275	58	33	41	63	79						
3B Floor Finishes	2,286,275	62	191,000	75	2,477,275	62	60	75	51	64						
3C Ceiling Finishes	1,517,275	41	82,000	32	1,599,275	40	29	36	31	39						
3 Internal Finishes	5,950,825	160	409,000	161	6,359,825	160	122	153	145	181						
4 Fittings	1,986,275	54	355,000	140	2,341,275	59	25	31	48	60						
5A Sanitary Appliances							12	15	24	30						
5B Services Equipment (kitchen, laundry)							12	15	17	21						
5C Disposal Installations	1,196,000	32			1,196,000	30	10	13	11	14						
5D Water Installations	1,195,000	32	1,365,000	538	2,560,000	65	20	25	26	33						
5E Heat Source	443,000	12			443,000	11	35	44	46	58						
5F Space Heating & Air Treatment	8,442,000	227			8,442,000	213	137	171	88	110						
5G Ventilating Systems	5,629,000	152			5,629,000	142	44	55	16	20						
5H Electrical Installations (power, lighting, emergency lighting, stand by generator, UPS)	9,189,000	248			9,189,000	232	133	166	73	91						
5I Gas Installations	217,000	6			217,000	5	3	4	6	8						
5J Lift Installations & escalators	6,144,000	166	100,000	39	6,244,000	157	29	36	31	39						
5K Protective Installations (fire fighting, dry & wet risers, sprinklers, lightning protection)	1,757,000	47			1,757,000	44	14	18	8	10						
5L Communication Installations (burglar, panic alarm, fire alarm, CCTV, door entry, public address, data cabling, tv/satellite, telecommunication systems, leak detection, induction loop)	2,646,000	71			2,646,000	67	25	31	20	25						
5M Special Installations - (window cleaning, BMS, medical gas)	2,891,000	78			2,891,000	73	20	25	31	39						
5N BWIC with Services	664,300	18	50,000	20	714,300	18	14	18	11	14						
5O Design Development/risk/BREEAM/ carbon reduction	500,125	13			500,125	13	8	10	7	9						
5 Services	40,913,425	1,103	1,515,000	597	42,428,425	1,070	516	645	415	519						
6A Site Works	1,294,275	35	191,000	75	1,485,275	37										
6B Drainage																
6C External Services	684,275	18	136,000	54	820,275	21										
6D Minor Building Works																
6 External Works	1,978,550	53	327,000	129	2,305,550	58										
SUB TOTAL	101,754,000	2,742	5,319,000	2,097	107,073,000	2,701	1,390	1,738	1,316	1,645						
7 Preliminaries 12.5%	12,719,000	343	665,000	262	13,384,000	338		217		206						
Overheads & Profit 5.03%	5,756,000	155	299,000	118	6,055,000	153										
Pre-Construction Services Agreement (PCSA) 0.54%	650,000	18			650,000	16										
SUB TOTAL	120,879,000	3,257	6,283,000	2,478	127,162,000	3,208		1,955		1,851						
Design Development risks																
Construction risks 5%	6,044,000	163	314,000	124	6,358,000	160										
Employer change risks																
Employer other risks																
SUB TOTAL	126,923,000	3,420	6,597,000	2,601	133,520,000	3,368										
Inflation to 2Q2016 2.72%	3,450,000	93	180,000	71	3,630,000	92										
TOTAL	130,373,000	3,513	6,777,000	2,672	137,150,000	3,459										
check	3,513															
Benchmarking		2,109		1,978												
Add demolitions	139															
Add external works	53		129													
Add additional cost of substructure			114													
Add additional cost of frame, upper floors, stairs	284															
Add additional cost of ext walls & windows	197		109													
Add additional cost of fittings	22		80													
Add additional cost of space heating and air treatment	90															
Add additional cost of electrical installations	81															
Add additional cost of lift installations	129															
	996		432													
Add prelims @ 12.5%	125		54													
Add OHP @ 5.03%	56	1,177	24	510												
		3,286		2,488												
Add contingency @ 5%		164		124												
Total adjusted benchmark		3,450		2,612												

BPS Chartered Surveyors
Date: 17th August 2016

BPS Chartered Surveyors

Finsbury Tower

Independent Viability Review - ADDENDUM REPORT

Prepared on behalf of the London Borough of Islington

October 2016



82 South Street, Dorking, RH4 2HD
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Introduction

- 1.1 This addendum report is supplemental to our August 2016 Viability Review in respect of a proposal by Hermes Investment Management to redevelop Finsbury Tower. This addendum is in response to a Note by Montagu Evans, dated 28th September 2016, which comments upon our Viability Review and makes some changes to their viability assessment in response to our review's findings. Their Note also makes adjustments to reflect the changes to the scheme that have occurred since our August report. These have an impact on viability, thus we have reviewed these changes to determine whether they impact upon our August conclusions. The changes to the scheme are:
- Architectural amendments due to the response from the Design Review Panel. There has been a triangular wedge cut off the South East corner of the new part of the tower, over 12 floors. There has also been further articulation at the top of the building which loses additional floorspace on the top two levels.
 - Affordable workspace previously located in the basement of the affordable housing block has been removed (replaced with full market rented floorspace).
 - The affordable workspace to be provided in the Podium will be provided at a peppercorn rent in perpetuity. This was previously only at a peppercorn for 10 years, after which it would revert to full market rents.
- 1.2 We discuss below how these changes have impacted on viability, and provide an update to our conclusions.

Updated appraisal results & conclusions

- 1.3 The refurbishment scheme generated a residual value of £76,767,535, which was adopted as the Benchmark Land Value. The results of the appraisals were:

Development Option	Residual land value	Surplus generated (compared against £76.8m benchmark)
8 storey extension	£66,070,147	-£10,697,388
10 storey extension	£69,234,737	-£7,532,798
11 storey extension	£72,931,953	-£3,835,582
12 storey extension	£76,631,333	-£136,202

- 1.4 In the above table, the only viable options are the refurbishment option and the 12-storey option - the latter being effectively at a break even position.
- 1.5 The residual land value generated by the 12 storey appraisal was £76.63m. Following the recent changes to the scheme, this has reduced substantially, to £61.87m.
- 1.6 With respect to the benchmark land value of £76,767,535, this has been reduced by Montagu Evans to £67.66m, which is the revised residual value of the benchmark

(refurbishment) scheme. This change is due to the increase in the yield from 5.0% to 5.5%, which brings it into line with the yield we suggested in our July 2016 report.

- 1.7 The latest £61.87m residual value of the 12 storey scheme, when compared to the latest benchmark of £67.66m, shows this scenario to be in deficit by £5.79m.
- 1.8 Montagu Evans has not made our suggested change to the developer's profit applied to the refurbishment appraisal. This change from 15.0% to 12.5% profit on Net Development Value obviously has the effect of increasing the benchmark scheme's residual value and thereby worsening the proposed scheme's viability, therefore if Montagu Evans were to adopt 12.5% it would only serve to further increase the £5.79m deficit shown by the 12 storey scheme.
- 1.9 The reduction in office floorspace has impacted on scheme viability and altered our conclusions. We now concur that the 12 storey scenario generates a viability deficit, based on present day costs and values, therefore our suggested reduction to the height of the extension to 11 storeys can no longer be justified on viability grounds.
- 1.10 In line with the Islington Development Viability SPD, applicants will be required to demonstrate the deliverability of the benefits of the scheme, in particular affordable workspace and affordable housing. As such, further testing will be required such as considering the scheme on a growth basis, and other measures such as providing a declaration that the scheme is capable of being delivered; and evidence of any contractual arrangements for the delivery of affordable housing and/ or affordable workspace. When considering the use of a growth model, we have had regard to RICS Guidance Note *Financial Viability in Planning* which states in para 3.6.5.1-2:

“An alternative approach to the reappraisal approach (and current day appraisals) is the use of projection models. In more volatile market conditions, many planning applications may not be viable for the schemes proposed using present-day values and costs. This reflects a variety of factors that would include the relationship of likely end values to the costs of building the scheme. Inevitably, when such schemes go forward for discussion with the LPA, applicants may look at growth models (see Appendix D) and the likelihood of the proposed development becoming viable over the short to medium term, with the acceptance that it may not be currently viable. This is normally more relevant to large schemes to be built over the medium to longer term than for short term projects.”

“Current day methodologies, for large schemes of a medium to longer term build out duration, may at times give the LPA cause for concern as the case is made that the site is not currently viable. As a result they may not achieve the desired outturn in terms of planning obligations, etc. The principle and application of projection models is for sites that are non-viable today but where the likelihood is that development would occur at some future date in the life of a planning permission, or where the development is likely to be over a sufficiently long period of time during which the market conditions may vary.”

- 1.11 The duration of the 12 storey scheme is 55 months (just over 4.5 years), therefore there is strong potential for growth in office rents over this period, which may serve to eliminate the scheme's viability deficit. There is therefore a good

argument for adopting a growth-model approach in this case, especially given the strong rental growth achieved in the City Fringe market in recent years. Moreover, the development period is longer for the proposed scheme than for the refurbishment (benchmark) scheme, allowing a longer period over which rents can grow.

- 1.12 The application of growth to the appraisal would likely be more consistent with the approach of the purchaser, CIT group, which paid £106m for the site - considerably over the residual land value that is generated by Montagu Evans' 'present day' appraisals.

Office values

- 1.13 The changes in office floorspace have led to changes to the overall GDV of the offices. These changes have been reflected in the appraisal, and we can confirm that these adjustments have been correctly made by Montagu Evans.

Affordable workspace

- 1.14 The current affordable workspace has a nil value in the latest appraisal, which is a correct approach as it has a nil (peppercorn) rent in perpetuity. We are therefore satisfied with this element of the valuation, and understand that Planning Officers consider this affordable workspace offer to be policy compliant.
- 1.15 There were, in the previous appraisal, 7,481 sq ft (NIA) of affordable workspace at a peppercorn rent in perpetuity, and 7,750 sq ft (NIA) at a peppercorn rent for 10 years, reverting to open market rent thereafter. The space that was at a peppercorn in perpetuity was located in the basement of the affordable housing block, which has since been removed as the Council deem this basement to be unsuited to office use; this basement will now, we understand, accommodate plant and other facilities, thus will not generate any value.
- 1.16 For the new appraisal, there is 8,590 sq ft (NIA) of affordable workspace, which is entirely on the 1st floor. This is a substantial loss in value to the developer, as there was previously £6.0m of Gross Development Value generated by the affordable workspace.

Build costs

- 1.17 Build costs have altered slightly as a result of the area changes. However, the overall rate per sq ft - which was agreed by our Cost Consultant, Neil Powling, has remained unchanged, and we remain of the view that the costs are reasonable.

Sensitivity testing - adjustments to affordable workspace

- 1.18 Montagu Evans have suggested two ways in which the viability deficit could be eliminated:

One way for this deficit to be eroded would be for the workspace to be rentalised (albeit at a reduction to the agreed market rent for this 1st floor space of £60.50 per sq ft). Adopting the agreed 4.50% capitalisation yield, our calculations show that a capital receipt from this space of £10,150,000 would be sufficient for the 12-storey scheme to break even. This capital value could be achieved were a rent

of £53.17 per sq ft applied across the affordable workspace, representing 88% of the agreed market rental value.

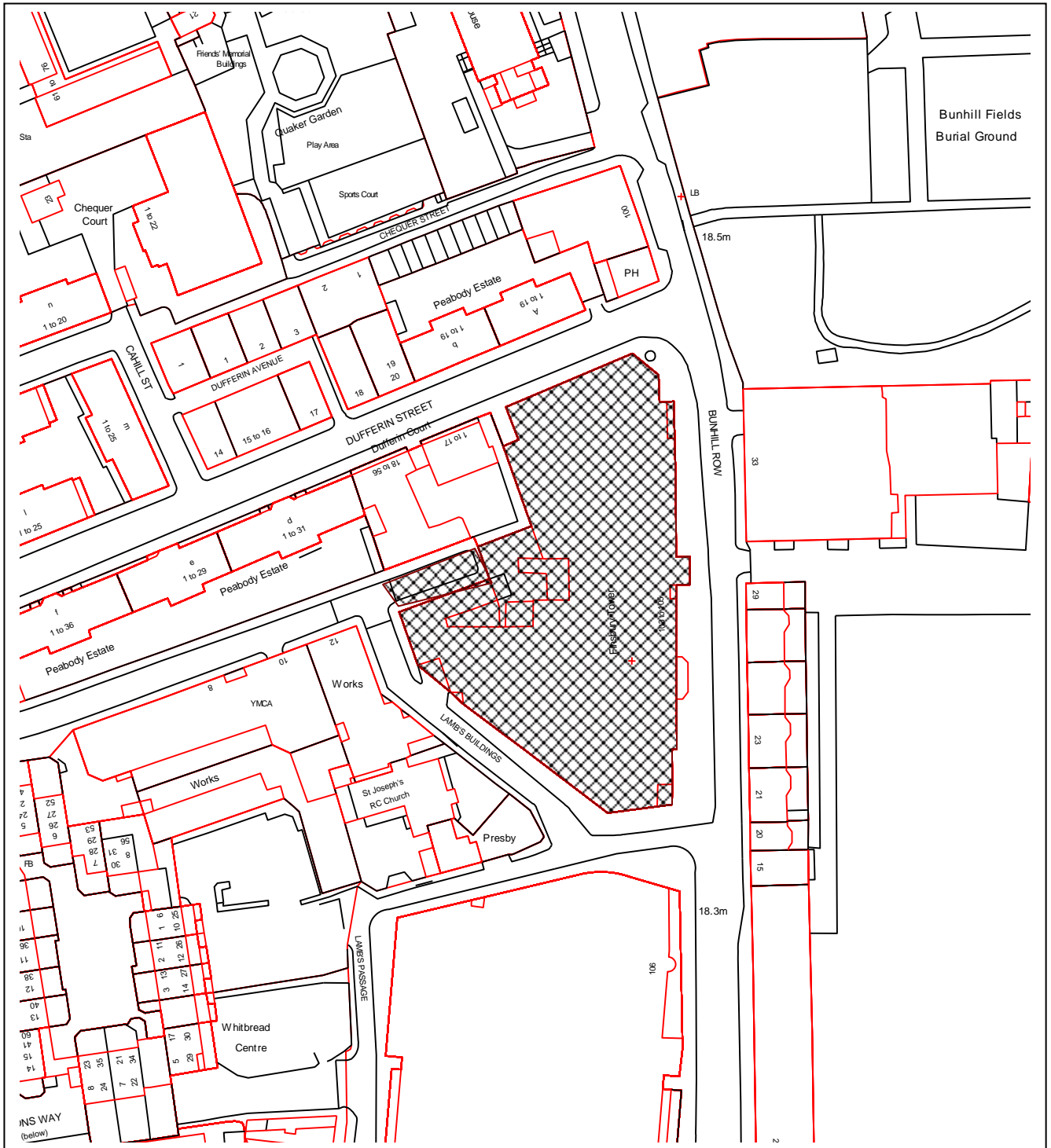
Another way to erode the £6.0m deficit would be to maintain the affordable workspace at a peppercorn in perpetuity, but to add additional market floorspace. We have calculated that an additional 6,633 sq ft NIA at the highest agreed rental bracket of £80.00 per sq ft would be sufficient for the scheme to breakeven.

- 1.19 The above adjustments have been demonstrated by Montagu Evans in the appendices of their Note of 28th September, and we can confirm that these adjustments have been correctly applied. It is, however, not clear whether the applicant intends to make one of these changes, or whether instead it intends to provide the 8,590 sqft of affordable workspace (all at a peppercorn in perpetuity) that is included in Montagu Evans' latest development appraisal.

BPS Chartered Surveyors

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Islington SE GIS Print Template



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P2016/3939/FUL

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department
 PO Box 333
 222 Inner Street

PLANNING COMMITTEE		AGENDA ITEM NO: B2
Date:	27 April 2017	NON-EXEMPT

Application number	P2015/0330/FUL
Application type	Full Planning Permission
Ward	Holloway
Listed building	Verger's Cottage
Conservation area	Hillmarton Conservation Area Hillmarton Conservation Area Article 4 Directions
Development Plan Context	<ul style="list-style-type: none"> - Nags Head and Upper Holloway Road Core Strategy Key Area - Camden Road/Parkhurst Road Employment Growth Area - Camden Road New Church Tower and Spire, Camden Road Local Landmark - Major Cycle Route Camden Road and Parkhurst Street
Licensing Implications	Not Applicable
Site Address	Islington Arts Factory, 2 Parkhurst Road & 2A Parkhurst Road, London N7 0SF.
Proposal	<p>P2015/0330/FUL:</p> <p>Redevelopment of the site consisting of demolition of the existing garage structure, refurbishment of the Grade II listed former Verger's Cottage and former Sunday School building to provide 413 square metres (GIA) of office floorspace (Use Class B1), refurbishment and conversion of the Church building to provide 7 private residential units (2 x 1-bed, 4 x 2-bed and 1 x 3-bed) and construction of a new 5-storey building with basement below to provide 792 square metres (GIA) of community floorspace (Use</p>

	Class D1) and ancillary cafe, 132 square metres of office floorspace (Use Class B1) and 18 affordable residential units (7 x 1 bed, 9 x 2 bed and 2 x 3 bed), resulting in a total of 25 residential units (9 x 1-bed, 13 x 2-bed and 3 x 3-bed), along with associated landscaping, access, parking and public realm works.
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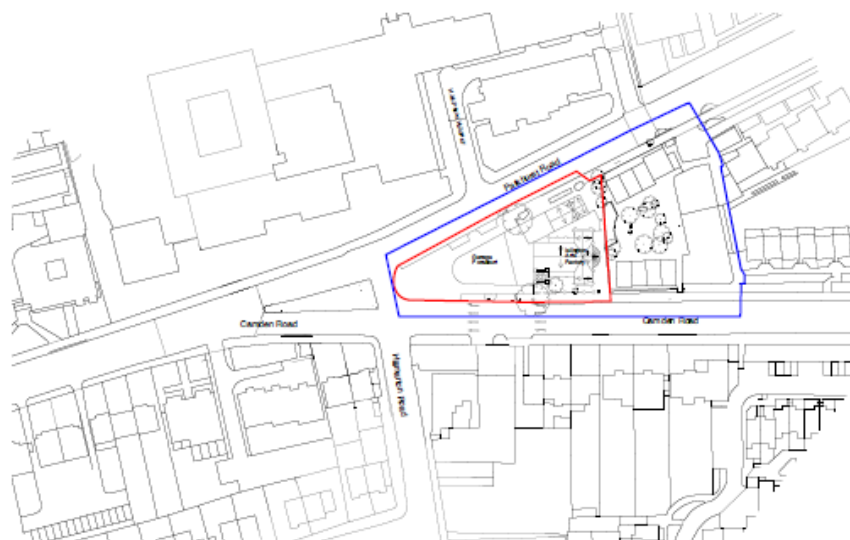
Case Officer	John Kaimakamis
Applicant	City of London
Agent	Grade Planning

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET



Figure 1 Apex of site at junction of Camden Road and Parkhurst Road



Figure 2 Camden Road



Figure 3 Parkhurst Road

4. SUMMARY

- 4.1 The redevelopment of this site to provide a mix of community facilities, office and residential accommodation in this location within a designated employment growth area would be entirely appropriate in this highly accessible location.. Whilst development plan policies and designations seek to maximise business floorspace, the level of space proposed is considered to be the maximum reasonable possible given the constraints of the site and other competing land uses. In addition, the proposal has been accompanied by a financial viability appraisal to demonstrate that no further affordable housing could be provided without compromising the viability of the scheme. Furthermore, the site must also reprovide the existing community facilities on the site.

- 4.2 The proposed buildings respect the heights of buildings in the immediate context and would result in a successful townscape in this location. Further, the high quality design would be sensitive to surrounding heritage assets and complementary to local identity. No part of the proposed development would block, detract from or have an adverse effect on any significant strategic or local protected views.
- 4.3 The development would be highly sustainable and energy efficient in compliance with relevant planning policies. Subject to appropriate contributions the development would mitigate its impacts on local infrastructure.
- 4.4 Further, the proposed development would not cause demonstrable harm to the amenities of any neighbouring occupiers in terms of sense of enclosure or privacy.
- 4.5 The proposed development would be serviced off site and, subject to appropriate conditions would have no adverse impacts on the local road network. The refuse/recycling and servicing arrangements are considered to be acceptable. The provision of secure cycle storage would encourage sustainable travel.
- 4.6 In addition to the Mayoral and Islington Community Infrastructure Levy, the application is supported by a comprehensive s106 planning agreement and contributions related to and mitigating impacts of the scheme. For these reasons and all the detailed matters considered in this report, the scheme is acceptable subject to conditions, informatives and the s106 legal agreement

5. SITE AND SURROUNDING

- 5.1 The application site comprises land occupied by the Islington Arts Factory (the "IAF"), together with an area of car parking that is used for the car workshop facility (which is located across Camden Road to the south). The site is 0.2ha in size.
- 5.2 The application site is triangular in shape and extends to meet the junction of Camden Road and Parkhurst Road at its narrowest point to the west. Camden Road forms the southern boundary of the site, and Parkhurst Road forms its northern boundary. The Holloway Estate Community Centre forms the eastern boundary. Both Camden Road and Parkhurst Road are 'red routes' and are therefore managed by Transport for London, both of which are defined as major cycle routes.
- 5.3 The level of the site falls slowly to the east. The application site contains 9 trees, which include one street tree located adjacent to the former Sunday school on Parkhurst Road and one street tree adjacent to the church on Camden Road (both London Plane trees).
- 5.4 There are three buildings on the site, the former Church and Sunday School (and Vergers Cottage) and the former petrol filling station office and its canopy. The former church and Sunday school contain the IAF, which offers:

2 dance studios, artists' studios, music rooms, a café with outdoor seating/garden, a gallery space; and toilets and changing facilities.

- 5.5 The former petrol filling station (PFS) is used in connection with car storage, with approximately 30 cars parked in the forecourt at any one time. There is another site for Exan's Accident Repair Centre, which is located opposite the application site on the southern side of Camden Road.
- 5.6 The site has a PTAL of 6a, indicating its excellent location in relation to public transport. Caledonian Road Underground Station is located approximately 770 metres from the site, providing services on the Piccadilly Line. Seven bus routes are located approximately 100 metres from the site: 17, 29, 91, 253, 254, 259 and 393.
- 5.7 The site is located within the Hillmarton Conservation Area with the former church and Sunday school (together) designated as a local landmark (LL4: Camden Road New Church Tower and Spire, Camden Road). Additionally, the site is located within an Employment Growth Area.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposals as originally submitted sought planning permission for the redevelopment of the site consisting of:
- demolition of the existing garage structure and verger's cottage
 - refurbishment of the Sunday School building to provide 2 private residential units (2 x 2-bed),
 - refurbishment of the Church building to provide 7 private residential units (3 x 1-bed, 2 x 2-bed and 2 x 3-bed) and
 - construction of a new 5-storey building with basement below to provide 695sqm of community floorspace (Use Class D1), 52 square metres of office floorspace (Use Class B1) and 20 affordable residential units (10 x 1 bed, 8 x 2 bed and 2 x 3 bed).
- 6.2 This resulted in a total of 29 residential units (13 x 1-bed, 12 x 2-bed and 4 x 3-bed), along with associated landscaping, access, parking and public realm works.
- 6.3 The original planning submission also proposed to demolish the 'new' entrance to the Church and a number of external alterations to the existing buildings including new insertions and alterations of existing windows.
- 6.4 Additionally, the proposal sought to reinstate the spire to the tower of the existing Church building.
- 6.5 Conservation/design and planning officers expressed concerns in relation to the proposal with regard to the overall built form, a lack of justification in the plans to demolish the Verger's Cottage, the detailed design of the new building and lack of ground floor frontage and as a result the applicant

amended the application to reduce the volume and massing of the proposed building.

- 6.6 The amendments consisted of reducing the height of the building to the existing ridge height of the existing Church building, an increase in the amount of glazing to both street elevations in order to reduce the amount of solid to void ratio, introduction of active frontages and passive surveillance opportunities at ground floor level, reduction in the overall size of the dormers at roof level and no external insertions or alterations to the existing buildings other than to reinstate original features where repair is required. Finally, the Verger's Cottage was to be retained in full and no demolition was proposed.
- 6.7 Additionally, officers raised concerns with the level of employment floorspace reprovision on the site given the site's designation as an Employment Growth Area and further information with regard to the reprovision of community centre facilities being suitable for the Islington Arts Factory.
- 6.8 The amended proposal provides for 546 square metres (GIA) of employment floorspace and is broken down as follows:
- an Estate office for the City of London located to the ground floor of the new building (56.5 sq m);
 - an office unit to the ground floor of the new building (69 sq m);
 - conversion of the existing Verger's Cottage and Sunday School (414 sq m); and
 - 6.5 square metres of ancillary circulation space.
- 6.9 Therefore, as amended, the application seeks planning permission for redevelopment of the site consisting of demolition of the existing garage structure, refurbishment of the Grade II listed former Verger's Cottage and former Sunday School building to provide 413 square metres (GIA) of office floorspace (Use Class B1), refurbishment and conversion of the Church building to provide 7 private residential units (2 x 1-bed, 4 x 2-bed and 1 x 3-bed) and construction of a new 5-storey building with basement below to provide 792 square metres (GIA) of community floorspace (Use Class D1) and ancillary cafe, 132 square metres of office floorspace (Use Class B1) and 18 affordable residential units (7 x 1 bed, 9 x 2 bed and 2 x 3 bed), resulting in a total of 25 residential units (9 x 1-bed, 13 x 2-bed and 3 x 3-bed), along with associated landscaping, access, parking and public realm works.

7. RELEVANT HISTORY:

- 7.1 No planning applications of relevance.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to the occupants of 259 adjoining and nearby properties in April 2015 and consulted for a minimum of 21 days. Site notices and a press advert were also displayed in April 2015 for a minimum of 21 days.
- 8.2 The revised proposals were also subject to a re-consultation period. The same occupants of 259 adjoining and nearby properties along with all those who had submitted representations were consulted for a period of 21 days in January 2017. A site notice and press advert were also displayed in January 2017.
- 8.3 In response to both consultation periods, a total of 6 objections were submitted. One (1) letter of support was also submitted along with a supporting statement from the Islington Arts Factory.
- 8.4 The issues raised can be summarised as follows (officers response is provided in italics):
- Objections to the demolition of the Verger's Cottage and new insertions and alterations to the existing Sunday School and Church buildings;
[The revised proposals now maintain the Verger's Cottage and no internal and external alterations are proposed other than to reinstate original features and removal of unsympathetic modern alterations. Additionally, no new insertions or alterations to windows will take place to the existing Sunday School and Church buildings other than to reinstate and repair where necessary.]
 - Adequate soundproofing not provided;
[The proposals have been reviewed by the Council's Pollution officer who has recommended relevant soundproofing conditions should consent be granted].
 - Proposed new building does not put forward a high quality contextual design for this Conservation Area;
[The proposal has been designed in a manner to respect the existing buildings retained on site and also draws upon the historical massing of the former building to occupy the site. The proposed development has been designed in consultation with Design and Conservation officers and also responded to comments made by the Design Review Panel. It is considered that it is respectful of its immediate context and the wider adjoining Conservation Areas in terms of its scale, massing and height, and generally reflects the prevailing streetscene scale and does not dominate the streetscene or public realm].
 - Concerns relating to the new community facility not being adequate for the purposes of the Islington Arts Factory.

[The new community facilities have been designed in consultation with the Islington Arts Factory, who have in turn written to the Council stating their support for the proposals].

- Exan cannot operate without the application site and City of London have not offered alternative premises for the site.
- *[This is a private matter between the current occupant and landlord and not a planning matter]*
- Concerns that the site does not maximise the employment floorspace on site given its designation in an Employment Growth Area.
[In this instance, the existing employment floorspace on the site (790 square metres) is used as an ancillary car storage facility for the parking of vehicles waiting for repair relating to a business on another site and in itself does not generate any employment on the site per say. The re-provision of 546 square metres of office Use Class B1 employment floorspace would generate different levels of employee density on the site, in addition to providing both modern new facilities within the new building and new office space within the existing historic buildings which would be suitable as workspace for small to medium enterprises. Additionally, there are considered to be sufficient viability reasons and other exceptional circumstances to accept a loss of employment office floorspace from this site].
- Proposed new building maintains an uncomfortable relationship with existing buildings.
[The DRP did not express any concerns relating to the massing and scale of the new build, however in consultation with officers amendments have been made to the scale and height of the building to better respect the existing buildings on the site. In addition, further amendments have been made to the detailed design of the building with regard to the solid to void ratio, as well as amendments to create active frontages at ground floor level. It is considered that the proposed new building would sit comfortably within the context of the surround historical environment].
- Inappropriate mix of residential accommodation
[The proposed mix of residential accommodation has been reviewed by the Council's Housing officer who considers it appropriate for the specific site given its location at a busy junction between Parkhurst and Camden Roads].

8.5 The Islington Arts Factory have written in support of the proposals stating the following:

"The Board and staff of Islington Arts Factory would like to offer its support to the above application. Studio Partington Architects have worked with us to create the internal layout of the building which can now accommodate almost all of the existing community activities for which we are responsible. We are

encouraged that the City of London has agreed to allow us a discounted rent on the new building and to waive the service charge, although we are of course concerned that it will be difficult for the new facility to generate the increase in our rent from £208 to £25,000pa. While we believe that the new centre will encourage new users, such as the under 4s and over 60s increased traffic will generate increased staffing costs as well as increased income. As a charity Islington Arts Factory was founded and still exists to provide low cost access to the arts, particularly those who might traditionally feel excluded; sadly, our users will not have more money to pay for an improved facility, limiting any potential increase in revenue from greatly improved facilities.”

External Consultees

- 8.6 **Lead Local Flood Authority** raised no objection subject to the proposed recycling system to be secured by condition. It was recommended that a further condition be imposed to secure a maintenance plan for the management of the sustainable drainage system for the lifetime of the development in accordance with the new national requirements.
- 8.7 **Thames Water** stated that the developer is responsible for making proper provision for drainage. No objection in relation to sewerage and water infrastructure capacity. They have recommended 2 conditions requiring details of impact piling method statement, as impact studies of the existing water supply infrastructure to determine the magnitude of any new additional capacity required in the system and a suitable connection point. They have also recommended informatives relating to minimum pressure in the design of the development and a Groundwater Risk Management Permit from Thames Water will also be required for discharging groundwater into a public sewer.
- 8.8 **Transport for London (TfL)** have stated that they have no in principle objections to the grant of consent subject to compliance with London Plan policies and TfL's highway operational requirements. Should permission be granted it is recommended conditions requiring a construction (including demolition and site preparation) management (including logistics) plan, a delivery and servicing plan and to secure sufficient secure and convenient cycle parking for the uses. A Travel Plan and travel demand management plan for each of the uses should also be secured. Finally, a condition is recommended for further details on the on-street parking bays and so that no existing street trees are affected.
- 8.9 **London Buses (TfL)** raised no objection to the proposal.
- 8.10 **Historic England** have stated that the planning application and listed building consent application should be determined in accordance with national and local policy guidance, and on the basis of Islington's specialist conservation advice.
- 8.11 **London Fire & Emergency Planning Authority** are satisfied with the proposals.

Internal Consultees

- 8.12 **Policy Officer** advised that the proposal (as originally submitted) should be revised to provide an employment offer suited to the site's designation as an Employment Growth Area, while the replacement community facilities should be designed in a manner to accommodate the activities of the Islington Arts Factory. These matters along with the level and type of business floorspace will need to be justified by a viability appraisal. The Islington Planning Obligations SPD provides guidance on the type of evidence required to justify a viability argument.
- 8.13 **Access Officer** requested clarification on a number of matters relating to inclusive design and whether the proposal would meet the requirements set out in the Council's Inclusive Design SPD. Whilst further information was provided that clarifies these matters, a condition is recommended requesting details to be provided to demonstrate how the requirements of the Council's Inclusive Design SPD are met.
- 8.14 **Design and Conservation Officer** stated they are more comfortable about the proposed massing, height and bulk of the proposal as a result of the revised plans. Their previous concerns with regard to views have been overcome with a significant reduction in the impact on these views. Accepting that the site is situated in a heavily built urban area, they are of the view that the proposed massing, bulk and heights are generally acceptable. Retention of the Verger's Cottage and minimal works to the existing buildings are also seen as appropriate. Conditions are recommended for materials and details so that the quality of the design is not compromised, while the proposed materials have been agreed in consultation with officers.
- 8.15 **Energy Conservation Officer** has recommended a condition to state they will target at least 18% reduction in total CO2 but investigate further options to improve on this given it falls short of the Council's target of 27% and provide evidence that they have maximised all opportunities. Have also recommended s106 obligation requiring the submission of a feasibility study into being supplied with low carbon heat from a local heating network appropriate S106 clauses for a Shared Heat Network (if viable) is made. The on-site CHP proposed is acceptable provided that a shared heat connection is not possible and viable.
- 8.16 **Public Protection Division (Air Quality and Noise Team)** have recommended conditions with regard to mechanical plant to mitigate the impact of noise and a Construction Environmental Management Plan given the considerable demolition, ground works and construction proposed in order for the methods and mitigation to be carefully considered. Finally, conditions are recommended with regard to sound insulation, and an air quality assessment is also requested.
- 8.17 **Spatial Planning and Transport (Transport Officer)** has stated that conditions securing appropriate numbers of cycle spaces and shower facilities. Additionally, location and layout of off-site disabled parking bays to be considered in consultation with TfL. Delivery and Servicing Plan and

Construction Management Plan also recommended. Any highways alterations must be agreed via a S278 with LBI Highways.

- 8.18 **Sustainability Officer** has stated that further details are required with regard to sustainable urban drainage systems, green/brown roofs, rainwater harvesting, materials and bird and bat boxes. They support commitment to achieving 'Excellent' BREEAM rating and recommend a condition for this to be secured. A Site Waste Management Plan to be conditioned.

Other Consultees

- 8.19 Islington's Design Review Panel considered the proposed development at application stage on 14 April 2015. The panel's written comments are summarised below and their response in full is attached under Appendix 3:

Verger's Cottage Demolition

The Heritage Statement does not acknowledge the demolition of the Verger's cottage which also makes a positive contribution to the conservation area. However it might be that a case could be made that any extra units combined with securing the rebuilding of the church spire (including restoration of the currently bricked up openings) via legal agreement might outweigh the harm arising from the loss of the verger's cottage.

Officer's Comments

Since the submission of the planning application in 2015 the Verger's Cottage has been grade listed by Historic England. In response, the applicant has revised the proposal to maintain the Verger's Cottage in full with the only external alterations relating to the reinstatement of original features.

Height/Massing/Scale

The form/layout is essentially acceptable, however, the scheme would benefit from a reduced height if reductions can be made in floor to ceiling heights.

Officer's Comments

Whilst the same amount of storeys are maintained, the revised proposals have reduced the overall height of the building, which includes reduction at roof level and the internal floor to ceiling heights. As such, the overall height of the new building would match that of the ridge height of the Church building.

Dormers

The dormers appear overly prominent/bulky thus making the building seem top heavy.

Officer's Comments

The revised plans have reduced the bulk of the dormers by setting them further in from the main elevation building line and also reduced the overall size and scale.

Solid to Void Ratio on Elevations of the New Building.

The solid to void ratio is considered excessive, with too much brickwork and too few and too narrow windows. The quantity of glazing must be increased as the elevations have an excessive amount of blank brickwork.

Officer's Comments

The revised plans have increased the overall size and number of windows on both elevations fronting Parkhurst and Camden Roads which have resulted in a considerable reduction in the solid to void ratio of the proposed new building. This has also resulted in much more glazing and a lesser amount of blank brickwork.

Ground Floor Elevations

The ground floor elevations suffer in particular from a lack of openings and insufficient passive surveillance opportunities.

Officer's Comments

The revised plans have amended the ground floor frontages to both elevations with the introduction of more glazed areas, the introduction of a café, and replacement of the brick fence with suitable railings to allow for a more active frontage and better passive surveillance opportunities.

Apex of New Building

The apex of the building (of which there is an important view from Camden Road) is lacking in interest which could be improved by increased fenestration.

Officer's Comments

The revised submission has increased the articulation and fenestration of the apex of the building with the introduction of glazing and articulated brickwork, which has resulted in an appropriate improvement to the detailed design of this aspect of the building.

Replacement Windows to Existing Buildings

The new and replacement windows and windows to the historic church building need amending to better reflect the character of the building rather than the domestic contemporary designs which are proposed. The new long strip window proposed to the gable end is not considered to be acceptable.

Officer's Comments

The revised proposals do not alter any of the existing window openings of the Church building, Sunday School building or Verger's Cottage. Further, all windows are to remain intact and the only changes will be to repair any windows in a poor state to their original state.

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.
- 9.3 Under the Ministerial Statement of 18 December 2014, 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

- 9.4 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 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.

Designations

- 9.5 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:
- Hillmarton Conservation Area
 - Hillmarton Conservation Area Article 4 Directions
 - Nags Head and Upper Holloway Road Core Strategy Key Area
 - Camden Road/Parkhurst Road Employment Growth Area
 - Camden Road New Church Tower and Spire, Camden Road Local Landmark
 - Major Cycle Route Camden Road and Parkhurst Street

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle (Land Use)
- Design, Conservation and Heritage Considerations (including Archaeology and Listed Building issues)
- Accessibility
- Neighbouring Amenity
- Quality of resulting accommodation
- Dwelling mix
- Affordable Housing and Financial Viability
- Sustainability
- Energy Efficiency and Renewable Energy
- Highways and Transportation
- Contaminated Land
- Planning Obligations, Community Infrastructure Levy and local finance considerations

Land-use

Business Floorspace and Nature of Re-provision

10.2 The site is designated as an Employment Growth Area within the Council's Core Strategy, whilst Development Plan policies seek to protect existing social and strategic infrastructure and cultural facilities.

10.3 The existing employment land on the site consists of:

- Approximately 790sqm car repair facilities (B2), which is split between 140sqm ground floor enclosed workshop area, 60sqm first floor enclosed ancillary office and 590sqm open area used for parking of vehicles waiting for repair and incidental to the use of the land by a car repair business Use Class B2.
- While the previous use of the site was a petrol filling station (*sui generis*), the existing use has been established for a sufficient time period (approximately 20 years) to be considered the current lawful use.

10.4 The Core Strategy is clear that existing business space will be safeguarded and the strategic economic value of the area is further supported through its designation as an Employment Growth Area (EGA), within which the site falls. As set out in part (i) of DM5.1A, within EGAs, proposals for the redevelopment of existing business floorspace are required to incorporate the maximum amount of business floorspace reasonably possible on the site, while complying with other planning policies; within these locations the intensification and renewal of business floorspace is a priority.

- 10.5 The priority afforded to business uses in this location must also be balanced against the need to retain social infrastructure provision on the site (discussed below) and heritage considerations/retention of certain buildings.
- 10.6 The revised proposal provides for 546 square metres (GIA) of employment floorspace and is broken down as follows:
- an Estate office for the City of London located to the ground floor of the new building (56.5 sq m);
 - an office unit to the ground floor of the new building (69 sq m);
 - conversion of the existing Verger's Cottage and Sunday School (414 sq m); and
 - 6.5 square metres of ancillary circulation space.
- 10.7 Therefore, the proposal would represent a loss of 240 square metres of employment floorspace on the site. Islington policies state that losses of office floorspace will only be supported in exceptional cases, where there are site-specific circumstances.
- 10.8 In this instance, the existing employment floorspace on the site (790 square metres) is used as an ancillary car storage facility for the parking of vehicles waiting for repair relating to a business on another site and in itself does not generate any employment on the site per se. The reprovision of 546 square metres of office Use Class B1 employment floorspace would generate different levels of employee density on the site, in addition to providing both modern new facilities within the new building and new office space within the existing historic buildings which would be suitable as workspace for small to medium enterprises.
- 10.9 Furthermore, the submitted Financial Viability Appraisal submitted with the application has been reviewed by the Council's independent valuers BPS Chartered Surveyors, who have stated that they agree with the appraisal's conclusion that increasing the level of proposed office space to fulfil Council policies on minimising loss of employment floorspace would further compromise the viability of the scheme and this is unlikely to be feasible.
- 10.10 Having regard to the above, as well as giving due regard to the fact that the loss of employment floorspace is a loss of a less dense employment use (B2 as opposed to B1), as well as the need to retain the existing social infrastructure provision on the site, there are considered to be sufficient viability reasons and other exceptional circumstances to accept a loss of employment floorspace from this site.
- 10.11 Core Strategy Policy CS13 and Development Management Policy 5.4 also seek to secure affordable workshop space within a scheme. BPS have reviewed the impacts of providing a dedicated affordable workshop space, secured at peppercorn rent levels for a minimum 10 year period and have

confirmed that this would have a further negative viability impact on the scheme which would result in a reduced affordable housing offer.

- 10.12 The applicant has demonstrated that the office floorspace could be divided into smaller units, which would positively impact on affordability. Given the viability constraints, the non-provision of a peppercorn rent affordable workshop space is considered to be acceptable. The applicant's submission does not clarify how the proposed business floorspace would be suitable for occupation by micro and small enterprises by virtue of its size and design, however the submitted floorplans have areas that could accommodate business floorspace divided into units of 90sqm (GIA) or smaller. This would allow for suitable accommodation for micro and small enterprises without the quality (including natural lighting) of the remaining business floorspace being compromised, although no separate street entrance or core could be provided. Therefore, a condition is recommended requiring the submission of floorplans demonstrating how a minimum of 5% of the business floorspace would be subdivided to provide accommodation for such enterprises.
- 10.13 In addition to the above, the applicant has agreed to heads of terms to secure:
- facilitation of work placements during the construction phase of the development, lasting a minimum of 13 weeks; and
 - a financial contribution towards end use employment opportunities for Islington residents.

Social Infrastructure/Cultural Facilities and Nature of Reprovision

- 10.14 The proposal involves the relocation of the Islington Arts Factory from the Church/Sunday School/Vergers Cottage buildings (to be redeveloped for private residential use and office floorspace) to a replacement purpose-built unit at basement and ground floor levels of the proposed new affordable residential building. The relevant policy in relation to the provision of a replacement facility for the Islington Arts Factory on the wider site is DM4.12; both parts A and E apply due to the mixture of uses within the Factory, which, based on available information, comprise both social infrastructure and cultural facilities.
- 10.15 In relation to 4.12A, part (i) applies, which does not permit any loss or reduction in social infrastructure unless a replacement facility is provided on site that would, in the council's view, meet the need of the local population for the specific use. The proposed replacement facility for the Arts Factory consists of a foyer (reception and small administration office)/café area and gallery (separated from the foyer by the lift core) at ground floor level; and music/dance/art studio space at basement level.
- 10.16 According to paragraph 4.3 of the Planning Statement, the Arts Factory currently provides 960 square metres of community use on the site and the reprovision of the facility would amount to 792 square metres, which

represents a loss of 148 square metres. Table B at paragraph 4.3 of the Planning Statement sets out a detailed community floorspace breakdown indicating the existing and proposed provision for each of the uses currently accommodated (excluding circulation/administration space) indicating that the level of provision of actual useable space will increase from 407 to 499 square metres, given the existing ancillary space is to be reduced from 552 to 293 square metres.

- 10.17 It is considered that the loss of 148 square metres of community floorspace is partially justified on the basis of a more efficient layout that reduced the extent of existing ancillary spaces that do not allow for the conducting of specific community activities. However, the variation in the floorspace dedicated to each use in the current versus the replacement facility is required to meet the provision of the needs of the specific users of the facility, which in this instance is the Islington Arts Factory.
- 10.18 Given the Arts Factory is a sizeable facility with a broad range of uses, consideration must be given to the standard that would be provided by the replacement unit in order to accommodate all user groups and that would result in an alteration to the range of activities offered by the Arts Factory to the local population.
- 10.19 Additionally, due to the multifunctional nature of the Factory, consideration should be given to the impact of a replacement facility that is smaller and less flexible in terms of layout on particular user groups currently accommodated in the premises which could arguably have very different catchment, e.g. children's dance classes as opposed to for-hire event space/recording studios, and which may not be able to be suitably accommodated in the replacement unit that is currently proposed. This is also relevant in considering the future flexibility of the space (DM4.12C), which could be occupied by any number of D1 users and should be sufficiently flexible to accommodate a range of users unless the permission is specifically for the Arts Factory.
- 10.20 Development Management Policy 4.12A, part (i) applies, which does not permit any loss or reduction in social infrastructure unless a replacement facility is provided on site that would, in the council's view, meet the need of the local population for the specific use. In this instance, based on the bespoke replacement community facilities specifically for the Islington Arts Factory, and their letter confirming their support for the proposals, part (i) of the policy would be met.
- 10.21 Whilst the new community floorspace has been designed with the specific needs of the Islington Arts Factory in mind, permission has been sought for Use Class D1 floorspace. Should the proposal seek the use of the basement in this form as purely Use Class D1, whereby any type of D1 use could occupy this proposed area, then it is not considered that this would be appropriate for certain uses within the D1 category such as a place of worship or child care centre. As such, a condition is recommended whereby the flexible Use Class D1 floorspace shall be prevented from being used as a place of worship or a child care centre.

- 10.22 Finally, development plan policies seek the reprovision of the new community floorspace on the site before the existing facilities can be lost. As such, suitable legal obligations will be included within the section 106 agreement requiring that the new community floorspace is occupied by the Islington Arts Factory prior to the other proposed uses on the site being occupied. Additionally, a legal obligation will be imposed so that the Islington Arts factory are not vacated from their existing facilities until such time that the new community space is available for them to occupy.

Proposed Residential Use as part of Mixed Use Development

- 10.23 Subject to any proposed redevelopment addressing the community needs and employment provision on site, as outlined above, the council would not object to part of the redevelopment scheme adopting some residential use on the site subject to an appropriate final proposed character and appearance and scaled development. Important amenity issues concerning air quality and noise pollution are outlined below.
- 10.24 Furthermore, any part of the proposed redevelopment accommodating residential uses would need to comply with the Council's policies on mix of housing sizes. These matters are covered in turn below.

Design, Conservation and Heritage Considerations (including Archaeology and Listed Building issues)

- 10.25 The site is located within the Hillmarton Conservation Area and is highly prominent in its location close to the junction of the busy Camden Road and Parkhurst Road. The site currently contains a Gothic church building (along with a new entrance to the church and lecture hall), the former Sunday School and extension, along with the Verger's Cottage. The Verger's Cottage is Grade Listed (II), while the Sunday School and church building are not grade or locally listed. Nevertheless, the Sunday school and church building do require listed building consent for alterations by virtue of being attached to the Verger's Cottage. The site as a whole is contained within a designated heritage asset, being the Hillmarton Conservation Area.
- 10.26 Development Plan policies seek to secure sustainable development that is of high quality and contributes towards local character, legibility, permeability and accessibility of the neighbourhood. Developments should contribute to people's sense of place, safety and security. Development should have regard to the pattern and grain of spaces and streets in orientation, scale, proportion and mass and be human in scale with street level activity.
- 10.27 The delivery of high quality design including the conservation and enhancement of the historic environment is a key objective of the planning system which is to contribute to achieving sustainable development as supported by the NPPF. Sustainable development is further described as including positive improvements in the quality of the built and historic environments including but not limited to replacing poor design with better

design (para 9). A core planning principle of the NPPF is to always seek to secure high quality design (para17).

- 10.28 NPPF Chapter 7 'Requiring good design' reinforces that this is a key aspect of sustainable development and indivisible from good planning and should contribute positively to making places better for people. Chapter 7 also confirms that high quality design includes consideration of individual buildings, public and private spaces. Policies and decisions should ensure that development amongst other things, responds to local character and history and reflects the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation. Also, that they are visually attractive as a result of good architecture and appropriate landscaping.
- 10.29 NPPF Chapter 12 'Conserving and enhancing the historic environment' sets out the criteria for the conservation and enjoyment of the historic environment in the strategy of local plans as well as relevant criteria for assessing and determining planning applications. Consideration includes harm posed to both designated and non-designated heritage assets and their setting.
- 10.30 At the regional level, high quality design is central to all the objectives of the London Plan and is specifically promoted in chapter 7 policies. These include: policy 7.1 which sets out some overarching design principles; policy 7.6 which considers building architecture; policy 7.7 which addresses specific design issues associated with tall buildings; policy 7.8 which seeks to protect heritage assets; policy 7.11 which considers strategic landmarks and wider character; and policy 7.4 which considers local character.
- 10.31 At a local level, Core Strategy Policy CS8 states that the scale of development will reflect the character of the area, while Policy CS9 requires new buildings to be of sympathetic scale and appearance and to be complementary to local identity; the historic significance of heritage assets and historic environment will be conserved whether they are designated or not; new buildings and developments to be based on a human scale and efficiently use a site which could mean some high density development; and tall buildings are generally inappropriate. This is further supported by Development Management policies DM2.1 (Design) and DM2.3 (Heritage).
- 10.32 The proposed redevelopment seeks to:
- Refurbish the Grade II listed Verger's Cottage and former Sunday School building for Use Class B1 office floorspace;
 - Convert the Church to provide 7 private residential units; and

- Construct a new 5-storey building on the site to provide for a community centre, office floorspace and 18 social rented affordable units.
- 10.33 Since the revised proposals were submitted, the Verger's Cottage and entrance (part of the former Camden Road New Church complex), have been Grade II listed. As such, Listed Building Consent would be required for any alterations. The building has been listed primarily for its ornate interior and intact plan form in addition to its detailed elevations.
- 10.34 Additionally, the Verger's Cottage makes a significant contribution to the Hillmarton Conservation Area, which is a designated heritage asset.
- 10.35 Paragraph 129 of the NPPF requires "planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal".
- 10.36 The submission includes a detailed survey of the Verger's Cottage and the layouts proposed retain the interior walls, mosaics and details. It is proposed to convert the building along with the Sunday School building into business floorspace making use of the existing features and retaining all of the walls and doorways that remain from the original cottage. The proposed external alterations to the Verger's Cottage would reinstate original windows and remove recent inappropriate alterations such as the veranda to the entrance. Details of the existing elements of the buildings and detailed designs of the proposed reinstated elements have been submitted and it is considered that these alterations would not affect the significance of these buildings and are also appropriate to conserve and enhance their significance. These details are to be conditioned should planning permission and listed building consent be granted.
- 10.37 Additionally, the proposed conversion of the Church building into residential units would be limited to internal alterations that are considered acceptable, whilst the external alterations would be limited to replacement of existing windows in need of repair with materials to match the original windows of the Church.
- 10.38 Finally, as required by the NPPF any redevelopment should exploit all possibilities to enhance the conservation area. In this instance the proposal seeks to re-instate the missing top part of the spire to the church, which is considered to be a heritage/public benefit. The reinstatement of the church spire is to be secured by legal agreement, conditions and a construction management plan should planning permission be granted.
- 10.39 The proposed new building as originally submitted included a 5-storey building that was taller than the ridge height of the existing Church building, with a solid to void ratio that was excessive, prominent dormers that were

overly prominent and bulky and a ground floor elevation that had insufficient active frontages for passive surveillance. Additionally, the apex of the new building at the corners of Parkhurst Road and Camden Road lacked articulation.

- 10.40 Planning and Design officers expressed concerns in relation to the above concerns and its general setting amongst adjoining and surrounding designated heritage assets, as well as its prominence from certain protected views. Consequently, there have been amendments to the scheme since its submission, as outlined above in Section 3 of the Report. The most notable amendment to the proposed scheme included a revision so that the overall building height was reduced to no higher than the ridge of the existing Church building. Additionally, the solid to void ratio was significantly reduced, while the mass and bulk of the dormers was significantly reduced, and the apex of the building was redesigned to provide more articulation. Finally, significant alterations were undertaken to the ground floor elevation in order to create a more responsive active frontage at this important intersection.
- 10.41 The assessment below in terms of design is based on the revised drawings.
- 10.42 Given the existing significant buildings on the site (including the grade listed Verger's Cottage), any proposal on the site must consider the impact on the significance of these buildings and the heritage asset as a whole, taking into account proportion, height, massing, bulk, materials, use, relationship with adjacent heritage assets, alignment and general treatment of setting. Specifically, the development should be high quality contextual urban design and respond successfully to the 'iron' shape of the site as the original building on the site, The Athenaeum, formerly did, whilst not obscuring or detracting from views of the church and other buildings, and also being appropriately subordinate to the church and other buildings.
- 10.43 It is considered that the revised design of the new building would fit in with the local vernacular in the Hillmarton Conservation area where large villas and more regular shaped blocks of flats predominate. The proposed balconies are recessed or integrally designed within buildings, whilst the roof level dormers are sufficiently minimized in scale so as not to appear dominant or bulky. It is considered that the proposed new building responds in design terms to create a focal corner building and also respect the importance of building lines in this area of the borough. It is considered that the existing church with improvements regarding the reinstatement of the spire is the natural focal point in this location. As such, the proposed footprint and the proposed building line of the development in conjunction with the proposed height of the development are considered to ensure that the proposed development would not form an over dominant visually harmful feature when seen within its context.
- 10.44 Additionally, the proposed five-storey building no longer includes a two-storey link extension to the Verger's Cottage and as a result provides for a thoroughfare through the site between the new and existing buildings on

the site. In combination with the above revisions, it is considered that the new building would respect the setting of the listed Verger's Cottage and not have a detrimental impact on its significance.

- 10.45 Therefore, it is considered that the overall design, scale, massing, footprint and height of the development of the proposed new building to be appropriate and responds adequately to its context. The proposed building would be in the form of a contemporary design and it is considered that the proposal has been designed in a manner to ensure that it would sit comfortably and harmoniously integrate with the site and within the streetscene and not detract from or compete with the significance of the streetscene character of adjoining or nearby buildings.
- 10.46 As such, the proposed development would be respectful of its immediate context and the wider adjoining Conservation Areas in terms of its scale, massing and height, and generally reflects the prevailing streetscene scale and does not dominate the streetscene or public realm.
- 10.47 The proposed contemporary design would respect the existing significant characteristics of the site in terms of its plot widths and the treatment of the elevations has been developed to assist in breaking the mass with the use of different materials. It is considered that this interpretative design approach using contemporary architecture and innovative design is an important part of the new built form because it adds to the existing diversity and layering of styles through time. It is considered that the contemporary approach employed would not have a detrimental impact on the character and appearance of the neighbouring Conservation Areas.
- 10.48 Due to the sites location between two heavily trafficked roads, the design of the buildings need to take account of potential for traffic noise. The proposed elevations are a reflection of the repetitive nature of the floor plans but the use of varied materials and articulation of the elevations has assisted in bringing a degree of interest to the appearance of the proposed scheme. However, its acceptability and appropriateness relies on the quality of implementation, including the materials used and detailing. Therefore, it is recommended that stringent conditions be imposed to ensure the delivery of an appropriate scheme of high quality design detail is achieved on the site. In particular, it is important to ensure that appropriate materials form part of the design. The predominant materials proposed consist of a gault brick (Petersen D72 or similar), anodised aluminium framing and a zinc roof. Conservation and Design officers consider that the choice of materials are suitable for the proposal as it is a new building and would allow the building to sit comfortably within the surrounding historic buildings without competing with their significance and blending in harmoniously. Additionally, the predominant material of a light gault brick has been chosen given it would darken over time due to the location of the building at a busy intersection whereby air pollution exists. As such, samples of all facing materials along with details of reveals, window panels and frames shall be secured through the imposition of a condition.

- 10.49 **Accessibility**

- 10.50 London Plan Policy 7.2 states development should achieve the highest standards of accessible and inclusive design, ensuring that developments can be used safely, easily and with dignity by all regardless of disability, age gender ethnicity or economic circumstances. Such requirements are also required by Islington Core Strategy CS12. Further, Development Management Policy DM 2.2 seeks all new developments to demonstrate inclusive design. The principles of inclusive and accessible design have been adopted in the design of this development in accordance with the above policies.
- 10.51 The provision of level access throughout the building is considered to be fundamental to the fulfilment of this policy. The provision of wheelchair accessible lifts and accessible toilets on all floors would ensure the building offers highly accessible accommodation. Council's Access officers requested clarification on a number of matters relating to inclusive design and whether the proposal would meet the requirements set out in the Council's Inclusive Design SPD. Therefore, a condition is recommended requesting details being provided to demonstrate how the requirements of the Council's Inclusive Design SPD are met.
- 10.52 As it is not possible to provide all the required disabled parking spaces on site as required by policy, a financial contribution towards the provision of a number of a disabled drop-off bays and on-street accessible parking bays (proportionate to the scale and nature of the use) in the vicinity of the site is considered to be acceptable. Where it might not be possible to implement the accessible parking bays on the street (e.g. as a result of opposition to amending the traffic management order), the contribution would be used towards accessible transport initiatives to increase the accessibility of the area for people with mobility and sensory impairments.
- 10.53 **Neighbouring Amenity**
- 10.54 The proposal site is in relatively close proximity to a number of adjoining properties. Residential amenity comprises a range of issues which include daylight, sunlight, overlooking and overshadowing impacts. These issues are addressed in detail below. The Development Plan contains adopted policies that seek to safeguard the amenity of adjoining residential occupiers including Development Management Policy DM 2.1.
- 10.55 DM Policy 2.1 requires new developments to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook. Further, London Plan Policy 7.6 requires large scale buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.
- 10.56 **Daylight and Sunlight**
- 10.57 London Plan Policy 7.6 is concerned with ensuring that new buildings do not cause unacceptable harm to the amenities of surrounding sensitive

land uses, particularly residential buildings. At the local level, Policy CS7 of the Core Strategy prohibits new developments from overshadowing existing residential buildings and Development Management Policy DM 2.1 seeks to safeguard the amenity of adjoining residential occupiers.

- 10.58 The British Research Establishment (BRE) has produced guidance assessing the impact of proposals on the daylight, sunlight and overshadowing received from adjoining properties. The Council's policies and the daylight/sunlight report submitted with the application all refer to the BRE guidance as a point of reference, and this guidance will be used to assess the impacts of the proposals.
- 10.59 Due to the location of the new building in the southwest corner of the site there are no adjoining residential properties that would be affected by the proposal. Specifically, all existing buildings surrounding the site would be contained within a line of angle of 45 degrees from the pane of windows at the adjoining property. As such, it is considered that the proposed development relative to the existing residential units would not result in an undue or unacceptable sense of enclosure or loss of privacy.

Overlooking

- 10.60 Objections have been received mainly from the surrounding occupiers stating that these proposals generate an unacceptable level of overlooking due to the proximity, height, and number of windows.
- 10.61 Development Management Policy DM 2.1 states that there should be a minimum distance of 18 metres between windows of habitable rooms. However, this does not apply across the public highway, as overlooking across a public highway does not constitute an unacceptable loss of privacy. Therefore, with regard to the properties opposite the site along Parkhurst Road and Camden Road it is not considered that there would be an impact on the amenity of these properties. The Planning Authority does not operate a separation distance requirement across public highways. This is because urban design requirements will generally ensure that a similar amount of overlooking would occur (as currently occurs) further up or down a street between facing properties. This is a usual occurrence that is seen throughout London.
- 10.62 With regard to the properties adjoining the site to the northeast, it is considered that overlooking to these properties would not occur given the proposed new building being sited to the southwest corner of the site with the existing church building located in between. The new residential properties converted within the Church building would also not give rise to overlooking as the angled view lines from the existing building would not offer direct views into existing neighbouring windows. It is not considered that any neighbouring properties would experience an unacceptable loss of privacy.

Noise Mitigation

- 10.63 This site is heavily affected by traffic noise at this junction. The site would fit into Noise Exposure Category D of the former PPG24 guidance where planning permission should normally be refused. The application was accompanied by a noise assessment that looked at the noise levels of Parkhurst Road and Camden Road with a view to securing a high quality internal noise environment for resulting residential accommodation. Council's Noise Pollution officer has advised that if consented there will need to be a high performance glazing/mechanical ventilation and façade design specified in order to achieve a high quality internal noise environment. Therefore, they have recommended that this should be conditioned.
- 10.64 Additionally, the residential apartments are described as dual aspect but both the Parkhurst Road and Camden Road facades have high noise levels and the flats will need to have windows closed at all times to retain the acoustic performance of the glazing (and mitigate against the poor air quality). Internal noise levels should take into account the noise generated by any ventilation system. The submitted report measures background noise levels and potential limits for new plant at the development. In order to control noise from mechanical plant a condition is recommended to protect future occupiers' amenity as well as nearby neighbours.
- 10.65 With regard to the community use, the Islington Arts Factory is proposed to be retained at ground and basement floor level with residential directly above. The Islington Arts Factory holds a number of classes and activities such as music performances and recording, dance classes etc which generate high levels of noise within the building. This has not been fully addressed within the submitted noise report but there will need to be an assessment of the situation and the separating structure will need to be designed with this in mind. It is recommended a condition be imposed on any permission requesting details of a scheme of sound insulation between the uses.

Quality of Resulting Residential Accommodation

- 10.66 The London Housing SPG sets requirements for the design of new residential units, including size, layout, circulation, floor to ceiling heights, aspect and private outdoor space requirements etc. Minimum unit sizes are set out in the London Plan Policy 3.5. Further, DM Policy 3.4 sets out Housing Standards for all new developments. The playspace requirements of the London Plan are set out in the SPG and DM Policy 3.6.
- 10.67 Unit Sizes
- 10.68 All of the proposed residential units, regardless of their bedroom numbers would meet the minimum standards set out in the London Plan (policy 3.5) and DM Policy 3.4. The proposed social rented units exceed the minimum floorspace areas as required by the London Plan and the DM Policy 3.4 with some being particularly generous. The proposed units have also been reviewed by the Council's Housing officer, who raised no objection to the proposals.

10.69 Internal Daylighting

10.70 BRE testing Average Daylight Factor (ADF) was undertaken for the proposed new residential units of both tenures. The ADF testing suggests that bedrooms should reach 1.0%, living rooms 1.5% and kitchens 2%. The presence of balconies on the Camden Road elevation further restricts daylight into some rooms. The majority of rooms pass, but some do fail.

10.71 There are no failures within the new building which contains the proposed social rented affordable housing, as they would all meet the minimum ADF requirements. However, there are some failures to windows to the converted Church building which contains the private residential units. This must be considered in the context that the existing Church building is a non-designated heritage asset and any alterations to the existing windows would be detrimental to the historic character of the building and its contribution to the conservation area. Given the few failures for some of the proposed rooms are within the Church building it is considered that these must be balanced against the wider heritage considerations of preserving the character of this building. For these reasons, the daylighting levels of the proposed residential units are on-balance considered to be acceptable.

10.72 Ceiling heights/Aspect

10.73 All units are designed with a 2.85m floor to ceiling height which is greater than the minimum 2.6 metres outlined in DM Policy 3.4. As such, the proposed ceiling heights are considered acceptable. Further, increasing the ceiling heights in this instance would increase the overall height of the proposed building, which would be detrimental to the streetscene.

10.74 The proposed new building has been designed with two entrance cores and as such all proposed new social rented units would be dual aspect. Further, the proposed private units to the existing Church building would also be dual aspect by virtue of the internal design. Further, there are no north-facing single aspect units which ensure compliance with DM Policy 3.4.

10.75 Private Outdoor space

10.76 The London Housing SPG sets requirements for private outdoor space, which are then expanded on by DM Policy 3.5, which requires 30sqm for ground floor family units. For upper level units, a minimum of 5sqm of external space for 1-2 person units, and an additional 1sqm per additional occupant is sought. Level thresholds must be provided to all private external spaces and balconies must have a minimum width of 1.5m. Ground floor units must have a 1.5m wide defensible space. The proposed new social rented residential units all secure a private balcony space or winter garden. Given the constraints of the site with regard to the existing historic buildings and the angled nature of the site towards the junction of Camden and Parkhurst Roads, the provision of communal open space is limited within the proposal and it is considered acceptable in this instance.

10.77 Play space

10.78 The provision of 10sqm of play space is required per child for major development proposals. The proposal does not include any proposed play space given the constraints of the site highlighted above, therefore a playspace contribution would be required. This is encapsulated by the Islington CIL and as such part of the CIL contribution would be directed towards the provision of play space facilities within the local area.

10.79 **Dwelling Mix**

10.80 The proposed mix of accommodation is as follows:

- 18 affordable residential units (7 x 1 bed, 9 x 2 bed and 2 x 3 bed), and
- 7 private residential units (2 x 1-bed, 4 x 2-bed and 1 x 3-bed).

10.81 The proposed mix of accommodation is not consistent with DM Policy 3.1 as larger family units are sought by the policy. Whilst DM Policy 3.1 seeks a good mix of housing sizes, leading on from Policy CS12 of the Core Strategy, it is accepted that the Parkhurst and Camden Road frontages are a challenging location in terms of its noise and air quality and therefore not a desirable location for a significant amount of large family housing.

10.82 Furthermore, the above housing mix has been reviewed by the Council's Housing officer, who has raised no concerns with regard to the dwelling mix on this particular site. The Council's Housing officer has also stated that the above residential units have been considered as part of a wider assessment of City of London sites within Islington and contribute to an appropriate amount and mix of affordable housing.

Affordable Housing and Financial Viability

10.83 The applicant's financial viability consultant has submitted an updated financial viability appraisal with the application. The Local Planning Authority appointed BPS Chartered Surveyors to undertake an independent review of the submitted financial viability report and was asked to consider and comment on the schemes ability to viably provide:

- a greater amount of office floorspace (to better accord with the site's designation within an Employment Growth Area; and
- consider if the affordable housing offer (71% by habitable rooms and 72% by unit numbers) is indeed the maximum reasonable amount that the site can afford to deliver (applying the borough strategic target of achieving at least 50% affordable housing on the relevant sites (reflecting 'policy compliant scheme').

10.84 The BPS report is appended to the end of this report at Appendix 3.

Affordable Housing Offer

- 10.85 Following revisions to the scheme to address other land use and heritage considerations, the number of affordable units fell from 20 to 18 and private residential units fell from 9 to 7. In percentage terms this increased the amount of affordable housing provision from 69% to 72% in unit numbers and from 55% to 71% in habitable rooms terms.
- 10.86 This equates to a total of 18 residential units (out of the total 25 proposed), and all 18 affordable units are proposed to be social rented housing. Nominations on these 18 units have been split 50% for Islington Council and 50% for the City of London, which has been agreed with Islington's Housing officer as part of a wider programme of affordable housing from City of London sites within Islington Council.
- 10.87 In assessing the BNP financial viability appraisal, BPS stated that following their review of the cost and value inputs, they have reached the conclusion that the current level of affordable housing represents the maximum that the scheme can reasonably provide. A further consideration is that the conversion buildings are considered by BNP to be unsuitable for affordable housing given that they provide accommodation over multiple levels. Therefore it is argued that no further affordable housing could be provided by the scheme even if it were viable to do so.

Sustainability

- 10.88 London Plan Chapter 5 policies are the Mayor's response to tackling climate change, requiring all development to make the fullest contribution to climate change mitigation. This includes a range of measures to be incorporated into schemes pursuant to Policies 5.9-5.15. Sustainable design is also a requirement of Islington Core Strategy Policy CS10. Details and specific requirements are also provided within the Development Management Policies and Islington's Environmental Design SPD, which is supported by the Mayor's Sustainable Design and Construction Statement SPG.
- 10.89 The development is located in an urban area where people can access services on foot, bicycle or public transport. It is a mixed use development satisfying key sustainability objectives in promoting the more efficient use of land, and reducing the need to travel.
- 10.90 The BREEAM pre-assessments submitted demonstrate that the non-residential elements of the development would be capable of achieving a BREEAM 'Excellent' rating, which is supported and in accordance with planning policies requiring all development to meet the highest standards of design and construction. It is recommended that the requirement to achieve a minimum BREEAM 'Excellent' rating is required by condition.
- 10.91 The sustainability Strategy recommends rain water harvesting utilising the basement area to collect and redistribute water (that would account for 50% water usage for toilet flushing). This is strongly recommended and a clear commitment, with the location of plant shown on the plans should be provided at planning stage to secure the required space. Further details are

to be secured via planning condition. On review of the Design and Access Statement section on landscape, there are a number of opportunities on the site to integrate SuDS measures into the design, such as raised planters acting as bioretention planters, SuDS tree pits and permeable paving in order to reduce water use and more efficient use of water re-use. These aspects are to be sought and secured via the imposition of a condition.

- 10.92 London Plan policy 5.3 and Core Strategy Policy CS10 require developments to embody the principles of sustainable design and construction. As part of this proposal consideration has been given to the use of sustainably sourced, low impact and recycled materials. The commitment to target a high number of materials BREEAM credits is supported and policy compliant. However, a target level of non-hazardous waste to be diverted to landfill and a target level of materials to be derived from recycled and reused content should be provided. These details are to be sought via condition seeking a Site Waste Management Plan (SWMP) setting out how these targets will be achieved. The above SWMP should include a brief assessment of the feasibility of reusing or recycling demolition waste on and/or off site.
- 10.93 London Plan policies 5.10 and 5.11 seek to promote green infrastructure in major developments and policy CS10D of the Core Strategy requires existing site ecology to be protected and for opportunities to improve upon biodiversity to be maximised. No green roofs have been put forward as part of the proposal. In summary, the scheme requires to maximise the roof areas across the scheme for biodiversity enhancement including underneath any array of photovoltaics and no justification has been put forward as to why the limited brown roof areas have maximised all opportunities. Furthermore, the roof should also be biodiversity based green roof with a varied substrate depth of 80-150mm and no justification has been submitted why green roofs have not been incorporated. A condition shall be imposed for details of the proposed green/brown roofs along with further details demonstrating that green/brown roofs have been maximised across the site. Further, the provision of bird and bat boxes across the site will be sought via condition.
- 10.94 Planning proposals are required to prioritise sustainable drainage solutions before relying on hard engineered solutions such as that which is proposed. Green/brown roofs are one SUDS option amongst others that should be fully explored as part of any justification for not being able to meet DM Policy 6.6 or London Plan Policy 5.13. It is recommended that green roofs with additional drainage volume (drainage layers) are integrated into the scheme in order to comply with DM Policies 6.5 and 6.6. Given the extent of roof area proposed, there are areas to provide further opportunity for an appropriate SUDS strategy to be incorporated into the scheme. A revised drainage strategy will be sought via condition in order for the quantity and quality standards of DM Policy 6.6 to be met.
- 10.95 Finally, a Green Performance Plan has been submitted in draft, however full details will be secured through a section 106 obligation.

Energy Efficiency and Renewable Energy

- 10.96 The London Plan and Core Strategy require development proposals to make the fullest possible contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy; be lean, be clean, be green. Policy 5.2 of the London Plan requires the submission of a detailed energy assessment setting out efficiency savings, decentralised energy options and renewable energy production.
- 10.97 Policy CS10A of Islington's Core Strategy requires onsite total CO2 reduction targets (regulated and unregulated) against Building Regulations 2010 of 30% where connection to a decentralised energy network is not made and 40% where connection to a decentralised energy network is possible. The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building regulations 2013.
- 10.98 The applicant proposes a reduction in overall emissions of 14.0%, compared to a 2013 baseline. This falls short of the target of 27% reduction vs. 2013 building regulations. The entire development's emissions should be modelled against a baseline derived from Part L1A (for the residential element). The application baseline omits the refurbished/listed element from the calculation. The baseline, and all stages of emissions calculation for the energy hierarchy, should be amended to take account of this - i.e. emissions for the entire development. The baseline should be calculated using a Part L1A/L2A compliant building.
- 10.99 Additionally, it is recommended that further improvements to the efficiency/'lean' parameters – particularly as reductions will need to be modelled against a more stringent baseline (as referred to above), making the 27% target more difficult to achieve.
- 10.100 The total reduction in CO2 emissions is 18%, which is short of the council's target for 14%. Therefore, a condition is to be included to state that a target of at least 18% reduction in total CO2 will be achieved but further investigation into options to improve on this to be exhausted with evidence and justification that all opportunities have been maximised.
- 10.101 In accordance with the Council's Zero Carbon Policy, the council's Environmental Design SPD states "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution". "All" in this regards means both regulated and unregulated emissions. The Environmental Design SPD states "The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement."
- 10.102 In this instance, a contribution of £71,079 is secured 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).

10.103 With regard to the development plan energy hierarchy of ‘be lean, be clean, be green’, the proposal addresses these matters in the following way:

BE LEAN

Energy efficiency standards

10.104 Council policy DM 7.1 (A) states “Development proposals are required to integrate best practice sustainable design standards (as set out in the *Environmental Design SPD*), during design, construction and operation of the development.” The energy strategy proposes a number of energy efficiency measures for the new build and it is considered that the approach taken for lighting and appliances is appropriate.

BE CLEAN

District Heating Connection

10.105 The site is not within 500m of an existing or planned heat network. It is however within an area of opportunity where district heating is anticipated to be developed in the short-medium term as evidenced in the Energy Masterplan study. However energy officers agree with the conclusion of the Energy Report that it is not currently feasible for connection to a heat network.

Combined Heat and Power

10.106 The proposal includes an onsite CHP to serve the base space heating and domestic water demand of the new building. Council energy officers have reviewed the documentation and recommended a condition is regarding provision of further details of plant rooms, heating systems and CHP specifications. These include plant room drawings showing a designated area for a heat exchanger, a heating system schematic including connection points, and drawings showing a designated and protected route for pipework, from the plant room to the edge of the site.

Shared Energy Network

10.107 The Energy Report does not consider any opportunities for shared heating with other local sites. The site is not located in close proximity to recently approved development and it is recommended that the applicant review opportunities for supplying or importing low carbon heat to neighbouring sites. This shall include investigating the viability of being supplied with heat from another CHP energy centre rather than creating a new energy centre, in accordance with council policy DM Policy 7.3. This is to be secured via the section 106 agreement.

10.108 Should following the above investigations, the development is proposed to supply low carbon heat to neighbouring sites, this is one method for off-setting the developments carbon emissions (and thereby reduce the liability for carbon offset levy). However, for this to be imposed, as discussed

above for any reduction in the carbon figure, a section 73 application would be required at a later date to vary the secured energy strategy condition targets along with a Deed of Variation to the legal agreement. A retrospective reduction cannot be accommodated within the legal agreement at this stage without the need for the above planning application to vary the condition and accompanying Deed of Variation.

Shared Futureproof District Heating Connection

- 10.109 The legal agreement shall include an obligation to require a commitment to ensuring that the development is designed to allow future connection to a district heating network should it become feasible at a later date, in accordance with the Development Plan.

BE GREEN

- 10.110 *Renewable energy technologies*
- 10.111 The Energy Report includes the installation of a 5.58kWp solar PV system, saving around 2.5tCO₂ per year. This is supported but as the development currently falls short of its emissions targets, it is recommended the applicant investigates further increasing the size of the system. Aside from energy and CO₂ savings, this may potentially offer financial benefits to the applicant via feed-in tariff payments etc.
- 10.112 In addition to the above energy hierarchy, London Plan Policy 5.9 and Islington Core Strategy Policy 10 require proposals to reduce potential for overheating to occur and reduce reliance on air conditioning. Local planning policy and guidance states:
- “The need for cooling should be designed out as far as possible through use of passive design and passive ventilation”. “Use of technologies from lower levels of the hierarchy shall not be supported unless evidence is provided to demonstrate that technologies from higher levels of the hierarchy cannot deliver sufficient heat control.”*
- 10.113 Thermal modelling and overheating analysis for the development has been carried out. This shows little risk of overheating in the dwellings, but a greater risk in the non-residential elements. This is more prominent under the 2050s DSY modelling.
- 10.114 It is considered that the approach to the cooling hierarchy which has been outlined is appropriate and note Section 4.1 of the submitted document states that “there is no intention to utilise any form of mechanical cooling within the proposed development”.
- 10.115 In summary, it is considered that the preferred option of connecting to a shared network (subject to feasibility) is considered appropriate, and should this prove unfeasible then the option of a Gas CHP with additional energy measures to achieve a Council target of 27% under a revised energy

strategy is an appropriate alternative for the scheme. These are to be secured via conditions and s106 obligations.

- 10.116 In summary it is considered that should connecting to a shared network (subject to feasibility) prove unfeasible then the option of a CHP with additional energy measures to achieve a Council target of 28% under a revised energy strategy is an appropriate alternative for the scheme. These are to be secured via conditions and s106 obligations.

Highways and Transportation

- 10.117 The site is located at the junction of three one-way streets: Parkhurst Road, Camden Road and Hillmarton Road. The site is currently used for the purposes of car storage/offices for Exan's Accident Repair Centre. There is another site for Exan's Accident Repair Centre, which is located opposite the application site on the southern side of Camden Road. To the north of the site the Islington Arts Factory resides within the former church, Vergers Cottage and the Sunday school.
- 10.118 The Parkhurst Road side of the application site has a red route bay and stopping to park, load/unload or to board and alight from a vehicle within restricted times (except for a Blue Badge holder) is prohibited in this location. Camden Road is also a red route and there is currently no parking provision along the Camden Road side of the application site. There are currently two informal on-site parking spaces, accessed via a cross over into a small driveway area in front of Vergers Cottage, Sunday school.
- 10.119 As Parkhurst Road and Camden Road form part of the TLRN, Transport for London (TfL) are the highway authority for these roads.
- 10.120 The site has a PTAL of 6a, indicating its excellent location in relation to public transport. Caledonian Road Underground Station is located approximately 770 metres from the site, providing services on the Piccadilly Line. Seven bus routes are located approximately 100 metres from the site: 17, 29, 91, 253, 254, 259 and 393.

Cycle access and parking

- 10.121 Development Management Policy DM 8.4 (Walking and Cycling) Part D requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step free and accessible parking. Appendix 6 of the Development Management Policies sets out the relevant cycle parking rates for the various land uses.

- Office use

For B1 land use, Appendix 6 of the Development Management Policies requires cycle parking to be provided at a rate of 1 space per 80 square meters. 7 spaces would need to be provided for B1 land use. The applicant has proposed to provide 10 cycle spaces for the office space.

- Residential use

For C3 land use, Appendix 6 of the Development Management Policies requires one cycle parking space per bedroom; the applicant has proposed 25 residential units devised of 9x1bedrooms, 13x2bedrooms and 3x3bedrooms, therefore 44 spaces would need to be provided. The proposed provision of 40 spaces should be increased by an additional 4 spaces to meet this requirement. This is to be secured via the imposition of a condition.

- Community use

For community use, Appendix 6 of the Development Management Policies requires cycle parking to be provided at a rate of 1 space per 3 members of staff. Further information should be provided to demonstrate that the proposed number of spaces meets this requirement. This is to be secured via the imposition of a condition

- Visitor cycle parking

The applicant has proposed to provide 6 on-street visitor cycle spaces. This is welcomed and to be secured as a legal obligation so that the Council can secure funds to implement this. Development Management Policy DM8.4 (Walking and cycling). Part E requires publicly accessible uses (including A1, A2, A3, D1 and D2) to contribute financially to cycle parking in the public realm.

- 10.122 Development Management Policy DM8.4 (Walking and cycling), Part E requires publicly accessible uses (including A1, A2, A3, D1 and D2) to contribute financially to cycle parking in the public realm. This contribution is captured by Islington's CIL (Community Infrastructure Levy).

Servicing, deliveries and refuse collection

- 10.123 Development Management Policy DM8.6 (Delivery and servicing for new developments), Part B, requires the submission of details demonstrating that on-site provision is not practical, and should show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance. The applicant has demonstrated in the Revised Planning Statement that on-site servicing would not be practical, given the site's constraints.

- 10.124 Storage is appropriately located within the development for all uses. However, no details have been submitted with regard to whether an adequate number of bins and type of bins have been provided for the extent of floorspace being proposed. Furthermore, refuse and recycling arrangements are not clear and these details along with the number and type of bins are to be secured by condition.

Vehicle parking

- 10.125 The proposal is car-free, in line with Policy CS10 (Sustainable design), Part H of the Core Strategy and Policy DM 8.5 (Vehicle Parking), Part A. The rights of residents of the new units to apply for CPZ permits will be removed via legal obligation in line with Core Strategy car-free policy CS10 (Part H).
- 10.126 Wheelchair accessible parking should be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking). Due to the site's constraints, no disabled car spaces can be provided on site. As such, a financial contribution towards bays or other accessible transport initiatives is to be secured via legal agreement.
- 10.127 The applicant has proposed two disabled bay parking locations along Parkhurst Road, which is managed by TfL as the highway authority. The details of these car spaces are to be conditioned and considered in consultation with TfL.

Highways

- 10.128 The requirements for removing redundant crossovers and reinstating the footways shall be secured under the s106 legal agreement.

Construction and Logistics Plan

- 10.129 Any impacts arising from the construction of the building in highway and transport terms would be controlled by the submission of a Construction and Logistics Plan. This has also been recommended by TfL, who have stated that such a plan should also address buses and ensure their operation is not adversely affected during construction.
- 10.130 In addition to the above conditions and section 106 obligations the following has also been secured as part of the planning application
- The provision of accessible parking bays or a contribution towards bays or other accessible transport initiatives given 28 accessible parking bays cannot be provided on site or on street.
 - Car-free development – the rights of residents to apply for CPZ permits should be removed.
 - Submission of a final Travel Plan
 - The repair and re-instatement of the footways and highways adjoining the development. Cost to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.
- 10.131 The officer recommendation of approval is also subject to the Heads of Terms as set out in Appendix 1 – Recommendation B, to be included in a Section 106 Agreement attached to any planning permission, in order to secure compliance with planning policy and mitigate the impacts of the development on surrounding infrastructure.

Contaminated Land and Air Quality

- 10.132 The Council's Pollution Project Team have reviewed the application proposals and advised that there is a high likelihood of there being contamination within the site due to historic polluting land uses at this site. The site is currently used as a further repairs garage and there are five underground storage tanks listed on the Contaminated Land database and it is unknown in what condition they are in. With the introduction of residential receptors on the site, it is advised that a contaminated land investigation is essential and should be conditioned in three stages: a land contamination investigation, a programme of any necessary remedial land contamination remediation works arising from the land contamination investigation, and finally, following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out. As such, they have recommended the Council's standard land contamination condition be applied should planning permission be granted.
- 10.133 With regard to air quality, the whole borough is designated as an Air Quality Management Area (AQMA). Development Management Policy DM 6.1 deals with air quality and all major applications should consider air quality impacts caused by both the operational characteristics of the development and traffic generation. Council's Pollution Project Team have reviewed the submitted information and advised that the site is affected by poor air quality. All floors of the site are predicted to exceed the NO₂ objectives. The submitted report has advised potential mitigation but further details will need to be provided on the ventilation, where air is drawn from, any NO₂ abatement technology (and maintenance). Therefore, it is recommended that a condition relating to noise and air quality be imposed should planning permission be granted.

Planning Obligations, Community Infrastructure Levy and local finance considerations

Planning Obligations

- 10.134 The officer recommendation of approval is also subject to the Heads of Terms as set out in Appendix 1 – Recommendation B, to be included in a Section 106 Agreement attached to any planning permission, in order to secure compliance with planning policy and mitigate the impacts of the development on surrounding infrastructure.
- 10.135 It is considered that these contributions are necessary to make the development acceptable in planning terms; the impacts are directly related to the development and fairly and reasonably related in scale and kind to the proposals and would comply with the Community Infrastructure Levy Regulations.
- 10.136 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development. This means that the measures required to mitigate

the negative impacts of this development in terms of carbon emissions, lack of accessible parking spaces and local accessibility cannot be funded through Islington's CIL. Separate contributions are therefore needed to pay for the necessary carbon offset, accessible transport, highway reinstatement and local accessibility investment required to ensure that the development does not cause unacceptable impacts on the local area.

- 10.137 None of the financial contributions included in the heads of terms represent general infrastructure, so the pooling limit does not apply. Furthermore, none of the contributions represent items for which five or more previous contributions have been secured.
- 10.138 The carbon offset and accessible transport contributions are site-specific obligations, both with the purpose of mitigating the negative impacts of this specific development. The carbon offset contribution figure is directly related to the projected performance (in terms of operation emissions) of the building as designed, therefore being commensurate to the specifics of a particular development. This contribution does not therefore form a tariff-style payment. Furthermore, in the event that policy compliant on-site accessible car parking spaces had been provided by the development (or other accessibility measure) a financial contribution would not have been sought. Therefore this is also a site-specific contribution required in order to address a weakness of the development proposal, thus also not forming a tariff-style payment.
- 10.139 The highway and footway reinstatement requirement is also very clearly site-specific. The total cost will depend on the damage caused by construction of this development, and these works cannot be funded through CIL receipts as the impacts are directly related to this specific development.
- 10.140 None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases where relevant impacts would result from proposed developments. The CIL Examiner did not consider that these types of separate charges in addition to Islington's proposed CIL rates would result in unacceptable impacts on development in Islington due to cumulative viability implications or any other issue.
- 10.141 CIL
- 10.142 Additionally, the Mayor's Community Infrastructure Levy CIL (currently £50 per square metres) is applicable to the application. An appropriately worded informative is recommended to draw the agent's attention to the CIL liability. 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 in the case of it being granted planning permission. In the event that the application is approved, CIL would be payable to the London Borough of Islington after the planning consent has been implemented and

will be used by the Mayor of London to pay for Crossrail in accordance with CIL Regulations 2010 (as amended).

- 10.143 The CIL contributions are calculated in accordance with the Mayor's and Islington's adopted Community Infrastructure Levy Charging Schedules. CIL would be payable to the London Borough of Islington following implementation of the planning consent.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The delivery of this scheme would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth, but also seeks to ensure social and environmental progress.
- 11.2 The redevelopment of this site to provide a mix of community facilities, office and residential accommodation in this location within a designated employment growth area would be entirely appropriate in this highly accessible location. Whilst development plan policies and designations seek to maximise business floorspace, the level of space proposed is considered to be the maximum reasonable possible given the constraints of the site and other competing land uses. In addition, the proposal has been accompanied by a financial viability appraisal to demonstrate that no further affordable housing could be provided without compromising the viability of the scheme.. Furthermore, the site must also reprovide the existing community facilities on the site.
- 11.3 The proposed building would make a positive contribution to the local townscape and in terms of height, form and scale would not detract from the setting of listed buildings or the character or appearance of surrounding conservation areas.
- 11.4 The development would be highly sustainable and energy efficient in compliance with relevant planning policies. Subject to appropriate contributions the development would mitigate its impacts on local infrastructure.
- 11.5 Further, the proposed development would not cause demonstrable harm to the amenities of any neighbouring occupiers in terms of sense of enclosure or privacy.
- 11.6 The scheme is therefore considered acceptable and recommended for approval subject to appropriately worded conditions and s106 obligations and contributions to mitigate against its impact.

Conclusion

- 11.7 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:

1. Provision of affordable housing – 71% (by habitable room) 72% (by unit numbers) – 100% social rented. A maximum of 50% of private residential units shall be occupied prior to the completion and hand over to a Registered Provider of all of the Affordable Housing Units
2. New community floorspace is occupied by the Islington Arts Factory prior to the other proposed uses on the site being occupied and the loss of the existing community facilities not to take place until such that the new community space is available for occupation.
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. Conditions surveys may be required.
4. Re-instatement of the church spire.
5. Removal of eligibility for residents' on-street parking permits for future residents.
6. Compliance with the Code of Employment and Training.
7. Facilitation, during the construction phase of the development, of work placements: Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Developer/contractor to pay wages (must meet London Living Wage).
8. 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.
9. The provision of an additional number of accessible parking bays or a contribution towards bays or other accessible transport initiatives.
10. 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: to be confirmed by Energy Team (£71,079 tCO2 X £920) – based on information submitted in Energy Strategy.

11. 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.
12. Submission of a Green Performance Plan.
13. Submission of a draft framework Travel Plan with the planning application, 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 (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
14. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.
15. Payment towards employment and training for local residents of a commuted sum.
16. All payments to the Council are to be index-linked from the date of Committee are due upon implementation of the planning permission.

That, should the **Section 106** Deed of Planning Obligation not be completed within the timeframe agreed between the parties in the Planning Performance Agreement (PPA), 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:

1	<p>Commencement</p>
	<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>
2	<p>Approved plans list</p>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>DrawingNos.:2273_PL_001A;2273_PL_010B;2273_PL_011B;2273_PL_012B;2273_PL_015C;2273_PL_020B;273_PL_021B;2273_PL_022B;2273_PL_023B;2273_PL_030;2273_PL_040B;2273_PL_041B;2273_PL_045C;2273_PL_046B;2273_PL_047B;2273_PL_050F;2273_PL_060;F;2273_PL_100G;2273_PL_101J;2273_PL_102E;2273_PL_103E;2273_PL_104F;2273_PL_105F;2273_PL_106C;2273_PL_119C;2273_PL_120D;2273_PL_121C;2273_PL_122C;2273_PL_130C;2273_PL_131A;2273_PL_132B;2273_PL_133A;2273_PL_134B;2273_PL_135A;2273_PL_400G;2273_PL_401G;2273_PL_402E;2273_PL_403F;2273_PL_410D;2273_PL_420D;2273_PL_421D;2273_PL_500D;2273_PL_501D;2273_PL_510D;2273_PL_520E;2273_PL_521D;2273_PL_522D;2273_PL_650D;2273_PL_651B;2273_PL_652B;2273_PL_653B;2273_PL_700;2273_PL_710B;2273_PL_711A;2273_PL_750A;2273_PL_950;2273_PL_951;2273_PL_952_A;2273_PL_953_A;2273_PL_954</p> <p>Acoustic Assessment (prepared by Bickerdike Allen Partners, December 2014)</p> <p>Air Quality Assessment (prepared by REC, December 2014)</p> <p>Construction Method Statement (prepared by HA Goddard and Sons, January 2015)</p> <p>Contaminated Land Assessment (prepared by REC, January 2015)</p> <p>Internal Daylight Report (REVISED) (prepared by EB7, December 2016)</p> <p>Design and Access Statement (REVISED) (prepared by Studio Partington, December 2016)</p> <p>Draft Heads of Terms (prepared by Maddox Associates, March 2015)</p> <p>Existing Window Survey – Church (prepared by Studio Partington, November 2016)</p> <p>Existing Window Survey – Sunday School and Verger’s Cottage (prepared by Studio Partington, November 2016)</p> <p>Economic Viability Assessment (prepared by Aspinal Verdi, March 2017)</p> <p>Flood Risk Assessment (prepared by RAB, January 2015)</p> <p>Foul Sewage and Utilities Assessment Report (prepared by Pitman Associates, January 2015)</p> <p>Health Impact Assessment Screening (prepared by Maddox Associates,</p>

	<p>January 2015) Heritage Statement (REVISED) (prepared by the Heritage Advisory, December 2016) Historic Environment Assessment (prepared by MOLA, October 2014) Open Space Assessment (prepared by Maddox Associates, January 2015) Planning Statement (prepared by Grade Planning, December 2016) Sustainable Design and Construction Statement (REVISED) (prepared by EB7, November 2016) Servicing and Delivery Management Plan (prepared by TTP, January 2015) Statement of Community Involvement (prepared by Maddox Associates, January 2015) Transport Statement (prepared by TTP, January 2015) Tree Survey (prepared by Treeline, 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	Materials – Further Details Required
	<p>CONDITION: Notwithstanding the plans hereby approved, 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.</p> <p>The details and samples shall include:</p> <ul style="list-style-type: none"> • Brick, anodised aluminium and zinc roof including manufacturer’s details; • window treatment of all buildings (including sections and reveals); • balustrading treatment (including sections); • detailed drawings showing the principal entrance and service entrances • glass samples any other materials to be used. <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	Inclusive Design
	<p>CONDITION: Notwithstanding the drawings hereby approved, prior to commencement of any works above ground level, details (including plans and sections) of the development against all relevant requirements of Islington’s Inclusive Design SPD and other relevant policies and guidance 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 and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development is of an inclusive design.</p>
5	Micro and small enterprises (Details)
	<p>CONDITION: Details, including floorplans, of business accommodation suitable for occupation by micro and small enterprises shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the development's business floorspace. The details shall confirm that no less than 5% of the development's business floorspace shall be suitable for occupation by micro and small enterprises.</p> <p>REASON: To ensure adequate provision of business accommodation suitable for occupation by micro and small enterprises.</p>
6	Use Class D1 – Restrictions on Use
	<p>CONDITION: The D1 (non-residential institutions) floorspace shall be strictly limited to uses within Use Class D1(a - g). No planning permission is hereby granted for purposes within Use Class D1(h) – place of worship – of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2005 (or the equivalent use within any amended/updated subsequent Order).</p> <p>REASON: It is considered that the operation of an unfettered place of worship in this location may have impacts, which should be subject of public consultation and a full planning application. The restriction of the use invokes the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 and would ensure compliance with policy D3 of the Islington Unitary Development Plan 2002.</p>
7	Fixed Plant (Compliance)
	<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: 2014.</p> <p>REASON: To ensure that the operation of fixed plant does not have an adverse impact on residential amenity.</p>
8	Sound Insulation (High Background Noise)
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning</p>

	<p>Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast) Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour Dining rooms (07.00 -23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: The site has been shown to fall within Noise Exposure Category (NEC) D.</p>
9	Sound Insulation Between Different Uses (Details)
	<p>CONNDITION: Full particulars and details of a scheme for sound insulation between the proposed community use (D1) and residential use of the building shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</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: In the interest of protecting future residential amenity against undue noise and nuisance from non-residential uses.</p>
10	Construction Environmental Management Plan
	<p>CONDITION: A Construction Environmental Management Plan 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. 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. 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: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>

11	Air Quality Assessment
	<p>CONDITION: Prior to the commencement of works on the development hereby permitted, a site report detailing steps to minimise 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 that the proposed development does not have an adverse impact on the residential amenity of the proposed residential units.</p>
12	BREEAM
	<p>CONDITION: The development shall achieve a BREEAM Office (2015) rating of no less than 'Excellent' in accordance with the BREEAM pre-assessment submitted.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development in accordance with Development Management Policy DM7.4.</p>
13	Rainwater Recycling
	<p>CONDITION: Details of the rainwater recycling system shall be submitted to and approved in writing by the Local Planning Authority prior any superstructure works commencing onsite. The details shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development.</p> <p>The rainwater 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 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 sustainable use of water.</p>
14	Green Procurement Plan (Site Waste Management Plan)
	<p>CONNDITION: No development shall take place unless and until a Green Procurement Plan (Site Waste Management Plan) has been submitted to and approved in writing by the Local Planning Authority. The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability: use of low impact, sustainably sourced, reused and recycled materials, including reuse of demolition waste.</p> <p>The development shall be constructed strictly in accordance with the Green Procurement Plan so approved.</p>

	REASON: To ensure sustainable procurement of materials which minimises the negative environmental impacts of construction.
15	Sustainable Urban Drainage System (SUDS)
	<p>CONDITION: No development shall take place unless and until details of an updated drainage strategy for a sustainable urban drainage system and maintenance and management plan has been submitted to and approved in writing by the Local Planning Authority.</p> <p>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 minimise flood risk and maximise water quality, amenity and biodiversity benefits in accordance with DM Policy 6.6 and the National SuDS Standards. The submitted details shall:</p> <p style="padding-left: 40px;">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;</p> <p style="padding-left: 40px;">include a timetable for its implementation; and</p> <p style="padding-left: 40px;">provide a management and maintenance plan for the lifetime of the development which shall specify who is responsible for the on-going maintenance of the system and include any other arrangements necessary to secure the operation of the system throughout the lifetime of the development.</p> <p>No building(s) hereby approved shall be occupied unless and until the approved sustainable drainage scheme for the site has been installed/completed strictly in accordance with the approved details.</p> <p>The scheme shall be implemented and thereafter be managed and maintained in accordance with the approved details.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
16	Bird Nesting Boxes (Details)
	<p>CONDITION: Details of bird and bat nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The details shall include the exact location, specification and design of the habitats.</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</p>

	<p>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>
17	Green/Brown Biodiversity Roofs
	<p>CONDITION: Notwithstanding the plans hereby approved, a biodiversity (green/brown roofs) strategy demonstrating how green/brown roofs have been maximised across the site 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 roofs) strategy shall also include the following details:</p> <p style="padding-left: 40px;">biodiversity based with extensive substrate base (depth 80-150mm); laid out in accordance with plans hereby approved; and 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).</p> <p>The biodiversity (green/brown) roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
18	Renewable Energy
	<p>CONDITION: A revised Energy Strategy, which shall provide the energy measures contained within the submitted (updated) Energy Strategy for no less than a 14% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2013, and investigating additional energy efficiency measures to reduce regulated and unregulated carbon emissions each stage of the energy hierarchy and the percentage reductions with the aim of targeting a 27% reduction in total (regulated and unregulated) carbon emissions, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The final agreed scheme shall be installed and operational prior to the first occupation of the development.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that the CO2 emission reduction targets are met.</p>

19	Cycle Parking Provision
	<p>CONDITION: Notwithstanding the approved drawings, details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to the Local Planning Authority and approved in writing prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than the amount of cycle spaces required for all proposed uses in accordance with London Plan (2015) standards.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, 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, as well as to reduce opportunities for crime.</p>
20	Cycle Facilities
	<p>CONDITION: Details of shower and changing facilities (including lockers) that would help promote cycling as a mode of transport shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of superstructure works.</p> <p>The facilities shall be installed and operational prior to first occupation of that part of the development and maintained as such permanently thereafter.</p> <p>REASON: In the interests of ensuring that sustainable forms of travel to work (cycling) is promoted and robustly encouraged.</p>
21	Refuse and Recycling
	<p>CONDITION: Details of the site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The details shall include:</p> <p>the layout, design and appearance (shown in context) of the dedicated refuse/recycling enclosure(s); a waste management plan</p> <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>

22	Delivery and Servicing Plan
	<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 (in consultation with TfL) 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 therefrom 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>
23	Construction Logistics Plan (CLP)
	<p>CONDITION: No development shall take place unless and until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The approved CLP shall be adhered to throughout the construction period. The CLP shall provide details of:</p> <p>the parking of vehicles of site operatives and visitors loading and unloading of plant and materials storage of plant and materials used in constructing the development the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate wheel washing facilities measures to control the emission of dust and dirt during construction a scheme for recycling/disposing of waste resulting from demolition and construction works</p> <p>The report shall assess the impacts during the construction phases of the development on the Transport for London controlled Farringdon Road, nearby residential amenity and other occupiers together with means of mitigating any identified impacts. 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 order to secure highway safety and free flow of traffic on Farringdon Road, local residential amenity and mitigate the impacts of the development.</p>
24	Plumbing or Pipes
	<p>CONDITION: No plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to the external elevation(s) of the building hereby approved.</p>

	REASON: The Local Planning Authority considers that such plumbing and pipes would detract from the appearance of the building.
25	Roof-Top Plant & Lift Overrun
	<p>CONDITION: Details of any roof-top structures/enclosures 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 the location, height above roof level, specifications and cladding and shall relate to:</p> <p style="padding-left: 40px;">roof-top plant; ancillary enclosures/structure; lift overrun; and photovoltaics</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 good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
26	Obscuring of Ground Floor Frontage
	<p>CONDITION: The window glass of all ground floor commercial units shall not be painted, tinted or otherwise obscured and no furniture or fixings which may obscure visibility above a height of 1.4m above finished floor level be placed within 2.0m of the inside of the window glass.</p> <p>REASON: In the interest of securing passive surveillance of the street, an appropriate street frontage appearance and preventing the creation of dead/inactive frontages.</p>
27	Land Contamination
	<p>CONDITION: Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority.</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: To protect occupiers and the environment from contaminated risk.</p>
28	Landscaping
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL) prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <p>an updated Access Statement detailing routes through the landscape and the facilities it provides;</p> <p>a biodiversity statement detailing how the landscaping scheme maximises biodiversity;</p> <p>existing and proposed underground services and their relationship to both hard and soft landscaping;</p> <p>proposed trees: their location, species and size;</p> <p>soft plantings: including grass and turf areas, shrub and herbaceous areas;</p> <p>topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</p> <p>enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and</p> <p>any other landscaping feature(s) 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</p>

	<p>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.</p>
29	Protection - TfL
	<p>CONDITION: No development shall be commenced unless and until details of the retention and adequate protection of all trees and tree root systems within, bordering and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority (in consultation with TfL).</p> <p>The details shall include a site plan identifying all trees to be retained and removed including the location of Root Protection Area (RPA) and Construction Exclusion Zone (CEZ) and the erection of protective hoarding. Tree protecting fencing shall consist of a rigid 2.4 metre OSB, exterior grade ply high sterling board hoarding or weld mesh. Protection/retention shall be in accordance with BS 5837, 2005 'Trees in Relation to Construction'. Heras fencing in concrete, rubber or similar foot plates is not acceptable as a form of tree root protection.</p> <p>The tree retention and protection shall be carried out strictly in accordance with the details so approved, installed/carried out prior to works commencing on site, and shall be maintained for the duration of the works.</p> <p>REASON: To protect the health and stability of trees to be retained on the site and to neighbouring sites, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
30	Thames Water
	<p>CONDITION: No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</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. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.</p>

List of Informatives:

1	S106
	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.
2	Superstructure
	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.
3	Community Infrastructure Levy (CIL) (Granting Consent)
	INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk . The Council will then issue a Liability Notice setting out the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil Pre-Commencement Conditions: These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.
4	Thames Water
	WATER COMMENTS There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
5	Thames Water
	WASTE COMMENTS A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a

	<p>permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.</p>
6	Roller Shutters
	<p>ROLLER SHUTTERS</p> <p>The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

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

2. Development Plan

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

A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

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 2.14 Areas for regeneration

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 3.14 Existing housing

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

Policy 3.18 Education facilities

Policy 3.19 Sports facilities

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 5.19 Hazardous waste

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 6.8 Coaches

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 6.14 Freight

7 London's living places and spaces

Policy 7.1 Lifetime neighbourhoods

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

4 London's economy

Policy 4.1 Developing London's economy
Policy 4.2 Offices
Policy 4.3 Mixed use development and offices
Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision
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

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS3 (Nag's Head and Upper Holloway Road)

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)

C) Development Management Policies June 2013

Design and Heritage

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

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 7.9 Heritage-Led regeneration
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
Policy 8.4 Monitoring and review for London

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

Infrastructure and Implementation

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

DM6.5 Landscaping, trees and biodiversity

DM2.5 Landmarks

Housing

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

Employment

- DM5.1** New business floorspace
- DM5.2** Loss of existing business floorspace
- DM5.4** Size and affordability of workspace

Health and open space

- DM6.1** Healthy development
- DM6.2** New and improved public open space
- DM6.4** Sport and Recreation

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

4. Designations

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

- Hillmarton Conservation Area
- Hillmarton Conservation Area Article 4 Directions
- Nags Head and Upper Holloway Road Core Strategy Key Area
- Camden Road/Parkhurst Road Employment Growth Area
- Camden Road New Church Tower and Spire, Camden Road Local Landmark
- Major Cycle Route Camden Road and Parkhurst Street

5. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Inclusive Design in Islington
- Planning Obligations and S106

London Plan

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

- Urban Design Guide
- Streetbook
- Development Viability SPD

- London
- Providing for Children and Young Peoples Play and Informal Recreation

APPENDIX 2: Design Review Panel

APPENDIX 3: BPS Report on Financial Viability Assessment



ATT: Thomas Darwall-Smith
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Date: 5 May 2015

Dear Thomas Darwall-Smith,

ISLINGTON DESIGN REVIEW PANEL

RE: Islington Art's Factory, 2 & 2A Parkhurst Road, London, N7 0SF – planning application reference P2015/0330/FUL

Thank you for attending Islington's Design Review Panel meeting on 14th April 2015 for an assessment of the above scheme. The proposed scheme under consideration was for the redevelopment of the site consisting of demolition of the existing garage structure and verger's cottage, refurbishment of the Sunday school building to provide 2 private residential units (2 x 2-bed), refurbishment of the Church building to provide 7 private residential units (3 x 1-bed, 2 x 2-bed and 2 x 3-bed) and construction of a new 5-storey building with basement below to provide 695 square metres of community floorspace (Use Class D1), 52 square metres of office floorspace (Use Class B1) and 20 affordable residential units (10 x 1 bed, 8 x 2 bed and 2 x 3 bed), resulting in a total of 29 residential units (13 x 1-bed, 12 x 2-bed and 4 x 3-bed), along with associated landscaping, access, parking and public realm works.

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), Stephen Archer, Steve Burr, Kate Graham, Richard Lavington and Ludwig Tewksbury on 14th April 2015 including a site visit and a presentation from the design team followed by a 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 existing buildings

The Panel considered the existing Victorian church to be an important landmark building that would benefit from restoration and that the former Sunday School and Verger's Cottage were characterful buildings that make an important contribution to the significance of the conservation area. It was felt that although each building is important each contributes to the importance of the other through their relationship as being part of a satisfying group within a prominent location.

The loss of the Verger's Cottage

The panel felt that no convincing justification had been provided for the demolition of the Verger's Cottage and that the starting point for any redevelopment proposals should be the retention of all buildings, which make a positive contribution to the conservation area. The internal spaces are of such quality; with art nouveau tiles and cast-iron staircase that every attempt should be made to incorporate these spaces and their detailing within the new development. If approval is being sought for the removal of the building a convincing case needs to be made that the harm resulting from its removal is outweighed by the benefits to the overall development layout. The Panel did not feel this was evident in the presented scheme.

Residential use of the Church and former Sunday School

The Panel were informed of the project ambition to design and construct the project whilst allowing the Islington Arts Factory (IAF) to remain on site throughout. The panel questioned the logic behind converting two prominent community buildings to housing and re-providing the community use within a new residential building of which no part signifies a community use. The Panel wondered whether a temporary home nearby could be found for IAF whilst the new project is constructed and if this might allow the refurbishment of the church and neighbouring buildings to accommodate a revitalised IAF facility. The church and upper Sunday School hall in particular have very special internal spatial qualities and any conversion, whether residential or community, needs to use these to best effect. It was felt that it would be unacceptable to utilise the ground floor of the church for bin and cycle storage and that this should be reconsidered. Generally it was considered that the detail design for the Church & Sunday School needed to be fully resolved to demonstrate that the quality of the existing buildings would not be compromised.

The reinstatement of the church spire is welcomed but must be secured by legal agreement, conditions and construction management plan. The exterior of the church should be restored and any new openings should better reflect the character of the building.

The Panel raised concerns that the redevelopment of the church itself would not be designed to the same level of detail as the wider scheme due to it potentially being sold to a third party developer and suggested that the Council may be able to prevent this through conditions/legal agreement.

Further information was required on how the spaces between the buildings will be treated and how any newly revealed elevations will appear. The Panel felt the project presented the opportunity to significantly enhance these aspects of the scheme with greater hierarchy of public space, routes and servicing.

New residential building

While there was some concern over the height and massing of the proposed building and that such a lengthy parapet line without a step-down could be overly dominant towards the heritage assets, generally it was felt that the proposed building has an acceptable relationship with the heritage assets and allows views of the spire to remain prominent.

However, concern was raised over the defensive appearance of the building and the lack of interest to the apex of the site, the latter possibly calling for a more innovative solution. Concern was also raised over whether the proposed winter gardens will be constructed to sufficient quality and whether these and floor to ceiling height windows will reveal visual clutter behind them. The layout and quality of accommodation of the apartments at roof level in the new building was also questioned.

Summary

The Panel welcomed the principle of re-developing the site however considered that insufficient justification had been provided for the demolition of the Verger's Cottage and that it would bring richness to the scheme if incorporated within the redevelopment proposals. Any proposals showing its removal will need to clearly demonstrate this is to the overall benefit of the development of the site. The Panel also suggested that it might be better for the community use to remain within the church and former Sunday School buildings. The Panel considered that the relationship between the buildings and quality of the external spaces requires improvement as well as internal planning of the existing Church & Sunday School buildings. Concern was raised over the defensive appearance of the proposed new building and the lack of interest to the apex of the site and that these issues need to be resolved.

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

As the scheme is 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

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27 April 2014

1.0 INTRODUCTION

- 1.1 We have been instructed by Islington Borough Council to review BNP Paribas Real Estates' March 2015 Viability Assessment of a proposal to redevelop 2 Parkhurst Road ('the Site') under planning application P2015/0330/FUL.
- 1.2 The Site is approximately 0.2 Ha and is located at the junction of Camden Road and Parkhurst Road. It is bounded by Camden Road to the south, Parkhurst Road to the north and Holloway Community Centre to the east. The applicant, the City of London, is proposing the following:

"Partial refurbishment, demolition and redevelopment of site to provide 5 storey (plus basement) building comprising 695 sq m of replacement community floorspace (use class D1) 52 sq m office (use class B1) and 20 affordable residential units (10 x 1 bed, 8 x 2 bed and 2 x 3 bed). Refurbishment of former Sunday school to provide 2 private residential units (2 x 2 bed). Refurbishment of former church to provide 7 residential units (3 x 1 bed, 2 x 2 bed and 2 x 3 bed)....."
- 1.3 The proposed D1 space is intended for use by the existing tenant, the Islington Arts Factory, which is a community organisation.
- 1.4 The applicant is proposing to provide 69% of the residential units as affordable housing (55% by area). This exceeds the Council's affordable housing target of 50%, which is set by Core Strategy policy CS12. All of the affordable units will be Social Rent tenure, which is higher than the Council's 70% target. The applicant is currently proposing that 35% of the affordable units will be nominated to the Council. We have been informed that the applicant intends to retain some of the affordable housing in its own ownership.
- 1.5 We have reviewed the cost and value inputs that have been applied in BNP's development appraisal of the proposed scheme, in order to give a view as to whether the currently proposed level of affordable housing is the maximum that can reasonably be provided.

2.0 CONCLUSIONS & RECOMMENDATIONS

- 2.1 The proposed scheme generates a residual value of -£2,73m. When compared against BNP's estimate benchmark land value of £1.46m, the scheme deficit is -£4,91m.
- 2.2 It is unlikely that a typical private developer would be willing to proceed with the scheme, as there would be no commercial logic in undertaking a scheme that generates such a large deficit.
- 2.3 We have been informed that the City of London (the applicant) intends to retain some or all of the social housing that will be constructed. One of the applicant's main objectives is to deliver affordable housing and to continue its charitable work of providing community facilities. Therefore this is not a typical commercial, profit-led scheme. This approach explains why the applicant is still apparently willing to proceed with the scheme in spite of the large apparent deficit it generates.
- 2.4 We have analysed the proposed benchmark land value of £1.464 m. This figure is based on an existing use value (EUV) of £1.22 m which we agree is a realistic estimate. We do, however, fail to see the logic of applying a landowner premium in this case. The logic of a premium is for a landowner to benefit from an increase in land value arising from the grant of planning consent for a higher value use. In this instance the proposed consent would result in a net loss. Therefore market value for the site would not exceed EUV as such there is no scope available to fund a premium.
- 2.5 We have revised the benchmark land value by removing the landowner premium and also by removing the void costs and rent free periods that have been included as we do not consider these to be necessary given that a tenant is in occupation. This results in a £1.44m benchmark, which is very similar to BNP's figure of £1.46m.
- 2.6 Our Cost Consultant, Neil Powling, has reviewed a Cost Plan (January 2015) that has been prepared by Fulkers, and has concluded that the costs proposed are broadly reasonable. He considers the overall costs to be marginally overstated by £177,000, which is a minimal difference relative to the entire build cost sum of £9,580,320.
- 2.7 Our analysis of local sales evidence suggests that the values applied in the appraisal are realistic, taking into account the disadvantages of the site, which is located opposite Holloway Prison. The proposed private housing is somewhat unusual including the layout of the private market units most of which will be spread over 3 or 4 floors. This creates uncertainty over achievable values; although given the disadvantages of the proposed conversion apartments we would not expect achievable values to substantially exceed those in BNP's appraisal. Private sales values total £9.59m in the appraisal, and we calculate that these values would need to increase by almost 70% in order fully eliminate the current deficit.
- 2.8 We have created our own appraisal to model the affordable housing values which results in a value of £2.1 m (£159 per sqft, £1,711 per sqm), which suggests that the £131 per sqft (£1,410 per sqm) is perhaps somewhat pessimistic. Our figure is some £0.38 m higher than BNP's affordable housing valuation, which if adopted would reduce the scheme deficit by only a relatively marginal amount and substantially below the level required to clear the deficit.
- 2.9 We are satisfied that the value of the proposed D1 space is realistic. We have queried whether the Islington Arts Factory will retain its nil rent status, or whether instead it will be required to pay a market rent on the proposed D1 space. We are currently awaiting a response on this issue from BNP. We note however that the appraisal

prepared by BNP currently indicates the Arts Centre is assumed to contribute a rent of £8,500 per annum. Any reduction in this rent would increase the apparent deficit. It should be noted that the Arts Centre currently pays a nil rent. We understand that Heads of Terms are currently being prepared in respect of a lease of the proposed D1 space between the applicant and the Islington Arts Factory.

- 2.10 Following our review of the cost and value inputs into BNP's viability assessment, we have reached the conclusion that the current level of affordable housing represents the maximum that the scheme can reasonably provide. A further consideration is that the conversion buildings are considered by BNP to be unsuitable for affordable housing given that they provide accommodation over multiple levels. Therefore it is argued that no further affordable housing could be provided by the scheme even if it were viable to do so.

3.0 BENCHMARK LAND VALUE

- 3.1 The former church and associated buildings are currently occupied by the Islington Arts Factory. These buildings accommodate dance studios, artist studios, music rooms, a café, and gallery space.
- 3.2 BNP has undertaken an existing use valuation of the site. This valuation generates an existing use value of £1.22m, to which a landowner premium of 20% has been applied to reach £1.464m, which has been used as a benchmark land value for the purposes of testing the viability of the application scheme.
- 3.3 We have been informed that the City of London have assigned a Market Rent of £100,000 to the existing space. This is a 'book value' representing the notional market rent of the premises. This is not actually paid by the existing tenant, Islington Arts Factory who are leased the space at a nil rent.
- 3.4 BNP has valued the existing D1 space assuming vacant possession is secured followed by a letting of the premises in the open market. There is a total of 10,376 sqft (964 sqm) of D1 space. This has been assigned a rent of £10 per sqft (£108 per sqm) by BNP, who cite evidence of D1 rents in this locality. This is lower than the £15 per sqft (£161 per sqm) that has been applied to the application scheme's new-build D1 space and reflects the former's condition including its need for refurbishment. We accept that the proposed rental margin between current and proposed accommodation is realistic.
- 3.5 The D1 Use comparable evidence mostly relates to lettings to colleges and nurseries which are commercially driven organisations capable of generating rental payments, thus is different from the uses that are currently on the site, namely two dance studios, artist studios, music rooms, a café and gallery space which are essentially less commercial. The lettings evidence cited by BNP includes the following:
- 7 Arkansas House, New Orleans Walk, London, N19 3SZ. This was let in June 2014 at £18.65 per sqft (£200 per sqm). This is a day nursery, in 'good condition'.
 - 93-101 Greenfield Road, London, E1 1EJ - let for £12 per sqft (£129 per sqm) to an educational college.
 - 333 High Street, Wood Green, London, N22 8JA - £12.90 per sqft (£139 per sqm). In use as a nursery. Modern building in good condition. In less central location London than the application site.

- 3.6 Following our analysis of the comparable evidence provided, we conclude that £10 per sqft is not an unrealistically high figure. We have viewed photographs of the interior of the building. These indicate that the facilities are in a reasonably good condition. We cannot however reach any firm conclusions regarding the building without further evidence. Nevertheless, the general tone of rents for D1 space does show that £10 per sqft (£108 per sqm) is toward the lower end of the spectrum of achievable rents, and is unlikely to be overstated.
- 3.7 The 1,344 sqft (£125 sqm) of storage space has been assigned a rent of £10 per sqft (£108 per sqm). No comparable evidence has been provided specifically for the storage space rents. We understand that this storage space is ancillary to the D1 space. Whilst it could be argued that a lower rent may be appropriate for the storage space, the overall rent for the premises (excluding the forecourt) is realistic as a somewhat higher rent could potentially be justified for the main D1 floorspace. A reduction in the £13,440 annual rent assigned to the storage space would in any case have a minimal impact on viability.
- 3.8 A capitalisation rate (yield) of 9% has been applied. We consider this to be realistic, reflecting the limited income security that is typically achieved by landlords of D1 space.
- 3.9 A void period of 18 months and a rent free period of 6 months have been applied to the D1 Uses. This assumes vacant possession is secured and a letting is achieved in the open market providing for the above marketing period and letting incentives. Given that space is currently tenanted, and has a notional rent ascribed to it, it is arguably reasonable to assume that the existing tenant pays or is assumed to pay a market rent for the premises and that there is no need to secure an alternative lettings, as the decision to forego rent is a 'personal' decision of the City of London rather than driven by any other consideration. The City of London could for example grant endow the tenant in order to provide funding to enable a rent to be paid. Indeed this is recommended best practice when subsidising occupiers in local government. We suggest that simply capitalising the Market Rent of £117,240 as estimated by BNP using a 9% yield, without deductions for voids or rent free periods, is arguably appropriate, and would generate a £1.23m figure after purchaser's costs.
- 3.10 The freeholder is currently receiving £20,000 per annum from Exan for use of the forecourt for the parking and maintenance of cars. BNP has also capitalised this income using a 9% yield, which we agree is suitable. They have factored in an 18 month void period, which, as with the D1 space, we do not consider to be necessary given that a tenant is already in occupation. We suggest, therefore, a simple capitalisation of the passing rent, which gives a net capital value £210,000 after deduction of purchaser's costs. Adding this to the £1.23m calculated in the preceding paragraph, gives an £1.44m. This compares to BNP's EUV of £1.22m,
- 3.11 BNP have then added a 20% premium to arrive at their proposed benchmark. We are of the view the inclusion of a premium generally reflects an allowance to the land owner as an incentive to release the land for development. In this instance the land owner is simply redeveloping the site and potentially retaining it within their ownership. Secondly the scheme generates a deficit, therefore in our view EUV is likely to represent market value and as such there is scope for generation of a premium.
- 3.12 Our figure of £1.44m compares to BNP's of £1.464m. Albeit we arrive at our values through differing assumptions we conclude that the benchmark applied in the appraisal is broadly reasonable.

4.0 PRIVATE RESIDENTIAL VALUES

- 4.1 Private market values have been calculated using an average value of £725 per sqft (£7,804 per sqm) uniformly applied by BNP to all the units. This value per sqft has been supported by comparable sales evidence from the local area. The Site is directly opposite Holloway Prison, which is viewed by BNP as being a constraint upon residential values achievable.
- 4.2 We sought a unit pricing schedule so that we could analyse individual unit prices but this has not been provided. We have applied the suggested sales rate £725 per sqft (£7,804 per sqm) to each of the units in order to create the schedule of values below:

<u>Building C</u>				
Unit No.	Type	GIA (sqm)	GIA (sqft)	Values
C001	1B2P	94	1,010	732,006
C002	1B2P	93	1,003	726,933
C003	2B3P	72	774	561,178
C004	2B4P	70	757	548,770
C005	3B5P	141	1,515	1,098,477
C006	3B5P	147	1,584	1,148,656
C007	1B2P	149	1,609	1,166,371

<u>Building B</u>				
		GIA (sqm)	GIA (sqft)	Values
B001	2B3P	85	913	661,843
B002	2B3P	158	1,696	1,229,728

- 4.3 Building B is the former Sunday school, while Building C is the former Camden New Church. Most of the values of these units exceed average values locally for each unit type, which can be explained in part by their exceptionally large sizes and period features.
- 4.4 The apartments are conversions which creates some disadvantages relative to purpose built residential buildings, but on the other hand does provide some attractive and unique features especially those associated with the buildings' former uses as a church and Sunday school. We summarise some key features of the units below:
- C004 inhabits the tower of the former church. C004 is across 4 storeys
 - C005, C006 and C007 have the have the highest values
 - C001, C002, C005, C006 and C007 are all triplex
 - C003 is on one floor
- 4.5 The ground floor apartments in both buildings will have direct access to garden space outside of the apartments. The upper floor apartments will not have private external amenity space, but this is compensated for by large internal areas. The ground floor is shared by C001, C002 and C003.

- 4.6 Given how unique the private housing in this scheme will be, we have requested further commentary from BNP, who have informed us that they have relied on second-hand evidence and the opinions of local agents upon the sales potential of these units. We discuss these values below by reference to asking prices of nearby units, some of which are smaller than the proposed units but are nevertheless of use for establishing a general tone of value:

One-beds

- A 535 sqft flat (£50 per sqm) one-bed flat is available at £365,000 in Carleton Road, which is £682 per sqft (£7,341 per sqm). This is a reasonably good quality block of flats which has ample communal gardens.
- A 465 sqft (£43 sqm) one-bed in Fairweather House, Parkhurst Road, is available at £350,000 (£752 per sqft - £8,094 per sqm). It is set within well maintained communal gardens. This is an exceptionally small unit which may account for the relatively high value per sqft.
- A 535 sqft one-bed available for £399,950 (£748 per sqft - £8,051 per sqm) on Parkhurst Road. This is a period terraced building, and this ground floor conversion flat has good period features.

Two-beds

- Two-bed available at £425,000 on Holloway Road, in a reasonably good quality block of flats.
- 2-bed flat available at £550,000 at Caledonian Road. It has an area of 675 sqft (£63 per sqm) and is £814 per sqft (£8,762 per sqm). This is a modern, recently-constructed block. In close proximity the site but a superior location as not overlooking Holloway Prison. On the other hand, the proposed will be new-build which may add a premium.
- 2-bed maisonette for sale at £500,000. This 975 sqft (£91 sqm) unit is available at £512 per sqft (£5,511 per sqm). This low value per sqft may reflect the relatively large size of this unit.
- A 702 sqft (£65 per sqm) 2-bed flat at £500,000 asking price (£712 per sqft - £7,663 per sqm) on Caledonian Road. This is in a modern, recently-constructed block of flats which is in a superior location as not overlooking Holloway Prison.

- 4.7 It is typical for achieved prices to be at a discount from the asking prices (5-10% is not uncommon), thus we have taken this into account in our analysis. Based on the availabilities of second-hand units, we consider the values applied to the proposed units be realistic.

Recent new-build application schemes

- 4.8 For a nearby new-build scheme on Parkhurst Road which we were recently involved in reviewing, we estimated residential values of c£660 per sqft (£7,104 per sqm). Inflation of 6.2% is shown by the House Price Index from June 2014 to February 2015. This is £701 per sqft (£7,458 per sqm) when the £660 per sqft (£7,104 per sqm) June figure is uplifted to present-day values.

- 4.9 For another nearby scheme, at 351 & 351A Caledonian Road, the applicant estimated values of £704 per sqft (£7,578 per sqm) in November 2014. We agreed that these were reasonable. These were upon a disadvantaged site, reflecting its close proximity to railway lines. A somewhat higher figure is to be expected for the proposed.
- 4.10 A scheme on Benwell Road was ascribed estimated values of £724 per sqft (£7,793 per sqm) by BNP in September 2014. There has been negligible growth in Islington HPI between September and the latest HPI figures (February 2015). This Benwell Road scheme is broadly comparable with the proposed scheme, which suggests that £724 per sqft is a reasonable estimate.
- 4.11 Values recently estimated for a nearby scheme at Ladbroke House averaged £860 per sqft (£9,257 per sqm) which, based on extensive analysis of comparable evidence, we concluded was reasonable. It is to be expected that lower values are achievable at the proposed scheme than Ladbroke House, given the latter's superior location, facing Highbury Fields, and that it is an attractive period building that is to be converted, which benefits from exceptionally high floor-to-ceiling heights.

Queensland Terrace

- 4.12 Recent asking prices for Queensland Terrace of almost £8,611 per sqm (£800 per sqm) have recently been cited by the selling agents. Queensland Terrace is in a mixed use area and directly opposite The Emirates football stadium, which is arguably not an ideal position for housing, although is undoubtedly preferable to being opposite Holloway Prison. This Barratt scheme is superior to the proposed scheme in some respects including its aspects, its scale, its further distance from main roads, and that it is not constrained by the close proximity of nearby buildings. We would not expect values per sqft at the proposed scheme to reach this level.
- 4.13 A large number of the available 2-beds at Queensland Terrace are available at £600,000-£615,000. For example, an apartment at £615,000 (£851 per sqft - £9,160 per sqm) is higher than the proposed 2-beds, including in terms of values per sqft. One-bed flats at Queensland Terrace are on the market for £435,000 to £450,000. Making allowance for typical discounts from asking prices, and for the relative advantages Queensland Terrace, these availabilities indicate that markedly higher 2-bed values than those estimated by BNP are not to be expected.

321 Holloway Road

- 4.14 The recently constructed 321 Holloway Road is cited by BNP as its key comparable scheme. It has asking prices of £644-£790 per sqft - an average of £706 per sqft (£7,599 per sqm). It sold out at the end of Q3 2014, and is due for completion in April/May 2015. These units sold in June 2014 but would have factored in some degree of forecast sales growth up to the date of practical completion. It is located on the busy A1, and is in close proximity to the Site. We would not expect private market values for the proposed scheme to exceed those at 321 Holloway Road.
- 4.15 321 Holloway Road is the only new-build scheme cited by BNP, who have provided a schedule of sales of second-hand apartments in the local area.

5.0 AFFORDABLE HOUSING VALUES

- 5.1 Affordable housing values have been calculated at £1.72m, which is £131 per sqft (£1,410 per sqm). All the units are Social Rent tenure, and BNP have valued these by using gross weekly rents that are compliant with the Council's affordability criteria.

The capital value has been derived using BNP's own bespoke model. We have received a summary of BNP's model which does not show the rent and yield assumptions that were used to reach the capital valuation.

5.2 We have been informed that the rents for affordable housing will be based on April 2015 target rents for Islington:

- 1-beds: £158-£160 per week
- 2-beds: £173-£188 per week
- 3-beds: £222-£248 per week

5.3 We have undertaken a summary appraisal of the affordable housing, using the above weekly rents and typical assumptions applied in affordable housing valuations:

- 6% yield
- maintenance & management costs: 15% of weekly rent
- voids: 4% of weekly rent
- Major repairs: 1% of weekly rent

5.4 The result is £2.1m (£159 per sqft), which suggests that £131 per sqft (£1,410 per sqm) is perhaps somewhat pessimistic. We have tested our model with higher yields, which shows that a yield of just over 7% would be required in order to reduce the capital value to BNP's figure of £131 per sqft.

6.0 DEVELOPMENT COSTS

6.1 Our Cost Consultant, Neil Powling, has reviewed the Cost Plan (January 2015) that has been prepared and Fulkers, and has concluded that the costs are broadly reasonable. He considers the overall costs to be marginally overstated by £177,000, which is a minimal difference relative to the entire build costs. Neil explains this difference as follows:

“Our adjusted benchmarking of Block A shows the Applicant's costs to be high compared to benchmark by £177,000; this is mainly the result of the 4% addition (£199,560) for price & design risk; we consider a 5% addition for risk on new build work to be sufficient and reasonable. Our benchmarking of Blocks B&C shows the Applicant's estimated costs to be reasonable.”

6.2 A Developer's Profit of 20% on GDV has been applied to the private market element of the scheme, which reflects the level of risk associated with this type of development. This is a profit level that has commonly been applied in recent viability assessments.

6.3 A Developer's Profit of 6% on GDV has been adopted for the affordable housing element of the scheme, which is an industry standard profit level for this form of housing.

6.4 Finance costs have been calculated using an interest rate of 7%, which is a reasonable rate to apply in the current lending market. A pre-construction period of 6 months, a 24 month construction period and a 6 month sales period have been assumed when calculating the finance costs, which are realistic development programme assumptions for a scheme of this size and complexity.

6.5 Marketing of 2%, letting agent fees of 10%, and letting legal fee of 5%, are all in line with typical benchmark rates for viability assessments in the current market.

6.6 S106 Contributions of £135,000, Islington Borough CIL of £141,750 and Mayoral CIL of £28,350 are included in BNP's appraisal. These have not yet been confirmed to us by planning officers as being correct figures for this scheme.

7.0 D1 COMMUNITY USE - VALUES

7.1 A rent of £15 per sqft has been applied, and then capitalised using an 8% yield for the proposed D1 space.

7.2 BNP has provided a schedule of D1 lettings, some of which we have analysed above in relation to the valuation of the existing D1 space. It is logical that the rent of the proposed (£15 per sqft - £161 per sqm) is higher than the £10 per sqft (£108 per sqm) applied to the existing space reflecting improvements in configuration specification and condition.

7.3 The yield of 8% is realistic for D1 space, which when let in the open market typically has limited investor interest relative to, for example, office buildings. This reflects the typically lower income security attainable from D1 tenants.

- 7 Arkansas House, New Orleans Walk, London, N19 3SZ. This was let in June 2014 at £18.65 per sqft (£200 per sqm). This is a day nursery, in good condition.
- 93-101 Greenfield Road, London, E1 1EJ - let for £12 per sqft (£129 per sqm) to an educational college.
- 333 High Street, Wood Green, London, N22 8JA - £12.90 per sqft (£139 per sqm). Nursery. Modern building in good condition. In less central location in London than the Site.

7.4 It is apparent that £15 per sqft (£161 per sqm) is in the upper range of achievable rents for D1 Uses. In terms of the capitalisation rate of 8%, this is higher than the typical rate of 5-6% that is applied to new-build B1 (office) space. BNP has not, however, provided any evidence in support of an 8% yield, which may be due to the limited transactional evidence. Taking into account this building's location, which is not in a Central London location and its D1 Use class. We consider c8% to broadly realistic. The City of London (the applicant) does not in any case intend to sell the building, and will retain its role as landlord by securing a letting with Islington Arts Factory.

7.5 In the appraisal, rents total 11,235 per annum which is inclusive of the rents applied to the office space (discussed below).

8.0 OFFICE (B1) - VALUES

8.1 A rent of £15 per sqft (£161 per sqm) has been applied, and then capitalised using an 8% yield. BNP have included a void period of 6 months and a rent free period of 6 months. There is a total of 52.66 sqft of office space. The small area indicates that it is effectively ancillary to the D1 Uses on site. We accept that the valuation assumptions applied to the office space are reasonable in this context.

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Appendix One: Local sales transactions

Address	Last sale price	Last sale date	Property type	Year built	Bedrooms
37 Moriatry Close N70EF	£499,999	13 Jun 2014	Flat	1980	1
83B Crayford Road N70NE	£381,000	15 May 2014	Flat	1880	1
Flat 1 Vaynor House Williamson Street N70ST	£369,950	01-Sep-14	Flat		1
30A Hungerford Road N7 9LX	£360,000	21 Jul 2014	Flat		1
37B Parkhurst Road N70LR	£365,000	23 May 2014	Flat	1880	1
19 Keighley Close N7 9RT	£280,000	29 Apr 2014	Flat	1970	1
Flat 3 364 Camden Road N70LG	£270,000	19 Sep 2014	Flat	1884	1
First Floor Flat 34 Hungerford Road N7 9LX	£372,000	25 Jul 2014	Flat		1
Flat 2 348 Camden Road N70LG	£230,000	21 Jul 2014	Flat	1880	1
Flat 16 Barnersbury House Parkhurst Road N70NR	£211,000	23 Jun 2014	Flat	1960	1
Flat 13 Hilton House Parkhurst Road N70NN	£340,000	12 Jun 2014	Flat	1930	1
Flat 4 14 Beacon Hill N7 9LY	£410,000	02-Sep-14	Flat	1890	1
Flat 14 Bunning House Chambers Road N70NX	£270,000	30 May 2014	Flat		1
Flat 1 34 Freegrove Road N7 9RQ	£675,000	31 Oct 2014	Flat		2
8 Keighley Close N7 9RT	£560,000	14 Aug 2014	Terrace	1970	2
3A Penn Road N7 9RD	£512,000	30 Jun 2014	Flat		2
Second Floor Flat 51 Penn Road N7 9RE	£485,000	25 Sep 2014	Flat	1887	2
4B Beacon Hill N7 9LY	£463,500	05-Dec-14	Flat	2014	2
Flat 208 Bakersfield Crayford Road N70LY	£320,000	10 Oct 2014	Flat	1970	2
Flat 3 555 Caledonian Road N7 9RX	£495,000	31 Jul 2014	Flat	1890	2
Flat 44 Parkhurst Court Warlters Road N70SD	£311,500	31 Oct 2014	Flat		2
Flat 2 Parkhurst Court Warlters Road N70SD	£320,000	30 Apr 2014	Flat	1913	2
12 Moriatry Close N70EF	£402,000	03-Oct-14	Flat		2
Flat 28 Parkhurst Court Warlters Road N70SD	£232,000	26 Aug 2014	Flat	1936	2
8 Staveley Close N7 9RS	£528,888	18 Jul 2014	Terrace	1975	2
Flat 104 Bakersfield Crayford Road N70LU	£319,000	21 Nov 2014	Flat	2005	2
11B Penn Road N7 9RD	£865,000	28 Oct 2014	Flat	1898	3
Flat D 4 Hungerford Road N7 9LX	£655,000	01-Jul-14	Flat	1860	3
Flat 7 402 Camden Road N70SJ	£548,000	08-Aug-14	Flat	1880	3
Flat 1 553 Caledonian Road N7 9RR	£735,000	31 Jul 2014	Flat	1880	3
33 Penderyn Way N70EY	£525,500	30 Jul 2014	Terrace	1974	3
Flat 20 Bakersfield Crayford Road N70LT	£500,000	10 Oct 2014	Flat		3
Flat 19 Bakersfield Crayford Road N70LT	£450,000	24 Jun 2014	Flat	1972	3
Flat C 65 Tabley Road N70NB	£535,000	23 Dec 2014	Flat	1906	3
Flat 1 555 Caledonian Road N7 9RX	£710,000	02-Feb-15	Flat	2003	3
2 Hungerford Road N7 9LX	£2,220,000	23 May 2014	Detached	1886	4
15 Penderyn Way N70EY	£560,000	21 Nov 2014	Terrace	1970	4
5 Belfont Walk N70SN	£525,000	01-Sep-14	Flat	1980	4
27 Beacon Hill N7 9LY	£1,701,316	05-Sep-14	Semi-detached		5
31 Freegrove Road N7 9RG	£1,475,000	02-Oct-14	Terrace	1900	5
15 Tabley Road N70NA	£350,000	21 Jan 2015	Flat	1890	5
Flat D 44 Carleton Road N70EP	£515,000	29 Sep 2014	Flat		

Appendix Two:

Cost Review, by Neil Powling FRICS

1 SUMMARY

- 1.1 See paragraph 3.4 below - the GIA for the new build works of Block A are given in the cost plan as 1,953m². This figure does not appear consistent with the net areas given for the functional elements of this building.
- 1.2 Our adjusted benchmarking of Block A shows the Applicant's costs to be high compared to benchmark by £177,000; this is mainly the result of the 4% addition (£199,560) for price & design risk; we consider a 5% addition for risk on new build work to be sufficient and reasonable. Our benchmarking of Blocks B&C shows the Applicant's estimated costs to be reasonable.

2 METHODOLOGY

- 2.1 The objective of the review of the construction cost element of the assessment of economic viability is to benchmark the applicant costs against RICS Building Cost Information Service (BCIS) average costs. We use BCIS costs for benchmarking because it is a national and independent database. Many companies prefer to benchmark against their own data which they often treat as confidential. Whilst this is understandable as an internal exercise, in our view it is insufficiently robust as a tool for assessing viability compared to benchmarking against BCIS.
- 2.2 BCIS average costs are provided at mean, median and upper quartile rates (as well as lowest, lower quartile and highest rates). We generally use mean or upper quartile for benchmarking depending on the quality of the scheme. BCIS also provide a location factor compared to a UK mean of 100; our benchmarking exercise adjusts for the location of the scheme. BCIS Average cost information is available on a default basis which includes all historic data with a weighting for the most recent, or for a selected maximum period ranging from 5 to 40 years. We generally consider both default and maximum 5 year average prices; the latter are more likely to reflect current regulations, specification, technology and market requirements.
- 2.3 BCIS average prices are also available on an overall £ per sqm and for new build work (but not for rehabilitation/ conversion) on an elemental £ per sqm basis. We generally consider both. A comparison of the applicants elemental costing compared to BCIS elemental benchmark costs provides a useful insight into any differences in cost. For example: planning and site location requirements may result in a higher than normal cost of external wall and window elements.
- 2.4 If the application scheme is for the conversion, rehabilitation or refurbishment of an existing building, greater difficulty results in checking that the costs are reasonable, and the benchmarking exercise must be undertaken with caution. The elemental split is not available from the BCIS database for rehabilitation work; the new build split may be used instead as a check for some, but certainly not all, elements. Works to existing buildings vary greatly from one building project to the next. Verification of costs is helped greatly if the cost plan is itemised in reasonable detail thus describing the content and extent of works proposed.

- 2.5 BCIS costs are available on a quarterly basis - the most recent quarters use forecast figures, the older quarters are firm. If any estimates require adjustment on a time basis we use the BCIS all-in Tender Price Index (TPI).
- 2.6 BCIS average costs are available for different categories of buildings such as flats, houses, offices, shops, hotels, schools etc. The Applicant's cost plan should keep the estimates for different categories separate to assist more accurate benchmarking.
- 2.7 To undertake the benchmarking we require a cost plan prepared by the applicant; for preference in reasonable detail. Ideally the cost plan should be prepared in BCIS elements. We usually have to undertake some degree of analysis and rearrangement before the applicant's elemental costs can be compared to BCIS elemental benchmark figures. If a further level of detail is available showing the build-up to the elemental totals it facilitates the review of specification and cost allowances in determining adjustments to benchmark levels. An example might be fittings that show an allowance for kitchen fittings, bedroom wardrobes etc that is in excess of a normal benchmark allowance.
- 2.8 To assist in reviewing the estimate we require drawings and (if available) specifications. Also any other reports that may have a bearing on the costs. These are often listed as having been used in the preparation of the estimate. If not provided we frequently download additional material from the documents made available on the planning website.
- 2.9 BCIS average prices per sqm include overheads and profit (OHP) and preliminaries costs. BCIS elemental costs do not include these. Nor do elemental costs include for external services and external works costs. Demolitions and site preparation are excluded from all BCIS costs. We consider the Applicants detailed cost plan to determine what, if any, abnormal and other costs can properly be considered as reasonable. We prepare an adjusted benchmark figure allowing for any costs which we consider can reasonably be taken into account before reaching a conclusion on the applicant's cost estimate.

3 GENERAL REVIEW

- 3.1 We have been provided with and relied upon:-
- Assessment of viability and affordable housing provision prepared by BNP Paribas Real Estate v.2 dated March 2015 including the appendices and in particular Appendix 3 the Cost plan and Appendix 4 the Argus Appraisal
 - The Design & Access Statement planning issue prepared by Richards Partington Architects
 - The Planning Statement prepared by Maddox Associates dated 23rd January 2015
 - Appendix 3 is the Cost plan prepared by Fulkners LLP dated January 2015
- 3.2 The cost plan is split into two main sections: Block A is new build including residential flats with the Community areas comprising: Arts areas, café, gallery and office combined together. As the two functions have not been separately estimated we have used blended data for benchmarking.
- 3.3 The second section comprises the estimate for Blocks B & C, the conversion to flats of the former Sunday school and of the existing church.
- 3.4 We have assumed the costs and GIA stated in the cost plan for Block A of 1,953m²

and Blocks B & C of 1,301m² to be correct. The latter GIA is consistent with the stated NIAs of the units, however the former (Block A) slightly exceeds the NIA of the combined residential and community areas; we have queried this anomaly.

- 3.5 The preliminaries have been calculated at 12.5% and the OHP at 5% for both sections. We consider these additions reasonable.
- 3.6 Block A has additions of 4% for Price & Design risk and 5% for contingencies. We are content with a total allowance of 5% for risk for new build and therefore consider the combined allowance to be excessive by 4%. Blocks B & C has an addition of 8% Development Allowance - because of the increased uncertainty in conversion work we are satisfied that this addition is reasonable.
- 3.7 Block A also shows a 20% addition for VAT. We would not expect this to be payable for new build works and note that there is no inclusion in the Appraisal for VAT.
- 3.8 The additions for professional fees are 14% to Block A and 16% to Block B. On the assumption that the project will be procured traditionally with a full professional team we consider these additions realistic.
- 3.9 We have downloaded current BCIS data for benchmarking purposes. We have considered the various areas grouped collectively as a Community Centre for benchmarking and blended the rates with a mean “generally” rate for new build flats. The Location Factor for Islington is 114 and we have applied this adjustment in our calculations.
- 3.10 Refer to our two files “Elemental analysis Block A and BCIS benchmarking” and “Elemental analysis Blocks B&C and BCIS benchmarking”. Our adjusted benchmarking of Block A shows the Applicants costs to be high compared to benchmark by £177,000; this is the result of the 4% addition (£199,560) for price & design risk. Our benchmarking of Blocks B&C shows the Applicant’s estimated costs to be reasonable.

BPS Chartered Surveyors
Date: 9th April 2015

Islington Arts Factory
BCIS Downloaded 9th April 2015

From next tab:-

			Blended rate		
LB Islington	Community	749	38%	2,542	967
Building A - new build - 20 flats - 5 storey	Res	1,220	62%	1,417	878
Community Bldg A - new build - Gallery, office, arts, entrance/café	Tot new bld blk A		1,968		1,845
Building B - refurb - 2 flats - 3 storey					
Building C - refurb - 7 flats - 4 storey + stair up 2 storeys	Sunday School B			242	
Church C			767		
Location			114		
Estimate Jan 2015 1Q2015					
TPI 1Q2015		257		forecast	
TPI 2Q2015		261		forecast	
Avg prices def	LF100		LF114		sample
Community Centres generally - mean	1,614		1,840		113
Community Centres up to 500m ² generally - mean	1,711		1,951		47
Community Centres up to 500m ² -2000m ² generally - mean	1,543		1,759		62
New bld flats generally mean	1,168		1,332		793
New bld flats 3-5 storey mean	1,151		1,312		527
Refurb flats generally mean	1,286		1,466		69
Refurb flats 3-5 storey mean	1,225		1,397		27
Avg prices 5 years					
Community Centres generally - mean	2,230		2,542		17
Community Centres up to 500m ² generally - mean	2,945		3,357		7
Community Centres up to 500m ² -2000m ² generally - mean	1,732		1,974		9
New bld flats generally mean	1,243		1,417		231
New bld flats 3-5 storey mean	1,218		1,389		149
Refurb flats generally mean	1,661		1,894		20
Refurb flats 3-5 storey mean	1,465		1,670		8
Rehab/ conversion Group elements inc prelims		Flats generally		Flats 3-5 storey	
LF100	LF114		LF100		LF114
Substructure	44	50	49		56
Superstructure	543	619	402		458
Finishes	275	314	298		340
Fittings	205	234	280		319
Services	595	678	815		929
1,662	1,895		1,844		2,102

Islington Arts Factory
Elemental analysis Blocks B & C (Refurb) & BCIS benchmarking

GIA m ²	BCIS max 5 year element avg				Group elements Refurb
			Flats - BCIS mean		
	£	1,301 £/m ²	LF100 £/m ²	LF114 £/m ²	LF114 £/m ²
Demolitions	85,535	66			
1 Substructure	74,340	57	108	123	56
2A Frame	110,585	85	133	152	
2B Upper Floors	132,385	102	60	68	
2C Roof	10,000	8	77	88	
2D Stairs	88,231	68	22	25	
2E External Walls	282,900	217	141	161	
2F Windows & External Doors	93,800	72	72	82	
2G Internal Walls & Partitions	96,909	74	47	54	
2H Internal Doors	58,593	45	40	46	
Balconies, balustrading & wintergardens	0	0			
2 Superstructure	873,403	671	700	798	458
3A Wall Finishes	50,441	39	54	62	
3B Floor Finishes	144,030	111	44	50	
3C Ceiling Finishes	63,945	49	29	33	
3 Internal Finishes	258,416	199	127	145	340
4 Fittings	74,400	57	47	54	319
5A Sanitary Appliances	63,500	49	20	23	
5B Services Equipment (kitchen, laundry)		0	16	18	
5C Disposal Installations	18,214	14	9	10	
5D Water Installations	22,117	17	30	34	
5E Heat Source			26	30	
5F Space Heating & Air Treatment	234,180	180	94	107	
5G Ventilating Systems	2,000	2	18	21	
5H Electrical Installations (power, lighting, emergency lighting)	225,150	173	75	86	
5I Gas Installations			4	5	
5J Lift Installations	40,000	31	33	38	
5K Protective Installations (fire fighting, sprinklers, lightning protection)	143,110	110	11	13	
Communication Installations (burglar, panic alarm, fire alarm, cctv, door entry, public address, data cabling, tv/satellite)	42,725	33	16	18	
5M Special Installations - (window cleaning, BMS, medical gas)			18	21	
5N BWIC with Services	36,450	28	8	9	
5O Builders Profit % Attendance on Services			14	16	
5 Services	827,446	636	392	447	929
6A Site Works	56,370	43			
6B Drainage	4,810	4			
6C External Services	30,000	23			
6D Minor Building Works		0			
6 External Works	91,180	70			
SUB TOTAL	2,284,720	1,756	1,374	1,566	2,102
7 Preliminaries 12.5%	285,590	220			
Overheads & Profit 5%	128,516	99			
SUB TOTAL	2,698,826	2,074			
Development allowance 8%	215,906	166			
Contingencies		0			
Grand Total (Exc VAT)	2,914,732	2,240			
Rounded	2,915,000	2,241			
Exc fees added at 16%					
No VAT added					
Benchmarking - blended rate					1,670
Add demolitions		66			
Add external works		70			
Add allowance for external walls		150			
Add allowance for security, fire alarms, sprinklers		95			
		381			
Add prelims	12.5%	48			
Add OHP	5.0%	21			450
					2,120
Add contingency	8.0%				170
Total adjusted benchmark					2,290

-49

Islington Arts Factory
Elemental analysis Block A (new build) & BCIS benchmarking

GIA m ²	BCIS max 5 year element avg						
			Flats - BCIS mean		Community - BCIS mean		Blended 62:38%
	£	1,953 £/m ²	LF100 £/m ²	LF114 £/m ²	LF100 £/m ²	LF114 £/m ²	LF114 £/m ²
Demolitions	40,000	20					
1 Substructure	590,273	302	108	123	211	241	168
2A Frame	111,664	57	133	152	143	163	157
2B Upper Floors	272,798	140	60	68	55	63	66
2C Roof	210,381	108	77	88	292	333	181
2D Stairs	85,231	44	22	25	25	29	26
2E External Walls	712,447	365	141	161	197	225	185
2F Windows & External Doors	122,076	63	72	82	163	186	122
2G Internal Walls & Partitions	231,413	118	47	54	69	79	63
2H Internal Doors	177,450	91	40	46	61	70	55
Balconies, balustrading & wintergardens	174,187	89					
2 Superstructure	2,097,647	1,074	700	798	1,218	1,389	1,022
3A Wall Finishes	74,632	38	54	62	69	79	68
3B Floor Finishes	171,026	88	44	50	89	101	70
3C Ceiling Finishes	58,246	30	29	33	52	59	43
3 Internal Finishes	303,904	156	127	145	210	239	181
4 Fittings	96,900	50	47	54	70	80	64
5A Sanitary Appliances	68,000	35	20	23	33	38	28
5B Services Equipment (kitchen, laundry)	4,200	2	16	18	32	39	34
5C Disposal Installations	19,530	10	9	10	24	27	17
5D Water Installations	29,295	15	30	34	44	50	40
5E Heat Source			26	30	0	0	18
5F Space Heating & Air Treatment	44,184	23	94	107	274	312	185
5G Ventilating Systems	70,000	36	18	21	77	88	46
5H Electrical Installations (power, lighting, emergency lighting)	283,155	145	75	86	161	184	123
5I Gas Installations			4	5	2	2	4
5J Lift Installations	115,000	59	33	38	53	60	46
5K Protective Installations (fire fighting, sprinklers, lightning protection)	195,300	100	11	13	11	13	13
Communication Installations (burglar, panic alarm, fire alarm, cctv, door entry, public address, data cabling, tv/satellite)	49,560	25	16	18	53	60	34
5M Special Installations - (window cleaning, BMS, medical gas)			18	21	55	63	37
5N BWIC with Services	24,076	12	8	9	18	21	13
5O Builders Profit % Attendance on Services			14	16	0	0	10
5 Services	902,300	462	392	447	857	977	648
6A Site Works	114,616	59					
6B Drainage	6,841	4					
6C External Services	50,000	26					
6D Minor Building Works	20,500	10					
6 External Works	191,957	98					
SUB TOTAL	4,222,981	2,162	1,374	1,566	2,566	2,925	2,083
7 Preliminaries 12.5%	527,873	270					
Overheads & Profit 5%	237,543	122					
SUB TOTAL	4,988,396	2,554					
Price & Design Risk 4%	199,560	102					
Contingencies 5%	249,450	128					
Grand Total (Exc VAT)	5,437,406	2,784					
Rounded	5,439,000	2,785					

Exc fees added at 14%.

Exc VAT incorrectly added to cost plan but NOT appraisal

Benchmarking - blended rate

1,845

Add demolitions

20

Add external works

98

Add additional cost of substructure

134

Add additional cost of external walls

180

Add balconies

89

Add additional cost of security, fire alarms, sprinklers

87

610

Add prelims

12.5% 76

Add OHP

5.0% 34

720

2,565

Add contingency

5.0%

128

Total adjusted benchmark

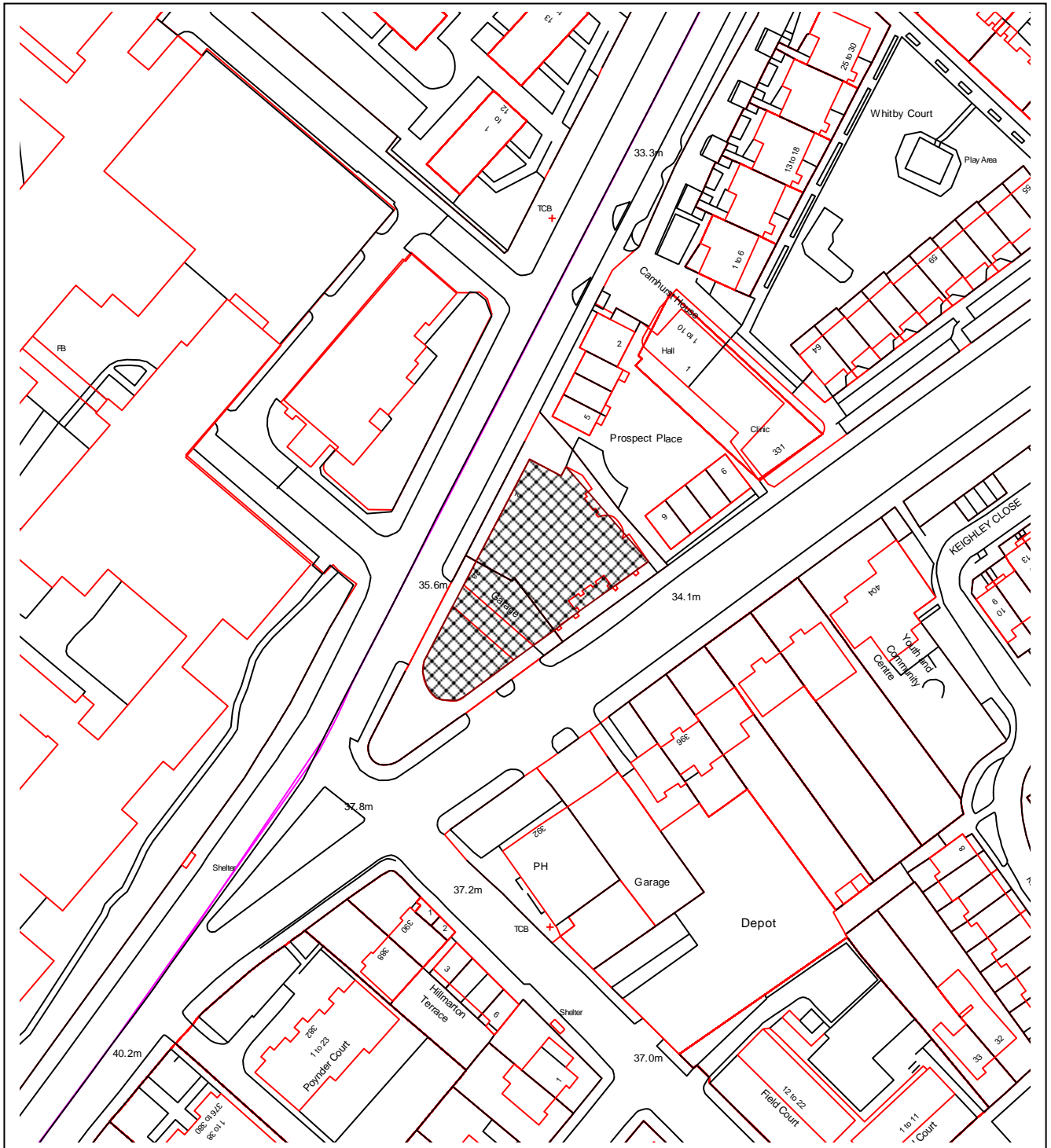
2,693

91

Difference (which is accounted for mainly by the additional 4% price & design risk)

177,124

Islington SE GIS Print Template



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P2015/0330/FUL

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department
 PO Box 333
 222 Inner Street

PLANNING COMMITTEE		AGENDA ITEM NO: B3
Date:	27 April 2017	NON-EXEMPT

Application number	P2016/5054/LBC
Application type	Listed Building Consent
Ward	Holloway
Listed building	Verger's Cottage
Conservation area	Hillmarton Conservation Area Hillmarton Conservation Area Article 4 Directions
Development Plan Context	<ul style="list-style-type: none"> - Nags Head and Upper Holloway Road Core Strategy Key Area - Camden Road/Parkhurst Road Employment Growth Area - Camden Road New Church Tower and Spire, Camden Road Local Landmark - Major Cycle Route Camden Road and Parkhurst Street
Licensing Implications	Not Applicable
Site Address	Islington Arts Factory, 2 Parkhurst Road & 2A Parkhurst Road, London N7 0SF.
Proposal	P2016/5054/LBC: Refurbishment and conversion of Grade II listed former Verger's Cottage and refurbishment of former Sunday School building to provide 413 square metres (GIA) of office floorspace (Use Class B1), including repairs to and reinstatement of window glazing and frame, along with demolition of link extension to the rear.

Case Officer	John Kaimakamis
Applicant	City of London

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** listed building consent:

1. subject to the conditions set out in Appendix 1;
2. subject to members resolving to grant planning permission for the related planning application P2015/0330/FUL

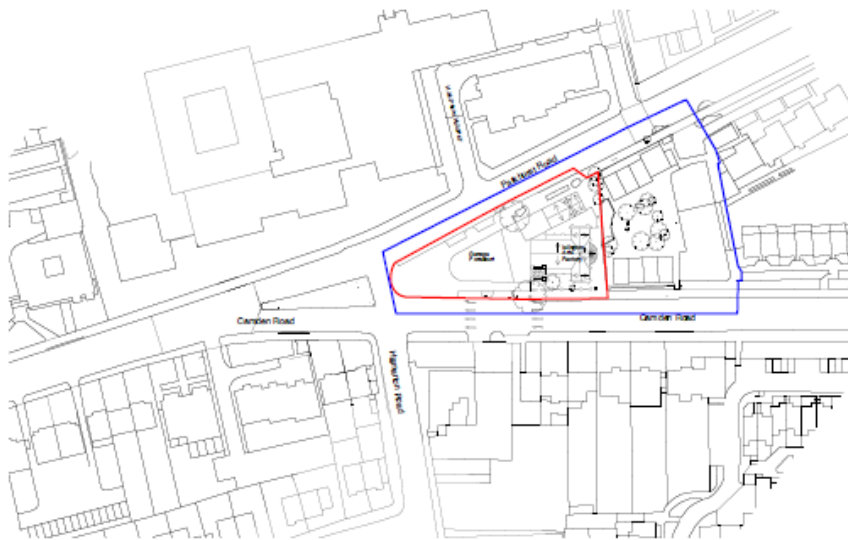
2. SITE PLAN (site outlined in red)**3. PHOTOS OF SITE/STREET**



Figure 1 Apex of site at junction of Camden Road and Parkhurst Road



Figure 2 Camden Road



Figure 3 Parkhurst Road

4. SUMMARY

- 4.1 The redevelopment of this site to provide a mix of community facilities, office and residential accommodation in this location would be appropriate in this location.
- 4.2 The proposed buildings respect the heights of buildings in the immediate context and would result in a successful townscape in this location. Further, the high quality design would be sensitive to surrounding heritage assets and complementary to local identity. No part of the proposed development would block, detract from or have an adverse effect on any significant strategic or local protected views.

5. SITE AND SURROUNDING

- 5.1 The application site comprises land occupied by the Islington Arts Factory (the “IAF”), together with an area of car parking that is used for the car workshop facility (which is located across Camden Road to the south). The site is 0.2ha in size.
- 5.2 The application site is triangular in shape and extends to meet the junction of Camden Road and Parkhurst Road at its narrowest point to the west. Camden Road forms the southern boundary of the site, and Parkhurst Road forms its northern boundary. The Holloway Estate Community Centre forms the eastern boundary. Both Camden Road and Parkhurst Road are ‘red routes’ and are therefore managed by Transport for London, both of which are defined as major cycle routes.
- 5.3 The level of the site falls slowly to the east. The application site contains 9 trees, which include one street tree located adjacent to the former Sunday school on Parkhurst Road and one street tree adjacent to the church on Camden Road (both London Plane trees).
- 5.4 There are three buildings on the site, the former Church and Sunday School (and Vergers Cottage) and the former petrol filling station office and its canopy. The former church and Sunday school contain the IAF, which offers: 2 dance studios, artists’ studios, music rooms, a café with outdoor seating/garden, a gallery space; and toilets and changing facilities.
- 5.5 The former petrol filling station (PFS) is used in connection with car storage, with approximately 30 cars parked in the forecourt at any one time. There is another site for Exan’s Accident Repair Centre, which is located opposite the application site on the southern side of Camden Road.
- 5.6 The site has a PTAL of 6a, indicating its excellent location in relation to public transport. Caledonian Road Underground Station is located approximately 770 metres from the site, providing services on the Piccadilly Line. Seven bus routes are located approximately 100 metres from the site: 17, 29, 91, 253, 254, 259 and 393.
- 5.7 The site is located within the Hillmarton Conservation Area with the former church and Sunday school (together) designated as a local landmark (LL4: Camden Road New Church Tower and Spire, Camden Road). Additionally, the site is located within an Employment Growth Area.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposals as originally submitted sought planning permission for the redevelopment of the site consisting of:
- demolition of the existing garage structure and verger's cottage
 - refurbishment of the Sunday School building to provide 2 private residential units (2 x 2-bed),

- refurbishment of the Church building to provide 7 private residential units (3 x 1-bed, 2 x 2-bed and 2 x 3-bed) and
 - construction of a new 5-storey building with basement below to provide 695sqm of community floorspace (Use Class D1), 52 square metres of office floorspace (Use Class B1) and 20 affordable residential units (10 x 1 bed, 8 x 2 bed and 2 x 3 bed).
- 6.2 This resulted in a total of 29 residential units (13 x 1-bed, 12 x 2-bed and 4 x 3-bed), along with associated landscaping, access, parking and public realm works.
- 6.3 The original planning submission also proposed to demolish the 'new' entrance to the Church and a number of external alterations to the existing buildings including new insertions and alterations of existing windows.
- 6.4 Additionally, the proposal sought to reinstate the spire to the tower of the existing Church building.
- 6.5 Conservation/design and planning officers expressed concerns in relation to the proposal with regard to the overall built form, a lack of justification in the plans to demolish the Verger's Cottage, the detailed design of the new building and lack of ground floor frontage and as a result the applicant amended the application to reduce the volume and massing of the proposed building.
- 6.6 The amendments consisted of reducing the height of the building to the existing ridge height of the existing Church building, an increase in the amount of glazing to both street elevations in order to reduce the amount of solid to void ratio, introduction of active frontages and passive surveillance opportunities at ground floor level, reduction in the overall size of the dormers at roof level and no external insertions or alterations to the existing buildings other than to reinstate original features where repair is required. Finally, the Verger's Cottage was to be retained in full and no demolition was proposed.
- 6.7 The amended proposal provides for 546 square metres (GIA) of employment floorspace and is broken down as follows:
- an Estate office for the City of London located to the ground floor of the new building (56.5 sq m);
 - an office unit to the ground floor of the new building (69 sq m);
 - conversion of the existing Verger's Cottage and Sunday School (414 sq m); and
 - 6.5 square metres of ancillary circulation space.
- 6.8 Therefore, as amended, the application seeks listed building consent for Refurbishment and conversion of Grade II listed former Verger's Cottage and refurbishment of former Sunday School building to provide 413 square metres

(GIA) of office floorspace (Use Class B1), including repairs to and reinstatement of window glazing and frame, along with demolition of link extension to the rear.

7. RELEVANT HISTORY:

7.1 No planning applications of relevance.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to the occupants of 259 adjoining and nearby properties in April 2015 and consulted for a minimum of 21 days. Site notices and a press advert were also displayed in April 2015 for a minimum of 21 days.

8.2 The revised proposals were also subject to a re-consultation period. The same occupants of 259 adjoining and nearby properties along with all those who had submitted representations were consulted for a period of 21 days in January 2017. A site notice and press advert were also displayed in January 2017.

8.3 In response to both consultation periods, a total of 5 objections were submitted. One (1) letter of support was also submitted along with a supporting statement from the Islington Arts Factory.

8.4 The issues in relation to listed building issues and the Vergers Cottage raised can be summarised as follows (officers response is provided in italics):

- Objections to the demolition of the Verger's Cottage and new insertions and alterations to the existing Sunday School and Church buildings;
[The revised proposals now maintain the Verger's Cottage and no internal and external alterations are proposed other than to reinstate original features and removal of unsympathetic modern alterations. Additionally, no new insertions or alterations to windows will take place to the existing Sunday School and Church buildings other than to reinstate and repair where necessary.]
- Proposed new building does not put forward a high quality contextual design for this Conservation Area;
[The proposal has been designed in a manner to respect the existing buildings retained on site and also draws upon the historical massing of the former building to occupy the site. The proposed development has been designed in consultation with Design and Conservation officers and also responded to comments made by the Design Review Panel. It is considered that it is respectful of its immediate context and the wider adjoining Conservation Areas in terms of its scale, massing and height, and generally reflects the prevailing streetscene scale and does not dominate the streetscene or public realm].

External Consultees

- 8.5 **Historic England** have stated that the planning application and listed building consent application should be determined in accordance with national and local policy guidance, and on the basis of Islington's specialist conservation advice.

Internal Consultees

- 8.6 **Design and Conservation Officer** stated they are more comfortable about the proposed massing, height and bulk of the proposal as a result of the revised plans. Their previous concerns with regard to views have been overcome with a significant reduction in the impact on these views. Accepting that the site is situated in a heavily built urban area, they are of the view that the proposed massing, bulk and heights are generally acceptable. Retention of the Verger's Cottage and minimal works to the existing buildings are also seen as appropriate. Conditions are recommended for materials and details so that the quality of the design is not compromised, while the proposed materials have been agreed in consultation with officers.

Other Consultees

- 8.7 Islington's Design Review Panel considered the proposed development at application stage on 14 April 2015. The panel's written comments are summarised below and their response in full is attached under Appendix 3:

Verger's Cottage Demolition

The Heritage Statement does not acknowledge the demolition of the Verger's cottage which also makes a positive contribution to the conservation area. However it might be that a case could be made that any extra units combined with securing the rebuilding of the church spire (including restoration of the currently bricked up openings) via legal agreement might outweigh the harm arising from the loss of the verger's cottage.

Officer's Comments

Since the submission of the planning application in 2015 the Verger's Cottage has been grade listed by Historic England. In response, the applicant has revised the proposal to maintain the Verger's Cottage in full with the only external alterations relating to the reinstatement of original features.

Height/Massing/Scale

The form/layout is essentially acceptable, however, the scheme would benefit from a reduced height if reductions can be made in floor to ceiling heights.

Officer's Comments

Whilst the same amount of storeys are maintained, the revised proposals have

reduced the overall height of the building, which includes reduction at roof level and the internal floor to ceiling heights. As such, the overall height of the new building would match that of the ridge height of the Church building.

Dormers

The dormers appear overly prominent/bulky thus making the building seem top heavy.

Officer's Comments

The revised plans have reduced the bulk of the dormers by setting them further in from the main elevation building line and also reduced the overall size and scale.

Solid to Void Ratio on Elevations of the New Building.

The solid to void ratio is considered excessive, with too much brickwork and too few and too narrow windows. The quantity of glazing must be increased as the elevations have an excessive amount of blank brickwork.

Officer's Comments

The revised plans have increased the overall size and number of windows on both elevations fronting Parkhurst and Camden Roads which have resulted in a considerable reduction in the solid to void ratio of the proposed new building. This has also resulted in much more glazing and a lesser amount of blank brickwork.

Ground Floor Elevations

The ground floor elevations suffer in particular from a lack of openings and insufficient passive surveillance opportunities.

Officer's Comments

The revised plans have amended the ground floor frontages to both elevations with the introduction of more glazed areas, the introduction of a café, and replacement of the brick fence with suitable railings to allow for a more active frontage and better passive surveillance opportunities.

Apex of New Building

The apex of the building (of which there is an important view from Camden Road) is lacking in interest which could be improved by increased fenestration.

Officer's Comments

The revised submission has increased the articulation and fenestration of the apex of the building with the introduction of glazing and articulated brickwork, which has resulted in an appropriate improvement to the detailed design of this aspect of the building.

Replacement Windows to Existing Buildings

The new and replacement windows and windows to the historic church building need amending to better reflect the character of the building rather than the domestic contemporary designs which are proposed. The new long strip window proposed to the gable end is not considered to be acceptable.

Officer's Comments

The revised proposals do not alter any of the existing window openings of the Church building, Sunday School building or Verger's Cottage. Further, all windows are to remain intact and the only changes will be to repair any windows in a poor state to their original state.

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.
- 9.3 Under the Ministerial Statement of 18 December 2014, 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

- 9.4 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 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.

Designations

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

- Hillmarton Conservation Area
- Hillmarton Conservation Area Article 4 Directions
- Nags Head and Upper Holloway Road Core Strategy Key Area
- Camden Road/Parkhurst Road Employment Growth Area
- Camden Road New Church Tower and Spire, Camden Road Local Landmark
- Major Cycle Route Camden Road and Parkhurst Street

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle (Land Use)
- Design, Conservation and Heritage Considerations (including and Listed Building issues)

Land-use

10.2 The proposal involves the relocation of the Islington Arts Factory from the Church/Sunday School/Vergers Cottage buildings (to be redeveloped for private residential use and office floorspace) to a replacement purpose-built unit at basement and ground floor levels of the proposed new affordable residential building.

10.3 The revised proposal provides for 546 square metres (GIA) of employment floorspace and is broken down as follows:

- an Estate office for the City of London located to the ground floor of the new building (56.5 sq m);
- an office unit to the ground floor of the new building (69 sq m);
- conversion of the existing Verger's Cottage and Sunday School (414 sq m); and
- 6.5 square metres of ancillary circulation space.

Design, Conservation and Heritage Considerations (including Listed Building issues)

10.4 The site is located within the Hillmarton Conservation Area and is highly prominent in its location close to the junction of the busy Camden Road and Parkhurst Road. The site currently contains a Gothic church building (along with a new entrance to the church and lecture hall), the former Sunday School and extension, along with the Verger's Cottage. The Verger's Cottage is Grade Listed (II), while the Sunday School and church building are not grade or locally listed. Nevertheless, the Sunday school and church building do require listed building consent for alterations by virtue of being attached to the Verger's Cottage. The site as a whole is contained within a designated heritage asset, being the Hillmarton Conservation Area.

10.5 Development Plan policies seek to secure sustainable development that is of high quality and contributes towards local character, legibility, permeability and accessibility of the neighbourhood. Developments should contribute to people's sense of place, safety and security. Development should have regard to the pattern and grain of spaces and streets in

orientation, scale, proportion and mass and be human in scale with street level activity.

- 10.6 The delivery of high quality design including the conservation and enhancement of the historic environment is a key objective of the planning system which is to contribute to achieving sustainable development as supported by the NPPF. Sustainable development is further described as including positive improvements in the quality of the built and historic environments including but not limited to replacing poor design with better design (para 9). A core planning principle of the NPPF is to always seek to secure high quality design (para17).
- 10.7 NPPF Chapter 7 'Requiring good design' reinforces that this is a key aspect of sustainable development and indivisible from good planning and should contribute positively to making places better for people. Chapter 7 also confirms that high quality design includes consideration of individual buildings, public and private spaces. Policies and decisions should ensure that development amongst other things, responds to local character and history and reflects the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation. Also, that they are visually attractive as a result of good architecture and appropriate landscaping.
- 10.8 NPPF Chapter 12 'Conserving and enhancing the historic environment' sets out the criteria for the conservation and enjoyment of the historic environment in the strategy of local plans as well as relevant criteria for assessing and determining planning applications. Consideration includes harm posed to both designated and non-designated heritage assets and their setting.
- 10.9 At the regional level, high quality design is central to all the objectives of the London Plan and is specifically promoted in chapter 7 policies. These include: policy 7.1 which sets out some overarching design principles; policy 7.6 which considers building architecture; policy 7.7 which addresses specific design issues associated with tall buildings; policy 7.8 which seeks to protect heritage assets; policy 7.11 which considers strategic landmarks and wider character; and policy 7.4 which considers local character.
- 10.10 At a local level, Core Strategy Policy CS8 states that the scale of development will reflect the character of the area, while Policy CS9 requires new buildings to be of sympathetic scale and appearance and to be complementary to local identity; the historic significance of heritage assets and historic environment will be conserved whether they are designated or not; new buildings and developments to be based on a human scale and efficiently use a site which could mean some high density development; and tall buildings are generally inappropriate. This is further supported by Development Management policies DM2.1 (Design) and DM2.3 (Heritage).

- 10.11 The proposed redevelopment seeks to:
- Refurbish the Grade II listed Verger's Cottage and former Sunday School building for Use Class B1 office floorspace;
 - Convert the Church to provide 7 private residential units; and
 - Construct a new 5-storey building on the site to provide for a community centre, office floorspace and 18 social rented affordable units.
- 10.12 Since the revised proposals were submitted, the Verger's Cottage and entrance (part of the former Camden Road New Church complex), have been Grade II listed. As such, Listed Building Consent would be required for any alterations. The building has been listed primarily for its ornate interior and intact plan form in addition to its detailed elevations.
- 10.13 Additionally, the Verger's Cottage makes a significant contribution to the Hillmarton Conservation Area, which is a designated heritage asset.
- 10.14 Paragraph 129 of the NPPF requires "planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal".
- 10.15 The submission includes a detailed survey of the Verger's Cottage and the layouts proposed retain the interior walls, mosaics and details. It is proposed to convert the building along with the Sunday School building into business floorspace making use of the existing features and retaining all of the walls and doorways that remain from the original cottage. The proposed external alterations to the Verger's Cottage would reinstate original windows and remove recent inappropriate alterations such as the veranda to the entrance. Details of the existing elements of the buildings and detailed designs of the proposed reinstated elements have been submitted and it is considered that these alterations would not affect the significance of these buildings and are also appropriate to conserve and enhance their significance. These details are to be conditioned should planning permission and listed building consent be granted.
- 10.16 Additionally, the proposed conversion of the Church building into residential units would be limited to internal alterations that are considered acceptable, whilst the external alterations would be limited to replacement of existing windows in need of repair with materials to match the original windows of the Church.
- 10.17 Finally, as required by the NPPF any redevelopment should exploit all possibilities to enhance the conservation area. In this instance the proposal seeks to re-instate the missing top part of the spire to the church, which is

considered to be a heritage/public benefit. The reinstatement of the church spire is to be secured by legal agreement, conditions and a construction management plan should planning permission be granted.

- 10.18 The proposed new building as originally submitted included a 5-storey building that was taller than the ridge height of the existing Church building, with a solid to void ratio that was excessive, prominent dormers that were overly prominent and bulky and a ground floor elevation that had insufficient active frontages for passive surveillance. Additionally, the apex of the new building at the corners of Parkhurst Road and Camden Road lacked articulation.
- 10.19 Planning and Design officers expressed concerns in relation to the above concerns and its general setting amongst adjoining and surrounding designated heritage assets, as well as its prominence from certain protected views. Consequently, there have been amendments to the scheme since its submission, as outlined above in Section 3 of the Report. The most notable amendment to the proposed scheme included a revision so that the overall building height was reduced to no higher than the ridge of the existing Church building. Additionally, the solid to void ratio was significantly reduced, while the mass and bulk of the dormers was significantly reduced, and the apex of the building was redesigned to provide more articulation. Finally, significant alterations were undertaken to the ground floor elevation in order to create a more responsive active frontage at this important intersection.
- 10.20 The assessment below in terms of design is based on the revised drawings.
- 10.21 Given the existing significant buildings on the site (including the grade listed Verger's Cottage), any proposal on the site must consider the impact on the significance of these buildings and the heritage asset as a whole, taking into account proportion, height, massing, bulk, materials, use, relationship with adjacent heritage assets, alignment and general treatment of setting. Specifically, the development should be high quality contextual urban design and respond successfully to the 'iron' shape of the site as the original building on the site, The Athenaeum, formerly did, whilst not obscuring or detracting from views of the church and other buildings, and also being appropriately subordinate to the church and other buildings.
- 10.22 It is considered that the revised design of the new building would fit in with the local vernacular in the Hillmarton Conservation area where large villas and more regular shaped blocks of flats predominate. The proposed balconies are recessed or integrally designed within buildings, whilst the roof level dormers are sufficiently minimized in scale so as not to appear dominant or bulky. It is considered that the proposed new building responds in design terms to create a focal corner building and also respect the importance of building lines in this area of the borough. It is considered that the existing church with improvements regarding the reinstatement of the spire is the natural focal point in this location. As such, the proposed footprint and the proposed building line of the development in conjunction

with the proposed height of the development are considered to ensure that the proposed development would not form an over dominant visually harmful feature when seen within its context.

- 10.23 Additionally, the proposed five-storey building no longer includes a two-storey link extension to the Verger's Cottage and as a result provides for a thoroughfare through the site between the new and existing buildings on the site. In combination with the above revisions, it is considered that the new building would respect the setting of the listed Verger's Cottage and not have a detrimental impact on its significance.
- 10.24 Therefore, it is considered that the overall design, scale, massing, footprint and height of the development of the proposed new building to be appropriate and responds adequately to its context. The proposed building would be in the form of a contemporary design and it is considered that the proposal has been designed in a manner to ensure that it would sit comfortably and harmoniously integrate with the site and within the streetscene and not detract from or compete with the significance of the streetscene character of adjoining or nearby buildings.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The delivery of this scheme would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth, but also seeks to ensure social and environmental progress.
- 11.2 The redevelopment of this site to provide a mix of community facilities, office and residential accommodation in this location within a designated employment growth area would be appropriate in this location. The re-use of the listed building is appropriate.
- 11.3 The proposed building would make a positive contribution to the local townscape and in terms of height, form and scale would not detract from the setting of listed buildings or the character or appearance of surrounding conservation areas.
- 11.4 The scheme is therefore considered acceptable and recommended for approval subject to appropriately worded conditions and s106 obligations and contributions to mitigate against its impact.

Conclusion

- 11.5 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 the grant of listed building consent be subject to **conditions** to secure the following:

List of Conditions:

1	<p>Commencement</p> <p>The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved plans list</p> <p>The development hereby approved shall be carried out in accordance with the following approved drawings and information: DrawingNos.:2273_PL_001A;2273_PL_010B;2273_PL_011B;2273_PL_012B;2273_PL_015C;2273_PL_020B;273_PL_021B;2273_PL_022B;2273_PL_023B;2273_PL_030;2273_PL_040B;2273_PL_041B;2273_PL_045C;2273_PL_046B;2273_PL_047B;2273_PL_050F;2273_PL_060;F;2273_PL_100G;2273_PL_101J;2273_PL_102E;2273_PL_103E;2273_PL_104F;2273_PL_105F;2273_PL_106C;2273_PL_119C;2273_PL_120D;2273_PL_121C;2273_PL_122C;2273_PL_130C;2273_PL_131A;2273_PL_132B;2273_PL_133A;2273_PL_134B;2273_PL_135A;2273_PL_400G;2273_PL_401G;2273_PL_402E;2273_PL_403F;2273_PL_410D;2273_PL_420D;2273_PL_421D;2273_PL_500D;2273_PL_501D;2273_PL_510D;2273_PL_520E;2273_PL_521D;2273_PL_522D;2273_PL_650D;2273_PL_651B;2273_PL_652B;2273_PL_653B;2273_PL_700;2273_PL_710B;2273_PL_711A;2273_PL_750A;2273_PL_950;2273_PL_951;2273_PL_952_A;2273_PL_953_A;2273_PL_954</p> <p>Acoustic Assessment (prepared by Bickerdike Allen Partners, December 2014)</p> <p>Air Quality Assessment (prepared by REC, December 2014)</p> <p>Construction Method Statement (prepared by HA Goddard and Sons, January 2015)</p> <p>Contaminated Land Assessment (prepared by REC, January 2015)</p> <p>Internal Daylight Report (REVISED) (prepared by EB7, December 2016)</p> <p>Design and Access Statement (REVISED) (prepared by Studio Partington, December 2016)</p> <p>Draft Heads of Terms (prepared by Maddox Associates, March 2015)</p> <p>Existing Window Survey – Church (prepared by Studio Partington, November 2016)</p> <p>Existing Window Survey – Sunday School and Verger’s Cottage (prepared by Studio Partington, November 2016)</p> <p>Economic Viability Assessment (prepared by Aspinal Verdi, March 2017)</p> <p>Flood Risk Assessment (prepared by RAB, January 2015)</p> <p>Foul Sewage and Utilities Assessment Report (prepared by Pitman Associates, January 2015)</p>

	<p>Health Impact Assessment Screening (prepared by Maddox Associates, January 2015) Heritage Statement (REVISED) (prepared by the Heritage Advisory, December 2016) Historic Environment Assessment (prepared by MOLA, October 2014) Open Space Assessment (prepared by Maddox Associates, January 2015) Planning Statement (prepared by Grade Planning, December 2016) Sustainable Design and Construction Statement (REVISED) (prepared by EB7, November 2016) Servicing and Delivery Management Plan (prepared by TTP, January 2015) Statement of Community Involvement (prepared by Maddox Associates, January 2015) Transport Statement (prepared by TTP, January 2015) Tree Survey (prepared by Treeline, January 2015)</p> <p>REASON: For the avoidance of doubt and in the interests of proper planning.</p>
3	Details to match-Listed buildings
	<p>All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
5	No removal of historic fabric
	<p>Notwithstanding the plans hereby approved, no historic fabric including wall posters, historic machinery or tracks or any other historic artefact shall be removed or repaired prior to full details detailing their protection, repair or relocation have been submitted and approved by the Council.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
6	Details of final fixtures and fittings
	<p>Notwithstanding the plans hereby approved, full details and detailed drawings of the proposed treatment of all historic fabric, fixtures and fittings including damp proofing measures shall be submitted to the LPA, prior to the commencement of any works including piling and foundations of the approved buildings above).</p> <p>These shall include, but are not limited to:</p> <ol style="list-style-type: none"> a) Any staircases at below ground level b) Light fittings (including cabling) c) Ductwork (including trunking locations) d) Flooring

	<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 safeguard the special architectural or historic interest of the heritage asset.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

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

2. Development Plan

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

A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

2 London's places

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

7 London's living places and spaces

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

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS3 (Nag's Head and Upper Holloway Road)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM2.5 Landmarks

4. Designations

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

- Hillmarton Conservation Area
- Hillmarton Conservation Area Article 4 Directions
- Nags Head and Upper Holloway Road Core Strategy Key Area
- Camden Road/Parkhurst Road Employment Growth Area
- Camden Road New Church Tower and Spire, Camden Road Local Landmark
- Major Cycle Route Camden Road and Parkhurst Street

5. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Conservation Area Design Guidelines
- Urban Design Guide
- Streetbook
-

London Plan

- Sustainable Design & Construction
-

APPENDIX 2: Design Review Panel

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ATT: Thomas Darwall-Smith
Maddox Associates
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WC2E 9DP

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Planning and Development
PO Box 333
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E Luciana.grave@islington.gov.uk
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Our ref: DRP/60

Date: 5 May 2015

Dear Thomas Darwall-Smith,

ISLINGTON DESIGN REVIEW PANEL

RE: Islington Art's Factory, 2 & 2A Parkhurst Road, London, N7 0SF – planning application reference P2015/0330/FUL

Thank you for attending Islington's Design Review Panel meeting on 14th April 2015 for an assessment of the above scheme. The proposed scheme under consideration was for the redevelopment of the site consisting of demolition of the existing garage structure and verger's cottage, refurbishment of the Sunday school building to provide 2 private residential units (2 x 2-bed), refurbishment of the Church building to provide 7 private residential units (3 x 1-bed, 2 x 2-bed and 2 x 3-bed) and construction of a new 5-storey building with basement below to provide 695 square metres of community floorspace (Use Class D1), 52 square metres of office floorspace (Use Class B1) and 20 affordable residential units (10 x 1 bed, 8 x 2 bed and 2 x 3 bed), resulting in a total of 29 residential units (13 x 1-bed, 12 x 2-bed and 4 x 3-bed), along with associated landscaping, access, parking and public realm works.

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), Stephen Archer, Steve Burr, Kate Graham, Richard Lavington and Ludwig Tewksbury on 14th April 2015 including a site visit and a presentation from the design team followed by a 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 existing buildings

The Panel considered the existing Victorian church to be an important landmark building that would benefit from restoration and that the former Sunday School and Verger's Cottage were characterful buildings that make an important contribution to the significance of the conservation area. It was felt that although each building is important each contributes to the importance of the other through their relationship as being part of a satisfying group within a prominent location.

The loss of the Verger's Cottage

The panel felt that no convincing justification had been provided for the demolition of the Verger's Cottage and that the starting point for any redevelopment proposals should be the retention of all buildings, which make a positive contribution to the conservation area. The internal spaces are of such quality; with art nouveau tiles and cast-iron staircase that every attempt should be made to incorporate these spaces and their detailing within the new development. If approval is being sought for the removal of the building a convincing case needs to be made that the harm resulting from its removal is outweighed by the benefits to the overall development layout. The Panel did not feel this was evident in the presented scheme.

Residential use of the Church and former Sunday School

The Panel were informed of the project ambition to design and construct the project whilst allowing the Islington Arts Factory (IAF) to remain on site throughout. The panel questioned the logic behind converting two prominent community buildings to housing and re-providing the community use within a new residential building of which no part signifies a community use. The Panel wondered whether a temporary home nearby could be found for IAF whilst the new project is constructed and if this might allow the refurbishment of the church and neighbouring buildings to accommodate a revitalised IAF facility. The church and upper Sunday School hall in particular have very special internal spatial qualities and any conversion, whether residential or community, needs to use these to best effect. It was felt that it would be unacceptable to utilise the ground floor of the church for bin and cycle storage and that this should be reconsidered. Generally it was considered that the detail design for the Church & Sunday School needed to be fully resolved to demonstrate that the quality of the existing buildings would not be compromised.

The reinstatement of the church spire is welcomed but must be secured by legal agreement, conditions and construction management plan. The exterior of the church should be restored and any new openings should better reflect the character of the building.

The Panel raised concerns that the redevelopment of the church itself would not be designed to the same level of detail as the wider scheme due to it potentially being sold to a third party developer and suggested that the Council may be able to prevent this through conditions/legal agreement.

Further information was required on how the spaces between the buildings will be treated and how any newly revealed elevations will appear. The Panel felt the project presented the opportunity to significantly enhance these aspects of the scheme with greater hierarchy of public space, routes and servicing.

New residential building

While there was some concern over the height and massing of the proposed building and that such a lengthy parapet line without a step-down could be overly dominant towards the heritage assets, generally it was felt that the proposed building has an acceptable relationship with the heritage assets and allows views of the spire to remain prominent.

However, concern was raised over the defensive appearance of the building and the lack of interest to the apex of the site, the latter possibly calling for a more innovative solution. Concern was also raised over whether the proposed winter gardens will be constructed to sufficient quality and whether these and floor to ceiling height windows will reveal visual clutter behind them. The layout and quality of accommodation of the apartments at roof level in the new building was also questioned.

Summary

The Panel welcomed the principle of re-developing the site however considered that insufficient justification had been provided for the demolition of the Verger's Cottage and that it would bring richness to the scheme if incorporated within the redevelopment proposals. Any proposals showing its removal will need to clearly demonstrate this is to the overall benefit of the development of the site. The Panel also suggested that it might be better for the community use to remain within the church and former Sunday School buildings. The Panel considered that the relationship between the buildings and quality of the external spaces requires improvement as well as internal planning of the existing Church & Sunday School buildings. Concern was raised over the defensive appearance of the proposed new building and the lack of interest to the apex of the site and that these issues need to be resolved.

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

As the scheme is 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,

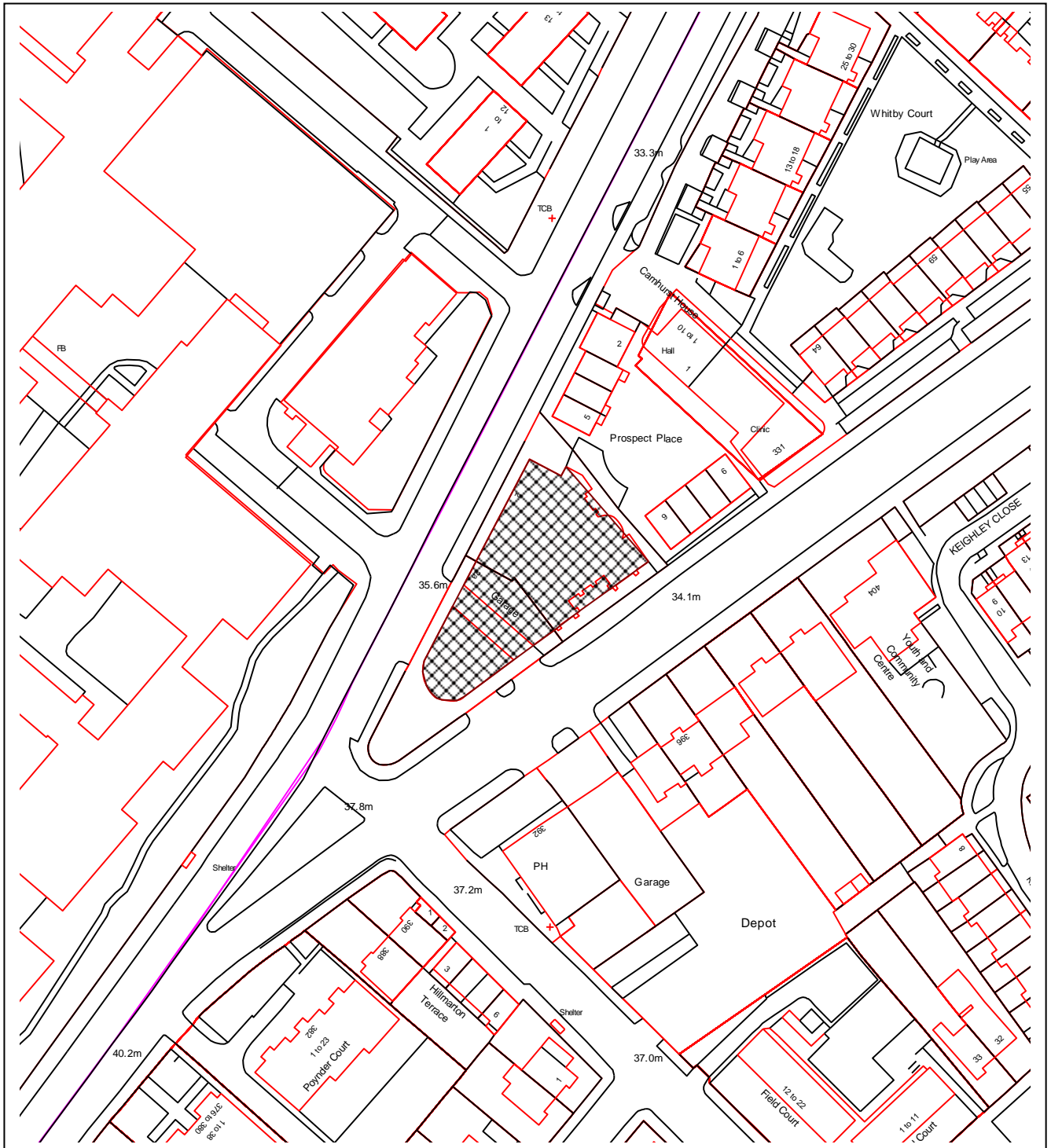


Luciana Grave

Design Review Panel Coordinator
Design & Conservation Team Manager

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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

PLANNING COMMITTEE		AGENDA ITEM NO: B4
Date:	27 April 2017	

Application number	P2016/4634/FUL
Application type	Full Planning Application
Ward	Bunhill Ward
Listed building	N/A
Conservation area	None. Adjacent to Hat and Feather Conservation Area
Development Plan Context	Bunhill & Clerkenwell Key Area Central Activities Zone Major Cycle Route (adjacent to the site) Adjacent to the Hat & Feathers Conservation Area Within 50m of a Local Site of Importance for Nature Conservation (SINC) – King Square Gardens Mayor’s Protected Vista – Alexandra Palace
Licensing Implications	None
Site Address	The Triangle Estate, Goswell Road / Compton Street / Cyrus Street & 131-135 [odd] Goswell Road London EC1
Proposal	Demolition of six dwellings, the central podium, garages and one retail unit and the construction of 54 new dwellings (including 27 homes for social rent), provided as infill developments, an additional seventh floor on existing residential blocks and a new part 7/part 8 storey corner building with associated private amenity space, bicycle storage, a new landscaped courtyard garden and improvements to the public realm. The application also includes the provision of 146.8sqm of retail floorspace to replace the demolished unit.

Case Officer	Stefan Sanctuary
Applicant	Mathew Carvalho - New Build and Regeneration Team, London Borough of Islington.
Agent	Sarah Eley - HTA Design LLP

3 PHOTOS OF SITE/STREET

Photograph 1: Aerial View of Site looking north



Photograph 2: Aerial View of Site looking east



Photograph 3: View from Goswell Road – Lever Street junction



Photograph 4: View from Percival Street looking south



Photograph 5: View from Cyrus Street over Compton Park



Photograph 6: View from podium deck looking north



Photograph 7: View from podium deck looking west



Photograph 8: View from podium deck looking east



4

SUMMARY

- 4.1 The application proposes the creation of 54 new homes on the Triangle Estate, of which 55% (by habitable rooms) would be for social rent. The proposal also includes a new landscaped courtyard (including community growing garden), a new retail unit, 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 the London Plan and Islington Core Strategy Policies. Moreover, the development results in a significant increase in affordable homes as well as a replacement retail unit.
- 4.3 The development proposes a number of additions to the existing estate in the form of side and roof extensions, conversions and infill housing. The additions are well-designed and are considered to each respond successfully to their respective context and surroundings. The designs proposed are considered to provide a successful intermediary between the existing estate buildings and the surrounding urban context. The proposal would deliver significant landscape improvements within the courtyard space that would enhance biodiversity and provide significant amenity improvements for residents. While some of the existing trees would be lost (12 trees), the proposal would result in a substantial number of additional trees (19 trees) that is considered to mitigate the loss of existing trees.
- 4.4 Despite the site constraints, 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.
- 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 and the planning obligations.
- 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 The Triangle Estate is located on the western side of Goswell Road and is bound to the north and south by Percival/Cyrus Street and Compton Street respectively. It consists of three 6-storey residential blocks, a 2-storey element (with retail uses) on the northern corner of the site and a raised central podium deck with car parking beneath it. The deck includes a triangular-shaped fenced off area of green space and abuts Compton Park to the west, which is a designated Open Space. The estate, which was built in the 1970s and is of brick construction, currently provides 130 dwellings, with a mix of 1 and 2 bed units, and three commercial units fronting Goswell Road.

- 5.2 The surrounding buildings are of four, five and six storeys in height and are generally traditional in design. The Hat and Feathers Conservation Area is located immediately to the east and south of the site. Looking at the surrounding area in more detail, on the opposite side of Goswell Road is a terrace of four storey Victorian buildings with commercial uses on the ground floor and residential above. Two of the buildings on this stretch, Nos 166 and 184-186, are locally listed buildings. To the north of the estate is an attractive 6-storey red-brick building known as Davina House, which is predominantly in office use.
- 5.3 On the opposite side of Cyrus Street, which borders the site to the north-west, is Tompion House, a 5/6-storey post-war red-brick apartment building. To the immediate west of the application site is Compton Park, beyond which is the 1930s residential block known as Cyrus House. To the south-west of the estate, on the south side of Compton Street, is St Peters and St Pauls Primary School, a traditional Victorian school building set within a playground. The remaining buildings on the south side of Compton Street are 2- to 5-storey converted warehouse buildings in commercial and residential use.
- 5.4 The estate is within London's Central Activities Zone and part of the estate is within the protected viewing corridor of St Paul's Cathedral from Alexandra Palace. The site is also within 50m of King Square Gardens, which is a designated Local Site of Importance for Nature Conservation (SINC). Finally, the site is located within the Clerkenwell and Bunhill Key Policy Area.

6 PROPOSAL (IN DETAIL)

- 6.1 The application proposes the creation of 54 new homes across the Triangle Estate, of which 6 would replace existing dwellings to be demolished. The proposal also includes the demolition of the existing podium and the creation of a new landscaped courtyard as well as improvement to the public realm. The proposal also includes the replacement of a new retail unit on the corner of Goswell Road and Percival Street.
- 6.2 The new dwellings are proposed in the following locations:
- The existing undercroft garages replaced by new dwelling units accessed from the landscaped courtyard;
 - A series of new infill dwellings at first floor level, partly replacing storage space;
 - Three new 6-storey additions on the ends of the three existing Triangle blocks;
 - A single-storey roof extension across all three blocks;
 - A new part 7-, part 8-storey building on the junction of Goswell Road and Percival Street with a retail unit at ground and first floor level and residential accommodation above;
- 6.3 The proposal involves creating a secure boundary to the estate by infilling the gaps between the three blocks with housing. A new single-storey wheelchair unit is proposed in the gap between the Goswell Road and Cyrus Street blocks. The gap currently provides vehicular access to the undercroft parking, however this is to be removed as part of the proposal. The single-storey infill building incorporates separate entrances for the new unit as well as communal entrances for the two existing blocks and the landscaped courtyard. The single-storey addition also includes new plant room and an electricity substation to serve the new units.

- 6.4 The link bridge between the Goswell Road and Cyrus Street blocks would be removed and a new six storey addition is proposed between the existing lift shaft and the Cyrus Street block. This addition would provide 3 new residential dwellings in the form of duplex apartments / maisonettes. Access to these units would be from the retained and remodelled lift and stair core. At first floor level of this block two new 1-bed flats are proposed in spaces that are currently used as storage. The flats would have aspect onto Cyrus Street and would protrude out from the existing façade by some 900mm with an overhang over the existing entrances of the block. On the courtyard side of the Cyrus Street block a further three new dwellings are proposed with access from the landscaped courtyard.



View from Compton Street

- 6.5 On Compton Street, a new six storey addition is proposed which would face onto and overhang Compton Park. The addition would provide two new maisonettes with access from the retained and remodelled stair and lift core. On the courtyard side of the Compton Street block a further two new dwellings are proposed at ground floor level with access from the landscaped courtyard and a further two dwellings are proposed at first floor level with access from the existing stair cores. On the junction of Goswell Road and Compton Street, a new six storey addition is proposed which would result in the demolition of 6 existing dwellings and the creation of 12 new dwellings. A new lift within the existing stair core would provide access to these new dwellings. The link bridge between Compton Street and Goswell Road blocks would be removed.
- 6.6 The proposal would add a further three new dwellings to the Goswell Road block. The dwellings would replace existing garage and storage space at ground and first floor level and would be accessed from the landscaped courtyard space. This block would also incorporate new bicycle storage for future residents. At the end of the Goswell Road block on the junction with Percival Street, a new 8-storey block would provide a new retail unit and ten new dwellings.



View of Corner Building from King Square Gardens

- 6.7 At roof level of all three blocks, a new extension is proposed that would provide a total of 14 new dwellings, 4 on the Cyrus Street block and 5 on each Goswell Road and Compton Street blocks. New landscaping, public realm improvements, access arrangements, cycle and refuse storage facilities are proposed across the estate.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 The following is the most recent and relevant planning history for the site:
- The erection of boundary railings walls and gates to the general height of 6'6" (2m.) to the street frontages was approved on the 14th February 1994.
 - An application for the replacement of existing metal windows with UPVC at 90 The Triangle was approved on the 29th July 2002.
 - An application for repair / renewal works for replacement windows: Insertion of replacement top-hung fully reversible windows and to incorporate sliding windows to all balconies was approved on the 27th April 2007.
 - The replacement of 3 existing windows and one existing garden door with double glazed UPVC units was refused on the 20th December 2007.
 - An application for the provision of a door to replace existing window at Flat 121 was approved on the 7th February 2008.
 - The relocation and minor alterations to boundary railings of Compton Street Park was approved on the 5th February 2010.

- The installation of new windows in connection with enclosure of disused space adjacent to flat to extend existing floor space was approved on the 24th September 2012.
- Removal of two double glazed windows from the ground floor living room and installing a uPVC patio door was approved on the 6th July 2016.

PRE-APPLICATION ADVICE:

7.2 The proposal has been subject to ongoing pre-application discussions throughout the last 3 years. 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:

- The corner building has been significantly improved since earlier iterations. The building now picks up on the architectural language of adjacent Davina House and is proposed in high quality materials;
- The roof top additions have been set back from the edge of the roof to lessen their impact and the materials proposed are now considered to be of good quality;
- The landscaped courtyard design has been successfully developed and the tree replacement strategy has been significantly improved; and
- The quality of accommodation proposed in terms of size of units, natural lighting and access to amenity space has been improved.

ENFORCEMENT

7.3 None relevant

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 1270 adjoining and nearby properties across the Triangle Estate as well as on Sebastian Street, Goswell Road, St John's Street, Lever Street, Seward Street, Cyrus Street, Percival Street, Tompion Street, Dallington Street, Ashby Street, Malta Street, Compton Street and Passage, Cyrus Street, Berry Place, Brewhouse Yard, Brunswick Court and Davina House on the 8th December 2016. A number of site notices and a press advert were also displayed on 15th December 2016. The public consultation on the application therefore expired on 6th January 2017. 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 8 responses had been received from the public with regard to the application. The responses consist of 4 objections, 2 letters of general interest and 4 of support. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).

8.3 The following are the general comments received:

- Information related to air quality, waste management, noise, vibration, dust and contamination should be provided to residents during the construction process [paragraph 10.90 – 10.91];
- The proposed rooftop PVs should be optimally oriented and angled to face due south [10.125];
- Samples of all proposed façade materials should be made available to residents before they are agreed so that residents have a say in the final appearance of the building [10.44];
- Top floor planter materials are not disclosed on the façade materials drawing [10.40];
- Adequate insulation and noise mitigation measures should be incorporated, particularly where bathrooms are located above bedrooms [10.105];
- The proposed section does not note the height of the existing roof level and the level of new build top floor [10.43];
- Surplus proceeds from the sale of private flats should be reinvested on general estate maintenance for the existing estate blocks [10.13 - 10.21]

Objections:

8.4 The following is a list of the objections received in response to the proposal:

- Some of the flats have been excluded from the daylight assessment [10.74 – 10.79];
- The link bridges should be retained as this would negate the need for a 2nd lift [10.30 – 10.31];
- Building projects should be avoided as they add to complexity and cost of maintenance [10.2 – 10.40];
- The façade treatment of the new building on the corner of Goswell Road and Percival Street should be more consistent with the architecture of the existing estate [10.41 – 10.42];
- Some of the existing flats will suffer a loss of daylight / sunlight which has not been properly considered [10.74 – 10.82];
- Trees in the courtyard should be evergreen so that the view and outlook from courtyard dwellings is improved [10.70 - 10.74];
- More soft landscaping should be incorporated into the courtyard design and more trees should be planted on Cyrus Street [10.72]
- The removal of the link bridges reduces the accessibility to residents on the 4th floor [10.53 – 10.54].

8.5 The following is a list of the comments in support of the proposal:

- The plans seem to redress the historic neglect of this architecturally interesting estate;

- The proposal addresses the crime and anti-social behaviour issues that have blighted the estate;
- The principle of creating more affordable housing is supported;
- Upgrade and refurbishment of the estate is long overdue and welcome;
- The new homes are thoughtfully designed;
- The landscaping proposal is well-considered and supported.

8.6 And a number of non-planning related comments were made. These can be summarised as follows:

- The presence of asbestos on site should be considered within the air quality assessment;
- The construction should be carried out so as to minimise disruption as much as possible;
- Any damage to residents' property should be appropriately compensated;
- There should be a site-wide plan for increased security during the construction process;
- The rights of displaced leaseholders should be protected;
- The capacity and condition of existing services should be carried out and any necessary upgrade should be undertaken as part of this proposal;
- All man-hole covers should be designed so as to minimise their negative visual impact;
- The 1st floor projection on Cyrus Street is not realistic;
- The need for an on-site caretaker is not convincing;
- Leases should be revised to make contributions to lift maintenance fairer for flats with no direct lift access.

Applicant's consultation

8.7 The applicant, Islington Housing Strategy and Regeneration have carried out very extensive consultation with members of the TRA and have carried out a number of drop-in sessions.

8.8 Some of the residents' input at these meetings has informed the final design of the proposal. The final proposal is a balance between residents' aspirations to secure the perimeter and reduce anti-social behaviour on the estate on the one hand and the applicant's objective to deliver affordable housing for Islington residents in an accessible, well designed manner on the other.

External Consultees

8.9 **Crime Prevention Officer** – raised no objection and supports the principle of securing the perimeter.

- 8.10 **UK Power Networks** – raised no objection.
- 8.11 **London Fire & Emergency Planning** - satisfied with the details submitted, subject to sprinkler systems being installed within the building.
- 8.12 **Thames Water** – No objection, subject to conditions and informatives requiring details of sewerage infrastructure, surface water drainage, water infrastructure and impact piling.
- 8.13 **Historic England** – an archaeological desk-based assessment should be undertaken prior to a decision being made on the application. *This has now been undertaken and condition 30 has been recommended.*

Internal Consultees

- 8.14 **Access Officer** - The Access Officer requested full justification for the proposal to secure the perimeter and the removal of public access from the courtyard space. This has now been provided. While the access officer still objects to the principle of securing the perimeter, a full assessment and justification is provided in the body of this report.

The incorporation of a number of inclusive design measures was also requested including the following:

- step-free access to communal landscaped areas,
- the provision of electric scooter storage,
- accessible cycle storage;
- compliance with Category 2 / Lifetime Homes standards;
- fully accessible amenity facilities.

All these measures have been incorporated in the design of the proposal or will be required by condition.

- 8.15 **Planning Policy** – Support the proposal.
- 8.16 **Design and Conservation Officer** – have been involved in the proposal from the outset and support the design being proposed.
- 8.17 **Energy Officer** - The Energy Officer initially requested the following additional information:
- Further clarification regarding BREEAM water efficiency standards.
 - Further discussion of and potential improvements to energy efficiency parameters / specifications, and heat charging arrangements.
 - Heating and hot water supply to commercial unit;
 - Additional details of solar PV system and consideration of increased output;
 - Submission of a Draft GPP.

A revised Energy / Sustainability Statement with appended feasibility studies has been submitted. The revised strategy deals with the issues previously raised and conditions are recommended to secure these changes (*conditions 8 and 12*).

- 8.18 **Sustainability Officer** – raised no objections to the proposal subject to appropriate conditions on sustainability (*conditions 9-11*).
- 8.19 **Transport Planning Officer** – no issues were raised.
- 8.20 **Highways** – standard clauses and conditions apply. All highways works to be carried out by the highways team. Demarcations of what is housing and highways land is needed, as well a draft of the Construction Management Plan.
- 8.21 **Parks and Open Spaces** – the overhang needs to be addressed. This is discussed in more detail within the report and officers consider that this has been resolved
- 8.22 **Tree Preservation / Landscape Officer** – no objections were raised subject to appropriate conditions on landscaping and tree protection (*conditions 13-15*).
- 8.23 **Biodiversity and Nature Conservation** – no objections subject to bird boxes being installed and landscaping to maximise biodiversity (*condition 21*).
- 8.24 **Refuse and Recycling** – no objections or issues raised subject to adherence to Islington guidance.

Public Protection – No objections raised subject to conditions on air pollution, sound insulation, air quality and construction management (*conditions 16, 17, 19 and 20*).

Other Consultees

- 8.25 **The 20th Century Society** – Support the design of the proposal
- 8.26 **Emily Thornberry MP for Islington and South Finsbury** – raised no objection to the proposal.
- 8.27 **Members' Pre-application Forum** – the proposal was presented and discussed at Members' Forum on the 21st July 2015.
- 8.28 **Design Review Panel** – At pre-application stage the proposal was considered by the Design Review Panel on the 14th October 2015. 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 was presented with two options, one involving a roof-top addition alongside the infill extensions and the other involving additional 5-storey corner additions instead of the roof-top additions. The panel felt that all elements of both options had merit and that both options could be pursued simultaneously.
 - The removal of the podium deck was supported, as was the creation of ground floor gardens and the rationalisation of access into the estate.
 - The panel felt that a balance needed to be struck between the expressed wishes of certain residents and the overarching objective to make long-term improvements to the estate. This would require strong client leadership and decision-making.

- Panel members were unconvinced by the design of the proposed northern block which seemed to be unnecessarily at odds with the character of the existing architecture.
- It was felt that the quality of the overall scheme will be very dependent on the quality of the landscaping scheme.
- Any development on the scale envisaged will cause significant disruption and this must be spelt out clearly alongside the mitigation measures that would be taken and the longer term benefits that would be achieved.
- The panel felt that improvements to the dwellings of existing residents should be explored.

8.29 The proposal was significantly altered and amended following the Design Review Panel in response to the panel's suggestions. The points raised have been addressed as follows:

- The application incorporates both roof additions as well as infill housing as suggested by the Design Review Panel;
- The design team have pursued the approach involving the removal of the podium, the creation of ground floor gardens and the rationalisation of access into the estate and have kept residents informed of progress made;
- The design of the corner building has evolved, is significantly improved from earlier iterations and now picks up on the architectural language of the adjacent Davina House on the opposite corner of Goswell Road.
- The landscaping scheme has now been developed and provides a successful solution for the site including an enhanced courtyard space, community growing garden, visual link with Compton Park and an enhanced public realm.
- The proposal now successfully achieves a balance between the potential impacts of increasing the number of residents on the estate and the benefits of having an enhanced communal garden area and improved access and security.

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. Since March 2014 planning practice guidance for England has been published online.
- 9.2 Under the Ministerial Statement of 18 December 2014, 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).
- 9.3 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via:

- Written Ministerial Statement issued 25th March 2015
- Deregulation Bill (amendments to Building Act 1984) – to enable ‘optional requirements’
- Deregulation Bill received Royal Assent 26th March 2015 cohesion

Development Plan

- 9.4 The Development Plan is comprised of the London Plan 2016, 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

- 9.5 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013.
- Bunhill & Clerkenwell Key Area
 - Central Activities Zone
 - Major Cycle Routes
 - Adjacent to the Hat & Feathers Conservation Area
 - Within 50m of a Local Site of Importance for Nature Conservation (SINC) – King Square Gardens
 - Mayor’s Protected Vista – Alexandra Palace

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

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

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

Land Use

- 10.2 The Triangle 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 BC4 (Northampton Square, Goswell Road and Spencer Street).

London Plan

- 10.3 London Policy 2.12 requires for Council's to identify, protect and enhance predominantly residential neighbourhoods within the CAZ. 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. Improvements will be sought to three housing estates (Triangle, St Luke's high rise and Redbrick), with the aim of providing good quality housing in an improved local environment.

Finsbury Local Plan

- 10.5 Policy BC4 'Northampton Square, Goswell Road and Spencer Street' expects new developments to enhance the legibility and character of this area, strengthening the identity of its streets and spaces, and building on its diverse mix of uses, including through the delivery of new affordable homes.
- 10.6 Furthermore, the policy encourages an improved public realm, including tree planting and highways improvements along Spencer Street and Goswell Road. The retention and enhancement of active ground floor uses fronting Goswell Road is also supported. A range of housing types and sizes, provided in appropriate locations and on currently under-used sites and which exhibit a high standard of amenity is expected.
- 10.7 For the Triangle Estate in particular, Policy BC4 supports proposals that improve the quality of the living environment, and would result in better quality ground floor frontage, improved safety, enhanced definition between public and private space, improved accessibility and appropriate permeability. The expansion of, and connection, to the existing Decentralised Energy networks is encouraged and developments should maximise the use of green roofs or walls as well as other natural features within and between new buildings.

Proposed Development

- 10.8 The development proposes a mix of high quality residential accommodation, including family-sized homes, in the form of infill housing and development on underused spaces and garage conversions in accordance with the aims and objectives of London Plan and Islington Core Strategy Policies. Whilst 6 two-bed units would be demolished, 54 new units are proposed resulting in an uplift of 48 units. The development delivers a significant increase in affordable homes in accordance

with Finsbury Local Plan policies which seek to ensure that existing residents are provided for.

- 10.9 The application also proposes significant improvements to the landscaping, security, safety and accessibility to the estate in accordance with the aims of the Finsbury Local Plan. The proposal includes improvements to ground floor frontages and an enhanced definition between public and private space as well as improved accessibility and appropriate permeability. Moreover, the application proposes connection to the DHN. It is considered that the aims of Policy BC4 have been successfully met. Further details are outlined in the subsequent sections of this report.
- 10.10 Finally, the proposal replaces an existing retail shop with new A1 retail floorspace in accordance with Development Management Policies DM4.1 and DM4.7. In land use terms, the proposal is considered to meet the objectives of adopted planning policy.

Affordable Housing and Financial Viability

- 10.11 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 afforded 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.*"
- 10.12 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.*"
- 10.13 The Affordable Housing Offer The proposed development would provide a total of 54 residential units (both for private sale and affordable housing). Of the 54 units (148 habitable rooms, hr), 27 of these units (81 hr) would comprise affordable housing (social rent tenure). Affordable housing provision is typically calculated with reference to the number of habitable rooms provided and in this instance the scheme would provide 55% affordable housing.
- 10.14 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 however does not include any shared ownership units as this form of housing is considered 'unaffordable' in this part of the borough given excessively high property values.
- 10.15 The proposal fails to provide the aspiration of 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.

- 10.16 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.
- 10.17 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 and public realm improvements 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.
- 10.18 Although 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 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 of the site and its buildings is included to calculate a scheme's viability. In this instance, no existing use value has been factored in.
- 10.19 The proposal forms part of a wider Islington Housing New Build programme to provide affordable housing to meet identified needs within the borough. The current programme includes 33 schemes across the borough at various stages of progress with the aim of delivering 500 new affordable social rented units within the borough by 2019. The programme factors in Right-to-Buy receipts, s106 contributions, some GLA grant and receipts from the sale of private build units. The level of these resources informs the amount of HRA (Housing & Revenue Account) subsidy required to balance the financing of the programme.
- 10.20 One of the key drivers in terms of determining the level of resources generated and hence the level of HRA subsidy required to balance the programme is the ratio of private sale to affordable units. In addition, schemes of less than 10 units do not contribute any private sale receipts as they are built as 100% social rented and as such need to be subsidised wholly by the HRA and excess private sale receipt of larger schemes.
- 10.21 The introduction (as part of the Welfare Reform & Work Bill) of the 1% rent reduction over the next 4 years has severely restricted the capacity within the HRA to subsidise the new-build programme. The overriding strategy is to maximise the number of social rented properties delivered as part of each scheme whilst at the same time ensuring that the subsidy called upon from the HRA to balance the funding of the overall new build programme remains affordable in the context of the financial viability of the wider HRA, i.e. does not jeopardise their ability to continue to provide & resource the functions relating to our existing stock; housing management, repairs and the long-term investment.
- 10.22 The proposal provides good quality affordable housing, estate-wide improvement and a new retail unit and is considered to contribute towards delivering mixed and balanced communities. In this context, the offer of 55% 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.

Design & Appearance

- 10.23 The National Planning Policy Framework states that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. 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.
- 10.24 The London Plan (2016) Policy 7.6 expects architecture to make a positive contribution to a coherent public realm, streetscape and wider cityspace. It should incorporate the highest quality materials and design appropriate to its context. Moreover, buildings and structures should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, not necessarily replicate, the local architecture.
- 10.25 Islington's Core Strategy Policy CS7 identifies the Bunhill and Clerkenwell area as having a rich character and significant historic value. The policy confirms that "throughout Bunhill and Clerkenwell, a number of buildings, monuments, spaces and townscape attributes contribute positively to its character. This includes some locally important street level views to St Paul's Cathedral and other local landmarks. Policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. The borough's unique character will be protected by preserving the historic urban fabric and by promoting traditional street patterns in new developments. The aim is for new buildings to be sympathetic in scale and appearance and to be complementary to the local identity.
- 10.26 Finsbury Local Policy BC9 expects proposals to reflect predominant building heights and respond positively to the existing townscape context. Moreover, it is expected that new buildings are of high architectural quality and local distinctiveness, of a height, scale and massing that respects and enhances the immediate and wider context, consistent with the predominant building heights. Policy BC7 of the Finsbury Local Plan states that roof extensions, plant rooms and lift overruns should conform to prevailing building heights and should not harm the character and appearance of the existing building as seen from streets and public open spaces.
- 10.27 Finally, Islington's Development Management Policy DM2.1 requires all forms of development to be of a high quality, incorporating inclusive design principles while making positive contributions to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. All new developments are required to improve the quality, clarity and sense of space around or between buildings, reinforce and complement local distinctiveness and create a positive sense of place.

The Application Site

- 10.28 The Triangle Estate, built in 1973, is made of three six storey blocks of brick construction with large areas of fenestration. The three blocks address the three surrounding streets (Compton Street, Goswell Road and Cyrus Street) on one side and look onto a triangular shaped courtyard space occupied by a first floor podium, on the other side. In terms of the buildings' elevations, the somewhat complex sections, with their combination of vertical walk up stairwells and horizontal deck

access, are expressed on the elevations, producing modelled facades. Horizontal strip windows are punctuated by private balconies, contributing to a series of well-composed elevations. In summary, the Triangle Estate is composed of modest, but not unattractive, buildings.

10.29 However, despite its many strengths, the Triangle Estate also suffers from some obvious weaknesses. A total of 28 separate public entrances to the blocks make it very difficult to effectively manage and secure the estate, leaving the communal areas vulnerable to vandalism and anti-social behaviour. The three blocks are linked by unattractive high level corridors, allowing intruders access from one block to another. Moreover, internal corridors and storage areas as well as numerous blind corners and dark spaces in the garages beneath the podium, provide inviting undercover congregation spaces which are difficult to police. Finally, the concrete podium structure which serves as a communal garden does not provide residents with a good level of amenity. The podium is in poor structural condition, is predominantly paved creating a sterile environment and has in the past served as a gathering point for gangs.

10.30 Any application for development at this location should look to address the weaknesses on the estate and to build on the strengths. Proposals should, where feasible, secure improvements to the overall urban design of the estate while at the same time improving the landscaping, access and security on the estate. In order to achieve its aims and objectives, the proposal should also ensure the integration of all new built form into the existing character and townscape of the estate as well as its wider urban context.

Securing the perimeter



existing Cyrus Street garage entrance



proposed Cyrus street secure entrance and private gardens

Existing and Proposed arrangement at Cyrus / Goswell Road

10.31 The creation of a secure boundary to the estate through the demolition of the podium, garages and link bridges as well as construction of infill blocks and perimeter

walls is a key feature of the design strategy and would result in a tidier and more legible appearance. The improvements are particularly apparent on the junction of Cyrus Street and Goswell Road blocks. In its current form, the frontage to the street at this point is characterised by a confusing assortment of walkways, staircases, vehicular entrances, bin-stores and ramps that are neither attractive nor legible or coherent.

- 10.32 The proposal removes the vehicular access at this point and replaces it with a new single storey dwelling and two new entrances serving the Goswell Road and Cyrus Street block as well as the landscaped courtyard beyond. The infill building would be built in materials to match the existing estate and would provide two new clear entrances with a high quality finish as well as defensible space to the new residential unit. The boundary treatment of the garden to this dwelling follows the existing pattern of low walls and visually permeable railings that already exists on the estate. The details of this would be required by condition (*condition 3*).

Demolition of podium

- 10.33 The demolition of the podium is considered to be a benefit for existing and new residents and would result in the provision of an improved communal garden area. It also provides the opportunity of securing the perimeter in a clear and legible way as described above. The three blocks would have direct access to the space, with a new communal residents' entry off the remodelled Cyrus Street frontage. The removal of the podium deck allows for the creation of new ground floor elevations facing onto the courtyard serving the new residential units. The facades of these units have been designed to match the rhythm and architectural language of the existing estate.



Proposed Landscape Courtyard

- 10.34 The defining element of the semi-private communal garden is the circular lawn, surrounded by paving and planting which break down the strict linearity of the built form surrounding it. A section of the courtyard space would be dedicated as a communal growing space for residents, with raised beds, gated railings and a storage area. The adjoining boundary with Compton Park is visually permeable to allow shared views and more light into the space. Furthermore, raised beds around the perimeter of the courtyard would reinforce the private garden spaces, which are enclosed by visually permeable perimeter railings set on low walls.

- 10.35 Overall, the new landscaped courtyard provides a new green space which is lacking from the existing podium deck with the potential of providing greater amenity benefits, biodiversity value and sustainable urban drainage features. The details of the landscape strategy for the courtyard space will be discussed in more detail in the subsequent sections of the report.

Infill dwellings

- 10.36 The ground floor of the existing blocks is lined with garages facing towards the inner courtyard. With the demolition of the podium and the removal of parking from the site, the application proposes to replace the garages with new homes facing the courtyard. In a similar way, it is also proposed to replace redundant storage spaces and the link bridges at first floor level with new infill housing.
- 10.37 On the Cyrus Street elevation, the infill housing at first floor level involves two protruding overhangs over the existing entrance. Whilst this is a new and unfamiliar feature to the estate, the overhangs would be designed using high quality triple glazed schuco windows, which are considered appropriate subject to further details being provided at conditions stage. It is proposed for the rest of the infill housing to be designed in a sympathetic way with materials to match the existing estate.

Extending the Blocks



Compton Street Block overlooking Compton Park

- 10.38 In accordance with the aims of securing the perimeter, the blocks would be extended into the existing gaps to provide new housing. The three extensions would all be built using materials and an architectural language that is sympathetic to the existing estate. However, all three sites would also respond to their specific context which naturally varies from one to the other.
- 10.39 The gap on the western end of the Compton Street Block is a narrow space which adjoins Compton Park. The extension is consequently a relatively narrow addition which delivers one duplex and one triplex apartment. The brickwork and fenestration onto Compton Street would match the existing estate and the white horizontal bands which are a feature of the estate's elevations would be carried through onto the

extension. The elevation onto Compton Park includes a protruding window bay over five floors framed in powder coated aluminium and a green wall, details of which would be required by condition (*condition 3*). The extension would be six storeys in height to match the existing estate. Objections to this element have been raised by Greenspace on the basis that the extensions would overhang public open space and access to the park would be needed for construction purposes. This is dealt with further in the landscape section.

- 10.40 On the eastern end of the Compton Street block, adjacent to the Goswell Road block, a further six storey extension is proposed. Again, the brickwork and fenestration onto Compton Street would match the existing estate with the white horizontal bands carried through. On the Goswell Road elevation, a large expanse of fenestration is proposed which would be framed in GRC (glass-reinforced concrete). The design of the framed windows allows for small balcony space behind a steel railing. The design of this addition is considered to be a modest yet elegant architectural approach.



Compton Street / Goswell Road extension

- 10.41 Finally, the gap between the freestanding lift tower and the Cyrus Street block would be infilled by a six storey extension so that the tower essentially becomes part of the block. The brickwork and fenestration would match the existing estate and inset balconies would provide a modest amount of amenity space for future residents. Overall, the design of the three 6-storey extensions is considered to enliven the elevations and help secure the corners.

Roof-top extension

- 10.42 The roof extension has undergone extensive consideration involving the Design Review Panel, planners, design officers as well as residents. While some residents have previously objected to the proposal, any concerns around privacy have been addressed through additional screening and planters, the details of which would be required by condition (*condition 3*).
- 10.43 The extension would be significantly set back from the elevations in order to lessen its impact (by 2.20 metres on one side and 5.60 metres on the other). The height of

the proposed roof extension is 40.97 metres AOD, which is an increase of 3.35 metres over the current height of 37.62 metres AOD of the existing parapet. The roof addition would be clad in a recycled glass resin which is considered a high quality design solution that would further lessen the impact of the extension.

New Corner Building

- 10.41 The corner building involves a new 8-storey corner block which would replace the existing two-storey retail unit. The new building would comprise of a retail unit on the ground and first floors with six storeys of residential accommodation above. The design of the corner is quite distinct from the existing estate and provides a contemporary addition to the estate with a subtle nod to the rhythm and architectural features of the period building on the opposite corner, known as Davina House.



New corner building

- 10.42 The terracotta cladding proposed on this building picks up on the colour of the brickwork of Davina House and the white horizontal bands reflects the horizontal emphasis of this adjacent building which is also expressed through white horizontal bands. Portland stone cladding is used to separate the existing estate from the new corner building, while a recessed roof addition framed in similar stone cladding finishes off the building at roof level. The double height retail unit at ground/first floor level is considered appropriate given its prominent location on a relatively busy and wide junction.

Overall Development

- 10.43 Overall, the proposal is considered to deliver an appropriate balance between respecting the integrity of the estate on the one hand and providing high quality contemporary design on the other. The same architectural language has been adopted where suitable and matching materials in the form of brickwork and fenestration has been proposed where this is considered appropriate in order to protect the integrity of the existing buildings. The proposal is not considered to have a negative impact on the adjacent Hat and Feathers Conservation Area.
- 10.44 The new corner building delivers a high quality contemporary addition to the estate, while the set-back roof extensions are a well-considered and subtle addition.

Samples of materials would be required by condition (3) in order to ensure that the development is built out to the highest quality. The proposal is considered to be well-designed and in accordance with Policy 7.6 of the London Plan, Policy CS7 and CS9 of Islington's Core Strategy, Finsbury Plan Policies BC7 and BC9 and the aims and objectives of Development Management Policy DM2.1 and DM2.3.

Density

- 10.45 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The existing Triangle Estate comprises a total of 130 residential units across a site of 0.64 hectares. The development scheme proposes a total of 54 new residential dwellings, while 6 dwellings would be lost, leaving a total of 178 dwellings on the estate. This equates to 485 habitable rooms 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 6a (Excellent). For central areas with such a high PTAL, the London Plan Policy 3.4 (Table 3.2) suggests that a density level of between 650 and 1100 habitable rooms per hectare would be most appropriate.
- 10.48 The proposed development would result in a residential density of some 755 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

- 10.49 As a result of the changes introduced in the Deregulation Bill (Royal Assent 26th March 2015), Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore the Council can no longer apply its flexible housing standards nor local wheelchair housing standards.
- 10.50 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning is required to check compliance with these standards and condition the requirements. If they are not conditioned, Building Control will only enforce Category 1 standards which are far inferior to anything applied in Islington for 25 years.
- 10.51 Planners are only permitted to require (by Condition) that housing be built to Category 2 and or 3 if they can evidence a local need for such housing i.e. housing that is accessible and adaptable. The GLA by way of Minor Alterations to the London Plan 2015, has reframed LPP 3.8 Housing Choice to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London. In this regard, as part of this assessment, the London Plan policy is given weight and informs the approach below. Moreover, 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.

- 10.52 Development Management Policy DM3.4 'Housing Standards' provides various standards in housing including for accessibility and inclusive design. The policy states that the overall approach to all entrances should be logical, legible and level or gently sloping; and common entrances should be visible from the public realm, clearly identified and illuminated and have level access over the threshold. Moreover, the number of dwellings accessed from a single core must not be more than eight and communal circulation corridors should be a minimum of 1200mm wide. Finally, in terms of circulation within new homes, space for turning a wheelchair should be provided in living rooms, dining rooms and in at least one bedroom and dwellings over more than one floor are required to provide space for a stair lift.
- 10.53 It should be noted at this point that the existing estate suffers from poor accessibility in that floors 2, 3 and 5 do not have lift or step-free access and are only accessible via a narrow staircase. The demolition of the podium would also result in a loss of step-free access to the existing 1st floor flats which are currently accessed via the ramp and podium. In response to this, the applicant has proposed a number of platform lifts in all three blocks to maintain level access to the 1st floor.
- 10.54 Additional lift access will be provided to 4th floor level so that two lifts are provided for each block. It is however not proposed to provide additional lift access to the existing flats on 2nd, 3rd and 5th floor levels as this would necessitate comprehensive remodelling of the buildings. Existing flats on 2nd, 3rd and 5th floor level do not have deck access and are not accessed via a corridor. Instead they are accessed directly from narrow staircases and landings that do not provide space for additional lift provision.
- 10.55 The application provides 4 new wheelchair accessible units across the estate (2 x 3 bed units, 1 x 2 bed and 1 x 1 bed) amounting to 9.8% as measured by habitable rooms. Permission would be subject to conditions requiring that these units comply with the standards of Category 3 housing, while the remaining new dwellings would need to meet Category 2 Housing standards. This is secured through condition (7).
- 10.56 The applicant has submitted a Design and Access Statement and has outlined how inclusive design principles have been considered and addressed. The number of entrances on the estate would be reduced from some 28 uncontrolled access points to 12 controlled entrances. While many of the existing entrances are neither visible from the public, nor particularly legible or clearly identifiable, all entrances provided in the proposed development would be clear and legible and would deliver level access from the public realm.
- 10.57 Despite the obvious constraints in working within the envelope of the existing building, all common entrances and shared circulation space provide sufficient space for residents to manoeuvre with ease. Moreover, all access cores would provide an access control system, with entry phones in all dwellings linked to a main front door. With regard to external space, the open space and landscaping, including surfaces and seating, would comply with the principles of inclusive design. The inclusive design measures within the landscaped courtyard would be secured through the landscape condition (13).
- 10.58 All areas would have step-free access and access to amenity facilities such as the bin store would also 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.

Open Space and Landscaping

- 10.59 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.
- 10.60 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. Moreover, both Development Management Policies DM2.1 and DM8.4 encourage greater permeability by improving movement through areas and seeking an improved pedestrian environment following Islington's 'Streetbook' SPD.
- 10.61 The removal of the podium, the securing of the perimeter with controlled access and the creation of a landscaped courtyard for residents of the estate ultimately removes public access from the space between the three housing blocks. Though on the face of it this approach goes against the aims of the policies which seek to promote greater permeability, the particular circumstances of the Triangle Estate need to be fully understood when considering the impacts of the proposal. It should be stressed at this point that a desire to address the crime and anti-social behaviour issues that had blighted the estate was, from the outset, the key driver behind the proposal.
- 10.62 The residents expressed the aspiration to deal with the considerable issues they were having on the estate by securing the perimeter. When the proposal was first developed, it was on the understanding that there would not be public access to the landscaped courtyard. Whilst this goes against the principles of the Streetbook SPD which seeks to create better routes through places and improve permeability, it should be stressed that the existing podium deck to be demolished does not function as a public space as such. There are no desire lines through the estate and access to it by the general public serves no real wider purpose.
- 10.63 Unlike estate developments at Dover Court, King Square or Redbrick Estate where public routes through make sense as they are large estates which occupy a significant amount of urban space, the Triangle Estate lends itself far more readily to a courtyard development with perimeter blocks and a communal garden for estate residents.
- 10.64 What has been developed by the applicants involves building in the gaps with new housing. As a result, the proposal delivers a significant increase in social housing while at the same time securing the perimeter. So instead of erecting gates around the outside of the estate, the new infill buildings have been designed to create a perimeter with a courtyard for residents. The spaces that have been built on to create the perimeter are largely small areas of hardstanding which have served as access points to the courtyard and are not considered to constitute open space as such.

- 10.65 On the western end of the Compton Street block the proposed building overhangs the adjacent Compton Park. The park is designated open space and thus its impact needs to be considered. The new building would oversail the park by some 1.5 metres from 1st floor up to 5th floor and so the overhang is not insignificant. That being said, the building would overhang an area that is currently occupied by gravel and low-level planting adjacent to the entrance from Compton Street in the corner of the park. The overhang would provide a comfortable head height of approximately 2.5 metres for anyone wishing to pass underneath it.
- 10.66 The elevation of the building facing onto the park would be covered in a green wall, details of which would need to be considered and agreed by condition (13). Moreover, the removal of the podium and the provision of landscaping at ground floor level of the Triangle Estate would provide a more open aspect to the park. Finally, it is considered that the introduction of overlooking and passive surveillance would be a benefit to the park. As such, it is not considered that the proposed extension to the Compton Street block and its associated overhang would negatively impact the amenities provided by the park.

Landscaping

- 10.67 Given the site and policy context referred to above, the quality of the landscaping on the Triangle Estate is of fundamental importance to this planning application. Though the existing podium does include a small fenced off area with a number of trees in it, the space is generally quite sterile with mainly hardstanding. Its demolition provides the opportunity to deliver a greener more useable space with better amenities for residents and improvements to the estate's biodiversity and sustainable urban drainage features (SUDS).
- 10.68 The proposed landscape design intends to create a clear hierarchy of well-defined spaces for the residents of the estate. A new standalone entrance from Cyrus Street to the courtyard is accessible to all residents and the separate access points for each block give a better sense of ownership to the common parts, in particular the communal courtyard space in the centre of the estate. The defining element of the semi-private communal courtyard is the circular lawn surrounded by bands of circular paving and planting which help to break down the strict linear form of the surrounding buildings. A community growing area with raised beds would also be provided in the western end of the courtyard, adjacent to Compton Park.
- 10.69 To enable the new ground floor dwellings to embed into the existing estate, layouts for private ground floor gardens follow the existing precedent of low perimeter walls topped with railings and backed by planting to provide a green buffer. A simple palette of high quality materials is proposed for all paved areas to reinforce the transition from public to private spaces. This approach is supported in principle subject to further details being required by condition (13).

Trees:

- 10.70 As discussed, the trees on the podium would be lost as a result of the development as it is proposed to demolish the podium. The trees to be lost include 3 Cherry trees, 2 Bay Laurels and a Lawson Cypress. Whilst a number of these trees are healthy and provide amenity benefits to residents, they have a limited lifespan due to their position on an elevated concrete podium. The new landscaped courtyard would deliver ten new trees including Field Maples, Mountain Ash and Tibetan Cherry trees. In the context of the removal of the podium and the tree planting strategy, the loss of the existing trees within the courtyard is considered acceptable, particularly given the variety of species proposed which would guarantee leaf coverage throughout the year.

- 10.71 A number of trees within private gardens on the estate would also be lost as a result of the development. A Cherry Laurel, a Bay Laurel and two Lawson Cypress which are within gardens facing Compton Street, as well as a Leyland cypress in a garden facing onto Goswell Road are proposed to be removed. In the case of the trees on Compton Street, their removal is required to enable development to take place. Four new trees are proposed along Goswell Road and Compton Street in order to mitigate the loss of these trees.
- 10.72 A further tree is proposed to be removed on the junction of Percival Street and Cyrus Street in order to make way for the new corner building. This tree removal would be mitigated by additional tree planting along Cyrus Street. A plan has been submitted, which shows the potential for 5 new trees to be planted along this street. The planting of these trees would be required through the section 106 agreement (Director's Letter).
- 10.73 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 Finsbury Local Plan BC4.
- 10.74 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 (13), an Arboricultural Method Statement (14) and a Scheme of Site Supervision (15).

Neighbouring Amenity

- 10.75 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.
- 10.76 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.
- 10.77 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. 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.

- 10.78 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 to a neighbouring property is only considered where the new development is located within 90 degrees of due south.
- 10.79 The VSC has been assessed for all existing surrounding residential properties. The vast majority of windows serving existing properties retain good levels of daylight following the development and would not lose more than 20% of their former value. For example, windows within Tompion House, Harold Lasui House, Cyrus House, 101 Goswell Road as well as 142-186 Goswell Road would all retain 80% of their former VSC value. As such, loss of daylight to these properties would not be noticeable. This is unsurprising given that development proposes a modest increase in height and the substantial number of new dwellings is proposed in infill developments that would not affect daylight.
- 10.80 Some windows located in closer proximity to the proposed corner building on the junction of Goswell Road, Percival and Cyrus Streets however suffer losses that are slightly higher than 20%. For example, at 1-5 Cyrus Street, four of the existing windows on the corner of this building would lose between 22% and 32% of their existing daylight. It should be noted that these windows are disadvantaged by the building's own design as the windows are set back behind a balcony and have reduced daylight because of an existing overhang. Some of the windows within 188-192 Goswell Road also suffer losses slightly above the 20% mark. But these losses vary between 20-23% and most of the windows retain the 27% threshold which indicates that they will continue to enjoy good levels of daylighting.
- 10.81 In terms of the daylight distribution, these tests have also been carried out to ascertain how much of the affected rooms would be beyond the sky-line contour, i.e. would no longer be able to see the sky. In particular, the rooms serving the windows with the biggest loss of VSC in 1-5 Cyrus Street have been tested. It can be confirmed that the effect on the daylight distribution would be negligible as the rooms are served by a number of windows on three sides and thus only some of the windows would suffer a loss of daylight. The daylight distribution test has also been carried out for the most affected windows on the lower levels of the Triangle Estate. None of the rooms would suffer a loss of daylight distribution of greater than 20% and all would achieve good levels of daylighting.
- 10.82 Overall, of the 306 windows tested, 289 (94%) will continue to meet the target values for daylight as set out in the BRE guidelines. In terms of sunlight, the 222 windows which face south onto any part of the proposed development have been tested. All of these windows would meet the target values for sunlight as defined by the BRE guidelines.
- 10.83 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.
- 10.84 The new corner building does result in potential overlooking issues as it introduces window-to-window distances of below 18 metres. For example, the new corner

building on Goswell Road and Percival Street is 15.5 metres away from 1-5 Cyrus Street and 11 metres from Davina House. However, the relationship between these buildings is over a highway and so overlooking is not considered to constitute an unacceptable loss of privacy. Moreover, Davina House is mainly in office use and no residents' privacy in that building would be affected by this development.

- 10.85 There are also the overlooking distances within the estate itself to be considered. At roof level, new balconies potentially overlook existing balconies on the floor below. However, a green planter/buffer has been provided to prevent overlooking and maintain privacy. Details for this feature would be required by condition, which would also require these features to be maintained as such thereafter. The new infill building between Cyrus Street and the lift / stair core includes new windows facing the internal courtyard. The new windows would be some 15 metres away from existing windows on the Goswell Road block. Whilst the windows are positioned at an oblique angle to the windows most affected, it is considered prudent to require further details of screening to minimise overlooking and privacy impacts (*condition 5*).
- 10.86 Safety / Security: Development Management Policy DM2.1 requires for developments to be safe and inclusive, enhance legibility with a clear distinction between public and private space and to include safety in design, such as access, materials and site management strategies. One of the key objectives of this proposal is to create a safe and secure environment for residents of the estate.
- 10.87 The rationalisation of entrances onto the estate by significantly reducing their number is considered to contribute significantly towards creating a safer and more secure environment for residents on the estate. The securing of the perimeter and the removal of public access from the courtyard space further adds to the security of the estate. The proposal also results in a clearer distinction between private, semi-private and public space and provides clearer legibility around access.
- 10.88 Views / Outlook: Proposal for development are considered against their visual context, such as location and scale of landmarks, strategic and local and other site specific views, skylines and silhouettes. DM2.4 requires local and strategic views to be protected.
- 10.89 Residents of the estate have commented that the set-back roof addition would blight their view of St Paul's. This is not a planning matter and cannot be considered as part of this assessment. However, the site does intersect a strategic viewing corridor from Alexandra Palace to St Paul's Cathedral. The building heights have been assessed against the protected vista datum of the St Paul's viewing corridor and it can be confirmed that the proposal would not impinge on the view of St Paul's from Alexandra Palace.
- 10.90 Air Quality: Existing and future residents' exposure to air pollution from the Goswell Road needs to be considered as part of this application. In particular the two new blocks on the corner of Goswell Road and Compton Street on the one side and Percival Street on the other side would introduce new dwellings in close proximity to Goswell Road where levels of NO_x are quite high. The air quality assessment submitted as part of the application provides a satisfactory scheme of mitigation with MVHR (mechanical ventilation heat recovery) fitted and air intakes on the cleaner courtyard side "wherever possible". The MVHR will be fitted with NO₂/NO_x filtration and a residents' manual supplied with advice on limiting exposure. Further details of this will be required by condition (*19*).
- 10.91 Exposure to air pollution, noise, vibration and other pollutants during the construction process will be managed and mitigated through a Construction Environment management Plan which will be required by condition (*4*).

- 10.92 Noise and Disturbance: adequate sound insulation would be provided to all new units to protect the amenities of existing residents (*condition 16*) and the opening hours of the new retail units would be controlled by condition (18) in order to protect the living environment of residents.
- 10.93 In summary, the proposal is not considered to result in an unacceptable impact on neighbouring residential amenity in terms of loss of daylight or sunlight, increased overlooking, loss of privacy, sense of enclosure and is considered to result in a marked improvement in terms of safety and security.

Quality of Resulting Residential Accommodation

- 10.94 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.
- 10.95 Unit Sizes: All of the proposed residential units comply with the minimum unit sizes as expressed within this policy. Two of the new dwellings at first floor of the Cyrus Street Block are single bedroom flats of 39sqm in size, which exceed the 39sqm minimum required by policy for single bedrooms and studios. The policy states that single bedroom flats will only be permitted in exceptional circumstances, where a larger unit is not possible or this would result in better aspect.
- 10.96 The two flats in question would replace a currently disused and inaccessible storage area and include a modest overhang in order to increase the internal area and provide better outlook. The size of these units cannot be increased as this would either result in a greater overhang resulting in loss of light to existing residents or a reduction in an already constrained circulation core. On this basis, the single bed units are considered acceptable.
- 10.97 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'.
- 10.98 Six new units are proposed at ground floor level facing onto the courtyard space. The dwellings would occupy space that currently accommodates parking spaces. Although these units have been designed to maximise natural daylight, all six units are essentially single aspect. However, the design is quite substantially restricted by the constraints of the existing building. Creating dual aspect accommodation out of these dwellings would involve building over the courtyard space and this is not considered to be justified.
- 10.99 The average daylight factor (ADF) of these new dwellings has been calculated to ascertain whether they would be afforded sufficient natural daylight. The minimum levels of daylight as measured by ADF require 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. It can be confirmed that all new habitable ground floor rooms would achieve the ADF targets. Given the site constraints involved here and the good levels of daylight achieved in the new ground floor units, the principle of single aspect accommodation is considered acceptable.
- 10.100 All other new dwellings proposed would achieve both dual aspect and good levels of natural daylight.

- 10.101 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).
- 10.102 The private amenity space proposed for almost all of the proposed units would exceed minimum requirements. However, with the exception of the top floor dwelling, there is no private amenity space proposed for the units in the new building on the corner of Goswell Road and Percival / Cyrus Street. It is considered however that the building's design does not lend itself to balconies or roof terraces. Moreover, the two 1-bed single person units on Cyrus Street as well as a 2-bed and 4-bed unit on the Compton Street block would not have access to private amenity space.
- 10.103 The constraints of the site which have fixed the floorplates available to work with are considered to restrict the potential of providing private amenity space to all new dwellings. Moreover, the proposed improvements to the landscaped courtyard and shared spaces on the estate are considered to provide adequate alternative provision to private amenity space.
- 10.104 Air Quality: New dwellings on the corner of Compton Street and the corner of Percival / Cyrus Street face onto Goswell Road. The surrounding area records levels of NOx which would necessitate mitigation levels which will be appropriately conditioned (*condition 19*).
- 10.105 Noise: A condition (16) is recommended requiring all residential units to include sufficient sound insulation to meet British Standards. As such a scheme for sound insulation and noise control measures would be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.
- 10.106 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 (*condition 23*).
- 10.107 Playspace: The development includes sufficient space for informal play space within the landscaped courtyard. There is also a playground directly adjacent to the Triangle Estate within Compton Park. Details of any playspace provided within the landscaped courtyard would be required by condition (13).

Dwelling Mix

- 10.108 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. The policy also requires for provision to be made for intermediate or shared ownership housing.
- 10.109 The scheme proposes a total of 54 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	9 / 33%	0%	17 / 62%	10%
2 Bed	9 / 33%	20%	8 / 30%	75%
3 Bed	9 / 33%	30%	1 / 4%	15%
4 bed +	0 / 0%	50%	1 / 4%	0%
TOTAL	27	100%	27	100%

- 10.110 The dwelling mix proposed for the private and social rented units is not strictly speaking in accordance with dwelling mix required by policy. 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 one-bed dwellings are a very sought-after housing type.
- 10.111 Moreover, infill developments, by virtue of their physical constraints cannot always achieve the preferred housing mix set out within the Development Management Policies. A number of infill dwellings lend themselves to smaller 1- and 2-bed units and cannot physically deliver larger family units. Where family units are possible though, they have been provided.
- 10.112 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'.
- 10.113 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.

Sustainability, Energy Efficiency and Renewable Energy

- 10.114 The London Plan (2016) 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.

- 10.115 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 2013 (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).
- 10.116 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. 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

- 10.117 The applicant proposes a reduction in overall emissions of 44.9%, compared to a 2013 Building Regulations baseline, secured by condition (12). This exceeds Islington's policy requirements for a building that is connecting to the Bunhill Energy Network. The development also exceeds the London policy requirement of 35% reduction on regulated emissions as the development is predicted to achieve a 53.6% reduction in regulated carbon emission. In order to mitigate against the remaining carbon emissions generated by the development a financial contribution of £64,292 will be sought by way of Director's Letter (pursuant to section 106).

Sustainable Design Standards

- 10.118 Council policy DM 7.4 A states "Major non-residential developments are required to achieve Excellent under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding". The council's Environmental Design Guide states "Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification.
- 10.119 The residential element of the development has been assessed against the Code for Sustainable Homes, although this has been withdrawn. A Code Pre-assessment has been provided, showing the development achieving a score of 69.6%, and therefore a rating of Level 4. This is in line with the Council's guidance and is therefore supported. All reasonable measures should be taken to ensure the development as built achieves this level. The commercial element has an area of <500m², so a full BREEAM assessment is not required. The commercial element would be expected to achieve the relevant BREEAM water efficiency credits.

Heating and CHP

- 10.120 London Plan Policy 5.6B states that Major development proposals should select energy systems in accordance with the following hierarchy:
1. Connection to existing heating or cooling networks;
 2. Site wide CHP network
 3. Communal heating and cooling
- 10.121 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 and details will form part of the application's section 106 agreement (Director's Letter)
- 10.122 For the dwellings, it is proposed that heating and hot water will be provided via connection to the Bunhill energy network. It is thought that the development may be completed slightly before a connection is made. If so, all heat demand will be met via on-site back-up boilers until a connection is completed.
- 10.123 For the commercial unit, an air source heat pump is proposed, to provide both heating and cooling, while hot water will be provided via an electric point-of-use heater. This is based on the assumption that the final occupier (as yet unknown) will fit out the commercial unit.

Renewables

- 10.124 The Mayor's SD&C SPD states that major developments should make a further reduction in their carbon dioxide emissions through the incorporation of renewable energy technologies to minimise overall carbon dioxide emissions, where feasible. The Council's Environmental Design SPD (page 12) states "use of renewable energy should be maximised to enable achievement of relevant CO₂ reduction targets."
- 10.125 The renewables analysis recommends solar PV as the most suitable technology for the development, and this is supported. The proposed PV array has an output of 47kWp, with an area of 329m² and anticipated annual savings of 18.55 tCO₂. This would be secured by condition (8). The solar PVs will be optimally angled to maximise output.
- 10.126 As the development meets the carbon reduction requirement through the use of renewable energy, energy efficiency measures and clean energy, the proposal is considered acceptable.

Sustainable Urban Drainage System

- 10.127 A drainage and SUDS strategy has been submitted with the application. The details indicate a 50% reduction in surface water run-off. Whilst this fails to achieve the greenfield water run-off rate suggested by policy, the nature of the development proposed, which essentially involves infill housing within an established housing estate, limits the potential of achieving more substantial water run-off rate reductions. The drainage and SUDS strategy will be secured by condition (11) and the responsibility of maintenance placed on the applicant, in this case Islington Housing.

Green Performance Plan

- 10.128 A draft Green Performance Plan has now been submitted as an acceptable draft. A final version would be required through the Director's Letter (section 106).
- 10.129 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

- 10.130 The site is PTAL 6a (very high public transport accessibility) and has a major cycle route running alongside it. The site is within close proximity to several London Underground stations and there are a number of bus routes running adjacent to the estate.

Pedestrian / Cycle Improvements

- 10.131 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for walking. Policy BC4 of the Finsbury Local Plan supports highway improvements around Goswell Road that promote pedestrian and cyclist movement and safety. 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. 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.
- 10.132 The proposal provides an improved pedestrian environment by providing an enhanced definition between public and private space, by improving accessibility as well as safety and security. In terms of cycle parking, a total of 94 cycle spaces will be provided across all three blocks, which equates to one per bedroom (*condition 24*). Sufficient space has been provided outside the retail unit for additional cycle parking details of which would be required by condition (*18*).

Servicing, deliveries and refuse collection

- 10.133 Refuse and recycling facilities would be provided for new residents within the boundaries of the site in line with Islington's refuse and recycling storage requirements. The refuse and recycling bins on the corner of Goswell Road and Compton Street would be integrated within the buildings of the estate and the capacity would be increased in line with the increase in residents.
- 10.134 Communal bin stores have been located within each of the blocks on the ground floor of Goswell Road, Cyrus Street and Compton Street. A communal bin store has also been provided for the new block of development on the corner of Goswell Road and Cyrus Street. Further details will be required by condition (*23*).

Vehicle parking

- 10.135 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.

- 10.136 Wheelchair accessible parking should be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking).
- 10.137 There are currently 95 car parking spaces on the estate. The parking in the undercroft will be removed as part of the proposal. It is welcome that the car parking spaces and garages on the estate will be removed in accordance with Islington's Development Management Policies.
- 10.138 An additional 5 disabled parking bays will be provided on street. This will be secured through the legal agreement.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 10.139 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.
- 10.140 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.
- 10.141 A number of site-specific contributions will be sought, which are not covered by CIL. None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases where relevant impacts would result from proposed developments. The CIL Examiner did not consider that these types of separate charges in addition to Islington's proposed CIL rates would result in unacceptable impacts on development in Islington due to cumulative viability implications or any other issue.
- 10.142 The letter and memorandum of understanding (pursuant to section 106) will include the contributions listed in Appendix 1 of this report.

National Planning Policy Framework

- 10.143 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.

SUMMARY AND CONCLUSION

Summary

- 11.1 The application proposes the creation of 54 new homes (an uplift of 48) across the Triangle Estate, of which 55% would be affordable (social rented and shared ownership). The proposal also includes a new retail unit, new landscaping including community and growing gardens, as well as improved access arrangements, removal of car parking and additional 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 parking and garage spaces in accordance with the aims and objectives of London Plan and Islington Core Strategy Policies. Moreover, the development offers a significant increase in affordable homes as well as a replacement retail unit.
- 11.3 The development proposes a number of additions to the existing estate in the form of side and roof extensions, conversions and infill housing. The additions are well-designed and are considered to each respond successfully to their respective context and surroundings. The designs proposed are considered to provide a successful intermediary between the existing estate buildings and the surrounding urban context. The proposal would deliver significant landscape improvements within the courtyard space 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 is considered to mitigate the loss of existing trees.
- 11.4 Despite the site constraints, 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. The development would secure the perimeter and create a safer and more secure environment for residents.
- 11.5 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 and the physical constraints of the site. 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 and the planning obligations.
- 11.6 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 55% 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 3 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 (£5,410) 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). The figure is £64,292.
- 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.
- The provision of 5 accessible on-street parking bays;
- 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.

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:

1	<p>Commencement (Compliance)</p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved plans list (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Drawing Numbers: 001 (Site Location Plan); Existing Plans 002; 003; 004; 005; 006; 007; 008; 009; 010; 011; 012; Proposed Drawings 013 Rev D; 014 Rev E; 015 Rev C; 016 Rev D; 017 Rev D; 018 Rev D; 019 Rev D; 020 Rev C; 021 Rev D; 022 Rev C; 023 Rev C; 024 Rev D; 025 Rev D; 026 Rev C; 027 rev C; 028 Rev C; 029 Rev C; 030 Rev B; 031 Rev B; 032 Rev A; 033 Rev B; 034 Rev B; 035 Rev B; 036 Rev B; 037 Rev B; 038; 039; 040 Rev B; 041 Rev B; 042 Rev B; 043 Rev B; 044 Rev B; 045; 046; 047; 048; 049; 050; 051; 052; 053; 054; 055; 056; 057; 058; 100 Rev A; 101; 102; 103; Site Plan M&E Services Strategy Drawing Number M/E 100 Rev P3.</p> <p>Air Quality Assessment dated November 2016;</p> <p>Arboricultural Impact Assessment by Tamla Trees dated November 2016;</p> <p>Archaeological Desk-Based Assessment by CGMS dated March 2017;</p> <p>Below Ground Drainage Report Stage 2 by Ellis & Moore dated October 2016;</p> <p>Code for Sustainable Homes Pre-Assessment Report dated October 2016;</p> <p>Daylight & Sunlight Assessment by Malcolm Hollis revision 2;</p> <p>Daylight Study by Baily Garner dated 6th October 2016;</p> <p>Design & Access Statement dated November 2016;</p> <p>Draft Green Performance Plan dated 31st January 2017</p> <p>Energy Statement by Baily Garner dated 28th March 2017;</p> <p>Extended Phase 1 Habitat Survey by D F Clark dated November 2016;</p> <p>Environmental Noise Assessment by Bureau Veritas dated November 2016;</p> <p>Planning Statement by HTA dated November 2016;</p> <p>Statement of Community Involvement by HTA dated November 2016;</p> <p>Structural Engineering Stage 2+ Report by Ellis & Moore;</p> <p>Thermal Comfort Assessment by Baily Garner dated 17th November 2016;</p> <p>Transport Statement by Lime Transport dated October 2016;</p>

	<p>Travel Plan by Lime Transport dated September 2016; Triangle Estate Residential Development Design Note dated 31st August 2016;</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials and Samples (Details)</p> <p>CONDITION: Details 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"> 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 (Schuco triple glazed) details and balconies / balustrades; c) Roof cladding; d) Portland stone cladding; e) Terracotta cladding; f) GRC frame; g) Doors and access points; h) Concrete / stone string course; i) Canopies; j) Green procurement plan; and k) Any other materials to be used. <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	<p>Construction Environmental Management Plan</p> <p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) highways impacts, 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. 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. 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, and to mitigate the impacts of the development.</p>
5	<p>Obscure Glazing and Privacy Screens</p> <p>CONDITION: Notwithstanding the plans hereby approved, further details of obscured glazing and privacy screens to prevent overlooking within the estate 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>
6	<p>Piling Method Statement (Details)</p> <p>CONDITION: No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and methodology by which such piling will be carried out, including measures to minimise 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.</p> <p>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>
7	<p>Accessible Homes (Compliance)</p> <p>ACCESSIBLE HOUSING – MAJOR SCHEMES (DETAILS): Notwithstanding the Design and Access Statement and plans hereby approved, 50 of the new residential units shall be constructed to meet the requirements of Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 ‘Accessible and adaptable dwellings’ M4 (2) and 4 units shall be constructed to meet the requirements of Category 3 of the National Standard for Housing Design as set out in the Approved Document M 2015 ‘Wheelchair user dwellings’ M4 (3).</p> <p>A total of 1 x 1-bed, 1 x 2-bed and 2 x 3-bed, units shall be provided to Category 3 standards.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON – To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs.</p>
8	<p>Solar Photovoltaic Panels</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"> - Location; - Output of panels - Area of panels; and - Design (including elevation plans). <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>
9	<p>Water Use (Compliance)</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>

	REASON: To ensure the sustainable use of water.
10	Green/Brown Biodiversity Roofs (Details)
	<p>CONDITION: Prior to any superstructure work commencing on the development details of the biodiversity (green/brown) roofs shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The green/brown roof shall:</p> <ul style="list-style-type: none"> a) Be biodiversity based with extensive substrate base (depth 80 -150mm); b) Contribute towards a 50% reduction in surface water run-off ; and c) Be 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). <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>
11	Drainage and SUDS
	<p>CONDITION: No development shall take place unless and until a detailed Sustainable Urban Drainage System (SUDS) scheme inclusive of detailed implementation and a maintenance and management plan of the SUDS scheme has been submitted to and approved in writing by the Local Planning Authority. Those details shall include:</p> <ul style="list-style-type: none"> II. a timetable for its implementation, and II. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. <p>No building(s) hereby approved shall be occupied unless and until the approved sustainable drainage scheme for the site has been installed/completed strictly in accordance with the approved details. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a 50% water run off rate reduction.</p> <p>The scheme shall thereafter be managed and maintained in accordance with the approved details.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
12	Energy Efficiency – CO2 Reduction (Compliance/Details)

	<p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy (by Baily Garner dated 28th March 2017) which shall provide for no less than a 44.9% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2013 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>
13	<p>Landscaping (Details)</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"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) proposed trees: their location, species, size and section showing rooting area; c) soft plantings: including grass and turf areas, shrub and herbaceous areas; d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; e) enclosures and boundary treatment: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; g) inclusive design principles adopted in the landscaped features; h) phasing of landscaping and planting; i) details of the green walls facing Compton Park; j) all playspace equipment and structures; and k) any other landscaping feature(s) forming part of the scheme. <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</p>

	<p>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>
14	<p>Arboricultural Method Statement (Details)</p>
	<p>CONDITION: Notwithstanding the plans hereby approved, no site clearance, preparatory work or development shall take place until an updated 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> <ol style="list-style-type: none"> a. Location and installation of services/ utilities/ drainage b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees c. Details of construction within the RPA or that may impact on the retained trees d. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area. 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. f. The location of a cross over or method of delivery for materials onto site g. The method of protection for the retained trees <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
15	<p>Site Supervision (Details)</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> <ol style="list-style-type: none"> a. Induction and personnel awareness of arboricultural matters; b. Identification of individual responsibilities and key personnel; c. Statement of delegated powers; d. Timing and methods of site visiting and record keeping, including updates e. Procedures for dealing with variations and incidents. <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>

16	Sound Insulation (Compliance)
	<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 on proposed and existing units to be affected by the development (in line with BS 8233:2014):</p> <p style="text-align: center;">Bedrooms (23.00-07.00 hrs) 30 dB $L_{Aeq,8 \text{ hour}}$ and 45 dB $L_{max \text{ (fast)}}$ Living Rooms (07.00-23.00 hrs) 35 dB $L_{Aeq, 16 \text{ hour}}$ Dining rooms (07.00 –23.00 hrs) 40 dB $L_{Aeq, 16 \text{ hour}}$</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
17	Noise of Fixed Plant
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq \text{ Tr}}$ 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 $L_{AF90 \text{ Tbg}}$. 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>
18	Retail Unit (Details)
	<p>CONDITION: Full details of the operation of the retail unit shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The details include:</p> <ul style="list-style-type: none"> - Opening times; - Inclusive design measures; - Sound insulation between the proposed retail and residential use of the building; - Cycle parking. <p>The cycle parking, 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 an appropriate standard of residential accommodation is provided.</p>
19	Air Quality (Details)
	<p>CONDITION: Prior to the commencement of works on the development hereby permitted, a site report detailing steps to minimise the development’s future occupiers’ exposure to air pollution shall be submitted to and approved by the Local Planning</p>

	<p>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>
20	<p>Lighting Plan (Details)</p> <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>
21	<p>Nesting Boxes (Compliance)</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 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>
22	<p>No Plumbing or Pipes (Compliance/Details)</p> <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>
23	<p>Refuse/Recycling Provided (Compliance)</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>The refuse and recycling enclosures and waste shall be managed and carried out at all times in accordance with the details of the approved 'servicing and waste management plan'.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are</p>

	adhered to.
24	Cycle Parking (Details)
	<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 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>
25	Permitted Development Rights (Compliance)
	<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>
26	Access Management Plan
	<p>CONDITION: An Access Management Plan detailing access arrangement across the estate, including details 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>
27	Loading / unloading hours (Compliance)
	<p>CONDITION: Deliveries, collections, unloading, loading of the commercial uses shall only be between the following hours:</p> <p style="text-align: center;">Monday to Saturday – 07:00 – 19:00 Sundays/Bank Holidays – not at all</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
28	Shopfront Details
	<p>CONDITION: Typical elevations of the shopfronts hereby approved at scale 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the works commencing.</p> <p>The shopfronts shall be carried out strictly in accordance with the elevations 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 appearance and construction of the development is of a high standard.</p>

29	Lifts (Compliance)
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
30	Archaeology
	<p>CONDITION: No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and</p> <p>A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI</p> <p>The written scheme of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p>REASON: In the interest of archaeology and the protection of archaeological and heritage assets.</p>

List of Informatives:

1	<p>Planning Obligations Agreement</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>Superstructure</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>
3	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p>
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
4	<p>Car-Free Development</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, or other exemption under the Council Parking Policy Statement.</p>
5	<p>Groundwater</p>
	<p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.</p> <p>Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.</p>
6	<p>Public Sewers</p>
	<p>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 a 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 sewer.</p> <p>Thames Water will usually refuse such approval in respect of the construction of new</p>

	buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover .
7	Working in a Positive and Proactive Way
	<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	Materials
	<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	Construction Management
	<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"> 1. identification of construction vehicle routes; 2. how construction related traffic would turn into and exit the site; 3. details of banksmen to be used during construction works; 4. the method of demolition and removal of material from the site; 5. the parking of vehicles of site operatives and visitors; 6. loading and unloading of plant and materials; 7. storage of plant and materials used in constructing the development; 8. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; 9. wheel washing facilities; 10. measures to control the emission of dust and dirt during construction; 11. a scheme for recycling/disposing of waste resulting from demolition and construction works; 12. noise; 12. air quality including dust, smoke and odour; 13. vibration; and 14. TV reception.

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 2016, 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 2016 as amended - 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

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 5.10 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 5.18 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 6.9 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 CS15 (Open Space and Green Infrastructure)

Policy CS16 (Play Space)

Policy CS17 (Sports and Recreation Provision)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

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

DM4.7 Dispersed Shops

Health and open space

DM6.1 Healthy development

DM6.3 Protecting open space

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 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Bunhill & Clerkenwell Key Area
- Central Activities Zone
- Major Cycle Routes
- Adjacent to the Hat & Feathers Conservation Area
- Within 50m of a Local Site of Importance for Nature Conservation (SINC) – King Square Gardens
- Mayor's Protected Vista – Alexandra Palace

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- | | |
|--|---|
| Islington Local Plan | London Plan |
| <ul style="list-style-type: none">- Environmental Design- Accessible Housing in Islington | <ul style="list-style-type: none">- Accessible London: Achieving an Inclusive Environment |

- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide
- Conservation Area Design Guidelines
- 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

ATT: Mathew Carvalho
Housing Development and Regeneration
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Our ref: DRP/75

Date: 04 November 2015

Dear Mathew Carvalho,

ISLINGTON DESIGN REVIEW PANEL

RE: Triangle Estate, Goswell Road, London, EC1V 0AF – in connection with pre-application reference Q2014/3276/MJR

Thank you for attending Islington's Design Review Panel meeting on 14 October 2015 for a review of the above scheme. The proposed scheme under consideration is for demolition of the existing podium deck and replacement communal garden area; new infill extensions, roof extensions and a new corner building to provide new social rented and private housing (officer's description).

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), Charles Thomson, Ben Gibson, Paul Reynolds, Thomas Lefevre and Marcus Lee on 14 October 2015 including a site visit, a presentation from the design team followed by a 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 was presented with two options:

- A: involving the demolition of the central podium deck as well as the undercroft garages, allowing for the creation of a new communal garden area; infilling of some of the open spaces in the corners of the estate to provide additional housing; further ground and first floor infill extensions within the courtyard and along the street frontage to provide additional residential accommodation; a new corner building to Goswell Road and Percival Street; an extension at roof level on all three sides of the Triangle Estate to provide further housing; and significant security and access improvements across the estate.
- B: an alternative proposal following consultations with the TRA, which removes the top floor additions from the proposal and in order to maintain the number of units, inserts additional 5-storey corner infill buildings on all three corners of the Triangle.

The Panel was welcoming of the general principles of the development proposals and thought that both options had merit. However, panel members encouraged the design team and the Client to pursue a final development proposal which would be more strategic and which would incorporate improvements to the whole estate.

Panel members were welcoming of the set back penthouses In Option A, and thought that they might be retained within an evolving scheme which could build on the proposal in Option B.

The Panel supported the removal of the podium deck, the creation of ground floor gardens, (both private and communal) and the rationalisation of access into the estate.

Panel members understood that the development of Options reflected the consultation process and the views of some residents. The Panel felt that a balance needs to be struck between the expressed wishes of certain residents and the overarching objective to make long term improvements to the estate. This will require strong client leadership and decision making and it should not fall to the architect to broker a compromise. There may be opportunities to link the penthouse development to the units immediately below to create larger units and at the ground and first floor levels to create maisonettes which would benefit from gardens. This may be a way of providing clearer benefits to some existing residents.

Panel members were unconvinced by the design of the proposed northern block. This seemed to be unnecessarily at odds with the character of the existing architecture without any functional or aesthetic rationale: large full height glazing to bedrooms combined with panels of terracotta, expensive curved glass and inconveniently shaped balconies. The panel would encourage a contemporary solution which recognises the functional needs of the accommodation as well as the architectural character of the estate.

The Panel felt that a great deal of the value of the scheme will be dependent on the quality of the landscaping scheme.

Panel members highlighted the importance of providing the residents with a cost/benefit analysis which would include a construction management plan. Any development on the scale envisaged will cause significant disruption and this must be spelt out clearly alongside the mitigation measures that would be taken and the longer term benefits that would be achieved. The panel sympathised with the dilemma posed by the proposal but felt that the longer term benefits to the residents and the area were well worth the effort.

The Panel asked whether the option of improving the existing dwellings beyond the provision of a better central communal area and security had been investigated. Considering the opportunity for regeneration and a more significant improvement to existing apartments (e.g. energy efficiency) could provide significant benefits and help to convince residents of the merits of the proposals. Looking beyond the 7-year maintenance cycle of the current estate and seeking to maximise the benefits of a single intervention was encouraged by the Panel. The different parts of the Council Housing should discuss this matter in order to provide a more coordinated scheme.

Summary

The Panel welcomed the principle of the proposed scheme and appreciated the complexity of the project, however they felt that in terms of moving forward, strategically it needed to be extended to a wider spectrum of people that live in the estate. Panel members thought both options- A&B, had merits and encouraged the design team to consider the advantages of the provision of duplexes, the provisions of some of the roof additions and to further develop the architectural treatment particularly of the Northern block. The Panel recommended that a

working model be prepared to better communicate the new interventions with the existing building and importantly to help engage residents on what is inevitably a complex inter-woven project.

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

Planning Reference: P2016/4634/FUL

1.0 Introduction

- 1.1 BPS Chartered Surveyors has been instructed by the London Borough of Islington (the Council) to review a viability submission for a Council led development at The Triangle Estate. The site measures approximately 1.59 acres as per the application form.
- 1.2 The proposed application is for the:

“Demolition of six dwellings, the central podium, garages and one retail unit and the construction of 54 new dwellings (including 27 homes for social rent), provided as infill developments, an additional seventh floor on existing residential blocks and a new part 7/part 8 storey corner building with associated private amenity space, bicycle storage, a new landscaped courtyard garden and improvements to the public realm. The application also includes the provision of 146.8sqm of retail floorspace to replace the demolished unit.”
- 1.3 The proposed scheme involves some demolition and rebuild as well as infill new build development, there is very little refurbishment. In consequence, we have undertaken our review reflecting the value generated by the creation of new dwellings and retail space. This approach effectively ignores the value of existing property which is retained by the development in terms of land value.
- 1.4 Policy CS12 of the Councils Core Strategy outlines that that developments should provide the maximum reasonable level of affordable housing taking into account the borough wide 50% strategic target. Where the Council acts as the developer, we often see affordable levels which surpass this target but we note that in general these schemes are required to be self-financing which limits their ability to deliver 100% affordable housing. In relation to the affordable units the scheme delivers 50% affordable housing of which 100% of the affordable element is provided as social rent tenure which exceeds the Councils target for this tenure - the Core Strategy sets a target for a split of 70:30 for social and intermediate housing respectively. Given this consideration, the proposed scheme effectively exceeds the borough wide target for delivery.
- 1.5 In carrying out our review we have primarily had reference to two Excel models provided by the applicant which detail the proposed costs and values associated with the development. We have also had reference to an order of cost estimate provided by Walker Management Construction Consultants dated 31st March 2016 and a valuation report provided by JLL dated 21st October 2016. On request, we have been provided with a spreadsheet which includes information in relation to the number and type of residential units currently on site.

2.0 Conclusions and Recommendations

- 2.1 The current proposals are for the development of commercial space and affordable/private residential units at a split of 50:50. The affordable units are to be provided as social rent which exceeds the borough target for this affordable tenure.
- 2.2 Without an allowance for land value, we calculate the scheme generates a negative residual value of approximately -£1.93 million. Therefore, the scheme is not viable by reference to accepted development criteria. This position only deteriorates if an allowance for land value is introduced into this assessment. In reaching this conclusion we have tested viability using profit and finance assumptions which we consider to be generally standard assumption in relation to private development. However, we acknowledge that the Council may have access to preferential finance rates and aside from managing risk does not need to generate a market related profit.
- 2.3 The key difference between the Councils calculation of the residual development value and the opinion detailed within this viability review report is the level of base build costs, fees and contingency levels included. Our report does not make any special allowance for the fact this is a Council-led development. This includes the assessment of development fees.
- 2.4 We have reviewed the proposed costs and note that our assessment of build costs are approximately £2.0 million less than the assumption adopted by the Council. This does not mean that the additional costs are unreasonable, however, the Councils cost plan may allow for additional costs that a private developers plan would not.
- 2.5 This has a compounding effect on the calculation of contingency and fees as these are a percentage of base build costs.
- 2.6 We calculate that the fees included within the viability appraisal are approximately 24% on cost whereas we have included an allowance of say 8%. We understand that the Council seeks to develop this site using a design and build contractor although it engages with its own professional team to work up initial scheme feasibility and to secure planning consent, work which is to some extent replicated by the design build contractor leading to an enhanced fee cost. There are also costs not experienced by private developers such as additional consultation etc. which adds to the total and in this context actual fees may easily be higher than a typical development proxy.
- 2.7 Allowing for a fixed land value of £0 we calculate the scheme profit to reflect 8.18% of scheme GDV which is little more than a project management fee and is considerably below the level we would expect the private developer market to consider acceptable.
- 2.8 We have briefly considered an approach which seeks to compare the value of property currently on site against the value of all property once completed. This may possibly provide an alternative perspective from which to view apparent viability however we do not have sufficient information concerning existing property on site to enable us to complete an assessment on this basis.
- 2.9 We have analysed the proposed private residential unit values applied within the viability review and conclude that they appear broadly reasonable. We acknowledge that the proposed units will not have the benefit of allocated car parking spaces and will be situated within an estate which has historically seen high levels of serious

criminal activity which may impact achievable sales values. We understand that the current proposals aim to improve the estate in this regard and are priced accordingly. In our view the new residential unit's values will be constrained by the existing flats. Given this context and the reputation of the estate, JLL are perhaps optimistic in their assumed values.

- 2.10 We have added revenue from ground rental income into the appraisal at rates we view to be reasonable for this location.
- 2.11 We consider the proposed valuations for the affordable units to be reasonable and in line with our expectations.
- 2.12 The floor area of the proposed retail space at 135 Goswell Road requires confirmation. We have reviewed the opinion of value provided by JLL within their report. Our assessment of value for this unit equates to approximately £475,000. Purchasers costs have been deducted accordingly.
- 2.13 Our Cost Consultant has reviewed the submitted cost plan prepared by Walker Management. This cost plan was prepared in January 2016 so needs to be uplifted by inflation to 1Q2017 which generates a figure of £17,032,246 which contrasts with Walker Management's figure of £16,800,000. Our Cost Consultant has made a further adjustment in respect of the retail unit which reduces his figure to £16,958,246. Walker Management have made a further allowance amounting to £1,370,880 for stores and bike stores which we have excluded as an allowance for this item has already been included within the estate wide costs. The figure included in our appraisal is therefore £16,958,246 before inclusion of fee allowances.
- 2.14 We have allowed for normal developers profit at a rate of 20% for private residential units, 15% for commercial space and 6% for affordable units.

3.0 Benchmark Land Value

Viability Benchmarking

- 3.1 Development appraisals work to derive a residual value. This approach can be represented by the simple formula below:

$$\text{Gross Development Value} - \text{Development Costs (including Developer's Profit)} = \text{Residual Value}$$

The residual value is then compared to a benchmark land value. Existing Use Value (EUV) and Alternative Use Value (AUV) are standard recognised approaches for establishing a land value as they help highlight the apparent differences between the values of the site without the benefit of the consent sought.

- 3.2 The rationale for comparing the scheme residual value with an appropriate benchmark is to identify whether it can generate sufficient money to pay a realistic price for the land whilst providing a normal level of profit for the developer. In the event that the scheme shows a deficit when compared to the benchmark figure the scheme is said to be in deficit and as such would be unlikely to proceed.
- 3.3 We note the GLA prefer EUV as a basis for benchmarking development as this clearly defines the uplift in value generated by the consent sought. We find the Market Value approach as defined by RICS Guidance Viability in Planning 2012 if misapplied is potentially open to an essentially circular reasoning. The RICS Guidance promotes use of a modified standard definition of “market Value” by reference to an assumption that the market values should reflect planning policy and should disregard that which is not within planning policy. In practice, we find that consideration of compliance with policy is generally relegated to compliance somewhere on a scale of 0% to the policy target placing land owner requirements ahead of the need to meet planning policy.
- 3.4 There is also a high risk that the RICS Guidance in placing a very high level of reliance on market transactions is potentially exposed to reliance on bids which might a) represent expectations which do not mirror current costs and values as required by PPG. b) May themselves be overbids and most importantly c) need to be analysed to reflect a policy compliant position. To explain this point further, it is inevitable that if site sales are analysed on a headline rate per acre or per unit without adjustment for the level of affordable housing delivered then if these rates are applied to the subject site they will effectively cap delivery at the rates of delivery achieved of the comparable sites. This is an essentially circular approach which would effectively mitigate against delivery of affordable housing if applied.
- 3.5 The NPPF recognises at 173, the need to provide both land owners and developers with a competitive return. In relation to land owners this is to encourage land owners to release land for development. This has translated to the widely accepted practice when using EUV as a benchmark of including a premium. Typically, in a range from 5-30%. Guidance indicates that the scale of any premium should reflect the circumstances of the land owner. We are of the view that where sites represent an ongoing liability to a land owner and the only means of either ending the liability or maximising site value is through securing a planning consent this should be a relevant factor when considering whether a premium is applicable.

Benchmark Land Value

- 3.6 We understand the site currently comprises three 6-storey blocks, a small communal garden located on a central podium at first floor level and car parking garages. As detailed within the submitted Design and Access Statement, there are 130 residential dwellings as follows:
- 1 bed / 2 person flat - 54
 - 2 bed / 4 person flat - 76.
- 3.7 It is unlikely that a party other than the Council would be able to develop this site due to the geographical and ownership restrictions and in light of the protected tenancies. We understand that the development includes airspace, space adjacent to existing residential blocks and some third party land in relation to the commercial space.
- 3.8 We do not generally regard there to be a clear market value that can be attributed to airspace as the development of airspace is usually not possible by a third party, though its potential can generate an element of hope value. We can apply a similar principle to the extension of the existing blocks. The Council have included the costs of purchasing additional land within the appraisal and as such, we have not sought to include this for the purposes of the benchmark land value to avoid double counting.
- 3.9 The third party land amounts to £800,000 and is a relatively nominal element of the overall site. In looking at the price paid for land as a direct development cost we would expect some justification to be provided that the price fairly reflected council planning policies, especially in relation to the borough wide affordable housing target. The current scheme meets and arguably exceeds this policy requirement therefore in that sense the acquisition cost is not put forward as a barrier to meeting policy, consequently and recognising its relatively limited extent we have included this figure as legitimate development cost.
- 3.10 We have suggested to the Council that an alternative way of forming a judgement in relation to development viability for this site is to value all Council owned buildings over the entirety of the site in order to form the benchmark land value. We would then value the site assuming the proposed development had been carried out, including all existing property that will not be modified or demolished. This would form the scheme residual value. The residual value and the benchmark land value could then be compared in order to establish whether the proposed development delivers the maximum reasonable level of affordable housing maintaining viability. We have not explored this option for the current purposes as the scheme is in significant deficit without an allowance for the benchmark land value.
- 3.11 In order to carry out the above exercise we would need to have full details regarding the existing units, including the percentage owned by the Council and any agreements that are currently in place between the occupants and the Council which could impact unit value.
- 3.12 We are aware that a 2 bed ground floor flat sold on the triangle estate for £530,035 in March 2016 which equates to a HPI adjusted value of £544,345 (£7,560 sq.m / £702 sq.ft). This sale provides an indication of the values that could be attributed to the existing residential units.
- 3.13 We have not attributed any value to the benchmark land value although we note that the proposals include the demolition of six residential dwellings. The value of these units could be included within the benchmark land value.

4.0 Residential Values

Private Residential Values

4.1 We understand that the proposed scheme would provide 54 new dwellings as follows:

- 26x 1 bed dwellings
- 17x 2 bed dwellings
- 10x 3 bed dwellings
- 1x 4 bed dwelling

The table below demonstrates the units to be developed.

	1 Bed	2 Bed	3 Bed	4 Bed
Private	17	8	1	1
Social Rent	9	9	9	0

4.2 A total of six existing dwellings would be lost as part of the proposed works, giving a net gain of 48 dwellings. We understand that the car park will be removed. The total revenue generated by the private residential units as provided within the appraisal is £18.42 million.

4.3 All of our comparable evidence has been adjusted in line with the Land Registry House Price Index (HPI) where appropriate in order to ensure the evidence is up to date and relevant.

4.4 The one bed units have been valued within a range of £450,000 - £635,000. Based on the Excel viability spreadsheet, the average value ascribed to the one bed units is £605,588 (£1,110 sq.ft / £11,949 sq.m). The applied values are in accordance with the advice provided by JLL. We have compiled the evidence below in order to determine the reasonableness of the proposed unit values.

Unit	Sale Price (+HPI)	sq.m	sq.ft	£sq.m	£sq.ft	Details
72 Worcester Point, EC1V 8AZ	£612,913	45.2	486	£13,560	£1,261	New Build, balcony & concierge. Superior location
Flat 24 Priestley House, EC1V 9JN	£484,228	51	549	£9,495	£882	Refurbished unit. Similar value micro-location
Flat 1 Chronicle Tower, EC1V 1AJ	£534,039	50	542	£10,681	£985	New Build, 14th floor flat, resident gym
16 Angelis Apartments, N1 8LH	£590,524	59	635	£10,009	£930	Modern development
25A Wilmington Square, WC1X 0EG	£611,064	54	581	£11,316	£1,052	LG unit floor, 2nd hand modern unit
Flat 131 Eagle Point, EC1V 1AR	£693,308	56	603	£12,376	£1,150	Very modern unit, 15th floor, higher value location

4.5 On the basis of the information we have seen, we are of the view that the proposed one bed unit values are reasonable. We consider that some of the proposed units have been valued at an optimistic level.

4.6 The proposed two bed units have been valued within a range of £745,000 - £750,000 with an average unit value of £746,625. The overall proposed sales rate is £1,055 sq.ft / £11,352 sq.m. We have compiled sales evidence as shown below.

Unit	Sale Price (+HPI)	sq.m	sq.ft	£sq.m	£sq.ft	Details
Flat 504 Canaletto Tower, EC1V 1AD	£883,219	82	878	£10,824	£1,006	Superior location within modern development
Flat 20 Angel Point, EC1V 2PZ	£748,748	67	721	£11,175	£1,038	Modern unit, penthouse with balcony
4, 10 Eagle Court, EC1M 5QD	£825,000	67	721	£12,313	£1,144	Built 2006, sold in good condition
Flat 92 Angel Southside, EC1V 7JW	£790,789	70	756	£11,265	£1,046	Second hand, 2nd floor & close to Angel underground
Flat 6 Print House, EC1R 0ET	£703,494	81	872	£8,685	£807	3rd floor modern converted unit

- 4.7 We consider the proposed two bed units to be valued at a reasonable level.
- 4.8 The proposed three bed unit has been valued for £1,060,000 which converts to a sales rate of £906 sq.ft / £9,756 sq.m. We have had reference to the following information.

Unit	Sale Price (+HPI)	sq.m	sq.ft	£sq.m	£sq.ft	Details
Flat 87 The Cooper Building, N1 7GR	£1,011,594	82	883	£12,337	£1,146	9th floor penthouse, built 2016
Flat 83 The Cooper Building, N1 7GR	£1,381,313	112	1206	£12,333	£1,146	Built 2016 with private balcony
5, 46 De Beauvoir Crescent, N1 5RY	£1,000,000	100	1076	£10,000	£929	Built 2010, 5th floor, balcony & parking.
Flat 21 Abraham House, E8 3GQ	£770,249	91.3	983	£8,436	£784	Built 2013, excellent condition, 5th floor, residents gym

- 4.9 The private four bed unit is valued at £1,100,000 (£792 sq.ft / £8,530 sq.m). There is limited evidence for four bed flat sales in close proximity of the subject site. We have sought to establish a value ceiling in reference to the sale of 12D Willow Bridge which sold for £1,325,000 (£933 sq.ft / £10,038 sq.m). This is a period conversion in excellent condition. We would not expect the subject units to achieve a superior sales value.
- 4.10 Capitalised ground rental income does not appear to be included within the appraisal. We propose rates of £250 for 1 beds, £300 for 2 beds, £350 for 3 beds, and £400 for 4 beds. We have adopted a capitalisation rate of 6%.

Affordable Unit Values

- 4.11 There are 27 affordable units that are allocated as social rent comprising a mixture of unit types (one, two and three beds).
- 4.12 The total calculated value from social rent units is £4.13 million which equates to £196.50 sq.ft / £2,115 sq.m based on the net floor area. We consider this to be reasonable in line with our expectations for the valuation of this tenure.

5.0 Retail Values

- 5.1 The approach in relation to retail units has been summarised within the Planning Statement as shown below. As we are only valuing the new retail property, we have paid particular attention to the unit at 135 Goswell Road.

Retail floorspace provision: existing and proposed

Existing	Proposal	Use Class	Ground floorspace (sqm)	First floorspace (sqm)	Total floorspace
131 Goswell Road	Retain	A1 (general grocery / newsagent)	83.13	82.82	165.95
133 Goswell Road	Retain	A1 (barbershop)	40.43	44.85	85.28
135 Goswell Road	Demolish	A1 (café)	67.93	67.93	135.86
Total					387.09
Proposed					
135 Goswell Road			67.43	79.41	146.09

- 5.2 The proposed replacement unit at 135 Goswell Street appears to total an area of 146.09 sq.m whereas the component parts of the ground and first floor space total 146.84 sq.m. The proposed plans show a total GIA for the unit at 135 Goswell Road of 148.84 sq.m. This requires confirmation.
- 5.3 The report prepared by JLL refers to the value of the proposed commercial space. It appears that JLL have valued 79 sq.m of commercial space. JLL notes that this space could attract an annual rental value of £25,000 which equates to £316 sq.m / £29 sq.ft. We understand that JLL have based this assumption on a ground floor unit.

Address	Rent p.a.	sq.ft	sq.m	£sq.ft	£ sq.m	Date	Details
30 Old Street, EC1V 9AB	£75,000	2,300	214	£33	£351	01/10/16	73% basement space, new build retail space, preferable location
270 St. John Street, EC1V 4PE	£22,500	852	79	£26	£285	02/11/15	Second hand unit, satisfactory condition
121 King's Cross Road, WC1X 9NH	£27,500	821	76	£33	£362	01/05/16	5 year lease, second hand unit

- 5.4 We are of the view that the retail space on the first floor may attract a lower rental value rate. Therefore, we have adopted the rate applied by JLL for the ground floor space as well as a rate of £14.5 sq.ft / £156 sq.m for the first floor space. For 135 Goswell Road this provides a total annual rent of £33,433.

- 5.5 By way of yield evidence, we are aware that 83 Lever Street, EC1V 3RA sold in July 2014 for £545,000 at a net initial yield of 6.9%. This was sold as a Virtual Freehold of a double fronted retail unit. We have selected a yield of 7% for the purposes of the current analysis.
- 5.6 Our appraisal includes a total value for the new retail unit namely 135 Goswell Road of say £477,611. We have also deducted purchaser's costs within our appraisal.

6.0 Build Costs

- 6.1 We have been provided with a cost plan prepared by Walker Management which has been reviewed by our Cost Consultant Neil Powling FRICS. Neil has made some adjustments to the proposed costs in accordance with BCIS information. On this basis, the total build cost we have adopted in the appraisal is £16,958,246. Neil has also advised that an 8% allowance for professional fees is appropriate in this instance. The full cost review can be found in Appendix 1.
- 6.2 We have calculated the appropriate level of profit assuming:
- 20% on GDV for private residential units
 - 6% on GDV for affordable residential units
 - 15% on GDV for the new commercial space.
- 6.3 Based on the residential revenue provided by JLL and the Council as well as our assessment of ground rent and commercial values, we calculate a blended profit requirement of 17.40%. This does not take into account the special circumstances of the Council as the applicant.
- 6.4 We have allowed for the following additional costs and fees within the appraisal:
- Leaseholder buyback: [REDACTED]
 - Land acquisition of shop from third party [REDACTED]
 - Home Loss compensation £41,500
 - Public Realm Improvements: £516,750.

We have not seen further information in support of these allowances.

- 6.5 'Other' costs of £120,000 have also been included. We have not seen the basis of these costs so have excluded them for the purposes of this analysis.
- 6.6 We have assumed a construction period of say 18 months including pre-construction, however, we have not seen relevant information in this regard.
- 6.7 We have included finance costs applying an interest rate of 7% which is in line with our expectations of the current market and schemes we have seen in within the locality of the subject site.

Appendix 1: Build Cost Review

Project: The Triangle Estate

P2016/4634/FUL

1 SUMMARY

- 1.1 The total of the cost plan at 1Q2016 TPI 276 is £16,210,000. The calculation of the update to TPI 291 by WM is £16,800,000. A further adjustment is made for “Adjusted totals in line with Measured Estimate increased cost and to include stores and bike stores floor areas” - we do not understand this addition which results in a total cost of £18,170,880 as it appears stores and bike stores are already included in the estate wide costs included in the £16.21M figure. Our calculation of the uplift to 1Q2017 TPI 290 is £17,032,246. Based on the information provided we consider the latter figure to be the appropriate one for inclusion in the viability appraisal.
- 1.2 The cost plan includes an allowance calculated at 17.5% for preliminaries but based on a calculation of a conventional arrangement of the sums in the analysis amounts to 19.66%. There is a further allowance for site constraints/ access restrictions amounting to 2.17% - this may reasonably be considered as a further preliminaries cost therefore a total preliminaries allowance of 21.83%. This is a very high allowance perhaps in recognition of the construction problems that these works will entail. We don't consider them unreasonable but consider there should be a construction management plan prepared to justify the costs.
- 1.3 The High Rise section includes a retail unit to shell only priced at £1500/m². we consider this too high - the BCIS mean rate for shell only shops adjusted for location is £954/m². We suggest the total of £222,000 is reduced to £148,000. We have excluded this amount from our analysis of the high rise tower as it distorts the analysis (the area is not included in the GIA).
- 1.4 The estate wide amount of £6,910,000 includes items of external works that are treated as abnormal costs for benchmarking purposes, but it also includes allowances such as structural repairs, roof repairs, heat source, door entry and lifts that would generally be included in the building elements. In our benchmarking we have deducted BCIS elemental amounts for heat source, lifts and communications to improve the like for like comparisons.
- 1.5 The benchmarking for the sections of garage infill, upper floor infill, penthouse, new build extension and refurbish extensions show the adjusted benchmark as exceeding the Applicant's cost whilst the Applicants figure for the high rise tower exceeds the adjusted benchmark. Overall the difference amount to c. £158,000 below the adjusted benchmark. Subject to 3.4 and 3.11 below we therefore consider the Applicant's costs to be reasonable.

2 METHODOLOGY

- 2.1 The objective of the review of the construction cost element of the assessment of economic viability is to benchmark the Applicant's costs against RICS Building Cost Information Service (BCIS) average costs. We use BCIS costs for benchmarking

because it is a national and independent database. Many companies prefer to benchmark against their own data which they often treat as confidential. Whilst this is understandable as an internal exercise, in our view it is insufficiently robust as a tool for assessing viability compared to benchmarking against BCIS. A key characteristic of benchmarking is to measure performance against external data. Whilst a company may prefer to use their own internal database, the danger is that it measures the company's own projects against others of its projects with no external test. Any inherent discrepancies will not be identified without some independent scrutiny.

- 2.2 BCIS average costs are provided at mean, median and upper quartile rates (as well as lowest, lower quartile and highest rates). We generally use mean or occasionally upper quartile for benchmarking. The outcome of the benchmarking is little affected, as BCIS levels are used as a starting point to assess the level of cost and specification enhancement in the scheme on an element by element basis. BCIS also provide a location factor compared to a UK mean of 100; our benchmarking exercise adjusts for the location of the scheme. BCIS Average cost information is available on a default basis which includes all historic data with a weighting for the most recent, or for a selected maximum period ranging from 5 to 40 years. We generally consider both default and maximum 5 year average prices; the latter are more likely to reflect current regulations, specification, technology and market requirements.
- 2.3 BCIS average prices are available on an overall £ per sqm and for new build work on an elemental £ per sqm basis. Rehabilitation/conversion data is available on an overall £ per sqm and on a group element basis ie. substructure, superstructure, finishings, fittings and services - but is not available on an elemental basis. A comparison of the applicants elemental costing compared to BCIS elemental benchmark costs provides a useful insight into any differences in cost. For example: planning and site location requirements may result in a higher than normal cost of external wall and window elements.
- 2.4 If the application scheme is for the conversion, rehabilitation or refurbishment of an existing building, greater difficulty results in checking that the costs are reasonable, and the benchmarking exercise must be undertaken with caution. The elemental split is not available from the BCIS database for rehabilitation work; the new build split may be used instead as a check for some, but certainly not all, elements. Works to existing buildings vary greatly from one building project to the next. Verification of costs is helped greatly if the cost plan is itemised in reasonable detail thus describing the content and extent of works proposed.
- 2.5 BCIS costs are available on a quarterly basis - the most recent quarters use forecast figures, the older quarters are firm. If any estimates require adjustment on a time basis we use the BCIS all-in Tender Price Index (TPI).
- 2.6 BCIS average costs are available for different categories of buildings such as flats, houses, offices, shops, hotels, schools etc. The Applicant's cost plan should ideally keep the estimates for different categories separate to assist more accurate benchmarking. However if the Applicant's cost plan does not distinguish different categories we may calculate a blended BCIS average rate for benchmarking based on the different constituent areas of the overall GIA.
- 2.7 To undertake the benchmarking we require a cost plan prepared by the applicant; for preference in reasonable detail. Ideally the cost plan should be prepared in BCIS elements. We usually have to undertake some degree of analysis and rearrangement

before the applicant's elemental costs can be compared to BCIS elemental benchmark figures. If a further level of detail is available showing the build-up to the elemental totals it facilitates the review of specification and cost allowances in determining adjustments to benchmark levels. An example might be fittings that show an allowance for kitchen fittings, bedroom wardrobes etc that is in excess of a normal BCIS benchmark allowance.

- 2.8 To assist in reviewing the estimate we require drawings and (if available) specifications. Also any other reports that may have a bearing on the costs. These are often listed as having being used in the preparation of the estimate. If not provided we frequently download additional material from the documents made available from the planning website.
- 2.9 BCIS average prices per sqm include overheads and profit (OHP) and preliminaries costs. BCIS elemental costs include OHP but not preliminaries. Nor do average prices per sqm or elemental costs include for external services and external works costs. Demolitions and site preparation are excluded from all BCIS costs. We consider the Applicants detailed cost plan to determine what, if any, abnormal and other costs can properly be considered as reasonable. We prepare an adjusted benchmark figure allowing for any costs which we consider can reasonably be taken into account before reaching a conclusion on the applicant's cost estimate.
- 2.10 We undertake this adjusted benchmarking by determining the appropriate location adjusted BCIS average rate as a starting point for the adjustment of abnormal and enhanced costs. We review the elemental analysis of the cost plan on an element by element basis and compare the Applicants total to the BCIS element total. If there is a difference, and the information is available, we review the more detailed build-up of information considering the specification and rates to determine if the additional cost appears justified. If it is, then the calculation may be the difference between the cost plan elemental £/m² and the equivalent BCIS rate. We may also make a partial adjustment if in our opinion this is appropriate. The BCIS elemental rates are inclusive of OHP but exclude preliminaries. If the Applicant's costings add preliminaries and OHP at the end of the estimate (as most typically do) we add these to the adjustment amounts to provide a comparable figure to the Applicant's cost estimate. The results of the elemental analysis and BCIS benchmarking are generally issued as a PDF but upon request can be provided as an Excel spreadsheet.

3 GENERAL REVIEW

- 3.1 We have been provided with and relied upon the following files received:-
- Planning viability with unit information
 - An order of cost estimate prepared by Walker Management (WM) dated 17th February 2016
 - A Valuation Advisory issued by JLL dated 21st October 2016
 - The Triangle pre-planning LH 271016v1
- 3.2 We have also downloaded a number of files from the planning web site.
- 3.3 The cost plan comprises estimating sheets dated 31st March 2016 1Q2016 with a TPI of 276. A further update to a forecast TPI of 291 1Q2017 has been applied. Our benchmarking uses current BCIS data (TPI 290) which is on a current tender firm price basis. The form of this Order of Cost Estimate is not ideal for elemental analysis and therefore for the form of elemental benchmarking we follow.

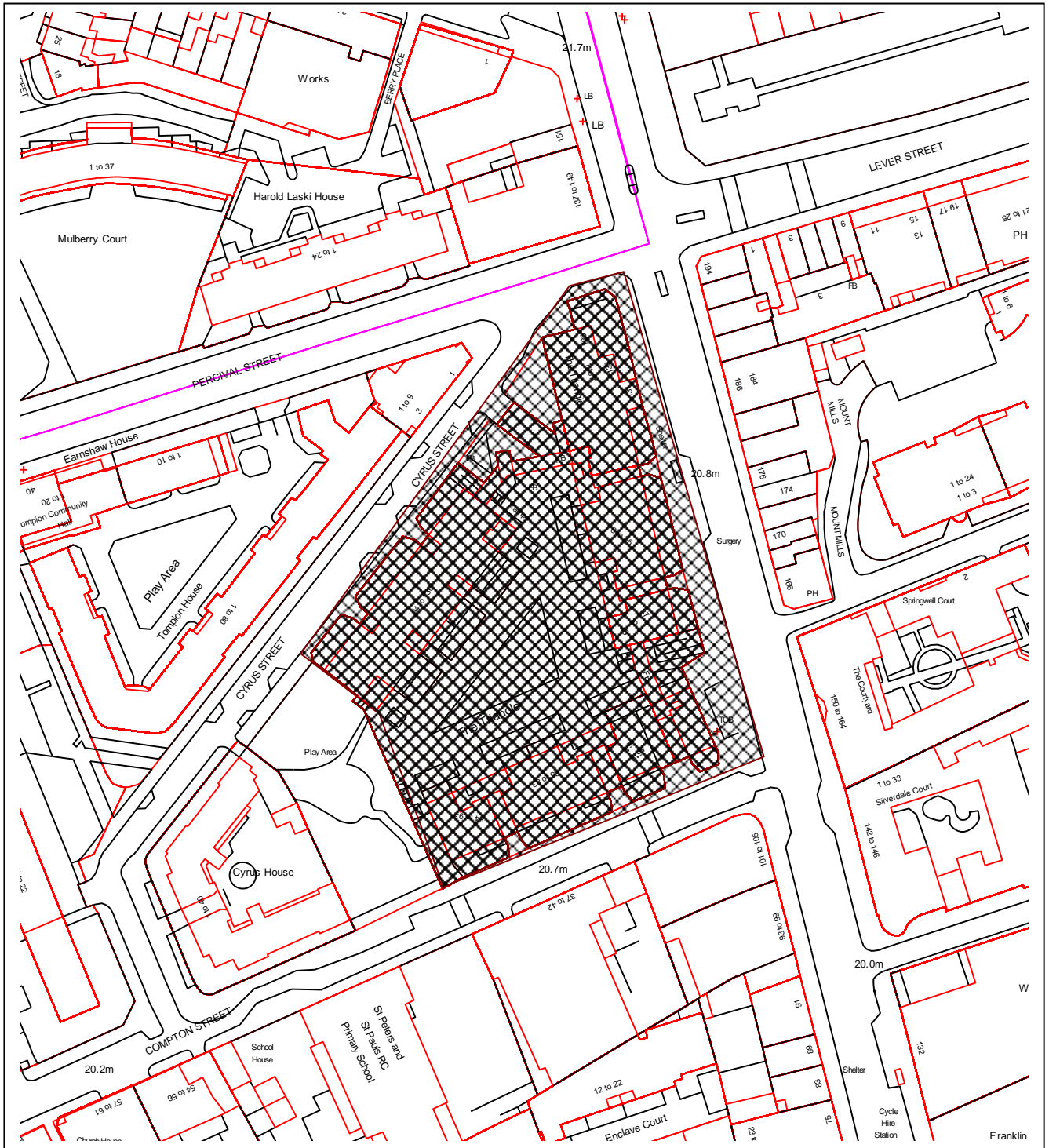
- 3.4 The total of the cost plan at 1Q2016 TPI 276 is £16,210,000. The calculation of the update to TPI 291 by WM is £16,800,000. A further adjustment is made for “Adjusted totals in line with Measured Estimate increased cost and to include stores and bike stores floor areas” - we do not understand this addition which results in a total cost of £18,170,880 as it appears stores and bike stores are already included in the estate wide costs included in the £16.21M figure. Our calculation of the uplift to 1Q2017 TPI 290 is £17,032,246. Based on the information provided we consider the latter figure to be the appropriate one for inclusion in the viability appraisal.
- 3.5 The cost plan includes an allowance calculated at 17.5% for preliminaries but based on a calculation of a conventional arrangement of the sums in the analysis amounts to 19.66%. There is a further allowance for site constraints/ access restrictions amounting to 2.17% - this may reasonably be considered as a further preliminaries cost therefore a total preliminaries allowance of 21.83%. This is a very high allowance perhaps in recognition of the construction problems that these works will entail. We don't consider them unreasonable but consider there should be a construction management plan prepared to justify the costs.
- 3.6 The allowance for overheads and profit (OHP) is 5.35% based on a calculation of a conventional arrangement of the sums in the analysis. We consider this allowance reasonable.
- 3.7 The allowance for contingencies is calculated at 2% + 2% +1% which based on a calculation of a conventional arrangement of the sums in the analysis is 5.34%. We consider a figure of 5% to be reasonable.
- 3.8 We have downloaded current BCIS data for benchmarking purposes including a Location Factor for Islington of 123 that has been applied in our benchmarking calculations.
- 3.9 The building comprises three blocks in a triangular arrangement each with a ground floor and 6 floors above; we have therefore benchmarked the building as 6+ storey flats. The Walker Management estimate identifies the different elements of the works as garage infill, upper floor infill, penthouse, new build extension, refurbish extensions, high rise tower, plus estate wide works.
- 3.10 Refer to our attached file “Elemental analysis and BCIS benchmarking”.
- 3.11 The High Rise section includes a retail unit to shell only priced at £1500/m². we consider this too high - the BCIS mean rate for shell only shops adjusted for location is £954/m². We suggest the total of £222,000 is reduced to £148,000. We have excluded this amount from our analysis of the high rise tower as it distorts the analysis (the area is not included in the GIA).
- 3.12 The estate wide amount of £6,910,000 includes items of external works that are treated as abnormal costs for benchmarking purposes, but it also includes allowances such as structural repairs, roof repairs, heat source, door entry and lifts that would generally be included in the building elements. In our benchmarking we have deducted BCIS elemental amounts for heat source, lifts and communications to improve the like for like comparisons.
- 3.13 The benchmarking for the sections of garage infill, upper floor infill, penthouse, new build extension and refurbish extensions show the adjusted benchmark as exceeding the Applicant's cost whilst the Applicants figure for the high rise tower

exceeds the adjusted benchmark. Overall the difference amount to c. £158,000 below the adjusted benchmark. Subject to 3.4 and 3.11 Above we therefore consider the Applicant's costs to be reasonable.

BPS Chartered Surveyors

Date: 20th March 2017

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department
 Town Hall
 LONDON N1 2UD

PLANNING COMMITTEE		AGENDA ITEM NO: B5
Date:	27 April 2017	NON-EXEMPT

Application number	P2016/2405/FUL
Application type	Full Planning Application
Ward	Clerkenwell
Listed building	n/a but within 50m of Wilmington Square (Grade II listed)
Conservation area	New River Conservation Area (CA2)
Development Plan Context	Central Activities Zone
Licensing Implications	n/a
Site Address	William Martin Court, 65 Margery Street, London, WC1X 0JH
Proposal	Use of premises as a hostel providing residential accommodation for hotel staff (Sui Generis).

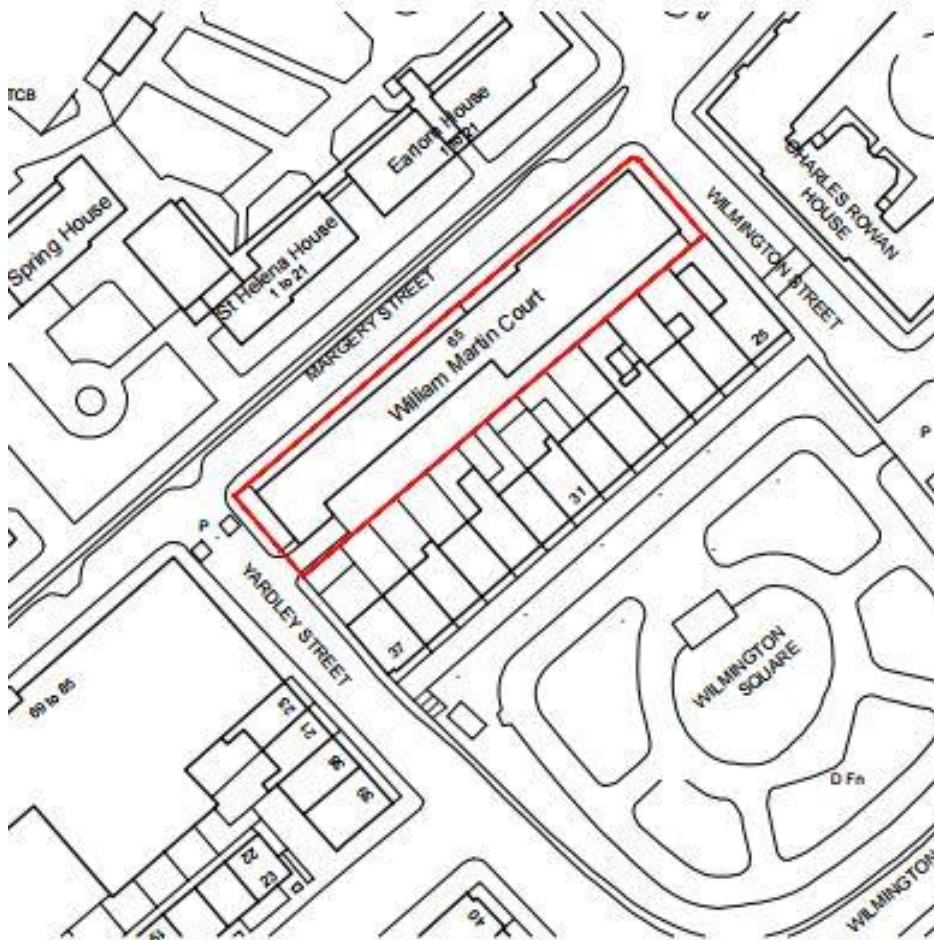
Case Officer	Matt Duigan
Applicant	Imperial London Enterprises Limited
Agent	Walsingham Planning

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in red)



PHOTOS OF SITE



Image 1. Aerial View



Image 2. Birds eye



Image 3. 65 Margery Street (looking west)



Image 4. Front (Margery Street) elevation



Image 5. Western elevation

3. SUMMARY

- 3.1 The application seeks retrospective approval to use the building at 65 Margery Street as a hostel providing residential accommodation for hotel staff (Sui-generis). In effect, this would regularise a use which has been carried out since 2013. The site has a complicated planning history, involving various unauthorised uses in 2009 and 2013 which interrupted the established use as a care home (Use class C2).
- 3.2 It is of note that the Development Plan includes policies which protect against the loss of care homes, unless various requirements are met. The fact that care homes are protected by policy is a material consideration in this case, and as such the loss of the care home has been taken into account.
- 3.3 Policy 3.8 of the Development Management Policies (2013) notes that the loss of care homes will be resisted unless adequate replacement accommodation is provided. In this case, the residents of the care home were relocated to a modern purpose-built residential and nursing home in Durham Road.
- 3.4 There is no objection in principle to the provision of a hostel at the site as this is supported by Development Management Policies (2013) Policy DM3.9 subject to amenity issues and other considerations. London Plan policy 3.8 refers to the need to provide 'a range of housing choices, in terms of the mix of housing sizes and types, taking into account the housing requirements of different groups and the changing roles of different sectors in meeting these.' The scheme is considered to be compatible with this objective.
- 3.5 The applicant revised the scheme during the course of the application to address various concerns relating to equity of access and mobility, sustainability and carbon reduction. The Council's Access and Energy/Sustainability officers advise that the revisions resolve concerns and there is now no objection to the development in relation to these matters.

- 3.6 The Council is of the view that planning obligations, in the form of affordable housing and a contribution to offset carbon emissions would be required, subject to viability. The applicant provided evidence in the form of a financial appraisal carried out in accordance with the Council's Viability SPD, which shows the scheme cannot meet the obligations and remain viable.
- 3.7 The applicant's financial appraisal was assessed for accuracy by the Council's financial consultant (BPS) who concluded that the scheme would not be viable with a requirement to provide affordable housing and a contribution to offset carbon emissions.
- 3.8 The benefits of the proposed development must be noted and include the provision of accommodation for staff. Additionally, the applicant has also refurbished the building, and proposes to improve accessibility for disabled persons and upgrade the heating systems, adding insulation and proposing installation of photo voltaic panels, to improve the buildings' sustainability. On balance, subject to conditions (which are recommended) it is considered that the scheme is acceptable and approval is recommended.

4. SITE AND SURROUNDINGS

- 4.1 The application site occupies an area of approximately 0.1 hectares and is located on the southeast side of Margery Street, bounded by Wilmington Street to the east, to the west by Yardley Street. To the rear (South) are the rear gardens of residential at 25 to 37 Attneave Street.
- 4.2 The site is rectangular in shape and comprises predominantly of built development, consisting of a part single and part three storey building plus basement. The building is known as William Martin Court and is constructed of brick with the main access on Margery Street. Access for vehicles to the basement is afforded from Yardley Street.
- 4.3 The existing development in the area around the application site is predominantly residential in nature. Surrounding buildings range in height from three to five storeys and are a mix of architectural styles and ages.

5. PROPOSAL (IN DETAIL)

- 5.1 The application seeks retrospective approval to use the premises as a hostel providing residential accommodation for hotel staff (Sui-generis). Externally very little has changed. On the eastern elevation a set of metal doors (formerly opening into a storage space) have been changed to a window and at the rear (southern elevation) some wooden detailing has been removed. A roller shutter and spotlight have been installed over the entrance to the basement parking area.
- 5.2 Internally, various changes have been made to facilitate the change from a care home to residential accommodation for 51 staff. While none of the accommodation is completely self-contained, 6 of the rooms have both an ensuite and kitchen.
- 5.3 In addition to regularising the existing situation, the scheme proposes to make changes (particularly at ground floor level) to ensure that the hostel accords with accessibility requirements. The changes are minor in nature and little is proposed externally (the building would not be made larger).
- 5.4 Only the hotel staff working in Imperial Hotels are eligible for the accommodation (the choice of live-in accommodation is part of the employment contract of staff working for Imperial Hotels). There is a live-in Caretaker accommodated on site,

who is responsible for management of deliveries, cleaning staff, refuse and mail etc. Senior hotel staff living on site also help to manage the hostel on a rota basis, taking turns for example, to act as fire marshals.

6. RELEVANT HISTORY:

PLANNING APPLICATIONS:

6.1 The site has a varied planning history, which is set out below. Further commentary is provided which explains how the planning history informs the assessment of the current application.

TP/89515/C dated 5/12/1963 approved outline permission for the erection of a care home comprising basement, ground and two upper floors on the sites at Nos. 54-68 Margery Street.

TP/89515 dated 20/10/1966 approved the reserved matters application for outline scheme for the erection of a care home comprising basement, ground and two upper floors.

830778 dated 03/10/1983 approved an application to fit new fire escape stair at rear and formation of access doors in recessed opening at rear first and second floor levels.

850330 dated 11/02/1987 approved the construction of a conservatory extension for use as a dayroom at second floor level; projecting bay window to an existing room at first floor level at rear; conversion of existing ground floor openings onto the rear courtyard one to take patio doors the other French doors with high level timber 'canopies'; increase in height of gates to Wilmington Street; formation of new front entrance porch and brick planter boxes at front.

962057 dated 07/02/1997 approved the conversion of existing work centre on the ground floor into a three bedroom residential unit, erection of ground floor conservatory and alterations to elevations.

980614 dated 07/04/1998 approved the construction of stainless steel flue terminal to main roof.

P2014/0898/FUL dated 17/03/2014 refused permission for the demolition of existing conservatory and construction of extension above existing ground floor roof on the southeast rear elevation at first and second floors; internal reconfiguration to create an additional bathroom on the 2nd floor; enclosure of entire balcony with a new structure which will also incorporate the kitchen facilities on the second floor.

P2014/3203/FUL sought permission for the Change of use from a hostel (sui generis) to a hostel for hotel staff (sui generis), the application was withdrawn.

P2015/1106/FUL sought permission for the retention of hostel for hotel staff (sui-generis), the application was withdrawn.

6.2 Since the building was erected following consent in 1963, it was in use as a care home, a use falling within the 'C2' Class as defined by the Use Classes Order. The use of the premises as a care home for the elderly is also confirmed by two lease agreements between Islington Council and Notting Hill Housing Trust (NHHT).

6.3 In 2003 Islington Council undertook a study into the feasibility of providing a new residential care home for the elderly on a site known as Lennox House on Durham

Road. This study documented issues with William Martin Court, which stated it was no longer suitable for use as a care home (particularly given modern care home requirements) and would need considerable refurbishment.

- 6.4 A report to the Executive Member for Health and Social Care for Adults in September 2004 sought approval for the closure of William Martin Court and the transfer of its existing residents to the Lennox House site on Durham Road. The recommendation was agreed and the operation of William Martin Court as a care home subsequently ceased and its residents were transferred to other appropriate facilities.
- 6.5 Following the closure, NHHT purchased the freehold from Islington Council. NHHT obtained permission from the Department of Social Housing to dispose of the building. In the interim period the building was let on a short term basis to the charity for use as an emergency relief shelter for the homeless. A 5 year lease was granted to St Mungo's (from September 2009) who operated the building as a hostel for the homeless.
- 6.6 Planning permission was required for the change of use from care home to hostel for homeless persons, and none was obtained. The unauthorised use of the building as a hostel for the homeless continued until 2013.
- 6.7 The site was purchased by Imperial hotels in 2013 and subsequently converted to staff accommodation. The current application seeks to regularise the existing use of the site as a hostel providing residential accommodation for hotel staff.

ENFORCEMENT:

- 6.8 E/2014/028: The Council was made aware that building works were being undertaken at the site, without permission. Following investigation in 2014 it was established that the premises has been converted to a hostel for hotel staff without planning permission. At present any further enforcement action is being held in abeyance pending the outcome of the current planning application.

7. CONSULTATION

Public Consultation

- 7.1 Letters were sent to occupants of 242 adjoining and nearby properties. A site notice was erected near the site and a press advert displayed in the Islington Gazette. The public consultation of the application expired on 21/7/2016; however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 7.2 In response to the consultation 5 submissions were received raising objection to the scheme. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- No objection is raised to the use of the property, although there would be concerns if there are any external building works proposed. **(5.3)**
 - The application is the same as an earlier refused application (P2014/0898/FUL). **(6.1)**
 - Lights fixed to the outside of the building are bright and associated light spill keep neighbours awake at night. **(10.23)**
 - The use of the building may change to private rented accommodation or a backpacker hostel without permission, this should be prevented. **(10.8)**

- There is a need for care homes and homeless shelters, the building should remain in the public service or be for key worker accommodation. **(10.2 – 10.5)**
- There was a door in the eastern elevation which has been changed to a window. This would allow overlooking. **(10.22)**
- If the windows are openable noise from stereos would cause disturbance. **(10.24)**
- There is no manager/warden, and these are essential to manage the hostel. **(5.4 and 10.24)**
- There seems to be very little to prevent noise and antisocial behaviour and usage at the building. **(5.4 & 10.24)**
- There is only 1 lift, so no alternate provision for disabled persons if the 1 lift breaks down. **(7.8)**
- Further the company has obligations for its disabled residents/staff (hence more than one lift would be required) and no disability toilets are shown, which will also need to be of a suitable size. Indeed, through shared amenities, it would seem that the company is not looking to have a stable and settled residency by staff, who would remain transitory. **(7.8)**

7.3 Following receipt of revised information, the application was the subject of a second round of consultation on 27/01/2017. The second round of public consultation of the application expired on 10/2/2017; however it is the Council's practice to continue to consider representations made up until the date of a decision.

7.4 In response to the second round of consultation 3 further submission was received raising objection to the scheme. The concerns raised in one case simply reiterated those on an earlier objection. Other issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Raise objection to the loss of the care home. **(10.2 – 10.5)**
- Raise an objection to any external changes or enlargement. **(5.3)**
- Islington has been lackadaisical in the past it now is extra important that Islington keep a very close eye indeed on the actions of Imperial Hotels.
- Raise concern over the potential for noise pollution, light spill and privacy impacts. **(10.19 – 10.25)**
- There has been no consultation with residents. **(7.1-7.4)**

External Consultees

7.5 Metropolitan Police:

"I am responding to this planning application on behalf of the Metropolitan Police in relation to Crime Reduction and Community Safety matters as the assigned Designing Out Crime Officer (DOCO) for this development.

I have read this application and do not object to the proposal - this project does not appear to affect the existing boundary treatment / external doors. The changes to the internal configuration and additional rooms do not negatively affect the security of the building."

7.6 London Fire Brigade: No objection raised.

Internal Consultees

7.7 Tree/Landscaping Officer: No objection, there would be no impact to street trees and given the existing constraints there isn't an opportunity for planting.

7.8 Access Officer:

Accessible Rooms: There are 5 accessible bedrooms at ground floor level are being provided – this equates to 10% of the total bed spaces which is in accordance with SPD requirements.

Accessible Parking: In view of the fact that this is an existing building and provided the number of basement bays is restricted to 5 and their use limited to blue badge holders, the risk to user safety would be kept to a manageable level. If a Condition, to this effect, can be applied for the lifetime of the development it would be unreasonable to refuse the scheme for this reason.

The single lift is adequate as accessible rooms are on the ground floor.

7.9 Acoustics Officer:

Adherence to the management plan should be secured by way of a condition. The plant would have such limited impacts that no objection would be raised and no further conditions would be necessary.

7.10 Policy Officer:

While the site has a complicated planning history, Development Management policy DM3.8 is a material consideration to this case. Part B of this policy resists development which involves the loss of floorspace in care homes unless one of the following tests are met:

- i) adequate replacement accommodation will be provided that satisfies A(i) to (iii) above; or*
- ii) the applicant can robustly demonstrate that there is a surplus over a long-term of this housing type in Islington; or*
- iii) it can be demonstrated that the existing accommodation is unsatisfactory for modern standards and/or not fit for purpose and the proposed development would provide accommodation to meet an identified acute need, which may include social rented housing.*

The policy requires that proposals satisfy one of the criteria to be considered acceptable. Considering the criteria sequentially, (i) requires that adequate replacement accommodation of a specified quality is provided. The premises were operated as a care home for the elderly by a third party of behalf of the Council. The closure of William Martin Court and the transfer of its residents to the new Lennox House site on Durham Road was approved by the Council in September 2004. Replacement facilities of suitable standard were secured at Lennox House and residents were relocated, after which the Council ceased the use of the premises as a care home. As such, evidently adequate replacement was provided and criteria (i) is complied with.

The proposed use is a *sui generis* hostel to provide staff accommodation for employees of Imperial Hotels, therefore the applicable policy is DM3.9.

Considering the amenity impacts on the surrounding neighbourhood, site management is an important consideration, particularly with residents returning from shifts at irregular hours. However, I don't see any particular concerns with amenity impacts on the surrounding neighbourhood.

The site is capable of delivering over 10 residential units gross, and the proposal is for a residential use, therefore the in-principle starting position as set out in Core Strategy Policy CS12G is that affordable housing should be secured on site. It is for the applicant team to demonstrate if on-site provision is not possible, and to provide a viability appraisal to demonstrate what would represent the maximum reasonable amount of affordable housing, with the starting point being the borough-wide overall target of 50%.

The London Plan under policy 3.11 sets a strategic London wide goal to maximise affordable housing provision, and states that boroughs should set their own overall target for the amount of affordable housing provision needed over the plan period. 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, having regard to relevant considerations. It adds that negotiations on sites should take account of their individual circumstances including development viability.

The GLA's Housing SPG is very clear that the securing of affordable housing is not limited to the C3 use class. Paragraph 3.5.1 of the SPG is reproduced below [emphasis added]:

“As housing need increases in London, new approaches to meeting need are emerging. Where these products are of a high quality and well-designed, they can play an important role in meeting housing need and should be encouraged. It is important Local Plans provide a robust framework for decision making for these new emerging housing types. In considering policy approaches to, and proposals for, non-conventional housing schemes (this includes, but is not limited to, shared hostel type accommodation, often referred to as large scale HMO's¹⁷⁷), LPAs should ensure:

- *proposals demonstrate how they meet identified housing needs (Policy 3.8Ba);*
- *proposals demonstrate how they contribute to the creation of mixed and balanced communities (Policy 3.9);*
- ***schemes contribute the maximum reasonable amount of affordable housing in line with Policy 3.12 and Policy 3.13. Neither the NPPF nor the London Plan limits the requirement of affordable housing contributions to C3 housing. Therefore affordable housing can also be sought on residential schemes that fall into other use classes (including sui-generis);***
- *schemes are of good quality and meet all relevant Housing Act and HMO standards and requirements.*
- *there are effective management arrangements and support services in place to reflect the needs of the schemes' intended occupiers, ensure such schemes do not have a negative impact on the surrounding community and that adequate lettings policies are in place to manage the mix of occupants;*
- *the development is not used as a student accommodation, as a hotel, or as temporary homeless accommodation without first securing an appropriate planning permission; and*
- *such schemes are located only in areas of high public transport accessibility.”*

It is important to note the footnote 177 which clarifies the kind of accommodation the SPG directs boroughs to consider under this section:

“These forms of developments are evolving but are non-self-contained and generally include a private bedroom with shared kitchen and living/amenity facilities. Developments that include self-contained accommodation and additional

communal/amenity space should be considered as self-contained accommodation and thus adhere to the housing standards set out in Policy 3.5.”

While this guidance is within the ‘new housing products’ section of the SPG, and hotel staff accommodation is not a new product per se, this guidance is correctly read as applicable to all proposals for non-conventional housing schemes (that are not subject to additional Plan policies, e.g. older people’s provision or student accommodation) as the paragraph clearly states that the considerations are not limited to shared hostel type accommodation. Taking the footnote and the body of 3.5.1 together, it is clear that the SPG means exactly the kind of non-self-contained private bedrooms with shared kitchen and living/amenity facilities that is proposed here.

The key bullet point in 3.5.1 in the SPG relates to affordable housing. Having demonstrated that the proposal is covered by this section, and with the helpful clarification that affordable housing provision is not limited to C3, and can be secured from sui generis housing, the council’s position is that the proposal should provide the maximum reasonable amount of affordable housing in line with London Plan policies 3.11 and 3.12, as well as Islington Core Strategy policy CS12G.

7.11 Energy and Sustainability Officer:

The energy strategy for the development has been further amended. The main development is for the ‘green’ stage of the hierarchy. Renewable energy was ruled out under previous energy statements; however, a PV array of 20.6kWp is now proposed. We consider this to be a suitable technology for the development, so this is supported. Based on the drawing and PV data provided, we would accept that the area of the array has been maximised, and do not consider it realistic to further increase the output of the system.

The improvement in performance due to the PV array leaves the building still falling short of Part L2A 2013 baseline, but the gap has now fallen by 6%, and the improvement is welcomed.

The proposed addition of the PV array reduces CO₂ emissions by a further 8 tonnes, to 115 tonnes. Therefore, the offset contribution would now fall to **£105,800**.

We note that further detail has now been provided on BREEAM, including a pre-assessment. As it stands, the development falls short of the ‘Excellent’ requirement. We accept that as this is a retrospective application and there are now limitations on what can be achieved.

7.12 Design and Conservation Officer:

No objection to the changes on the southern and eastern elevations. This is on the basis that the removal of the wooden detail on the southern elevation has very little impact. The relocation of refuse storage so that it is not apparent in the street scene is an improvement.

A condition should be imposed on any consent requiring the roller shutter and its housing over the car park entrance on the western elevation to be painted black to minimise the visual impact.

7.13 S106 and Development Viability Officer:

Having had detailed discussions with the case officer and colleagues from the policy team, the conclusions in the BPS report along with the approach adopted in terms of the viability methodology are considered appropriate for this scheme.

Notably, in relation to the benchmark land value; this scenario means that the application of an Alternative Use Value (AUV) represents a suitable approach (based on an 18 unit residential scheme with 50% affordable housing as the benchmark).

It is agreed that the scheme would not be viable if required to meet the affordable housing and carbon offsetting obligations.

8. RELEVANT POLICIES

8.1 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

8.2 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.

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

8.4 Under the Ministerial Statement of 18 December 2014, 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

8.5 The Development Plan is comprised of the London Plan 2016 (Consolidated with Alterations since 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.

Designations

8.6 The site is located within the Central Activities Zone and the New River Conservation Area (CA2).

Supplementary Planning Guidance (SPG) / Document (SPD)

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

9. ENVIRONMENTAL IMPACT ASSESSMENT

9.1 The applicant team did not submit a request for an Environmental Impact Assessment (EIA) scoping opinion, however the general characteristics of the site and the proposed development are not considered to fall within Schedule 1 or 2 development as set out in the Environmental Impact Assessment Regulations (2011). In particular, the site is significantly less than 0.5 hectares in size and it is

not in a sensitive area as defined by the Regulations (nor is it considered appropriate in this case to bring other, local designations into consideration as allowed for under paragraph 032 of the NPPG). As such, the proposal is not considered to be EIA development.

10. ASSESSMENT

10.1 While the assessment of the proposal covers all relevant material considerations, the main issues arising from this proposal relate to:

- Land-use,
- Design, Conservation and Heritage Considerations,
- Accessibility,
- Landscaping and Trees,
- Neighbouring Amenity,
- Quality of Accommodation,
- Affordable Housing and Financial Viability,
- Sustainability, Energy Efficiency and Renewable Energy,
- Highways and Transportation,
- Contaminated Land and Air Quality.

Land-use

Loss of care home

10.2 The building at the site had originally been in use as a care home. It is also noted that policy 3.8 of the Development Management Policies (2013) protects against the loss of care homes, unless certain requirements are met (for example if adequate replacement accommodation will be provided).

10.3 In terms of the applicability of policy 3.8 to the current scheme, it is noted that the site has a varied planning history, including two unauthorised changes of use. The sequence of unauthorised changes of use now mean that the site has no lawful use and this limits *prima facie*, the applicability of policies relating to care homes in assessing the current scheme. However, when a decision is made on a planning application, all relevant material planning considerations are taken into account (noting that what constitutes a material consideration will vary from case to case).

10.4 The unlawful use of the site and the fact that care homes are protected by policy are material considerations in this particular case. As such, (and notwithstanding the planning history) it is important to establish whether the loss of the care home is acceptable in principle as part of the assessment of this application.

10.5 The weight attached to material considerations in reaching a decision is a matter of judgement for the decision-taker, and in this case, considerable weight should be given to establishing the acceptability of the loss of the care home. Policy 3.8 of the Development Management Policies (2013) allows the loss of care homes in situations where adequate replacement accommodation is provided. In this case, the residents of the care home were relocated to a modern purpose-built residential and nursing home in Durham Road. The application is therefore considered to comply with the requirements of policy 3.8 and no objection is raised in principle to the loss of the care home.

Introduction of a hostel

10.6 The Mayor of London's Housing SPG (March 2016) notes within the 'new housing products' section that new approaches to meeting housing need are emerging and

that these non-conventional housing schemes can include shared hostel type accommodation. London Plan policy 3.8 refers to a need to deliver ‘a range of housing choices, in terms of the mix of housing sizes and types, taking into account the housing requirements of different groups and the changing roles of different sectors in meeting these.’ The supporting text to the policy notes that an integrated approach will be required to address housing needs connected with particular types of occupation, the supporting text then cites 3 examples, namely health workers, police, and hotel staff. The proposal is therefore considered to be compatible with this objective.

10.7 The proposed use as a hostel means that Development Management policy DM3.9 Part E is also applicable. This states that:

“the Council will support the provision of new hostels where they will:

- (i) Not result in the loss of permanent housing or existing satisfactorily shared accommodation;*
- (ii) be suitable for the intended occupiers in terms of the location, standard and level of facilities and provide the necessary level of supervision, management and care/support;*
- (iii) be an appropriate use considering the surrounding area, and contribute to mixed and balanced communities; and*
- (iv) not give rise to any significant adverse amenity impact on the surrounding neighbourhood.*

10.8 There would be no loss of permanent housing or existing satisfactorily shared accommodation. The layout of the hostel includes multiple kitchens and bathrooms on each floor, along with lounge rooms and communal external amenity space (in the form of gardens at ground floor level and a terrace at the upper level). The scheme was revised to ensure adequate provision was made for disabled persons who might reside at the site. The management regime for the hostel includes an onsite caretaker and duty manager. The facilities are considered suitable for the intended occupiers. To ensure this matter can be re-examined in the event that the operator changes, a condition should be imposed on any consent limiting the consent to the applicant. The quality of accommodation for the occupants is considered in detail in paragraphs 10.26 – 10.33 of this report.

10.9 In terms of amenity impacts on the surrounding neighbourhood, the applicant provided details on the way that the hostel is managed to prevent impacts, including security measures, rules governing visitors, restrictions over amplified music, social gatherings etc. The management plan is detailed and robust. Subject to a condition being imposed on any consent to require ongoing compliance with the management plan, no objection is raised. The introduction of a hostel at the site is considered acceptable in principle

Design, Conservation and Heritage Considerations

10.10 The site is within the New River Conservation Area (CA2), and close to historic listed buildings, and as such it is important to ensure that the scheme does not cause any harm to the character and appearance of the building, the street scene, the Conservation Area and the setting of nearby listed buildings.

10.11 In this case, very few changes to the appearance of the building have been made. The first is to the southern elevation where exposed timber post detail has been removed. The portion of the timber posts which have been removed is minimal. The timber detail had an unsightly appearance and no objection is raised to the removal. The second change is to the eastern elevation where metal doors to a former storage area have been removed, and replaced with windows. Officers are

of the view that the change would have neutral impact on the appearance of the building.

- 10.12 The other external alteration is to the entrance to the basement car parking area, where a roller shutter has been installed.



CAR PARK ENTRANCE: 2012

CAR PARK ENTRANCE: 2017

- 10.13 The application was referred to the Councils Design and Conservation officer who advised that the external changes were acceptable, subject to a condition being imposed on any consent requiring the roller shutter (and associated housing) to be painted black to minimise its visual impact.

Accessibility

- 10.14 Paragraph 57 of the NPPF is relevant to the current proposal in relation to inclusive design. London Plan (2016) Policy 7.2 requires all new development to achieve the highest standards of accessible and inclusive design, and refers to the Mayor's Accessible London SPG.
- 10.15 At the local level, Development Management Policies (2013) Policy DM3.9 requires 10% of bed spaces to be designed to be wheelchair accessible. The 10% wheelchair accessible hostel rooms must be fully fitted from completion. In this case 49 rooms are proposed, as such 5 accessible rooms are required, along with accessible WC's, communal areas, kitchens etc.
- 10.16 The applicant revised the layout and design of the ground floor to provide 5 rooms (10%) designed to be wheelchair accessible, along with accessible facilities (toilets etc). Being located at ground floor level, wheelchair users would not have to use a lift to access bedrooms, as such a single lift is considered acceptable in this case. The application was referred to the Council's Access Officer who advised that no objection is raised to the revised layouts and arrangements, subject to conditions to control traffic (size and number of vehicles) using the basement. If approved relevant conditions would need to be imposed to achieve this.

Landscaping and Trees

- 10.17 While there is a terrace area to the rear of the building, this is effectively the concrete roof over the existing basement (with no access to soil). In this case there is little opportunity for landscaping.
- 10.18 The application was referred to the Council's Landscaping and Tree Officer who raised no objection, noting that there would be no impact to street trees and given the existing constraints, no opportunity for planting.

Neighbouring Amenity

- 10.19 The National Planning Policy Framework identifies as a core planning principle that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings.
- 10.20 London Plan (2016) Policy 7.6 states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing. London Plan (2016) Policy 7.15 (part Bb) states that development proposals should minimise the existing and potential adverse impacts of noise.
- 10.21 Development Management Policies (2013) Policy DM2.1 confirms that, for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.22 Concerns have been raised by neighbours in objections over the potential for overlooking to occur from an additional window introduced into the eastern elevation, looking into windows in flats on the opposite side of Wilmington Street. In this regard it is worth highlighting that the supporting text to Development Management Policies (2013) Policy DM2.1 notes that overlooking across a public highway (in this case Wilmington Street) does not constitute an unacceptable loss of privacy, and as such no objection is raised.
- 10.23 A concern was raised in relation to the security light erected on the outside of the building, above the entrance to the car park. The light in question was very bright, and an objector advised that light spill from this light was disturbing at night. It is of note that the objector had been in direct contact with the applicant in relation to this concern and the Applicant has implemented changes to reduce the brightness of the light in question and the times when it is turned on. Written advice has been received from the resident confirming the issue is resolved.
- 10.24 The application is also supported by a Premises Management Plan, which sets out various measures which are proposed to ensure there would be no adverse impact on amenity as a result of the development.
- 10.25 There is a live-in house-keeper responsible for daily monitoring, management of deliveries, cleaning staff, refuse and mail. The rooms are for sole occupancy only with no visitors being permitted to stay overnight and being required to leave by 10pm. Due to differing shift patterns, the occupiers are required to keep noise to a minimum in order to respect both other hostel occupiers and nearby residents. In addition no parties or social gatherings are permitted. It is considered that these measures are reasonable and appropriate and will safeguard the amenity of neighbours. Subject to a condition being imposed on any consent requiring the

operation of the hostel to accord with the Premises Management Plan, no objection would be raised.

Quality of Accommodation

- 10.26 Islington's Development Management Policies (2013) Policy DM2.1 requires all forms of development to be high quality, and states that for a development to be acceptable it is required to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, overlooking and privacy and outlook.
- 10.27 Islington's Development Management Policies (2013) Policy DM3.9 requires that provision of hostels be suitable for the intended occupiers in terms of the location, standard and level of facilities and provide the necessary level of management.
- 10.28 The applicant advised that a key reason the site was chosen to be used as a hostel was for its location, which is within walking distance of the hotels that the staff (who reside in the hostel) work within. The location of the hostel is considered suitable for occupiers.
- 10.29 It is also considered that there is adequate supervision of staff when they are in residence. The kitchen facilities (there are 2 kitchens on each floor) are considered adequate for the number of occupiers.
- 10.30 It is noted that some ground floor bedrooms have a single outlook which is to the street, where pedestrians walking along the footway on either Margery Street or Wilmington Street can overlook the ground floor bedrooms.
- 10.31 It is important to note at this point that the bedrooms are fitted with curtains and blinds etc, and there are other areas of the building (communal lounge rooms, external amenity space at the rear, dining areas etc) where residents could go and not be observed from the street. There are numerous other existing residential buildings in the immediate area of the site with a similar arrangement. It is common in this area for there to be habitable room windows adjacent to, or adjoining the footway.
- 10.32 The ground level flats at the western end of the building are at an elevated level due to the topography of the area (and windows are set well above the footway). No concern is raised in terms of overlooking of these rooms. Nor is there concern raised in relation to overlooking of flats on the first or second floor.
- 10.33 Policy DM3.7 relates to noise and vibration and applies to residential uses, requiring residential development to mitigate against noise and vibration. Margery Street, Wilmington Street and Yardley Street do not carry significant numbers of vehicles (they are not main roads). The area is predominantly residential in nature and it is not considered that residents of the hostel would be adversely impacted by noise or vibration.

Affordable Housing and Viability

- 10.34 London Plan (2016) policy 3.11 sets a strategic London wide goal to maximise affordable housing provision. Policy 3.12 confirms that sites should provide the maximum reasonable amount of affordable housing which can be achieved. This policy goes on to state 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. This is further backed up by the

London Plan Housing Supplementary Planning Guidance (March 2016) which specifies that new housing products (which this use is considered to be an example of) “should ensure that schemes contribute the maximum reasonable amount of affordable housing in line with Policy 3.12 and Policy 3.13. Neither the NPPF nor the London Plan limits the requirement of affordable housing contributions to C3 housing. Therefore affordable housing can also be sought on residential schemes that fall into other use classes (including sui-generis)”.

- 10.35 The Council’s Core Strategy policy CS12 seeks the maximum reasonable amount of affordable housing from private residential schemes, and is considered applicable to the current proposal. Policy CS12 is clear that establishing the maximum reasonable amount of affordable housing is undertaken through a financial viability assessment. The NPPF, the London Plan and the Council’s own policies do not seek to impose planning obligations (including affordable housing) or requirements that would render the development unviable.
- 10.36 In this case, the applicant advised that it would not be viable to provide affordable housing. To justify the stated financial position the applicant provided a financial appraisal carried out in accordance with the Council’s Viability SPD. The Viability SPD allows the use of the Alternate Use Value approach for viability purposes (provided the alternative use would comply with the Development Plan), and this approach has been utilised.
- 10.37 The Alternate Use Value (AUV) in this case relates to a theoretical alternate residential option. In understanding the acceptability of such an AUV option at this site, it is noted that there is no objection in principle to the loss of the care home or introduction of residential development at the site. The area is characterised by residential flatted buildings and there are also terraced houses near-by (the site is in an area which is largely residential). The site has a communal garden area at the rear; there is also a park (Wilmington square) about 30m from the site (access to amenity space could be provided).
- 10.38 The AUV considered by BPS in their viability testing was informed by a review the internal floor area, London Plan space standards for flats, the need for circulation and other space, the unit mix requirements set out in policy DM3.1 and table 3.1 of Islington’s Development Management Policies (2013). This was done by officers to ensure that the AUV had not been overstated.
- 10.39 The Council’s financial consultant (BPS) concluded (following provision of additional information and further financial modelling) that the scheme would not be viable with a requirement to provide affordable housing (either on site or in the form of a contribution towards affordable housing off- site).
- 10.40 In view of the financial situation, it is not considered that refusal of the scheme can be justified on the basis of a failure to contribute towards affordable housing. The financial situation is unique to the set of circumstances associated with this case and a condition is recommended to ensure the hostel is only able to be used the Applicant’s employees. This will ensure that the assessment can be revisited should the circumstances change.

Sustainability Energy Efficiency and Renewable Energy

Policy Context

- 10.41 The NPPF notes that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF.
- 10.42 The London Plan (2016) Policy 5.2 states that development proposals should make the fullest contribution to minimising carbon dioxide emissions, and that major development proposals should include a detailed energy assessment to demonstrate how carbon dioxide emissions reductions will be achieved.
- 10.43 Policy 5.3 of the London Plan (2016) states that development proposals should demonstrate that sustainable design standards are integral to proposals, and that major development should (among a number of other matters) minimise carbon dioxide emissions, avoid internal overheating, make efficient use of natural resources.
- 10.44 The London Plan (2016) Policy 5.4 relates to retrofitting of existing buildings and notes that retrofitting should also reduce carbon emission and improve efficiency of resource use and minimise the pollution generated from existing building stock. The supporting text to this policy notes that retrofitting buildings can make a significant contribution to the climate change aims of the London Plan, and that the principles of policy 5.3 apply to policy 5.4.
- 10.45 The Mayor's Climate Change Mitigation and Energy Strategy notes that retrofitting London is one of the 3 pillars upholding the Mayor's environment strategies and programmes. Retrofitting London's existing buildings is noted as being crucial to tackling London's CO2 emissions.
- 10.46 Policy CS10 of the Islington Core Strategy (2011) requires all development to demonstrate that it has minimised on-site carbon dioxide (CO2) emissions by using less energy through maximising energy efficiency, supplying energy efficiently using low carbon heating and cooling systems, and using on-site renewable energy generation.
- 10.47 Development Management Policies (2013) Policy DM7.1 requires development proposals to integrate best practice sustainable design standards during the operation of the development. It also requires development to be accompanied by a Sustainable Design and Construction Statement. The policy also requires a Green Performance Plan detailing measurable outputs for the occupied building (including for example water use).
- 10.48 Development Management Policies (2013) Policy DM7.4 relates to sustainable design standards, and refers to major developments and a need to meet/seek to meet BREEAM standards. In this case the relevant BREEAM standard would be BREEAM Fitout and Refurbishment.
- 10.49 There is a clear policy remit for seeking to ensure that any retrofitting of existing buildings is undertaken in a way which will endeavour to improve energy efficiency, carbon reduction, and the overall sustainability of the building.
- 10.50 It is acknowledged that the existing built form may pose constraints in terms of what can be done to improve energy efficiency, carbon reduction, and the overall sustainability of the building. What is important is that the development achieves

the carbon reductions reasonably possible given the acknowledged constraints of the existing building.

10.51 The key energy and sustainability features which have been implemented are set out below:

- Installation of solar voltaic panels and solar thermal panels on the roof;
- 3 new well insulated hot water cylinders and other upgrades to ancillary equipment;
- New localised extract systems and new windows have been installed to improve air tightness and ventilation;
- All new internal lighting is energy efficient and all communal lighting is controlled by PIR sensors;
- The use of energy efficient equipment has been encouraged through the provision of A+ rated fridges/fridge-freezers in the communal kitchens;
- Flow control devices are also available which regulate the supply of water to each facility according to the demand, and therefore minimise leaks and wastage;
- A water metering system, allowing water consumption to be monitored and managed;
- All new insulation materials have a Global Warming Potential (GWP) of less than five which indicates a reduction of emissions of gases associated with the manufacture, installation, use and disposal of the material.

10.52 The scheme was referred to the Council's Energy and Sustainability Officers who (following revisions being made to the energy strategy to accord with relevant policy and guidance, including proposals to install solar voltaic panels on the roof of the existing building) raised no objection to the proposal subject to conditions.

10.53 The revised energy strategy identifies that remaining carbon emissions would equate to emissions of 115 tonnes. Islington's Core Strategy policy CS10 requires remaining carbon emissions to be offset via a financial contribution towards measures to reduce carbon emissions from existing building stock. In this case, a contribution of £105,800 would be required.

10.54 There is flexibility within policy CS10A in relation to the discounting of the financial offsetting contribution in circumstances where it is reasonable to do so (for example in the case where the building is already in existence, and there are constraints which limit the measures that can reasonably be installed to reduce carbon emissions). The flexibility is in the form of consideration of financial viability of the scheme as a whole.

10.55 In this case, the applicant advised that the scheme finances are that it would not be viable to provide the carbon offset contribution. To justify the stated financial position the applicant provided a financial appraisal (carried out in accordance with the requirements of the Council's Viability SPD).

10.56 The applicant's financial appraisal was assessed for accuracy by the Council's financial consultant (BPS) who concluded (following provision of additional information) that the financial appraisal was accurate, and that the scheme would not be viable if made to pay the carbon offset contribution.

10.57 In view of the financial situation, it is not considered that refusal of the scheme can be justified on the basis of a failure to contribute towards carbon offsetting.

Highways and Transportation

- 10.58 Policies relevant to highways and transportation are set out in section 4 of the NPPF and chapter 6 of the London Plan.
- 10.59 Islington's Core Strategy (2013) Policy CS10 and Development Management Policies (2013) Policy DM8.5 seek to achieve car free development. In this case there is an existing basement car park with space for 10 approximately car parking spaces. The application proposes to replace some of the parking spaces with cycle storage. The reduction in parking would result in a decrease in vehicular trips and the greater use of public transport, pedestrian and cycle trips.
- 10.60 The site is in an area with a PTAL of 5 (i.e. it has a high level of accessibility to public transport), and the basement is sufficiently large that adequate levels of cycle parking spaces could be provided. Subject to conditions being imposed on any consent to ensure the number and design of cycle parking spaces are adequate and to ensure a Travel Plan is prepared and implemented for the operation of the hostel, there would be no objection to the scheme.
- 10.61 Conditions should be imposed on any consent granted to ensure that apart from wheelchair users, other occupiers of the development are prevented from utilising the basement area for parking of cars, and are prevented from obtaining on street parking permits.

Contaminated Land and Air Quality

- 10.62 The site is mostly covered with buildings or hard surfaced area, limiting access to the ground, thereby limiting access to any contamination that could potentially be present. No objection is therefore raised in this regard. The whole of the borough has been designated by the council as an Air Quality Management Area. It is worth noting that the development is retrospective, while there would be some minor work required, construction impact (including on air quality) would be minimal, and no objection is raised to the application in terms of air quality impacts.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The application seeks retrospective approval to change the use the premises to a hostel providing residential accommodation for hotel staff (Sui-generis). In effect, this would regularise the existing use which has been carried out since 2013.
- 11.2 The last lawful use of the site was as a care home, and in this case the acceptability of the loss of the care home is a material consideration. The scheme was therefore assessed against relevant policy relating to the loss of care home facilities. Development Plan policy does allow the loss of care homes, where adequate replacement accommodation will be provided. The residents of the care home were relocated to a modern purpose-built residential and nursing home in Durham Road.
- 11.3 There is no objection in principle to the provision of a hostel at the site as this is supported by Policy DM3.9 subject to amenity issues and other considerations.
- 11.4 The applicant revised the scheme during the course of the application to address various concerns relating to equity of access and mobility, sustainability and carbon reduction. The Council's Access and Energy/Sustainability officers advise that the

revisions resolve concerns and there is now no objection to the development in relation to these matters.

- 11.5 The Council is of the view that planning obligations, in the form of affordable housing and a contribution to offset carbon emissions would be required, subject to viability. The applicant provided evidence in the form of a financial appraisal carried out in accordance with the Council's Viability SPD, which shows the scheme cannot meet the obligations and remain viable.
- 11.6 The applicant's financial appraisal was assessed for accuracy by the Council's financial consultant (BPS) who concluded that the scheme would not be viable with a requirement to provide affordable housing and a contribution to offset carbon emissions.
- 11.7 The benefits of the proposed development must be noted and include the provision of accommodation for staff (which is acknowledged in the London Plan as meeting a housing need). Additionally, the applicant has also refurbished the building, including improving accessibility for disabled persons and upgrading the heating systems, adding insulation and installation of photo voltaic panels, to improve the buildings sustainability. On balance, subject to conditions (which are recommended) it is considered that the scheme is acceptable and approval is recommended.

Conclusion

- 11.8 In conclusion it is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

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

List of Conditions:

1	<p>Approved plans list (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved drawings and information:</p> <p>Planning Statement, Premises Management Plan, Energy and Sustainability Statement prepared by Hodkinson Rev 4, Plan Refs: 13D2 EX 3.001 P1, 13D2 EX 3.002 P1, 13D2 EX 3100 P1, 13D2 EX 3101 P1, 13D2 EX 3.200 P1, 13D2 LO 5.100 P4, 13D2 LO 5.101 P3, 13D2.LO.3.200 Rev P1.</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>
2	<p>Occupation restriction (Compliance)</p> <p>CONDITION: The occupation of the development hereby permitted shall be limited to persons employed by Imperial London Hotels Limited at their central London hotels.</p> <p>REASON: To ensure that the adequacy of the accommodation, parking, accessibility and servicing arrangements are assessed and established as being appropriate for a different hotel operator.</p>
3	<p>Accessibility (Compliance)</p> <p>CONDITION: Within 6 months of the date of this consent the following works shall have been carried out:</p> <ul style="list-style-type: none"> • Alterations to the internal layout of the development (and in particular the wheelchair accessible rooms and 5 basement car parking spaces) shall be altered to accord with details shown on the approved plan refs: 13D2.LO.5.101 Rev P3 and 13D2.LO.5.100 Rev P4, • Installation of solar voltaic panels on the roof of the premises and other sustainability measures in accordance with Energy and Sustainability Statement prepared by Hodkinson Rev 4, • Painting the roller shutter door (and its housing) which covers the entrance to the basement black. <p>Thereafter the accessible rooms, spaces and facilities, and solar PV panel shall be retained and maintained for the life of the development.</p> <p>REASON: To ensure the development provides adequately for disabled persons, and that all reasonable measures have been taken to reduce carbon emissions and to ensure the appearance of the development is acceptable.</p>
4	<p>Servicing and deliveries (Compliance)</p> <p>CONDITION: Deliveries and servicing of the site shall accord with the servicing detail provided by the applicant's email dated 29 September 2016 and shall not occur outside of the following times: 08.00 – 18.00 Mondays to Fridays, 08.00 – 13.00 Saturdays and not at all on Sundays/Bank/Public Holidays.</p> <p>REASON: To ensure servicing of the site is undertaken in a manner which does not unduly conflict with the free flow of traffic or with wheel chairs users resident at the site, and to prevent adverse impact on the amenity of nearby residential occupiers.</p>

5	Parking permits (Compliance)
	<p>CONDITION: No occupiers of the hostel hereby permitted, with the exception of disabled persons who are blue badge holders, shall apply to the Council for a parking permit or retain such a permit.</p> <p>REASON: In order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area.</p>
6	Management plan (Compliance)
	<p>CONDITION: For the life of the development, the management and operation of the hostel hereby approved shall strictly accord with the site management plan (ref: William Martin Court Premises Management Plan (received 1/8/2016)), including occupancy restrictions, measures to mitigate amenity impacts and emergency procedures.</p> <p>REASON: To prevent any unacceptable impacts on the amenity of nearby residential occupiers and to ensure that the facilities provided within the hostel are suitable for occupants.</p>
7	Cycle storage (Compliance)
	<p>CONDITION: The cycle storage for 15 bicycles shall be provided within the basement of the development in accordance with the details shown on approved plan ref: 13D2 LO 5.101 P3. There after the cycle storage facilities shall be retained and maintained in good working order for the life of the development.</p> <p>REASON: To ensure adequate cycle parking is available on site, to promote sustainable modes of transport.</p>
8	Noise Level from Premises (Compliance)
	<p>CONDITION: Noise emitted from any part of the premises shall not increase the current background levels, measured as an LA90,1hour day and LA90,5minute night at one metre from the nearest noise sensitive facade.</p> <p>REASON: In order to protect residential amenity.</p>
9	Recycling/refuse storage provision and management (Compliance)
	<p>CONDITION: The development hereby approved shall strictly accord with the refuse/recycling storage facilities, locations and collection arrangements shown on approved plan ref: 13D2 LO 5.100 P4, and shall be retained and maintained thereafter for the life of the development.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>

List of Informatives:

	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.

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

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

2. Development Plan

The Development Plan is comprised of the London Plan 2016, 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 2016 - Spatial Development Strategy for Greater London

2 London's places

Policy 2.9 Inner London
Policy 2.10 Central Activities Zone – strategic priorities
Policy 2.11 Central Activities Zone – strategic functions
Policy 2.12 Central Activities Zone – predominantly local activities
Policy 2.13 Opportunity areas and intensification areas

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 3.9 Mixed and balanced communities
Policy 3.10 Definition of affordable housing
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 3.13 Affordable housing thresholds

4 London's economy

Policy 4.1 Developing London's economy
Policy 4.5 London's visitor infrastructure
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 5.9 Overheating and cooling
Policy 5.11 Green roofs and development site environs
Policy 5.13 Sustainable drainage

6 London's transport

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.12 Road network capacity
Policy 6.13 Parking

7 London's living places and spaces

Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.8 Heritage assets and archaeology

8 Implementation, monitoring and review

Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

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

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

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

Transport

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

Health and open space

DM6.1 Healthy development

Energy and Environmental Standards

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

Infrastructure

DM9.1 Infrastructure
DM9.2 Planning obligations

D) Finsbury Local Plan June 2013

BC8 Achieving a balanced mix of uses

5. Designations

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

Islington Local Plan

CS7: Bunhill and Clerkenwell Key Area

London Plan

Central Activities Zone

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design (October 2012)
- Planning Obligations (November 2016)
- Urban Design Guide (January 2017)
- Development Viability (January 2016)
- Inclusive Design in Islington (February 2014)

London Plan

- Central Activities zone Supplementary planning guidance
- Housing Supplementary Planning Guidance
- Accessible London: Achieving and Inclusive Environment
- Sustainable Design & Construction

APPENDIX 3: BPS Report

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William Martin Court, WC1X 0JH

Independent Viability Review

Prepared on behalf of the London Borough of Islington

20 January 2017



82 South Street, Dorking, RH4 2HD
www.bps-surveyors.co.uk

Planning Reference: P2016/2405/FUL**1.0 INTRODUCTION**

- 1.1 BPS Chartered Surveyors have been instructed by the London Borough of Islington ('the Council') to undertake a review of a financial viability analysis in connection with a retrospective planning application for the change of use of William Martin Court. The applicant is Imperial London Enterprises Limited.
- 1.2 The proposals are for the "*use of premises as a hostel providing residential accommodation for hotel staff (Sui Generis)*." We understand that the application site extends to an area of approximately 0.10 hectares.
- 1.3 We understand that the last legal use of the subject property was a care home (C2 Class). The property was subsequently sold and became an emergency relief hostel, however, planning permission was not granted for this use. The property was then sold to the applicant who currently uses the premises to provide accommodation for its staff employed at a local hotel. We understand that the applicant carried out internal works to the property in order to better facilitate this use.
- 1.4 The submitted planning statement refers to a study by Islington Council in 2003 where William Martin Court was deemed not fit for continued use as a care home in its condition.
- 1.5 We have been advised by the Council that as the previous emergency relief hostel use was not granted permission, the care home use cannot be reverted back to when analysing the existing use value for viability purposes. It is considered therefore that the property has nil use which is a very unusual situation. This means that when considering the potential existing use value as part of the normal viability process, no value can effectively be ascribed to the property. We have been advised by the Council to benchmark the site on the basis of a policy compliant residential development.
- 1.6 We understand the current owner operates the hostel for staff who are employed within its London hotel portfolio. The occupiers pay subsidised rates as part of their overall employment package. The applicant's consultants have provided a valuation based on actual rents and costs within the submission.
- 1.7 The applicant's consultants have also provided a scenario with various assumptions to estimate Market Value as a hostel, were the property to be run on a commercial basis. This analysis provides a value of approximately £5.2 million, assuming it was able to secure planning consent for this purpose.
- 1.8 The applicant's consultants have modelled 5 variants of residential development options to provide an alternative use approach to establishing a site value. The residual land values derived from these development scenarios range from £9.1 million to £16.18 million. On this basis, it is proposed that the current proposals cannot viably provide any contribution towards affordable housing.
- 1.9 We have assessed the cost and value inputs within the financial appraisal in order to establish whether the current hostel use is more viable than other potential uses. In the preparation of our review we have had reference to the documents set out on Islington Councils planning portal as well as the viability information submitted by the applicant's consultants, received 20th December 2016.

2.0 CONCLUSIONS AND RECOMMENDATIONS

- 2.1 The applicant's consultants have provided appraisals which value the subject site as a commercially run hostel to represent the proposed use at a figure of £5,245,000, albeit there are buildings on site currently operating as a hostel but without consent. This is not a development appraisal but a valuation of the current buildings on site.
- 2.2 In order to test scheme viability, the consultants have modelled various residential development scenarios to provide a land value for benchmarking purposes. As aforementioned, the site does not have a current consent, however it is illogical that because of this it should be perceived as having no value.
- 2.3 The Council's Development Viability SPD 2016 seeks to test viability by reference to EUV as a preferred benchmark. Given the very unusual circumstances of this site and the absence of a valid consent, we consider an AUV approach to represent the most realistic alternative approach. This also accords with PPG which reflects the idea that a landowner would consider its options in terms of EUV or AUV as informing its minimum land value expectations.
- 2.4 The applicant proposes the following resultant land values from its residential alternative use scenarios which we summarise as follows:
- 9 x 5-Bed Houses (0% affordable housing): £16,180,000
 - 9 x Large 4-Bed Houses (0% affordable housing): £12,675,000
 - 12 (Terraced) 4-Bed Houses (33% affordable housing): £11,893,500
 - 12 (Terraced) 4-Bed Houses (50% affordable housing): £10,110,000
 - 24 Flats (21 x 2-Beds & 3 x 1-Beds) (38% affordable housing): £10,430,000
 - 24 Flats (21 x 2-Beds & 3 x 1-Beds) (50% affordable housing): £9,115,000
 - 24 Flats (6 x 3 Beds, 9 x 2 beds & 9 x 1-Beds) (38% affordable housing) £10,500,000
 - 24 Flats (6 x 3 Beds, 9 x 2 beds & 9 x 1-Beds) (50% affordable housing) £9,190,000.
- 2.5 The applicant argues that grant of consent for hostel use would confirm an investment value of £5.2 million for the buildings on site. Because there is no current valid use, the grant of consent would constitute development which would give rise to an obligation to provide affordable housing.
- 2.6 Through establishing an alternative use for the site which can be seen in terms of all the variants explored in 2.4 above to generate a higher residual value than the investment value of the hostel, the applicant argues that the grant of consent for hostel use would not generate a positive net value.
- 2.7 This approach broadly mirrors the approach modelled in respect of all development scenarios except in this instance the proposed use would not involve a development appraisal as the buildings are already on site. In this respect, we accept the approach proposed reflects the principles of planning viability to establish viability.
- 2.8 In consultation with Council Planning Officers we have considered residential development scenarios for the site and consider there is a narrower scope of development options than the applicant. We have focused our valuations on a hypothetical scheme providing 18 residential flats. We have researched relevant cost and value inputs for our appraisal and allowed for 50% provision of affordable housing reflecting a policy compliant mix of intermediate and social rent housing. Our Cost Consultant has provided a cost rate in line with BCIS data in order to calculate a total construction cost. We have also allowed for professional fees, marketing fees, disposal fees, finance costs, s106 costs and an appropriate market drive profit target. On this basis, we calculate a total residual value of £3.4 million. This forms the basis

- of our benchmark land value. It will be noted that this is significantly below the applicant's assessment of value.
- 2.9 In valuing the hostel, we have considered two scenarios to calculate its potential value, these are:
- a) An owner operator. This scenario assumes that the market value reflects the risks and values associated with operating the hostel as a business.
 - b) Assumes a conventional lease from an operator to calculate a capital value.
- 2.10 Both scenarios reflect market hostel rates and 85% room occupancy. From this, deductions for staff and operating costs have been made to derive earnings before indexation tax and amortisation EBITDA.
- 2.11 Under scenario a) there is a higher level of risk to the gross earnings as they directly reflect the risks of operating such a business but value is calculated by reference to the total EBITDA. Under scenario b) we have considered a model where the EBITDA is split equally between rent and a return to the hostel operator. The valuation is based on the land owner's right to receive the rent. This is a lower risk investment as it reflects the covenant strength of the operator and a contractual commitment to pay a fixed rent. There are further scenarios which reflect turnover rents but these are likely to generate lower overall capital values than the two approaches considered due to the higher level of income risk involved.
- 2.12 Under these two scenarios we calculate the GDV for scenario a) to be £7.75m and £5.32m for scenario b).
- 2.13 We are of the view that the applicant's approach is conceptually incorrect in simply deriving an investment value of the hostel. The simple grant of consent for hostel use would not of itself generate an investment value of a fully completed and operating hostel, it would simply confer rights to develop the site for hostel use. However, there are buildings on site representing an investment or sunk cost and we are firmly of the view that this should be reflected in the valuation of the property to differentiate site value from completed and operating investment value.
- 2.14 For this reason, we have undertaken residual valuations of scenario a) and b) to factor in a present-day cost of the on-site buildings. This generates a residual value of £2.55m for scenario a) and £520,000 for scenario b). We have then compared these figures to our AUV benchmark figure of £3.4m.
- 2.15 On this basis scenario a) generates a net deficit of say -£797,000 and scenario b) a much greater deficit of -£2.83 m. Reflecting our analysis we are of the view that grant of consent for hostel use would not generate sufficient value reflecting a conventional approach to planning viability such that there would be capability to deliver a viable contribution towards affordable housing.
- 2.16 This recommendation hinges on the optionality in PPG for a land owner to seek the optimum value for its land given its options for an EUV or AUV. In this instance, and acting on the advice of Planning Officers, we are satisfied the AUV approach represents a valid basis for benchmarking the hostel use.

3.0 BENCHMARK LAND VALUE

Viability Benchmarking

3.1 Development appraisals work to derive a residual value. This approach can be represented by the formula below:

3.2 Gross Development Value - Development Costs (including Developer's Profit) = Residual Value

3.3 The residual value is then compared to a benchmark land value. Existing Use Value (EUV) and Alternative Use Value (AUV) are standard recognised approaches for establishing a land value as they help highlight the apparent differences between the values of the site without the benefit of the consent sought.

3.4 The rationale for comparing the scheme residual value with an appropriate benchmark is to identify whether it can generate sufficient money to pay a realistic price for the land whilst providing a normal level of profit for the developer. In the event that the scheme shows a deficit when compared to the benchmark figure the scheme is said to be in deficit and as such would be unlikely to proceed.

3.5 We note the Mayor's Housing SPG published March 2016 states a clear preference for using EUV as a basis for benchmarking development as this clearly defines the uplift in value generated by the consent sought. This is evidenced through the following extract:

“.....either ‘Market Value’, ‘alternative use value’, ‘existing use value plus’ based approaches can address this requirement where correctly applied (see below); their appropriate application depends on specific circumstances. **On balance, the Mayor has found that the ‘Existing use Value plus’ approach is generally most appropriate for planning purposes, not least because of the way it can be used to address the need to ensure that development is sustainable in terms of the NPPF and Local Plan requirements, he therefore supports this approach.** The ‘plus’ element will vary on a case by case basis based on the circumstances of the site and owner and policy requirements.”
[Emphasis original]

3.6 We find the Market Value approach as defined by RICS Guidance Viability in Planning 2012 if misapplied is potentially open to an essentially circular reasoning. The RICS Guidance promotes use of a modified standard definition of “Market Value” by reference to an assumption that the market value should reflect planning policy and should disregard that which is not within planning policy. In practice, we find that consideration of compliance with policy is generally relegated to compliance somewhere on a scale of 0% to the policy target placing land owner requirements ahead of the need to meet planning policy.

3.7 Furthermore, the RICS guidance is in conflict with PPG in that PPG adopts a different level of emphasis in respect of the importance of planning policy. This is evident from the PPG extract set out below:

reflect policy requirements and planning obligations and, where applicable, any Community Infrastructure Levy charge;

The requirement to reflect policy is unambiguous.

3.8 There is also a high risk that the RICS Guidance in placing a very high level of reliance on market transactions is potentially exposed to reliance on bids which might

- a. Represent expectations which do not mirror current costs and values as required by PPG.
- b. May themselves be overbids, and most importantly
- c. Need to be analysed to reflect a policy compliant position.

To explain this point further, it is inevitable that if site sales are analysed on a headline rate per acre or per unit without adjustment for the level of affordable housing delivered then if these rates are applied to the subject site they will effectively cap delivery at the rates of delivery achieved of the comparable sites. This is an essentially circular approach which would effectively mitigate against delivery of affordable housing if applied.

- 3.9 The NPPF recognises at paragraph 173 identifies the need to provide both land owners and developers with a competitive return. In relation to land owners this is to encourage land owners to release land for development. This has translated to the widely accepted practice when using EUV as a benchmark of including a premium. Typically, in a range from 5-30%. Guidance indicates that the scale of any premium should reflect the circumstances of the land owner. We are of the view that where sites represent an ongoing liability to a land owner and the only means of either ending the liability or maximising site value is through securing a planning consent this should be a relevant factor when considering whether a premium is applicable.

The Proposed Benchmark

- 3.10 We have obtained the Land Registry title register and plan which states that the subject site was purchased in 2013 for £8.0 million by Imperial London Enterprises Ltd. We consider the purchase price alone insufficient to determine the benchmark land value in line with PPG as bids can be 'significantly above the market norm'.
- 3.11 During a meeting with the Council and the applicant's consultants we were made aware that the last lawful use of the premises was as a care home. The property was subsequently sold and used as a hostel although no permission was granted. The applicant purchased the site and decided to invest to convert the space into rooms to house employees of its local hotel.
- 3.12 As there is no legal use, the decision has been made to model a residential development on this site. The applicant's consultants have modelled various residential development scenarios which we summarise within the table below alongside the respective residual land values.

Scheme	% AH	Total Units	Benchmark Market Value
9 x 5-Bed Houses	0%	9	£16,180,000
9 x Large 4-Bed Houses	0%	9	£12,675,173
12 (Terraced) 4-Bed Houses	33%	12	£11,893,541
12 (Terraced) 4-Bed Houses	50%	12	£10,109,869
24 Flats (21 x 2-Beds & 3 x 1-Beds)	38%	24	£10,430,147
24 Flats (21 x 2-Beds & 3 x 1-Beds)	50%	24	£9,115,223
24 Flats (6 x 3 Beds, 9 x 2 beds & 9 x 1-Beds)	38%	24	£10,503,741
24 Flats (6 x 3 Beds, 9 x 2 beds & 9 x 1-Beds)	50%	24	£9,188,818

- 3.13 Following advice from the Council, we have assessed the benchmark land value in line with a hypothetical development for 18 residential units which includes 50% affordable housing with a mix of broadly 70:30 social rent and intermediate housing respectively in accordance with Policy. We have also been advised that the gross internal area of the existing building is 1,501 sq.m and therefore have sought to

model this scenario on the basis as it is in line with the existing built form. The residential mix assumed has been summarised within the table below.

	1bed	2bed	3bed	Total
Market	3	5	1	9
Intermediate	2	1	0	3
Social Rent	0	3	3	6
Total	5	9	4	

3.14 In compiling our benchmark appraisal, we have had reference to the assumptions provided by the applicant's consultants. The applied sales values are as follows:

- 1 bed flats valued for £847,000 per unit (£1,575 sq.ft)
- 2 bed flats valued for £1,130,000 per unit (£1,500 sq.ft)
- 3 bed flats valued for £1,233,000 per unit (£1,450 sq.ft).

3.15 Ground rent has been applied at £300, £400 and £500 per unit per annum for one, two and three bed flats respectively.

3.16 The applicant's consultants have not provided comparable evidence in order to support the proposed residential values. The average unit value for the one bed units is £847,000. We have had reference to the following comparable information:

- A one bed flat is currently for sale at New River Head, Clerkenwell for £740,000 (£920 sq.ft / £9,908 sq.m). This unit is within a Grade II listed converted flat and residents have the benefit of a concierge service and gymnasium
- Flat 36 Angel Southside sold for a HPI adjusted figure of £624,038 (£1,010 sq.ft / £11,841 sq.m). This is a 3rd floor second hand unit in good condition
- Flat 3 Mytre Court, Johns Mews sold for a HPI adjusted price of £703,709 (£1,343 sq.ft / £14,456 sq.m). This is a refurbished second floor unit which is situated within a micro-location that tends to see similar residential sales values when compared to the subject site.

On the basis of our research, we have selected a sales rate of £1,400 sq.ft / £15,069 sq.m.

3.17 The two bed flats have been assigned an average unit value of £1,130,000. We have had reference to the following information:

- 65A Amwell Street sold in January 2016 for a HPI adjusted price of £1,069,103 (£1,034 sq.ft / £11,125 sq.m). This is a maisonette arranged over the top two floors of a period building. The property also has the benefit of a private entrance and was sold in excellent condition
- Flat A 16 River Street sold in March 2016 for an adjusted price of £1,042,739 (£1,496 sq.ft / £16,092 sq.m). This unit is situated over the lower ground and raised ground floor and has the benefit of a small garden area. This is a period conversion in excellent condition
- We have seen new build units on the Chronical Tower scheme on City Road which has sold within a range of £850,000 - £1,145,000 in the last year. The majority of units sold for £900,000 - £980,000.

On the basis of our research, we have adopted an average unit value of £1,050,000.

3.18 We have also had reference to three bed sales information:

- Flat 87 The Cooper Building sold in March 2016 for an adjusted price of £1,098,501 (£1,309 sq.ft / £14,093 sq.m). This is a new build property situated

within a micro-location which sees similar residential sales values when compared to the subject site

- Flat 83 The Cooper Building sold for an adjusted price of £1,499,983 (£1,680 sq.ft / £18,080 sq.m). This is a ninth floor property with underfloor heating and concierge facilities.

We have maintained the proposed three bed unit values. We have also maintained the ground rent assumptions for the purpose of the current analysis.

- 3.19 The applicant's consultants have included affordable rent units within the scenarios which are 35% of open market sales rates. The applicant's consultants note "*generally shared ownership is not appropriate where unrestricted market values of a unit exceed £600,000*" and that shared ownership units would not be viable within a high value area such as Margery Street. Therefore, shared ownership units have not been included within the financial appraisal.
- 3.20 Our scenario includes 2x one bed and 1x two bed intermediate units and have applied an average value rate of £500 sq.ft / £5,382 sq.m which we deem to be reasonable in the current market. We have also included 3x two bed and 3x three bed social rent units. We have applied a sales rate of £190 sq.ft / £2,045 sq.m.
- 3.21 Our Cost Consultant, Neil Powling FRICS has provided an approximate cost rate estimate for the benchmark scheme using BCIS data. The applicant's consultants have selected upper quartile BCIS costs for the hypothetical residential schemes in order to reflect the high-quality development which would be required at this location. Our Cost Consultant has also calculated build costs on this basis, however, notes that an 80% efficiency is more likely rather than 85%. Neil has added 10% external works, £200,000 for demolition and site clearance and a 5% contingency. On this basis, we calculate a construction cost of £3,365,252.
- 3.22 We have allowed for 5.5% purchasers costs on the land value which comprises stamp duty and legal & agent fees. Professional fees have been set at 10% which we deem reasonable in line with the development characteristics as well as market norms.
- 3.23 Disposal sales agent and legal fees have been included at 1.50%. Finance costs have been calculated on the basis of a 7% debit rate. We have applied a developer profit target of 20% on GDV which reflects the characteristics of the development.
- 3.24 The applicant's consultants have included s106 contributions for carbon dioxide off setting at £1,000 per flat. Following advice provided by the Council, we have altered the appraisal to allow for a figure of £7,500 per unit which equates to £135,000 in total. This calculation is carried out on a case by case basis.
- 3.25 On the basis of our residual calculation we calculate a total net land value of say £3.4 million.

4.0 COMMERCIAL UNIT VALUATION

- 4.1 In order to ascertain the value of the property as a hostel, the applicant's consultants have considered actual current revenues and costs which show a yearly surplus of approximately £33,400 and when capitalised at a yield of 5.25%, generates a Market Value of approximately £640,000.
- 4.2 The applicants consultants have also considered the market value of the property as a Hostel assuming it was run on a commercial basis.
- 4.3 We are of the view that the applicant's approach is conceptually incorrect in simply deriving an investment value of the hostel. The simple grant of consent for hostel use would not of itself generate an investment value of a fully completed and operating hostel. There are buildings on site which we consider to represent an investment which should be reflected in the valuation of the property to differentiate site value from completed and operating investment value.
- 4.4 The submitted Planning Statement includes a summary of the existing accommodation. The provided analysis includes 43 bedrooms, 2 bedrooms with bathrooms and 6 self-contained studio flats. This provides a total of 51 rooms opposed to 49 as represented within the table below. We have removed the additional two units from the spreadsheet.

T2: Accommodation summary					
Floor	Bedrooms		Apartments / studios		Total floor GIA (sq. m.)
	Number	Size range (sq. m.)	Number	Size range (sq. m.)	
Ground	18	11.0 – 17.9	2	17.0 – 17.9	580
First	13	9.9 – 12.4	2	31.6 – 35.6	480
Second	12	10.6 – 15.7	2	30.7 – 35.6	441
Total	43	-	6	-	1,501

Sources: IPA architects

- 4.5 The house keeper has a room which is assumed to attract no income. The proposed value rates are:

- One bed studios flats: £500 per week
- Beds with bath: £375 per week
- Bedsit: £300 per week.

We have seen a private room in Clink78 hostel at King's Cross Road with shared facilities currently advertised for a similar weekly rate as the proposed bedsit rate. We note that under the Council's Planning Policy, the hostel use would be subject to restrictions in relation to occupation. This may restrict the achievable value rates and impact other assumptions.¹

- 4.6 The assumed average occupancy rate is 85%. A JLL (2016) report analysing hotels and hostels in London notes average occupancy rate of 82.2%. Furthermore, a PWC (2015) report on the hospitality industry in London notes an occupancy forecast of 84% for 2015 and an actual 2014 occupancy rate of 83% for hotels. We appreciate that the current analysis is based on hostel use, however, hotel occupancy information is still

¹ For the purposes of the current assessment we have not made any deductions to account for the restricted use. A decrease in rates would not change the conclusions of our report.

useful for reference purposes. We consider the proposed occupancy rate to be optimistic but largely reasonable.

- 4.7 The proposed overall costs to run the hostel are 21% of the gross income per annum. We consider this to be a reasonable assumption.
- 4.8 The applicants consider that the annual balance will be equally split between the operator and the landlord. Hostels can be run based on many different agreements which have an impact on the appropriate yield. We have considered the 50% model and allowed for a yield of 5.16%. We have also considered a model which assumes that the land owner is also the operator of the hostel which in our view would attract a yield of 7%.
- 4.9 The level of risk attached to hostel ownership relates to the strength of the hostel operator, if this is not the land owner, and the strength of the brand they offer. This is represented within the table below compiled by Savills (2015) which compares hotel yields depending on the operational structure. We accept that the current analysis is for hostel yields, however, this represents the structures which may be applicable.

Typical yields by operational structure

Structure	2014 yield	2015 yield
Franchise	6.5% to 10.0%	5.5% to 8.5%
Turnover leases	7.0% to 8.0%	6.5% to 7.5%
Fixed lease (strong covenant)	4.75% to 5.25% (50 basis point discount on similar product outside London)	4.25% to 5.0% (25-50 basis point discount on similar product outside London)
Fixed lease (unproven covenant)	6.0% to 8.0% depending on rent cover	5.75% to 7.5% depending on rent cover

Table source: Savills

- 4.10 We can see that a fixed lease agreement can attract a low yield if the operator has strong covenant. We have considered two scenarios as follows:
- Scenario a: there is a higher level of risk to the gross earnings as they directly reflect the risks of operating such a business but value is calculated by reference to the total EBITDA
 - Scenario b: we have considered a model where the EBITDA is split equally between rent and a return to the hostel operator. The valuation is based on the land owner's right to receive the rent. This is a lower risk investment as it reflects the covenant strength of the operator and a contractual commitment to pay a fixed rent.

We consider that the applicant's approach is conceptually incorrect in only deriving an investment value of the hostel. The simple grant of consent for hostel use would not of itself generate an investment value of a fully completed and operating hostel, it would simply confer rights to develop the site for hostel use. However there are buildings on site and we are firmly of the view that this should be reflected in the

valuation of the property to differentiate site value from completed and operating investment value. As such, we have provided a headline construction cost rate based on BCIS data and included this within our appraisal.

- 4.11 For the scenario assuming that the land owner is also the operator we calculate a residual land value of £2.55 million. For the scenario with a 50:50 split between the land owner and the operator, we calculate a residual land value of £520,871.

Appendix 1: BCIS Cost Information

65 Margery Street WC1X 0JH BCIS downloaded 12th Jan 2017

Islington

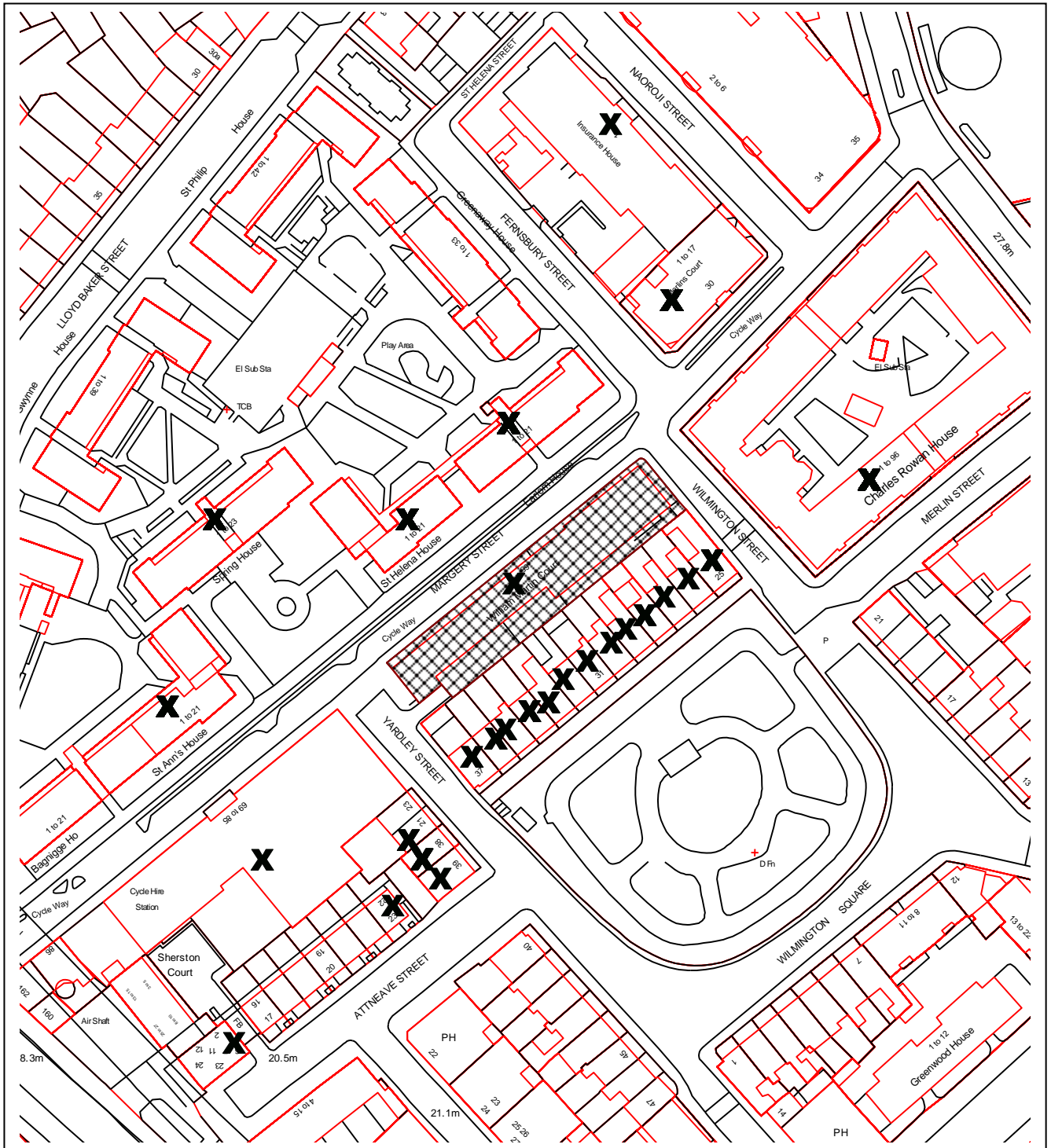
Taken as 3 storey flats

Applicant 26.11.16 - 4Q2016

Location Islington	122
TPI 4Q2016	286 forecast
TPI 1Q2017	288 forecast

Avg prices default new build	LF100	LF122	sample	% inc on mean
Flats generally mean	1,300	1,586	897	
Flats generally UQ	1,464	1,786	897	12.6%
Flats 3-5 storey mean	1,277	1,558	603	
Flats 3-5 storey UQ	1,453	1,773	603	13.8%
Avg prices max age 5yrs new build				
Flats generally mean	1,356	1,654	259	
Flats generally UQ	1,538	1,876	259	13.4%
Flats 3-5 storey mean	1,319	1,609	178	
Flats 3-5 storey UQ	1,492	1,820	178	13.1%

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