

ADDENDUM REPORT – 273 Camden Road

Application Deferred

1. The current application (P2015/5306/FUL) was previously heard at the Planning Committees held on the 19 May and 13 September 2016. A copy of the original committee report for the 19 May meeting is attached at appendix 4. The application was deferred at this meeting and the addendum report for the 13 September committee is attached at Appendix 3. The application was deferred by Committee Members at the 13 September meeting for the following reason:

a) To enable the further viability assessments on having a shared core and 2 core options to be independently assessed.

2. The scheme has been amended to address the above reasons for deferral.

Reason a)

3. The scheme has been amended with affordable housing mix changing in order to increase the number of social rented units. The applicant (Origin Housing) has agreed in this instance, to have all three tenures accessing the dwellings off the single core, despite this being against their usual management practices.
4. The scheme has therefore been amended to provide 4 rented units (1 x 1b, 2 x 2b, 1 x 3b), 2 intermediate units (1 x 1b, 1 x 2b) and 15 private units (6 x 1b, 9 x 2b). This equates to 29% when calculated using unit numbers and 30% when calculated using habitable rooms. The scheme previously provided 2 social rent and 8 shared ownership units which equated to 48% when calculated using unit numbers or habitable rooms.
5. In terms of the shared core the amended mix results in 2 rented ground floor units with their own entrances and the stair/lift core accessing the upper floors being shared by 2 x rented units (at first floor level), 2 intermediate units (at first floor level) and 15 private units (at 2nd-5th floor levels).
6. The Council appointed BPS Chartered Surveyors to undertake a review of the two financial viability appraisals submitted with the application (appended to the original committee report below). As originally submitted the proposal included 2 x social rent and 4 x intermediate units and BPS had advised that the scheme could accommodate more affordable housing units than this, with the potential to provide 3 x social rent and 5 x intermediate units (as per paragraph 8.30 of the original report). This would not have been a policy compliant tenure mix (at a ratio of 37:62 rather than 70:30) and the applicant had issues with the three tenures sharing a core. The affordable housing was therefore changed to 2 x social rent and 8 x intermediate units at the time of assessment at the May and September committee meetings.
7. BPS have undertaken a review of the recent amended affordable housing proposal (with 4 x social rent and 2 x intermediate units), attached at appendix 1, and have confirmed that this provision is viable and represents the maximum reasonable amount of affordable housing that can be secured on site, along with a financial contribution of £136,558. This mix is also policy compliant at a ratio of 67:33.

8. With regard to policies CS 12 and DM3.1 the new unit size mix is set out below, with a comparison to the policy target (the previous proposal can be found at paragraph 8.38 of the original report):

Dwelling Type	Social Rent	Policy DM3.1 Target	Inter-mediate	Policy DM3.1 target	Private	Policy DM3.1 Target
Studio	0	0	0	0	0	0
One Bedroom (2 person)	1 (25%)	0	1 (50%)	65%	6 (40%)	10%
Two Bedroom (3 and 4 person)	2 (50%)	20%	1 (50%)	35%	9 (60%)	75%
Three Bedroom (4, 5 and 6 person)	1 (25%)	30%	0	0	0	15%
4 bedrooms or more	0	50%	0	0	0	0
TOTAL	4		2		15	

9. There is an identified strong demand for 2 bed units within the market tenure and the scheme provides this, although there is a higher proportion of 1 bed units. There is an identified strong demand for larger units (3 and 4 beds) within the social rented tenure within the borough and the scheme provides this, although it provides a 1 bed unit rather than a 4 bed unit. There is an identified strong demand for 1 bed intermediate units and the scheme provides this, although there is a higher proportion of 2 bed units.
10. Plans have been submitted showing an option with 2 cores within the building, along with an updated viability appraisal. This option provides 19 units in total, with 9 affordable units (6 social rent and 3 intermediate at a ratio of 75:25). This equates to 47% when calculated using unit numbers and 52% when calculated using habitable rooms. The use of separate cores reduces the total number of units that can be provided on site and increases the costs. The policy compliant mix also has a substantial impact on the values realised. The combination of the reduction in units, cost increase and value decrease makes this option unviable. BPS have undertaken a review of this option, attached at appendix 2, and have confirmed that this is unviable

Conclusion

11. In conclusion, the amended provision of 4 rented units (1 x 1b, 2 x 2b, 1 x 3b) and 2 intermediate units (1 x 1b, 1 x 2b) is considered acceptable and represents the maximum reasonable amount of affordable housing that can be secured on site and this can be secured with a S106 legal agreement (with a minimum initial equity share of 25% and a maximum 2.5% rent on the unsold equity for the shared ownership units). The amended S106 Heads of Terms relating to Affordable Housing are as follows:
- On site provision of 4 social rented units (1 x 1b, 2 x 2b, 1 x 3b) and 2 shared ownership units (1 x 1n, 1 x 2b) and with a minimum initial equity share of 25% and a maximum 2.5% rent on the unsold equity;
 - Financial contribution of £136,558 towards the provision of affordable housing;

APPENDICES

- Appendix 1 - BPS report on amended scheme
- Appendix 2 - BPS report on 2 core option
- Appendix 3 - previous addendum committee report
- Appendix 4 - original committee report

APPENDIX 1 - BPS REPORT ON AMENDED SCHEME

273 Camden Road, Islington, London, N7 0JN

Application Ref: 2015/5306/FUL



Independent Review of Assessment of Economic Viability

30 September 2016

1.0 Introduction

- 1.1. BPS Chartered Surveyors has been instructed by The London Borough of Islington ('the Council') to review a viability assessment prepared by HEDC Limited on behalf of Origin Housing Group ('the applicant') in respect of the former Latin Corner public house at 273 Camden Road, Islington, N7 0JN.
- 1.2. We have previously submitted reports in respect of the proposed development dated 29 January 2016 and 19 February 2016. This report has been drafted in response to offer of 4 x social rented units and 2 x shared ownership units.
- 1.3. The application is for the;

'Demolition of existing building and erection of a 6 storey building to provide 21 residential units (8 x 1-bed, 12 x 2-bed and 1 x 3-bedroom flats) with associated landscaping and amenity space.'
- 1.4. We are in receipt of the revised accommodation schedule dated 29 September 2016 and base our analysis on this.

2.0 Conclusions

- 2.1. Having applied the updated unit mixes our Argus model, attached at appendix 1, returns a residual land value of £796,558. This shows a surplus of £136,558 against the benchmark land value of £660,000.
- 2.2. We have considered whether this apparent surplus could be used to generate additional on-site affordable and note that a 1 bed market sale unit is some £190,000 more expensive than the same unit as shared ownership, therefore conversion of a further unit would not viable. The deficit being much greater when considering conversion to social rent.
- 2.3. As such we are of the opinion that current offer represents the maximum reasonable amount of affordable housing that could be viably delivered on-site.

BPS Chartered Surveyors

273 Camden Road

4 Social Rented: 2 Shared Ownership Split

Development Appraisal
BPS Surveyors
30 September 2016

273 Camden Road
4 Social Rented: 2 Shared Ownership Split

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	ft ²	Rate ft ²	Unit Price	Gross Sales
Private Residential	15	10,046	725.00	485,557	7,283,350
Affordable - SR	4	3,427	100.00	85,675	342,700
Shared Ownership	2	1,303	375.00	244,313	488,625
Totals	21	14,776			8,114,675

Rental Area Summary

	Units	Initial MRV/Unit	Net Rent at Sale	Initial MRV	
Ground Rent	15	350	5,250	5,250	
Investment Valuation					
Ground Rent					
Current Rent	5,250	YP @	5.0000%	20.0000	105,000

GROSS DEVELOPMENT VALUE

Purchaser's Costs			(6,090)	(6,090)	
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NET DEVELOPMENT VALUE

NET REALISATION				8,213,585	
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OUTLAY

ACQUISITION COSTS

Residualised Price			796,558	796,558	
Stamp Duty		4.00%	31,862		
Agent Fee		1.00%	7,966		
Legal Fee		0.50%	3,983		
				43,811	

CONSTRUCTION COSTS

Construction	ft ²	Rate ft ²	Cost	
Private Residential	10,046 ft ²	428.03 pf ²	4,300,000	4,300,000
CIL			283,537	283,537

PROFESSIONAL FEES

Architect		15.00%	645,000	645,000
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MARKETING & LETTING

Marketing		2.00%	145,667	145,667
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DISPOSAL FEES

Sales Agent Fee		1.50%	110,825	
Sales Legal Fee		0.35%	25,838	
				136,663

MISCELLANEOUS FEES

FIXED PROFIT		20.00%	1,477,670	
Affordable Profit		6.00%	49,880	
				1,527,550

FINANCE

Debit Rate 6.750%, Credit Rate 0.000% (Nominal)				
Land			99,211	

273 Camden Road**4 Social Rented: 2 Shared Ownership Split**

Construction	196,902	
Other	38,687	
Total Finance Cost		334,800

TOTAL COSTS**8,213,585****PROFIT****0****Performance Measures**

Profit on Cost%	0.00%
Profit on GDV%	0.00%
Profit on NDV%	0.00%
Development Yield% (on Rent)	0.06%
Equivalent Yield% (Nominal)	5.00%
Equivalent Yield% (True)	5.16%

IRR 6.13%

Rent Cover 0 mths

Profit Erosion (finance rate 6.750%) 0 mths

APPENDIX 2 – BPS REPORT ON 2 CORE OPTION



273 Camden Road, Islington, London, N7 0JN

Application Ref: 2015/5306/FUL

Independent Review of Assessment of Economic Viability

03 October 2016

1.0 Introduction

- 1.1. BPS Chartered Surveyors has been instructed by The London Borough of Islington ('the Council') to review a viability assessment prepared by HEDC Limited on behalf of Origin Housing Group ('the applicant') in respect of the former Latin Corner public house at 273 Camden Road, Islington, N7 0JN.
- 1.2. We have previously submitted reports in respect of the proposed development dated 29 January 2016 and 19 February 2016. This report has been drafted in response to the HEDC letter of 06 June 2016 in which they examine the implications of an on-site policy compliant provision.
- 1.3. The application is for the;

'Demolition of existing building and erection of a 6 storey building to provide 21 residential units (8 x 1-bed, 12 x 2-bed and 1 x 3-bedroom flats) with associated landscaping and amenity space.'
- 1.4. The HEDC letter outlines the implications of increased social rented units, namely the inclusion of a second core at the expense of two units resulting in 19 apartments of which 6 are social rent and 3 are shared ownership.

2.0 Conclusions

- 2.1. In preparing their Argus appraisal for the two core scheme HEDC has applied the figures outlined by BPS in our previous report including the higher private residential sales values. Their appraisal results in a residual value of £6,261 which represents a deficit of -£653,739 against our proposed benchmark of £660,000.
- 2.2. We have created our own Argus appraisal of this scheme that shows a residual of £34,272 which results in a deficit of -£625,728 against our benchmark. This accords closely with the HEDC assessed figure. We attach our appraisal at appendix 1.
- 2.3. Overall it is clear that the 2 core policy complaint option presents a substantial deficit against the benchmark land value and as such is unviable.

BPS Chartered Surveyors

273 Camden Road - Islington
2 Core Policy Compliant Model

Development Appraisal
BPS Surveyors
03 October 2016

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	ft²	Rate ft²	Unit Price	Gross Sales
Private Residential	10	6,636	725.00	481,110	4,811,100
Affordable - SR	6	5,188	100.00	86,467	518,800
Shared Ownership	3	2,334	375.00	291,750	875,250
Totals	19	14,158			6,205,150

Rental Area Summary

	Units	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Ground Rent	10	350	3,500	3,500

Investment Valuation

Ground Rent					
Current Rent	3,500	YP @	5.0000%	20.0000	70,000

GROSS DEVELOPMENT VALUE

6,275,150

Purchaser's Costs	(4,060)	(4,060)
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NET DEVELOPMENT VALUE

6,271,090

NET REALISATION

6,271,090

OUTLAY

ACQUISITION COSTS

Residualised Price		34,272	34,272
Stamp Duty	4.00%	1,371	
Agent Fee	1.00%	343	
Legal Fee	0.50%	171	
			1,885

CONSTRUCTION COSTS

Construction	Units	Unit Amount	Cost	
Construction Costs	1 un	4,400,000	4,400,000	4,400,000
CIL			212,573	212,573

PROFESSIONAL FEES

Architect	5.00%	220,000	220,000
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MARKETING & LETTING

Marketing	2.00%	96,222	96,222
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DISPOSAL FEES

Sales Agent Fee	1.50%	73,217	
Sales Legal Fee	0.35%	17,070	
			90,286

MISCELLANEOUS FEES

FIXED PROFIT	20.00%	976,220	
Affordable Profit	6.00%	83,643	
			1,059,863

FINANCE

Debit Rate 7.000%, Credit Rate 0.500% (Nominal)			
Land		2,974	

Construction	132,268	
Other	20,748	
Total Finance Cost		155,989
TOTAL COSTS		6,271,090
PROFIT		0

Performance Measures

Profit on Cost%	0.00%
Profit on GDV%	0.00%
Profit on NDV%	0.00%
Development Yield% (on Rent)	0.06%
Equivalent Yield% (Nominal)	5.00%
Equivalent Yield% (True)	5.16%
IRR	6.26%
Profit Erosion (finance rate 7.000%)	N/A

APPENDIX 3– PREVIOUS ADDENDUM COMMITTEE REPORT

ADDENDUM REPORT – 273 Camden Road

Application Deferred

2. The current application (P2015/5306/FUL) was previously heard at the Planning Committee held on the 19 May 2016. The application was deferred by Committee Members for the following reasons:
 - a) To enable the applicant to sign a statutory declaration
 - b) To enable the applicant to investigate the possibility of an increased number of social rented units in the scheme.
2. Further information has been provided to clarify and address the above reasons for deferral. The responses to each of the above reasons are provided below and the original Committee Report is attached at Appendix 1:

Reason a)

3. The applicant has now signed the verification statutory declaration.

Reason b)

Introduction

4. The scheme provides 21 units in total, with 10 affordable housing units (2 social rent and 8 shared ownership) which equates to 48% when calculated using unit numbers or habitable rooms. Officers have requested advice from BPS with regard to the potential number of affordable housing units that could be provided on site with a more policy compliant mix of tenures. BPS have advised that, notwithstanding the issues summarised below regarding shared cores, the scheme could provide 6 units (4 social rent and 2 shared ownership) which equates to 29% when calculated using unit numbers. The current scheme therefore proposes an increased total number of affordable housing units to compensate for the non policy compliant tenure mix (6 additional shared ownership units in place of 2 social rent units).
5. Paragraph 8.26 of the previous committee report sets out the Inspector's conclusion regarding the mix of affordable tenures for the previously refused scheme on site. In summary the refused scheme proposed no social rent units and 100% intermediate units. The Inspector concluded that there was no evidence to show that a scheme with a more policy compliant mix could work on this site and that the proposal with 100% intermediate units would make a meaningful and useful contribution to affordable housing in the borough.
6. In order to investigate whether an increased number of social rented units can be provided on site the applicant and officers have explored the use of a shared core and separate cores for different tenures and this is summarised below.

Shared core

7. Further advice has also been sought from **Policy colleagues** with regard to mixed tenure cores and they have advised as follows:

“LDF policies are silent on tenure mixing within blocks; the last bullet point of CS12G refers to the need for affordable units to be designed to a high quality and be fully integrated within the overall scheme which arguably the current proposals do achieve. The applicant is however, seeking to rely on the need to separate Social Rented units as a justification for why they are not satisfying tenure split/mix policies set out in CS12G and DM3.1.

The Mayor’s Housing SPG (March 2016) at para 1.3.18 makes explicit reference to separate provision of entrance and circulation space for different tenures for higher density schemes (linked to London Plan policy 3.12/para 3.76 specifically).

“1.3.18 Schemes should be designed to maximise tenure integration and affordable housing units should have the same external appearance as private housing. In some higher density schemes, separate provision of entrance and circulation spaces for different tenures may enable affordable housing provision which might otherwise be made unviable given high service charges and management arrangements. All entrances will need to be well integrated with the rest of the development and meet the Mayor’s housing standards in terms of entrance and approach, accessibility and active frontages (see Part 2 of this SPG).”

In conclusion, there is no policy requirement to provide a mixed tenure shared core, but neither is there a policy which supports the applicant’s view that it is necessary to provide separate circulation spaces for different tenures. The question is then how much weight should be given to the applicant’s management practices in coming to a view on the acceptability of the tenure mix proposed.

Origin’s position is that their management practices should be given substantial weight, and the previous Inspector agreed. While the current scheme is materially different than the appeal scheme, because the applicant is a Registered Provider and they are delivering circa 50% Affordable Housing, if the scheme were to be refused on the tenure mix alone it is unlikely that this would be upheld at appeal.

If from a housing management point of view the Council consider it a priority to reduce service charges for Social Rented units as low as possible then a pragmatic way forward could be to cap the service charges for the Social Rented units in the S106.”

8. Further advice has also been sought from **Housing colleagues** with regard to the shared cores and proposed service charge levels and they have advised as follows:

“Notwithstanding the fact that Council schemes and Registered Providers would have different specifications, the average service charge across the council’s social rented stock is approximately £44 per month which is comparable with the applicant’s current proposal for the ground floor social rented units (indicated at £14 per week/£60 per month).

The service charge indicated by the applicant for the upper floor flats (indicated at £29 per week/ £126 per month), when taken with the likely rent levels would be close to the top of the affordability range for social rented tenants but would still be considered affordable.”

They have also confirmed that to date the Council have not included mixed tenure cores (with social rent, intermediate and private units sharing a core) in any new build

schemes.

9. **Origin housing** are the applicant and they have confirmed that they manage all their schemes with separate cores and that their management policy is:

“Origin is an affordable housing specialist and actively looks to build housing for mixed tenure developments. Origin has found that the most successful approach to mixed tenure developments is through providing separate tenure cores, so that the housing for all residents is affordable and flexes to meet their requirements. In mixed tenure developments where there are shared communal areas the level of service charges for rented units can be higher and therefore become ‘unaffordable’ to some of the residents who live there. Government legislation has led to changes in welfare benefits that increasingly means individual residents are liable for a higher burden of service charges which may have been covered by benefits until recently.”

10. **Other schemes in the borough:** Officers are aware of only one application in the borough where the proposal includes cores with a mix of private, intermediate and social rented residents, which is the current application under assessment at Lamb’s Passage (P2016/0488/FUL). There is a different context for this application in terms of the appeal history and scheme viability and it is very unusual for a mixed tenure core to be proposed.
11. **Viability:** The applicant has taken advice from three surveyors/valuers with regard to the financial impact of including a shared core within the scheme. They have provided written statements that in their professional opinions a shared core would have a negative impact on sale prices for the private units and slow down the selling process. The implication is that the use of a shared core would make the scheme unviable. Viability/S106 colleagues have advised that they agree that there could be reductions in value but that it is difficult to quantify this.
12. **Additional cores**
In light of the above the applicant has stated that the only way to provide additional social rented units within the scheme is through the provision of separate cores. Plans have therefore been submitted showing an option with 2 cores within the building, along with an updated viability appraisal. This option provides 19 units in total, with 9 affordable units (6 social rent and 3 intermediate). The use of separate cores reduces the total number of units that can be provided on site and increases the costs. The policy compliant mix also has a substantial impact on the values realised. The combination of the reduction in units, cost increase and value decrease makes this option unviable. BPS have reviewed the viability appraisal information and have confirmed that the proposed option is unviable.
13. Officers requested that the service charges for the two proposed ground floor social rent units be capped in order to ensure that lower service charges are secured. Origin have advised that they cannot sign up to this because “they cannot be certain what legislative changes may come forward in the future which necessitate additional expenditure”. They have advised however, that their policy remains as per paragraph 9 above; to ensure that social rent service charges are kept as affordable as possible.

Conclusion

14. Officers have explored various options with the applicant and it has not been possible in viability terms to increase the number of social rented units in the scheme.

APPENDIX 2 – PREVIOUS COMMITTEE REPORT

PLANNING COMMITTEE REPORT

PLANNING COMMITTEE	AGENDA ITEM NO:
Date: 19 May 2016	

Application number	P2015/5306/FUL
Application type	Full Planning Application
Ward	St. Georges
Listed building	No
Conservation area	No (Hillmarton CA within 50m)
Development Plan Context	TPO tree in front garden area; Nags Head and Upper Holloway Road Core Strategy key area; local view 4 from Archway Road; local view 5 from Archway Road; TLRN (Camden Road)
Licensing Implications	No
Site Address	273 Camden Road London N7 0JN
Proposal	Demolition of existing building and erection of a 6 storey building to provide 21 residential units (8 x 1-bed, 12 x 2-bed and 1 x 3-bedroom flats) with associated landscaping and amenity space.

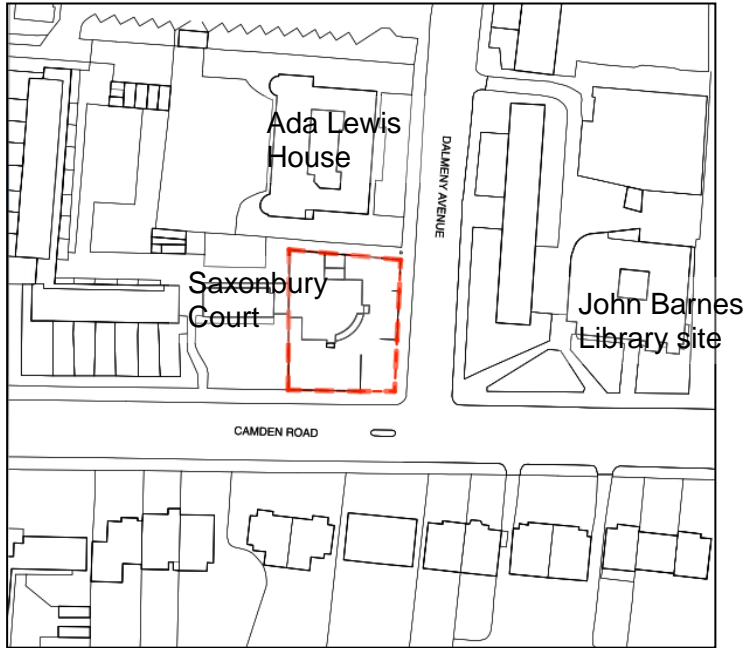
Case Officer	Amanda Peck
Applicant	Origin Housing Developments Ltd
Agent	JLL

RECOMMENDATION

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

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

SITE PLAN (site outlined in black)



PHOTOS OF SITE/STREET



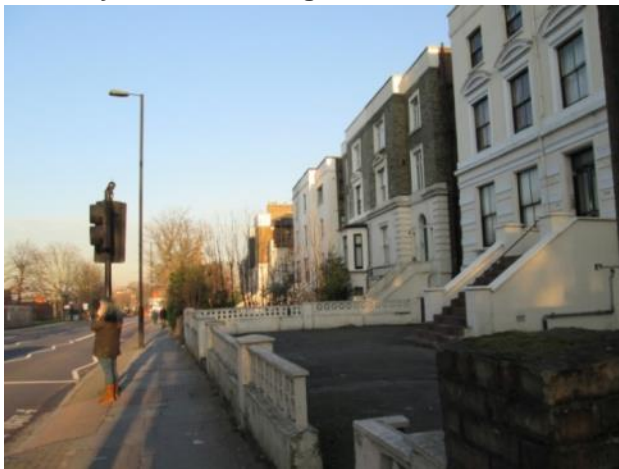
Aerial photographs



Camden Road frontage



Dalmeny Avenue frontage



Existing buildings on opposite side of Camden Road



Saxonbury Court, Camden Road



John Barnes Library site (under construction)



Ada Lewis House (planning permission for redevelopment)

1. SUMMARY

- 1.1 The application site is located on the north western side of Camden Road on the corner of Dalmeny Avenue. The existing building is a two storey former public house (with ancillary accommodation above) previously known as 'The Latin Corner' and 'The Copenhagen' when in use as a public house. The building is currently in use as an A1 retail unit operated by a charity known as 'The Kindness Offensive'. There is an Ash tree protected by a Tree Preservation Order (TPO) in the front garden building. The proposal is for the demolition of the existing building and redevelopment of the site to

provide 21 residential units in a 6 storey building. This application follows a refusal and dismissal at appeal for the erection of a part five/part six storey building on the site, with 422m² of A1 retail floorspace and 22 x residential units (P2013/1933/FUL).

- 1.2 During the course of the application the pedestrian footpath providing access from Camden Road to one of the ground floor units has been amended in order to avoid the TPO tree root protection area. An updated Energy assessment has also been submitted and amendments have been made to address the Energy Officer's comments.
- 1.3 The main issues concern the demolition of the existing building, the proposed change of use from retail to residential and the height and massing of the proposed building. The key reasons for refusal of the previous application (which was subsequently dismissed at appeal) related to the larger ground floor retail unit, the affordable housing mix and the proposed bulk and massing of the building. The Inspector did not agree with the Council's issue regarding the affordable housing mix but upheld the concerns regarding the larger retail unit and the bulk and massing in dismissing the appeal. There was no objection by the Council or the Inspector to the demolition of the existing building and no new information has been provided that has altered the Council's assessment of the building as a potential heritage asset. The current proposal proposes a building that does not include a retail unit and has a smaller footprint and height than the previous building.
- 1.4 A financial viability assessment was submitted with the application, which has been independently reviewed by BPS. The applicant has submitted an amended financial viability appraisal which accepts the view of BPS and increases the amount of affordable housing proposed on site. The proposed affordable housing levels have increased from 6 units (2 x social rent and 4 x shared ownership) to 10 units (2 x social rent and 8 x shared ownership) along with a financial contribution of £29,906. This is considered to represent the maximum reasonable amount of affordable housing that can be secured on site (with a S106 legal agreement).
- 1.5 The proposed change of use of the existing retail floorspace to residential use is considered acceptable. The site is not within any protected primary or secondary retail frontages, town centres, or local shopping areas. Policy DM4.7 protects existing shops located outside of designated Town Centres and Local Shopping Areas and requires vacancy of a building; continuous marketing; other shops within a short walking distance; no impact on the character of the street; and high quality replacement residential units before such changes of use are granted. Marketing information was provided as part of the previous planning application and the property has been let on a 'not for profit' basis to a charity as a book store to avoid vacancy. This is a unique situation whereby the charitable organisation is more akin in its use to property guardians. There is a grocers/off licence on the opposite side of Dalmeny Avenue nearby and a small protected local shopping parade on the corner of Hillmarton Road and Camden Road. Camden Road is characterised by large residential buildings housing purpose build flats and flat conversions, therefore the change from retail use to residential use will not affect the vitality of the area or character of the streetscene or restrict access to services. The proposed residential use is therefore acceptable and in line with policy.
- 1.6 The proposal would introduce a building of a good quality design with an appropriate scale and which successfully references the surrounding context, including the adjacent

conservation area.

- 1.7 The quality of the proposed residential accommodation is considered acceptable as is the dwelling mix. Sustainability measures are proposed and secured by a number of conditions and S106 heads of terms and the remaining CO2 emissions are agreed to be off-set with a financial contribution of £14,845. Residential occupiers of the new units would not be eligible to obtain on-street car parking permits. The scheme is considered not to have any undue impact on nearby residential properties or the area in general in terms of transport/servicing.
- 1.8 The application has been considered with regard to the Development Plan and National Planning Policy Framework (NPPF) and the NPPG and Ministerial Statement dated 28th November 2014, including the presumption in favour of sustainable development. The comments made by residents and consultee bodies have been considered.
- 1.9 The proposal is considered to be acceptable and is recommended for approval subject to conditions and a Section 106 (S106) agreement to secure the necessary mitigation alongside CIL payments.

2. SITE AND SURROUNDING

- 2.1 The application site is located on the north western side of Camden Road on the corner of Dalmeny Avenue. The existing building is a two storey former public house (with ancillary accommodation above) previously known as 'The Latin Corner' and 'The Copenhagen when in use as a public house. The building is currently in use as an A1 retail unit operated by a charity known as 'The Kindness Offensive'. There is an Ash tree protected by a Tree Preservation Order (TPO) in the front garden building. Vehicular access is provided from Dalmeny Avenue to a servicing/raised forecourt area. A hard landscaped area to the corner is also currently used for informal parking with access from Dalmeny Avenue.
- 2.2 The site is within the Nag's Head and Upper Holloway Road Core Strategy key area and Policy CS 3 states that an SPD will be produced to create a masterplan for future development along Camden Road to improve the urban design of the area, but this has yet to be drafted. The existing building is not listed or locally listed and the site is not located within a Conservation Area, although the properties on the opposite side of Camden Road are within the Hillmarton Conservation Area.
- 2.3 The existing building was constructed in the mid-late 1950's in broadly the same materials and style as the neighbouring Ada Lewis House. It addresses the street corner with a curved façade with timber cladding, rendered areas and red brickwork. There are two- storey bookended wings to each street frontage which are largely red brickwork. The building is set back from both street frontages with raised forecourt areas to each street and a wide set of steps on the corner down to a hard landscaped area at pavement level. The steps, boundary walls, timber cladding and rendered areas have all been painted black.
- 2.4 The surrounding area is predominantly residential in character. The adjacent 5 storey Ada Lewis house on Dalmeny Avenue is a vacant women's hostel with planning permission for a residential redevelopment (providing 45 units). A new library and residential scheme (providing 34 units) is currently under construction on the other corner of Camden Road and Dalmeny Avenue, which will include two buildings of 3-4

storeys and 4-6 storeys. Adjacent to the site on Camden Road is a small two storey block of flats (Saxonbury Court) and on the opposite side of Camden Road are 4 storey semi-detached villas. Holloway Prison is located on the other side of the library site on Camden Road.

3. PROPOSAL (IN DETAIL)

3.1 The proposal is for the demolition of the existing building and redevelopment of the site to provide 21 residential units in a 6 storey building (five storey on Camden Road with top floor set back). The two ground floor units have entrances at street level from Dalmeny Avenue and Camden Road and the upper floor units are accessed via an entrance from Dalmeny Avenue. The proposed building line is broadly in line with the existing building to Camden Road and has been brought forward on Dalmeny Avenue, with a garden area provided to Camden Road. Internal cycle parking and refuse storage is provided by the main residential entrance at ground floor level.

Revisions

- The proposed affordable housing levels have increased, from 6 units (2 x social rent and 4 x shared ownership) to 10 units (2 x social rent and 8 x shared ownership) along with a financial contribution of £29,906
- The pedestrian footpath providing access from Camden Road to one of the ground floor units has been amended in order to avoid the TPO tree root protection area;
- An updated Energy assessment has been submitted; and
- Amendments have been made to address the Access Officer's comments including the provision of two wheelchair accessible units at ground floor and storage for two electric scooter vehicles.

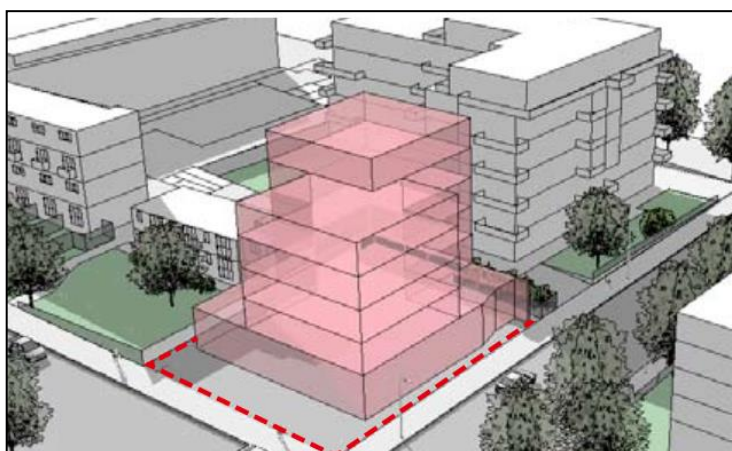
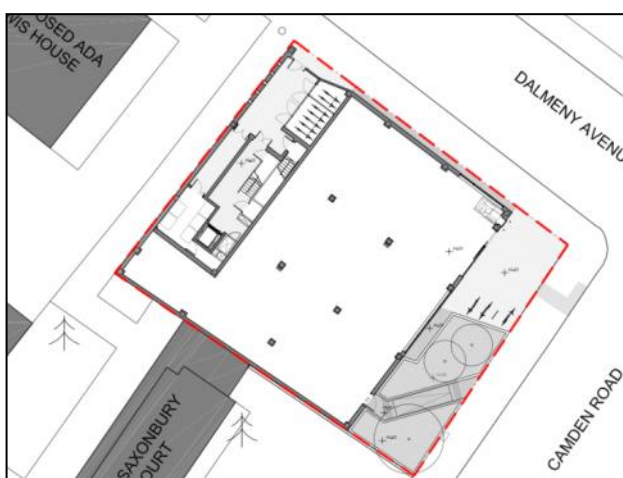
3.2 The current proposal differs from the previous appeal refusal on the site in that the previously proposed ground floor retail unit has been removed from the scheme and it is approximately 1m lower in height (because of the higher floor to ceiling heights required for the previously proposed ground floor retail use). The building has also been set back from both street frontages. The main elevations from the refused scheme are reproduced below for information.



Camden Road elevation and views



Dalmeny Avenue elevation and views



Ground floor plan

3d view

4. RELEVANT HISTORY:

Application site

4.1 Planning applications

- P2013/1552/COL - Certificate of Lawfulness for proposed change of use of the ground floor from A4 (Public House) to A1 (Shops). Approved 08/07/2013.
- P2013/1933/FUL - Demolition of the existing building on site and the erection of a new building comprising basement, ground and part four/part five storeys providing 422sq m (Class A1) retail floorspace and 22 residential units (Class C3) with associated landscaping, cycle parking, plant signage and ATM. Refused 06/09/2013 and dismissed at appeal 14/07/2014.
- P2014/2215/COLP – Certificate of Lawfulness (proposed) to change the use of the first floor from public house (A4) to retail unit (A1). Refused 05/08/2014.

4.2 Pre application advice

- Q2014/4220/MIN –Pre application advice was provided in November 2015 for the erection of a 5 storey residential building (20 flats)

4.3 Request to locally list the building

A letter and supporting information was sent from local residents on 23 September 2015 requesting that the existing building be added to Islington's Local List of heritage assets.

The Council responded on 6 January 2016 as follows:

“For a building to be added to the Local List it must meet at least three of the following five selection criteria:

- I. Architectural Significance*
- II. Historic Significance*
- III. Artistic Significance*
- IV. Age, Rarity and Integrity*
- V. Local Character and Distinctiveness*

The pub was designed by Leonard Senyard ARIBA for the brewers Ind Coope. It was built at a cost of £54,000 and opened in 1965. It is constructed of red brick and has a distinctive curved façade which could be likened to art deco/moderne buildings.

No new information has been provided that has altered the Council’s assessment of the building as a potential heritage asset. While the building has a distinctive appearance the design itself looks back to art deco/moderne buildings of the 1920s/30s and is not considered to be innovative for its time nor architecturally significant. Senyard is not known to have designed any buildings which have been recognised as being architecturally significant. The recent date of construction does not provide the building with sufficient historic significance. It is understood that originally the building’s interiors may have had artistic significance but the interiors have been substantially altered and do not now possess any artistic significance. The building is not of great age, it is not so unique in its design that it could be considered important in terms of rarity and it has been altered since it was first built undermining its integrity. The building makes a limited contribution to local character and distinctiveness. Consequently the building does not meet the selection criteria for local listing. I am sorry that this is not the response that you were hoping for.”

Adjacent sites

4.4 Planning applications

- **Ada Lewis House** = P2013/1564/FUL - Demolition of existing hostel building on the site and the construction of part 5, part 6 storey residential building providing 45 residential dwellings. Associated landscaping, hard standing and access alterations/works. Approved at appeal 01/10/2014.
- **John Barnes Library and land to the rear** = P2013/4758/FUL - Demolition of existing John Barnes Library building and redevelopment of the site to re-provide a Library and provide residential dwellings through the erection of two buildings on the site. Building A is a L shaped building fronting onto Camden Road which is part 6, 5 and 4 storeys in height. Building B is a freestanding part 4 and 3 storey building at the rear of the site in the vicinity of the location of the recently demolished Bramber House. The proposal comprises of 34 residential units and includes the provision of a central amenity space on the site and other landscaping works. Granted 19/08/2014.

5. CONSULTATION

Public Consultation

- 5.1 Letters were sent to occupants of 514 adjoining and nearby properties on 06/01/2016. A site notice and press advert were displayed on 06/01/2016. The public consultation of the application therefore expired on 28/01/2016, however it is the Council’s practice to continue to consider representations made up until the date of a decision.

- 5.2 A 635 signature petition has been received with the following covering letter:
“Viewed from the conservation area across the road, we have witnessed the library being demolished and soon we will see Ada Lewis House being torn down

Only 273 Camden Road is left of this corner view and now they want to remove that lovely building as well. This proposal would destroy the view totally from our conservation area and destroy a valuable asset to the community. Should this not be protected?

Much effort has been made by Islington Council to secure the opinion and views of local residents and we are assured that objections will not be ignored. It is felt that progress should not involve tearing everything down and much loved buildings should be preserved.

The petition represents very strong opinion so we ask that each voice here be considered seriously and that this proposed plan be denied

We are opposed to the current plan which involves the demolition of the old pub building at 273 Camden Road, London N7 0JN.

It was erected as a memorial to those who died in World War 2, especially those who lost their lives in the bombing of its namesake, the Copenhagen Pub, which it was built to replace. It has a unique design, and is pleasant to the eye, unlike what is planned to replace it. Its demolition would be a great and permanent loss of the community.

This building should be given locally listed status. Building should be preserved”.

- 5.3 At the time of the writing of this report a total of 3 responses had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Design/conservation

- The scheme would result in the loss of a unique building The existing building should be listed because of its history and aesthetic contribution to an area that is rapidly being bulldozed into oblivion (*see para. 8.9*);
- The proposal is close to a conservation area and the building does not respect this. The new building will have an adverse effect on the character and appearance of the Conservation Area and the listed building in the Conservation Area (**Officer comment:** The listed building has not been identified. The nearest listed buildings in the area are the Camden Road Baptist Church one block away on the corner of Hilldrop Road and Camden Road and the St Lukes Church a few blocks away on the corner of Hillmarton Road and Penn Road (*See para. 8.10-8.19*);
- The proposed structure proposed is immense, four storeys higher than the present building. The proposed development is over-bearing, out-of-scale and out of character in terms of its appearance compared with existing development in the vicinity (*see para. 8.10-8.19*);
- The proposed design is unappealing and does not enhance this corner site or bring anything but bleak utility to it. It will lower the character of the neighbourhood (*see para. 8.20-8.21*);
- Lack of information showing the development alongside the new proposed library/residential development so it does not seem that the scheme has been considered alongside this (**Officer comment:** CGIs have been submitted with the

application showing the approved buildings on Camden Road and Dalmeny Avenue and the scheme has been assessed in the context of these approvals. **Also see paras. 8.10-8.19);**

- Recent granted applications for high buildings on both sides of this proposed development would add up to unacceptably high density / overdevelopment of this immediate area (**see para. 8.10-8.19);**
- Can the Council ensure high quality external materials are used as the approved residential development on the corner of Camden Road and Brecknock Road is an example of poor materials and looks cheap (**see para. 8.21);**

Transport

- All construction traffic should access the site via Camden Road only and not Dalmeny Ave and this should be secured in the Construction Management Plan (CMP) (**see paras. 8.80 & 8.81);**
- A draft CMP should be submitted with the application (**see para. 8.80);**
- Can the Council ensure a car free development (**see para. 8.78);**

Amenity

- It will have adverse effect on the residential amenity of neighbours, by reason of overlooking, loss of privacy, overshadowing, etc of the adjoining area and the conservation area just across the road (**see para. 8.54-8.68);**
- The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring owners, many of which have signed a petition opposing this development (**Officer comment: The loss of existing views is not a planning consideration. The objections raised in the petition have been taken into consideration as part of the assessment of the application. See paras. 8.9 and 8.54-8.68).**

External Consultees

5.4 **Transport for London**

The site of the proposed development is on the A503 Camden Road, which forms part of the Transport for London Road Network (TLRN). TfL is the highway authority for the TLRN. There is unlikely to be an unacceptable residual adverse impact on TLRN due to the development and there is no objection to the proposal, subject to the following conditions being adhered to:

- During construction, the footway and/or carriageway on Camden Road must not be blocked. Temporary obstructions during the construction period must be kept to a minimum and should not obstruct pedestrian movement or the flow of traffic on Camden Road. **Officer comment:** This can be addressed with the submission of a Construction and Demolition Logistics Plan which covers construction and demolition traffic movements (condition 6). The developer will also need to obtain licenses from the transport authority if they wish to erect hoardings on the pavement or road.
- No skips or construction materials shall be kept on the carriageway on Camden Road at any time. **Officer comment:** This can be addressed with the submission of a Construction and Demolition Logistics Plan which covers construction and demolition traffic movements (condition 6).
- All vehicles associated with the development must only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions. **Officer comment:** This issue is covered by existing highway/transport legislation and associated enforcement measures that ensure existing on site restrictions are followed.

An informative is also requested reminding the applicant that licences may be required from TfL as highway authority for Camden Road.

5.5 **Thames Water**

No objection to the application with regard to water infrastructure capacity or sewerage infrastructure. Requested a condition stating that no piling can take place until measures to prevent damage to water infrastructure have been approved. Requested informatives to address protection to sewerage systems during construction and storm conditions; approval being required by Thames Water to discharge into a public sewer; and water pressure.

5.6 **London Fire and Emergency Planning Authority**

The brigade is satisfied with the proposals as long as the requirements of B5 of approved document B are met and strongly recommends that sprinklers are considered.

Internal Consultees

5.7 **Highways**

Removal of the crossover would be required as well as repair to any damage to the highway through construction.

5.8 **Biodiversity Officer**

- There is demolition proposed, but no bat survey to show whether bats are present in the building. This must be addressed to ensure the applicant is acting within the law in relation to the Wildlife and Countryside Act.
- The provision of two Schwegler 2HW bird nesting boxes and a Schwegler 1WI inbuilt bat box within the new development should be factored into the design, to provide bird nesting and bat roosting/hibernating habitat that may not otherwise be available and a condition is recommended to secure this.

5.9 **Access Officer**

Initial comments

- Further information/confirmation required from the developer regarding the level of category 3 (wheelchair accessible) units and category 2 (lifetime homes) units proposed. If any category 3 units are provided above ground floor then 2 lifts will be required.
- Confirmation that shared facilities and common parts will need to comply with the requirements of Category 3 of ADM and the Inclusive Design SPD. Communal gates and paths will need to comply with Category 2 and 3 requirements. All fob access and security controls will need to meet the needs of any disabled person that may need to use them. Level thresholds are also required to all balconies and any other amenity facilities.

Comments on revised details

- The wheelchair accessible units need to comply fully with ADM, Volume 1, category 3(b) as a minimum.
- The ramp gradients shown appear to be 1:15 which is within acceptable limits for the approaches to Category 3 dwellings (all the approaches should be to this standard)
- The requirement for specific numbers of Category 2 and Category 3 dwellings should be secured with a Planning Condition.
- Lift detail needs to be secured with a Planning Condition and comply with the requirements of Category 2 and Category 3 dwellings.

5.10 Policy Officer

- Principle of residential on site is supported.
- Affordable housing should be provided on site at a level in line with advice given by BPS. Further information should be provided with regard to service charges for the ground floor social rent units as compared to the shared ownership and private units.

5.11 Housing Officer

- Affordable housing should be provided on site as there is no justification for a financial contribution.
- Further information is required with regard to the mix of tenures across the floors, particularly with regard to management charges and service charge.
- Proposed mix of tenures for affordable housing is considered acceptable.

5.12 Tree Officer

Initially objected to the application due to the impacts on the TPO protected large ash tree (T1) through harm caused by the position of a proposed footpath close to the tree involving soil removal, excavation and root loss.

- A smaller conifer may be removed if adequate mitigation replanting is offered.

Comments on revised details

- The path now skirts the Root Protection Area and no longer threatens the retention of the protected tree, T1. An arboricultural method that outlines how the impact to the tree will be minimised and the mitigation for incursion into the trees RPA should be submitted.

5.13 Energy Conservation Officer

Initial comments

- The Energy Statement proposes a CO2 reduction for regulated emissions only of 35% against Building Regulations 2013 in line with London Plan policy. The Energy officer welcomes this target.
- The Energy Statement proposes a CO2 reduction for regulated and unregulated emissions of 17% against Building Regulations 2013. Council policy target is for a 27% reduction and therefore request the applicant considers the viability of further measures to reduce CO2 emissions to meet this target.
- The Energy Statement states that a communal heating system is “not a practical or desirable solution on this development” and “provision has not been made for future connection to a district heating network. This is because there is no reasonable expectation that the development will be served by a district heating network in the future.” Although there is currently no existing or planned heat network within 500m of the site the council does consider the area an opportunity for district heating to be developed in the future. The development of a heat network within this area could be instigated by the likely medium term redevelopment of the Holloway Prison site which is within 100m of the development site boundary. Therefore it is expected that the development incorporates a communal heating system which is designed to connect to a district heating network in future.
- The Energy Statement does not propose a Shared Heat Network (SHN) due to the scale of the proposed development and lack of local CHP plant within neighbouring developments. It is noted that the neighbouring approved development at 275 Camden Road has proposed a 20kWth CHP energy centre to supply heat to the 34

residential units at that site, however due to the small scale of both sites it is unlikely that there would be sufficient capacity to share heat efficiently, and therefore it is accepted that a SHN is unlikely to be viable.

- The Energy Statement does not provide an assessment of CHP, but concludes that the heat demand and profile is unlikely to make CHP viable due to the small scale of the site. We support this conclusion.
- Support the selected solar pv but request the applicant provide a drawing to show where the panels will be located and to confirm the total available roof space available for solar pv to be installed.
- Green performance plan needs to be submitted.

Comments on revised details

- Communal heating analysis = Query some of the costs included in the report such as the Initial Installed Capital Costs, Replacement Costs and Operation and Maintenance Costs and believe that the lifetime cost difference of communal versus individual systems at this site are less than shown in the analysis. But this still indicates an increased cost for a communal vs. individual system. Overall, in pure technical terms and looking at the site on an individual basis, communal heating is less feasible. The site should be future proofed however, as it is adjacent to two other confirmed developments (Ada Lewis House and John Barnes library) and the potential future redevelopment of Holloway Prison, which presents the opportunity for a local network or connections and from this perspective, a communal system makes a lot more sense.
- No artificial cooling is proposed and this is acceptable.

5.14 Public Protection

The site is subject to high ambient noise levels and in the noise assessment advises noise levels of 67dBA during the day and 65dBA at night which would be Noise Exposure Category C in the former PPG24 guidance; where planning permission should not normally be granted and conditions imposed to protect against noise. If planning permission is granted due to other policy considerations a number of conditions are recommended:

- Internal noise targets within residential units and sound insulation/mitigation measures to achieve this;
- Ventilation details required;
- Land contamination investigation and remedial works; and
- Construction Environmental Management Plan.

6. RELEVANT POLICIES

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

National Guidance

6.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals. Since March 2014 planning practice guidance for England has been published online.

6.2 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).

- 6.3 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

Development Plan

- 6.4 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington's 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

- 6.5 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 June 2013.

Islington Local Plan

Nag's Head and Upper Holloway Road Core Strategy key area
local view 4 from Archway Road
local view 5 from Archway Road
Within 50m of Hillmarton Conservation Area

London Plan

Camden Road TLRN

Supplementary Planning Guidance (SPG) / Document (SPD)

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

7. ENVIRONMENTAL IMPACT ASSESSMENT

- 7.1 No EIA screening/ scoping opinion was requested by the applicant. The development does not fall within 'Schedule 1' and is not within a sensitive area (SSSI, AONB, World Heritage Site). It does not fall within Schedule 2 (being an urban development project on a site smaller than the 5ha or 150 dwelling threshold). Using the criteria and thresholds for Schedule 2 schemes (characteristics of development, location of development and characteristics of the potential impact), it is considered that the scheme would not constitute a 'major development' of more than local importance, be within an 'environmentally sensitive location' or 'create any unusual or hazardous effects' pursuant to the selection criteria of Schedule 3 of the EIA 2011 Regulations.

8. ASSESSMENT

- 8.1 The main issues arising from this proposal relate to:
- Land use

- Design and Appearance
- Affordable Housing and Financial Viability
- Quality of residential accommodation and dwelling mix
- Amenity impacts
- Accessibility
- Highways and transportation
- Sustainability, Energy Efficiency and Renewable Energy

Land-use

Existing retail use

- 8.2 The proposal seeks to redevelop the site with the loss of the existing 248sqm of ground floor retail floorspace (along with 163sqm of first floor ancillary space) and its replacement with 21 residential units. The existing building is a purpose built former public house currently in use as an A1 retail unit operated by a charity ('The Kindness Offensive'). The property has a lawful use as an A1 retail unit but for completeness the policies related to public house use are also assessed below.
- 8.3 The site is located within the Nags Head and Upper Holloway Road Core Strategy Key Area. Core Strategy (2011) policy CS 3 seeks amongst other things, to focus retail uses along the main high streets of Holloway Road and Seven Sisters Road; encourage development of underused land within the area; improve public realm; encourage evening economy and leisure activities within the town centre; and protect and enhance the historic character of the area. This policy also states that a Supplementary Planning Document will be produced to create a masterplan for future development along Camden Road but to date this has not been produced.
- 8.4 The site is not within any protected primary or secondary retail frontages, town centres, or local shopping areas. Policy DM4.7 protects existing shops located outside of designated Town Centres and Local Shopping Areas and states that changes of use from retail will only be allowed where the premises has been vacant for a continuous period of at least 2 years; where there is accessible provision of essential daily goods within short walking distance; where any residential use provide high quality dwellings with a high standard of residential amenity; and where the change of use would not detrimentally affect the character of the street. Policy DM4.10 seeks to protect Public Houses in the borough and states that change of use of public houses will only be allowed where the premises has been vacant for a continuous period of at least 2 years; the alternative use will not affect the vitality of the area and the character of the streetscene; the proposal does not constitute the loss of a service of a particular value to the local community; and significant historic features are retained.
- 8.5 As part of the previous planning application (P2013/1933/FUL) documents were submitted to show that when the property was in public house it was marketed between November 2011 and March 2013 by the previous owners for a public house, shop or restaurant use and that the only interest had been from residential developers. To avoid having a vacant building the new owner (Origin Housing) has let the property on a 'not for profit' basis to a charity as a book store and it has therefore been in A1 retail use since spring 2013 by the same charitable organisation. Whilst the current use is technically A1 use and the building has not been vacant for 2 years, it is a unique situation whereby the charitable organisation is more akin to property guardians during the planning application process.

- 8.6 In line with the rest of policies DM4.7 and DM4.10 there is a grocers/off licence on the opposite side of Dalmeny Road nearby and a small protected local shopping parade on the corner of Hillmarton Road and Camden Road. Camden Road is characterised by large residential buildings housing purpose built flats and flat conversions, therefore the change from retail use to residential use will not affect the retail vitality of the area or character of the streetscene. The quality of residential accommodation is discussed below in paragraphs 8.36-8.53).

Proposed residential use

- 8.7 Policy CS 12 (Meeting the Housing Challenge) encourages residential development in the borough, with a range of unit sizes and tenures including affordable housing. The principle of residential use at the site is acceptable. The surrounding area is predominantly residential, with residential use along Camden Road and Dalmeny Avenue and the John Barnes Library and Holloway Prison to the east along Camden Road.

Design and Appearance

- 8.8 The site is surrounded by buildings along Camden Road and Dalmeny Avenue of a generally consistent building height at four and five storeys. The properties on the opposite side of Camden Road are within the Hillmarton Conservation Area. The Conservation Area Guidance states that “the area has a spacious scale, with wide streets and grand houses....” and this part of the Conservation Area Camden Road is characterised by pairs of four storey semi-detached villas of varying design, a number of which are in use as flats. The existing building and adjacent block at Saxonbury Court are unusual at only 2 storeys in height. Recent approvals at adjacent sites at Ada Lewis House and John Barnes Library are for five and six storey buildings.

Demolition

- 8.9 It is noted that there has recently been a request to locally list the building (see paragraph 4.3) and there have been many objections to the demolition of the building. The demolition of the building was not considered to be an issue during the assessment of the previous planning application (P2013/1933/FUL) and the loss of the building did not form one of the reasons for refusal. Since this application and associated appeal, the Design and Conservation Team have again assessed the architectural, historic and artistic significance of the building along with its ‘age, rarity and integrity’ and ‘local character and distinctiveness’ and have concluded that the building does not meet the selection criteria for local listing. The building is not located within a conservation area and there is no policy basis for its retention as the buildings are not locally or statutorily listed. The demolition of the building is therefore not resisted.

Previous appeal decision

- 8.10 One of the reasons for refusal of the previous application was because the massing, siting (inappropriate building lines) and detailed design (removal of a high quality, TPO tree) of the previous building would harm the character and appearance of the streetscene as well as the character and appearance of the nearby Hillmarton Conservation Area. The appeal was dismissed on 14 July 2014 and the Inspector’s relevant design/height related conclusions are reproduced below and have been considered as part of the current assessment:

- 8.11 *“The 5 storey block of the appeal scheme, in contrast, would be bulky, high and prominent seen from either direction in the Camden Road street scene; and would also be conspicuous on the corner seen along Dalmeny Avenue and from the Victorian*

buildings in the CA. The appellant acknowledges that the whole development is designed to be a 'prominent marker' in the words of the Design and Access Statement. In seeking this, the 5 storey element would stand forward more than any other building in the road by a significant margin.

- 8.12 *Furthermore, the building would significantly reduce the ability to appreciate the grand villas in the CA seen from Dalmeny Avenue; and far from improving the experience of moving into Camden Road, would introduce a poor and abrupt transition. Whilst the massing of buildings in Dalmeny Avenue itself may in principle be able to absorb the new proposal (taking into account their height and the proposed replacement for the adjoining Ada Lewis House) there is nothing comparable in Camden Road. The proposed replacement for the subdued and subservient John Barnes library to the north would be high and prominent but would not be on a corner site and would not be at the top of the rise.*
- 8.13 *I conclude that the area is characterised by generous frontages that complement and add to the heritage significance of the conservation area. The proposed development would project too far into the street scene and would seriously compromise the sense of spaciousness that defines Camden Road and the CA and would significantly lessen the ability to appreciate the character and appearance and the setting of the CA.*
- 8.14 It is concluded that the Inspector's comments do not preclude a building of a similar mass to Dalmeny Avenue properties adjacent to Ada Lewis House (6 storeys) and that the proposed height for the previous scheme was made unacceptable because of its excessive forward projection onto Camden Road rather than an in principle objection to its height in relation to neighbours.

Design and height

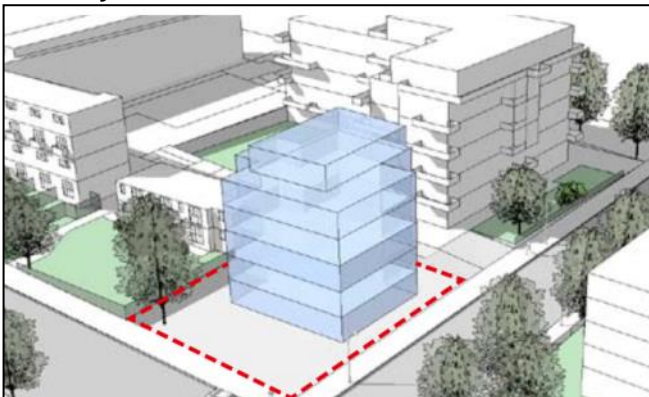
- 8.15 Policy DM2.1 requires high quality, inclusive design for all developments. The Islington Urban Design Guide states that new buildings should reinforce the character of an area by creating an appropriate and durable fit that harmonises with their setting. New buildings should create a scale and form of development that is appropriate in relation to the existing built form so that it provides a consistent / coherent setting for the space or street that it defines. Policy DM2.3 B(i) advises that new development within the setting of a conservation area is required to be of high quality contextual design in order to conserve or enhance a conservation area's significance. Paragraph (iii) says that the Council will resist the loss of spaces, street patterns, views, vistas, uses, trees and landscapes which contribute to the significance of a conservation area.
- 8.16 The scheme has been subject to pre-application advice between March and July 2015. The proposal has been revised following these discussions and the submitted scheme now has the top storey set back from the side and front elevations; projecting balconies have been replaced with inset balconies; the ground floor elevations and the fenestration pattern has been amended. During the course of this application the pedestrian footpath providing access from Camden Road to one of the ground floor units has been amended in order to avoid the TPO tree root protection area.



Camden Road elevation and view



Dalmeny Avenue elevation and view



3d views



Proposed ground floor

Height/massing

- 8.17 The proposed building at an overall 6 storeys is the same number of storeys as the previous appeal scheme, but is lower in height because of the higher floor to ceiling heights required for the previously proposed ground floor retail use (by just over 1m). The top floor has also been reduced in prominence by being set in from the side and front elevations and has a more lightweight appearance than the lower floors with a different design treatment.
- 8.18 The building has also been set back from both street elevations since the previous appeal scheme and is now between 10 and 16m from the site boundary on Camden Road and between 4 and 8m from the site boundary on Dalmeny Avenue. As a comparison the appeal scheme was between 5.8 and 6.8m from the site boundary on Camden Road and between 0.6 and 1.31m from the site boundary on Dalmeny Avenue.
- 8.19 3D views have been submitted along Camden Road and from Dalmeny Avenue looking towards Camden Road as this is the view that was of particular concern at the time of the appeal. The proposed building is considered to be much less prominent than the appeal scheme and respects existing (and approved) building lines on both Camden Road and Dalmeny Avenue. The height and positioning of the top floor are considered appropriate and acceptable. The proposal is seen as being consistent with the conclusions and comments of the appeal decision in relation to the building mass/height as it has overcome the bulk and prominence of the previous scheme by being set back rather than reducing in height.

Detailed design

- 8.20 The proposed architectural language and consistent fenestration pattern is considered to be in keeping with the character of the surrounding area and the proposed building is considered to sit comfortably within its context. The proposed boundary treatment is considered to be as open as possible.

Materials

- 8.21 The building is proposed to be predominantly brick with recessed brick panels adjacent to the central columns of windows on both elevations. The colour of the brick is not stipulated but the drawings indicate beige or yellow. Zinc standing seam cladding is proposed to the top floor. The material palette is generally acceptable however condition 8 is recommended requiring the submission of all materials. A number of balconies are proposed to provide private amenity space to each of the residential units. Details of balustrade and glazing treatment will be secured by condition 8.

Trees

- 8.22 There is an existing TPO mature Ash tree in front of the existing building on Camden Road. The previous application was refused because it required the removal of this protected tree. The Inspector concluded that: *"Its removal would significantly lessen the overall impression of a generous tree lined boulevard, especially in view of the gap in tree provision on the opposite side of the road to the north. Whilst all trees have a limited life, it has not been shown that this particular tree needs to be disposed of now. It does not meet the criteria set out in paragraph 14 of Islington's Tree Policy. More particularly, it is the forward projection of the new building towards Camden Road that I have found unacceptable that necessitates its removal. New tree planting could, in time, put something back in terms of greenery but would not compensate for the removal of much of the open frontage space that currently exists between buildings and the public domain. New trees would also take more than a decade to make a similar*

contribution. This matter weighs against the scheme.

- 8.23 The scheme has been amended and the building line has been set back which means that the protected tree can be retained. The tree officer was concerned about the location of the pedestrian access path close to the tree and its impact on the root protection area and this has consequently been amended. Condition 3 is recommended requiring compliance with the Arboricultural Impact Assessment on this. The proposal therefore has no detrimental impact on the protected tree.
- 8.24 The proposal is considered to be in accordance with policies 7.4, 7.6 and 7.8 of the London Plan 2015, CS 1 and CS 9 of the Core Strategy 2011, Policies DM2.1 (Design) and DM2.3 (Heritage) of the Development Management Policies 2013 and the Urban Design Guide.

Affordable Housing and Financial Viability

- 8.25 London Plan policies 3.9 (mixed and balanced communities), 3.12 (negotiating affordable housing) and 3.13 (affordable housing thresholds) seek to provide a more balanced mix of tenures in all parts of London and that the maximum reasonable amount of affordable housing should be sought for all planning applications. Policy CS 12 (G) states that Islington will meet its housing challenge to provide more affordable homes by:
- requiring that 50% of additional housing to be built in the borough over the plan period should be affordable.
 - requiring all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough.
 - seeking the maximum reasonable amount of affordable housing, especially Social Rented housing, from private residential and mixed-use schemes, taking account of the overall borough-wide strategic target of 50% provision.
 - delivering an affordable housing tenure split of 70% social housing and 30% intermediate housing'
- 8.26 For the previous appeal scheme, while the appeal was dismissed the Inspector concluded that the provision of all 21 units as shared ownership units, with no social rented units was acceptable. The Inspector concluded that: *“a deliverable 100% intermediate scheme on this site would make a very useful contribution to housing need in Islington in a reasonably central and very sustainable location. Acknowledging the strong policy bias in favour of social rented accommodation and the large number of people waiting for such housing, there is no persuasive evidence to show that such a scheme could be made to work in practical and financial terms on this site. Accordingly the development of 100% intermediate units would not conflict with the relevant requirements of policy CS 12 and would provide a meaningful and useful contribution to meeting the great demand for affordable housing.”*
- 8.27 A financial viability assessment was submitted with the application which originally proposed the provision of 6 affordable units (2 x ground floor social rent – 1 x 2b, 1 x 3b and 4 x shared ownership units – 2 x 1b, 2 x 2b) which equated to 29% when calculated using unit numbers and 30% when calculated using habitable rooms. This provision has now increased over the course of the application to 2 x ground floor social rent and 8 x shared ownership units, which equates to 48% when calculated using unit numbers and 48% when calculated using habitable rooms. Further analysis of this is provided below.

- 8.28 Independent Financial Viability Review: The Council appointed BPS Chartered Surveyors to undertake a review of both financial viability appraisals for this scheme (the original submission and the addendum). The reviews sought to determine the deliverability and viability of the proposed scheme and are attached at Appendix 4.
- 8.29 BPS have reviewed the inputs and assumptions in the original appraisal and the addendum. The key results of the BPS report show that BPS do not accept the applicant's public house use benchmark for the site of approximately £1million and are of the view that this benchmark land value should be £664,000. CIL cost estimates by the Council and BPS are lower than the applicant's estimate by approximately £40,000. BPS also reviewed the submitted cost plan and are of the opinion that costs are set at a realistic market level and are adequately justified. BPS believe that the residential sales values could be increased from £7,459/sqm to £7,804/sqm. The assumptions that BPS have made regarding the affordable housing values accord with the values included in the financial viability appraisal.
- 8.30 The changes recommended by BPS mean that they consider the scheme to be more viable than the applicant, as follows:
- The applicant's viability appraisal concludes that the scheme will be £352,700 in deficit and BPS believe that it will be £450,640 in profit.
 - This profit could be translated into the provision of more affordable housing units on site with an additional 2 units (1 x 1b shared ownership and 1 x 2b social rent), plus a financial contribution.
- 8.31 The applicant has submitted an amended financial viability appraisal responding to the BPS report which broadly accepts the view of BPS and increases the amount of affordable housing proposed on site. The amended viability appraisal has decreased the benchmark value and increased the sales values in line with the BPS opinion, but has stopped short of accepting the same benchmark value and sales values as BPS. The council's Development Viability Team has asked the applicants to sign a statutory declaration to verify the deliverability of the project and at the time of writing this report Origin Housing were seeking legal advice on this "*due to the new nature of the requirement and its uniqueness.*"
- 8.32 The scheme now provides 4 additional shared ownership units at upper floor level. The applicant has stated that it is not practical to include an additional social rented unit because this could only be accommodated on the upper floors of the building and would require three tenures to share the same core (note that there are 19 shared ownership and private units on the upper floors sharing a single core) and supporting information has been submitted with regard to the service charges indicating that the estimated service charge for the ground floor social rent units would be approximately half that of the shared ownership/private units. The two social rent units are located at ground floor with their own entrances at street level, with their own cycle storage and bin store areas. The shared ownership and private units are located to the upper floors with a shared entrance, lift, cycle storage and bin store area. Therefore there are different service charge levels proposed for the social rent and shared ownership/private units because of their different facilities and it would be difficult to manage the scheme if there was one social rent unit to the upper floors with different service charge levels to the social rent units on the ground floor. The applicant has proposed 4 additional shared ownership units in place of the 1 social rent unit because of the increased costs associated with the provision of social rented units.

- 8.33 The London Plan seeks an overall percentage of affordable housing split 60% social housing 40% intermediate provision and Islington's Core Strategy seeks a split of 70% / 30% (calculated on a habitable room basis). The proposal, with 2 x social rent units and 8 x shared ownership units, provides a 26% / 74% split. Whilst this split is not policy compliant, given the exceptional scheme-specific issues outlined above regarding the difficulty in providing a single social rent unit on the upper floors, in this instance the proposed tenure split is considered acceptable.
- 8.34 In conclusion, the provision of 2 social rent (1 x 2b, 1 x 3b) and 8 shared ownership units on site (4 x 1b, 4 x 2b), along with a financial contribution of £29,906 is considered acceptable and represents the maximum reasonable amount of affordable housing that can be secured on site and this can be secured with a S106 legal agreement (with a minimum initial equity share of 25% and a maximum 2.5% rent on the unsold equity for the shared ownership units).
- 8.35 Viability Review Mechanism: In line with the recently adopted Development Viability SPD a head of term is recommended in the S106 legal agreement requiring a financial viability review mechanism towards the end of the construction process (on sale of 75% of private residential units). Essentially, an updated Financial Viability Assessment would be required to be assessed and agreed by the Council. Any uplift in the viability of the development would be secured to provide an additional financial contribution capped at the equivalent of the Council's affordable housing target (50%).

Dwelling Mix and Quality of Resulting Residential Accommodation

- 8.36 Core Strategy Policy CS 12 (Meeting the Housing Challenge) encourages residential development in the borough, with a range of unit sizes and tenures including affordable housing. Part 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 parts A. and B state that all sites should provide a good mix of housing sizes and the housing mix required on all residential developments will be based on Islington's Local Housing Needs Assessment, (or any updated assessment prepared by or on behalf of the council). The current Housing Needs Assessment seeks the housing size mix (by habitable rooms) that is indicated alongside the proposed mix table below (referenced as policy DM3.1 target).
- 8.37 For the previous appeal scheme, the proposal included 1 x studio, 16 x 1b and 4 x 2b units and the Council had concerns that no family sized accommodation was provided and that more 1 bed units were proposed than would normally be acceptable. The Inspector concluded that: *"if the 100% intermediate scheme is acceptable in principle, I find no reason to conclude that the proposed mix in this small scheme would be unacceptable. The development would not conflict with the dwelling mix aims of policies CS 12, DM3.1 or DM3.4."*
- 8.38 This planning application proposes a total of 21 residential units of which 11 would be for market sale and 10 units would be affordable units (2 social rent and 8 shared ownership units). The proposal is set out below, with a comparison to the policy target:

Dwelling Type	Social Rent	Policy DM3.1 Target	Inter-mediate	Policy DM3.1 target	Private	Policy DM3.1 Target
Studio	0	0	0	0	0	0

One Bedroom (2 person)	0	0	4 (50%)	65%	4 (36%)	10%
Two Bedroom (3 and 4 person)	1 (50%)	20%	4 (50%)	35%	7 (64%)	75%
Three Bedroom (4, 5 and 6 person)	1 (50%)	30%	0	0	0	15%
4 bedrooms or more	0	50%	0	0	0	0
TOTAL	2		8		11	

- 8.39 There is an identified strong demand for 2 bed units within the market tenure and the scheme provides this, although there is a higher proportion of 1 bed units. There is an identified strong demand for larger units (3 and 4 beds) within the social rented tenure within the borough and the scheme provides this, although it provides a 2 bed unit rather than a 4 bed unit. There is an identified strong demand for 1 bed intermediate units and the scheme provides this, although there is a higher proportion of 2 bed units.
- 8.40 The National Planning Policy Framework acknowledges the importance of planning positively for high quality and inclusive design for all development, and requires the boroughs to deliver a wide choice of quality homes. The London Plan (2015) recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality. Policy DM3.4 states that all new housing developments are required to provide accommodation of adequate size and layout with consideration of aspect, outlook, noise, ventilation, privacy and light; functional and useable play, amenity and garden space; sufficient space for storage and utility purposes; built to accessible standards.
- 8.41 Policy DM3.4 part D sets out that ‘new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated’. The policy then goes on to state that ‘for sites 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’. Most of the proposed units are dual aspect with four single aspect units at first to fourth floor levels. It would be difficult to provide dual aspect to the entire scheme without substantially changing the unit size mix and on balance this is considered acceptable.

Daylight/sunlight

- 8.42 The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to Policy DM2.1 identifies that the BRE ‘provides guidance on sunlight layout planning to achieve good sun lighting and day lighting’. The BRE Guidelines provide numerical guidelines, the document though emphasises that advice given 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.
- 8.43 **Daylight:** the BRE Guidelines stipulates that for proposed residential units the ADF test should be used for daylight (with 1% for bedrooms, 1.5% for living rooms and 2% for kitchens)
- 8.44 **Sunlight:** the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. 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; and

In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.

- 8.45 The applicant has submitted a daylight/sunlight report which concludes that the proposal is acceptable because a large number of rooms passed the relevant tests. The report states that there is a good level of adherence, with only small areas where rooms fall below the target criteria and that the levels of light achieved are consistent with an inner city context.
- 8.46 Officers have assessed the results and these show that the kitchen to the ground floor 3 bed unit does not meet the ADF test of 2% (with a result of 1.23%); the living / kitchen / dining to the first, second and third floor rear 2 bed units do not meet the ADF test of 2% (with results of 1.29%); the living / kitchen / dining to the living/kitchen/dining to the first, second and third floor Camden Road 1 bed units do not meet the ADF test (with results of 1.07%). Whilst there are 6 units affected they are all rooms located underneath proposed overhanging balconies and the daylight levels are affected by the balconies. On balance, given that the other rooms within these units meet the BRE guidelines and that the balconies provide good quality amenity space, it is considered that the overall daylight levels achieved in the units is acceptable.
- 8.47 A Noise Assessment has been submitted that identifies the site as being within the former PPG24 (and Policy DM3.7) noise category C (daytime and nighttime). Whilst these categories are not referred to in the NPPG they are relevant to policy DM3.7. For sites within Category C guidance advises that planning permission should not normally be granted, but where it is because there are no alternative, quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.
- 8.48 The Noise Assessment concludes that the site falls within the 'upper limit' of noise category C and mitigation measures include double glazing. The Pollution Officer agrees that the site is within noise category C and condition 16 is recommended regarding noise levels within the units.

Air quality

- 8.49 The submitted Air Quality report, concludes that concentrations of NO₂ exceeds the Air Quality Objectives and that mechanical ventilation is therefore required to the units facing Camden Road at ground and first floor levels and a condition requiring the submission of further details on this is recommended (condition 20).
- 8.50 Flat sizes – Policy DM3.4 details minimum space standards for all new residential developments with sufficient storage, separate kitchens and sufficient floor to ceiling heights. The submitted sections of all of the residential units show attainment of the minimum floor to ceiling height of 2.6 metres. The proposed residential units all meet

the required internal space standards and are therefore in compliance with local and national standards: the one bedroom units being between 50 and 50.05sqm (against a policy requirement of 50sqm), the two bedroom units being between 72 and 73, 89sqm (against a policy requirement of 70sqm) and the three bedroom unit being 96sqm (5 person unit) (against a policy requirement of 86sqm and 95sqm). There are two x 2 bed units which are undersize on the top floor at 61sqm but it is not possible to make the top floor any larger because of design issues and if these units were converted to large 1 bedroom units the mix would not be suitable.

Overlooking

- 8.51 Policy DM2.1 identifies that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms'. There are some instances where there are distances of below 18m between proposed windows and existing residential units as follows:
- There are existing windows at Ada Lewis House in the side elevation facing the application site, which are 11m away from the side elevation of the proposed building. There are also windows and balconies to this elevation in the approved scheme at Ada Lewis House which would be 6.3m away from the side elevation. There are no windows proposed in this side elevation for the current application under consideration, but there are balconies facing the street and these will all have full height privacy screens to the corner to avoid any overlooking from the existing or approved building at Ada Lewis House. Condition 4 is recommended to ensure that these privacy screens are provided.
 - There are 5 bedroom windows in total (one per floor at first, second, third, fourth and fifth floors) to the rear elevation that faces the side elevation at Ada Lewis House. These are not directly opposite existing windows but at an angle are 15m away from existing staircase windows and 17m away from existing bedroom windows. Whilst there is potential for overlooking between the bedroom windows, given that the existing building is vacant and due for development and the windows are not directly opposite each other there is not considered to be any undue overlooking issues.
 - The proposed building is smaller than the existing building along this elevation and there are no windows directly facing the proposed bedroom windows. There are, however, proposed balconies at Ada Lewis House at first, second, third and fourth floor levels, two of which face the application site and two of which have the side of the balconies facing the application site. These four balconies will be 15m away from the proposed bedroom windows at their closest point. In both cases only the corner most part of the balconies are 15m away and the majority of the balcony area is either over 18m away. Given the fact that the proposed bedroom windows have been set away from the rear boundary by 7m, that the building cannot be pulled any further away without there being concerns about the bulk on Camden Road, that there are only 4 windows affected and that it is only marginally below the 18m distance there is not considered to be any undue overlooking issue.
 - The proposed balconies to the Camden Road elevation are approximately 3m away from existing windows at Saxonbury Court, albeit not directly facing each other. Full height privacy screens are also proposed to the corner of these balconies to avoid any overlooking. Condition 4 is recommended to ensure that these privacy screens are provided.
 - Windows are proposed in the side elevation facing the side of Saxonbury Court which are 0.9m away from the boundary. There are no windows facing these at Saxonbury Court but they are proposed to be obscure glazed anyway to avoid any future overlooking issues. The bedrooms that are served by these obscure glazed

windows also have windows in the rear elevation. Condition 5 is recommended to ensure that the obscure glazing is provided.

8.52 Amenity space - Policy DM3.5 part A identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'. Part C of the policy states that the minimum requirement for private outdoor space is 5sqm on upper floors for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required on upper floors. Outdoor amenity space has been provided for the two ground floor units with terraces of 31sqm and 93sqm. The upper floor units have balconies and winter gardens of between 5 and 8sqm (with the three top floor units having balconies of 10-12sqm). In addition there is a landscaped area fronting Camden Road with approximately 166sqm of amenity space. In this urban location the proposed amenity space is therefore considered acceptable with the benefit of there being a large landscaped area around the building.

8.53 In conclusion, despite there being air quality issues and the need for mechanical ventilation to the ground and first floor units facing Camden Road, on balance an acceptable standard of accommodation is provided with generously sized units with acceptable levels of daylight/sunlight and amenity space and some obscure glazing and balcony privacy screens required.

Neighbouring Amenity

8.54 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.

8.55 The surrounding area is predominantly residential in character. The adjacent 5 storey Ada Lewis house on Dalmeny Avenue is a vacant women's hostel with planning permission for a residential redevelopment (providing 45 units). A new library and residential scheme (providing 34 units) is currently under construction on the other corner of Camden Road and Dalmeny Avenue, which will include two buildings of 3-4 storeys and 4-6 storeys. Adjacent to the site on Camden Road is a small two storey block of flats (Saxonbury Court) and on the opposite side of Camden Road are 4 storey semi-detached villas. Holloway Prison is located on the other side of the library site on Camden Road.

Sunlight and Daylight

8.56 Concern has been raised by local residents regarding loss of light to surrounding residential properties. A daylight and sunlight study has been submitted in support of this application, with windows being tested at residential properties at Kimble House (opposite the site on Dalmeny Avenue), 354 and 356 Camden Road (opposite the site on Camden Road), Saxonbury Court (adjacent to the site on Camden Road) and Ada Lewis House (adjacent to the site on Dalmeny Avenue - as existing and as approved).

8.57 The daylight/sunlight assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to Policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.

8.58 **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 daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.

8.59 **Sunlight:** the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. 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; and

In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.

8.60 Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines, the document though emphasises that advice given 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.

Sunlight and daylight losses for affected properties analysis

8.61 The daylight/sunlight report concludes that the proposal is acceptable because there is no impact on adjoining residential units at Kimble House, 354-356 Camden Road and Saxonbury Court in terms of overshadowing. It concludes that there is some impact on a “small number” of windows/rooms at the existing and permitted Ada Lewis House, but that on balance the effects are considered acceptable. Officers have assessed the results of the Daylight/Sunlight report and agree with this conclusion. The results are for Ada Lewis House are discussed below:

Daylight

Ada Lewis House (as existing)

- The windows tested were in the side elevation facing the application site. The ground floor rooms serve non habitable ancillary rooms associated with the hostel use and not habitable rooms and were therefore not tested.
- Of the six windows tested on each of the first, second and third floor levels none of the windows meet the VSC criteria at first or second floor and one does not meet the criteria at third floor with results of retained VSC levels of between 16 and 26% and reductions of between 31% and 42%.
- Of the three rooms tested on each of the first, second and third floor levels, two

rooms at first floor and one room at second floor levels do not meet the NSL criteria with reductions of 40%, 31% and 21%.

Ada Lewis House (as permitted)

- Three windows on each floor at first, second and third floor levels do not meet the VSC criteria with results of retained VSC levels of between 5.67 and 25.26% and reductions of between 29% and 58%.
- Two windows on each floor at first, second and third floor levels do not meet the NSL criteria with reductions of between 43% and 64%.

Sunlight

Ada Lewis House (as existing)

- The windows tested were in the side elevation facing the application site. The ground floor rooms serve non habitable ancillary rooms associated with the hostel use and not habitable rooms and were therefore not tested.
- Of the three rooms tested on each of the first, second and third floors, one room at first floor level does not meet the APSH test with results of 17% and 24% to each window serving this room and reductions of 56% and 53%.

Ada Lewis House (as permitted)

- Two windows at second floor level do not meet the APSH test with results of 11% and 16% and reductions of 61% and 68%.

Overall daylight/sunlight impact to Ada Lewis House

Ada Lewis House (as existing)

- The windows at second and third floor level that do not meet the VSC tests meet the NSL tests and therefore meet the BRE criteria.
- The six windows at first and second floor level that do not meet the NSL test serve three single aspect hostel bedrooms. The two other windows that do not meet the APSH test serve one single aspect hostel bedroom.
- The hostel building is currently vacant and it is likely that the approved residential scheme will be implemented. Even in the unlikely event that the hostel use is bought back into use on the site it is considered that the daylight/sunlight impact on four rooms that provide temporary accommodation, in a building that provides 80 rooms is not significant enough to warrant refusal of the current application.

Ada Lewis House (as permitted)

In understanding the impact upon the proposed residential units, the approved layout plans have been assessed below:

- Three of the nine windows that do not meet the VSC test serve a LKD room on each floor. Each of these rooms also have windows in the rear elevation, which all meet the BRE tests.
- The remaining six windows that did meet the NSL test serve bedrooms in six different units. These bedrooms are located within units where all other rooms in the unit meet the BRE tests.
- The two windows that have sunlight issues serve one bedroom and LKD room in the same unit. As above the LKD room also has windows in the rear elevation that met the APSH test.
- There is therefore one bedroom at second floor level that did not meet the sunlight or daylight test, this will not have an unacceptable impact on the overall standard of accommodation to this unit

8.62 In conclusion, the result of the BRE analysis shows that there is no impact on adjoining residential units at Kimble House, 354-356 Camden Road and Saxonbury Court. While there is an impact on the existing and approved windows at Ada Lewis House it is

considered that this will not have such an unacceptable impact on the overall standard of accommodation for the existing hostel accommodation or the new residential units as to justify refusal of planning permission.

Privacy, Overlooking

- 8.63 Concern has been raised by local residents regarding overlooking and loss of privacy to existing residential units in the area. Policy DM2.1 identifies that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms (living rooms and bedrooms, sometimes kitchens if they are large dining kitchens but excluding bathrooms and staircases). This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy.
- 8.64 There are not considered to be any overlooking issues to properties surrounding the site, if suitable mitigation measures are provided, because:
- As outlined in paragraph 8.51 obscure glazing and privacy screens are required by conditions 4 and 5 to prevent overlooking to balconies at the approved or existing Ada Lewis House and at Saxonbury Court;
 - As outlined in paragraph 8.51 there are four balconies at the proposed Ada Lewis House where the corners of the balconies will be 15m away from four bedroom windows in the proposed scheme. Given the fact that the proposed bedroom windows have been set away from the rear boundary by 7m, that the building cannot be pulled any further away without there being concerns about the bulk on Camden Road, that there are only 4 balconies affected and that it is only marginally below the 18m distance there is not considered to be any undue overlooking issue;
 - The street elevations to Camden Road and Dalmeny Avenue have windows and balconies and the existing buildings opposite are across a public highway.

Outlook/sense of enclosure

- 8.65 The closest residential properties are at Saxonbury Court and Ada Lewis House. Whilst the proposed building is taller than the existing building and is close to the boundary with both properties it is considered that there will not be a detrimental impact on outlook from these residential units, because:
- The building line is in the same location or further away from the boundary with Saxonbury Court when compared to the existing building and there are no windows at Saxonbury Court that face the application site; and
 - The existing windows facing the site at Ada Lewis House are approximately 10m away from the proposed building. The approved scheme at Ada Lewis House also has windows facing the site, but these are between 7.5 and 9.5m away from the proposed building and the units have windows to the front and rear elevation as well.

Noise

- 8.66 The demolition and construction periods are generally responsible for the most disruptive impacts affecting residential amenity and this issue has been raised by objectors. Conditions requiring the submission of a Construction & Demolition Logistics Plan (No 6), a Construction Environmental Management Plan (No 7) and an informative advising of restriction to hours for 'noisy' works (No 6) have been included as part of the recommendation, in order to mitigate and reduce the impacts of demolition and construction.
- 8.67 Balconies are proposed to most units, given their relatively small size and the distance

away from existing residential units, it is considered that there will not be any noise or disturbance issues from these balconies or terraces.

- 8.68 In conclusion, there is not considered to be any adverse material impact on residential amenity to neighbouring properties in terms of loss of light, loss of privacy, sense of enclosure, overlooking or noise as a result of the proposed development, subject to the conditions set out in this report.

Accessibility

- 8.69 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 we can no longer apply our flexible housing standards nor local wheelchair housing standards.

A new National Standard

- 8.70 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 must check compliance 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.
- 8.71 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.

Accessibility Assessment:

- 8.72 The applicant has submitted a Design and Access Statement and has outlined how inclusive design has been considered, including that each floor of the proposed building will have level access from the street. There is a central lift which serves first, second, third, fourth and fifth floors and 2 x category 3 units are provided at ground floor level (2 x 2b, 1 x 3b). These units are secured with condition 13.
- 8.73 The applicant has confirmed that there is space in the ground floor cycle storage area for a mobility scooter. The Access Officer has stated that the communal gates and paths, lift, ramp gradients, shared facilities and common parts, level thresholds to balconies and other amenity facilities should be provided in line with Category 2 and Category 3 of the National Standard for Housing Design. lift dimension and Condition 12 requires this.

Highways and Transportation

- 8.74 The site has a Public Transport Accessibility Level (PTAL) of 6a, which is 'excellent' and is located within walking distance to Caledonian Road Archway Station and various bus routes on Camden Road, Hillmarton Road and Holloway Road.

Transport Statement

- 8.75 A Transport Statement has been submitted with the application (the scheme is not large enough for a full transport assessment). Vehicle movements associated with the residential use has been estimated as being 11 two way trips during the AM peak and 7

two way trips during the PM peak. The existing public house use would have attracted trips throughout the day and the Transport Statement concludes that there would not be a detrimental impact on the local highway network as a result of journeys associated with the residential use. A residential travel plan has also been submitted to encourage residents to minimise the use of private cars.

Servicing and refuse

- 8.76 Policy DM8.6 (Delivery and servicing for new developments), Part A states that for commercial developments over 200 square metres, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing for new developments), Part B, requires details to be submitted to demonstrate that on-site provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.
- 8.77 The Transport Statement states that the site will be serviced via Dalmeny Avenue on street, with an estimate that the residential units will attract 2 deliveries per day. A refuse storage area is provided at ground floor within the building accessed via Dalmeny Avenue and refuse collection will be on street via Dalmeny Avenue. Condition 15 secures the provision of the refuse storage area.

Vehicle parking

- 8.78 The development would be car free, as required by Core Strategy Policy CS10 and as per a S106 head of term, which restricts future occupiers of the residential units from obtaining parking permits. This will ensure that there is no undue impact or increased demand for existing on street parking.

Cycle parking

- 8.79 Cycle storage is provided at ground floor level by the communal entrance and in the rear garden of the 3 bed ground floor unit accommodating 35 cycles which meets the requirements set out in Appendix 6 of the Development Management Policies; Condition 6 secures the provision of these spaces.

Construction impact

- 8.80 Objections have been raised regarding the potential construction traffic using Dalmeny Avenue with requests that a Construction Management plan is secured and that construction traffic should only use Camden Road to access the site. Condition 6 requires the submission of a Demolition and Construction Logistics plan to cover potential transport issues, condition 7 requires the submission of a Construction and Environment Management Plan to cover environmental health issues and a S106 Head of term secures compliance with the Code of Construction Practice (and a monitoring fee). An informative advising of the restriction to hours for 'noisy' works (No 6) has also been included.
- 8.81 It should be noted that permissions granted for nearby sites including the John Barnes Library and Ada Lewis House in August and October 2014 did not include restrictions on construction traffic routes and secured the submission of standard demolition and construction plans as detailed above.
- 8.82 In conclusion, there is not considered to be any adverse highways or transportation impact in terms of loss of servicing, car parking, cycle parking and construction impact,

subject to the conditions set out in this report.

Sustainability, Energy Efficiency and Renewable Energy

Sustainability

- 8.83 All major developments should achieve the highest feasible level of nationally recognised sustainable building standard (in Islington's case this is considered to be Code for Sustainable Homes (CfSH) level 4 and BREEAM Excellent or equivalent). This is set out in Core Strategy policy CS10 and Development Management policy DM7.4.
- 8.84 Under the Ministerial Statement of 25 March 2015, the government has closed down the CfSH standard. Unlike many other Local Authorities whose only sustainability requirements are to achieve minimum levels of the Code, Islington have a separate layer of policies that run in parallel to the former Code requirements (that require an 'or equivalent' sustainability standard to be achieved). Some of these additional policies cross over with elements covered by the CfSH. Most applicants continue to demonstrate compliance with these policies with the submission of a CfSH assessment, as the applicant has done. The CfSH Pre Assessment has confirmed a commitment to achieve CfSH Code Level 4. This is welcomed and conditions 8, 10, 22, 23, 24 are recommended requiring specific elements of the code to be secured (green procurement, pv panels, green roofs suds and water).
- 8.85 Development proposals should protect the existing ecology and make the fullest contribution to enhancing biodiversity (CS10, DM6.5) e.g. by maximising the inclusion of green roofs, ecological landscaping, greening of facades and artificial nesting sites. Policy DM6.5 requires the maximisation of provision of green roofs and requires major developments to use all available roof space for green roofs (subject to other planning considerations). The scheme includes two green roof areas on the main roof adjacent to the PV cells. It does not appear that the area of green roof has been maximised as it is usual to combine green roofs and PV cells across the main roof area. The drawing also indicates that the green roofs will be sedum roofs and they should be biodiversity based extensive substrate roofs with a minimum substrate depth of 80-150mm. Condition 22 is recommended to ensure that green roofs have been maximised and that the details are acceptable.
- 8.86 Government legislation has recently changed with regards to sustainable urban drainage SUDs (6 April 2015) and the expectation is that where appropriate, SUDs should be provided for all major developments following consultation with the lead Local Flood Authority. Policy DM6.6 expects all major development to include details to demonstrate that SUDs has been incorporated and this new legislation gives additional weight to this as well as introducing the issue of maintenance of the SUDs system. The applicant has confirmed that there will be a decrease in the impermeable area of the site and that the peak surface water run off and volume of surface water run off will be less than existing. The drainage system will be designed in accordance with the SUDs Management Train and the ground floor plan indicates an area underneath the landscaping on Dalmeny Avenue where an attenuation tank will be provided. Condition 23 is therefore recommended requiring SUDs details to be submitted.

Energy Efficiency and Renewable Energy

- 8.87 Islington's Core Strategy policy CS10 (part A) states that all major development should achieve an on-site reduction in total (regulated and unregulated) carbon dioxide emissions of at least 40% in comparison with total emissions from a building which

complies with the Building Regulations 2006, unless it can be demonstrated that such provision is not feasible. This 40% saving is equivalent to a 30% saving compared with the 2010 Building Regulations, and 27% compared with the 2013 Building Regulations. A higher saving (50% in comparison with total emissions from a building which complies with the Building Regulations 2006, which translates into a 30% saving compared with Building Regulations 2010 and 39% compared with the 2013 Building Regulations) is required of major development in areas where connection to a decentralised energy network (DEN) is possible.

- 8.88 The GLA's guidance on preparing energy assessments (April 2014) states, that the Mayor will apply a 35% carbon reduction target beyond Part L 2013 of the Building Regulations - this is deemed to be broadly equivalent to the 40% target beyond Part L 2010 of the Building Regulations, as specified in Policy 5.2 of the London Plan for 2013-2016.
- 8.89 The Sustainable Design and Construction Statement (including Energy Assessment) (dated 13/10/15) states that a 35.6% reduction in regulated CO₂ emissions (based on 2013 Building Regulations baseline) and a 17% total (regulated and unregulated) reduction can be achieved, with a Carbon offset financial contribution of £14,845 which will be secured with a S106 head of term. The proposal includes the use of Solar PVs for the renewable energy which will be secured with condition 10. The Council's Energy Officer has confirmed that this is in line with policy.
- 8.90 Policy DM7.3 requires all major developments to be designed to be able to connect to a District Energy Network (DEN), and connection is required if a major development site is within 500 metres of an existing or a planned future DEN. The Energy Strategy states that there is no reasonable expectation that the development will be served by a district heating network in the future. The Council's Energy Officer has stated that there is no existing or planned heat network within 500m and that the area is not identified as a 'cluster' within the Council's latest energy master planning. The development of a heat network in this area could be instigated by the redevelopment of the Holloway Prison. The applicant has submitted a Communal Heating Analysis which concludes that a communal heating system would be unviable. Whilst the Council's Energy Officer has queried some of the costs in this analysis they agree that there are increased costs for the communal system and that it is less feasible. In order to ensure that the inclusion of individual boilers does not preclude any future connection the Council's Energy Officer has advised that the system should be designed to be future proofed (with the system designed for low flow and return and typical pressure requirements of a DHN supply; with the flats being designed to be suitable for retrofit of a HUI; and with protected riser space and a route for pipework) and this will be secured with a S106 legal agreement.
- 8.91 The policy goes on to state that where connection to a DEN is not possible developments should connect to a Shared Heat Network (SHN). The neighbouring John Barnes Library scheme includes a CHP energy centre but the energy officer accepts that there is unlikely to be sufficient capacity to share heat efficiently and has accepted that a SHN is unlikely to be viable.
- 8.92 London Plan policy 5.6a requires development to evaluate the feasibility of CHP systems and examine opportunities to extend the system beyond the site boundary. The Energy Strategy states that a site wide CHP is not considered feasible due to the small heat loads of the development and the Council's Energy Officer has confirmed

that based on the likely heat loads they would not expect an on site CHP system to be installed.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 8.93 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.
- 8.94 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.
- 8.95 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.
- 8.96 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.
- 8.97 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.
- 8.98 The agreement will include the following agreed heads of terms:
- Prevention of wasted housing supply. To require all dwellings to be fully furnished and equipped for use as a home; dwellings not to be left unoccupied for any continuous period of 3 consecutive months or more (plus additional – as per the wording in the Wasted Housing Supply SPD). The applicant agrees to include obligations in sales and marketing information and also agrees to have the s106 requirements written in to any head lease or sublease should they be granted;
 - On site provision of 2 social rented units (1 x 2b, 1 x 3b) and 8 shared ownership units (4 x 1n, 4 x 2b) and with a minimum initial equity share of 25% and a maximum

2.5% rent on the unsold equity;

- Financial contribution of £29,906 towards the provision of affordable housing;
- Viability review in line with the Islington Development Viability Supplementary Planning Document (2016). Submission of residential sales values and build cost information at an advanced stage of the development process on sale of 75% of private residential units. Reasonable fees of consultant appointed by the council to be paid for by the applicant. In the event of an improvement in viability, a financial contribution towards the provision of affordable housing to be paid to the council, to be determined in accordance with the SPD and capped at the equivalent of the council's affordable housing target;
- CO2 offset contribution of £14,845;
- Car free residential units – removal of future residents rights to obtain an on street parking permit;
- Future proof on site heating and power solution so that the development can be connected to a local energy network if a viable opportunity arises in the future.
- The provision of 2 additional accessible parking bay or a contribution towards bays or other accessible transport initiatives of £4,000;
- Compliance with Code of Employment and Training including delivery of 1 work placements during the construction phase of the development, lasting a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay wages (must meet London Living Wage). If these placements are not provided, LBI will request a fee of £5,000;
- Compliance with the Code of Local Procurement;
- Compliance with the Code of Construction Practice, including a monitoring fee of £2,100 and submission of a site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site;
- Green Performance Plan;
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required;
- Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106.

8.99 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 CIL Charging Schedule 2012 and the Islington adopted CIL Charging Schedule 2014 and is likely to be £44,479.76 for the Mayoral CIL and £207,510.18 for the Islington CIL. This will be payable to the London Borough of Islington after the planning consent has been implemented. The affordable housing is exempt from CIL payments and the payments would be chargeable on implementation of the private housing.

9. SUMMARY AND CONCLUSION

Summary

9.1 In accordance with the above assessment the comments made by residents and consultee bodies have been taken into account and it is considered that the proposed development is consistent with national policies and the policies of the London Plan, the Islington Core Strategy, the Islington Development Management Policies and

associated Supplementary Planning Documents.

- 9.2 The proposal is considered to be acceptable in terms of land use, urban design, the quality of the proposed residential accommodation, dwelling mix, affordable housing and sustainability/energy and is considered not to have any undue impact on nearby residential properties or the area in general in terms of amenity or transport/servicing. Conditions are recommended and a Section 106 (S106) agreement, the Heads of Terms of which have been agreed with the applicant.

Conclusion

- 9.3 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 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:

- Prevention of wasted housing supply. To require all dwellings to be fully furnished and equipped for use as a home; dwellings not to be left unoccupied for any continuous period of 3 consecutive months or more (plus additional – as per the wording in the Wasted Housing Supply SPD). The applicant agrees to include obligations in sales and marketing information and also agrees to have the s106 requirements written in to any head lease or sublease should they be granted;
- On site provision of 2 social rented units (1 x 2b, 1 x 3b) and 8 shared ownership units (4 x 1n, 4 x 2b) and with a minimum initial equity share of 25% and a maximum 2.5% rent on the unsold equity;
- Financial contribution of £29,906 towards the provision of affordable housing;
- Viability review in line with the Islington Development Viability Supplementary Planning Document (2016). Submission of residential sales values and build cost information at an advanced stage of the development process on sale of 75% of private residential units. Reasonable fees of consultant appointed by the council to be paid for by the applicant. In the event of an improvement in viability, a financial contribution towards the provision of affordable housing to be paid to the council, to be determined in accordance with the SPD and capped at the equivalent of the council's affordable housing target;
- CO2 offset contribution of £14,845;
- Car free residential units – removal of future residents rights to obtain an on street parking permit;
- Future proof on site heating and power solution so that the development can be connected to a local energy network if a viable opportunity arises in the future.
- The provision of 2 additional accessible parking bay or a contribution towards bays or other accessible transport initiatives of £4,000;
- Compliance with Code of Employment and Training including delivery of 1 work placements during the construction phase of the development, lasting a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay wages (must meet London Living Wage). If these placements are not provided, LBI will request a fee of £5,000;
- Compliance with the Code of Local Procurement;
- Compliance with the Code of Construction Practice, including a monitoring fee of £2,100 and submission of a site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site;
- Green Performance Plan;
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required;
- Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106.

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:

List of Conditions:

1	<p>Commencement</p> <p>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</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>214023/001; /120 A; /121; /122; /110; /130 A; /131 A; /132 A; /133 A; 140; 141; 010; /020; /021; /030; /031; /032; /033; /040; /041; Arboricultural Impact Assessment DFCP 3686 prepared by DF Clark Bionomique Ltd dated 22.10.15; Design and Access Statement prepared by KKM Architects undated; HIA screening Assessment undated; Planning Statement prepared by JLL dated December 2015; Phase 1 Desk Top Study Report rev A prepared by Herts & Essex Site Investigations; Daylight and Sunlight Report MC/KW/ROL7355 prepared by Anstey Horne dated 2 November 2015; Transport Assessment prepared by TTP Consulting dated November 2015; Travel Plan prepared by TTP Consulting dated November 2015; Ecology Report DFCP 3686 prepared by DF Clark Bionomique dated 11th November 2015; Air Quality Assessment H2111 V01 prepared by Hawkins Environmental dated 21st October 2015; Noise Assessment H2111 V01 prepared by Hawkins Environmental dated 21st October 2015; Overheating Assessment prepared by Brooks Development dated 04/04/2016; Sustainable Design and Construction Statement including Energy Assessment 3rd submission prepared by Brooks Development dated 04/04/2016; Whole life cost assessment comparing the costs of installing communal heating with individual gas boilers prepared by Callaway Energy Consulting undated.</p>

	<p>REASON: To comply with Section 70(1) (a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Trees</p> <p>CONDITION: The construction methodology and tree protection measures (including root protection areas) shall be carried out strictly in accordance with the Arboricultural Impact Assessment (22.10.15 DFCP 38=686) hereby approved prior to works commencing on site, and shall be maintained for the duration of the works.</p> <p>Any amendments to the construction methodology or tree protection measures (including root protection areas) require details to be submitted to and approved in writing by the Local Planning Authority prior to the relevant works taking place on site.</p> <p>REASON: In the interest of the protection of trees and to safeguard visual amenities.</p>
4	<p>Balcony screening (details and compliance)</p> <p>CONDITION: Details of the boundary to</p> <ul style="list-style-type: none"> • The side and corner of the balconies at first, second, third, fourth and fifth floor at the side boundary with Ada Lewis House; and • The side and corner of the balconies at first, second, third, fourth and fifth floor at the side boundary with Saxonbury Court. <p>shall be submitted prior to any superstructure works commencing on site. These details shall include a 1.7m high screen or planters and planting which shall be provided prior to first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows or balconies.</p>
5	<p>Windows Obscured and Fixed Shut / Angled as Shown on Plans (Compliance)</p> <p>CONDITION: All of the following windows shown on the plans hereby approved shall be permanently obscure glazed and fixed shut up to a height of 1.7m above the floor of the room in which the windows are installed prior to the first occupation of the development:</p> <ul style="list-style-type: none"> • South western elevation bedroom windows to the 1 bedroom units at first, second, third and fourth floor levels at the side boundary facing Saxonbury Court. <p>All obscurely glazed windows shall be restricted in their ability to open fully, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
6	<p>Construction and Demolition Logistics Plan (Details)</p>

	<p>*CONDITION: A report assessing the planned demolition and construction vehicle routes and access to the site including addressing 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 (in consultation with TfL) prior to any works commencing on site.</p> <p>The report shall assess the impacts during the demolition and construction phases of the development on the Transport for London controlled Camden Road, nearby residential amenity and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure highway safety and free flow of traffic on Holloway Road, local residential amenity and mitigate the impacts of the development.</p>
7	<p>Construction Environmental Management Plan (CEMP) (details)</p>
	<p>A Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets.</p>
8	<p>Materials</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 commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) solid brickwork including recessed brick panels (including brick panels and mortar courses) b) window and door treatment (including sections and reveals); c) balustrading treatment (including sections); d) balcony screening; e) banding detail; f) cladding system to top floor; g) boundary treatment; h) green procurement plan; and i) 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>
9	<p>Landscaping</p> <p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ol style="list-style-type: none"> a) an updated Access Statement detailing routes through the landscape and the facilities it provides; b) a biodiversity statement detailing how the landscaping scheme maximises biodiversity; c) existing and proposed underground services and their relationship to both hard and soft landscaping; d) proposed trees: their location, species and size; e) soft plantings: including grass and turf areas, shrub and herbaceous areas; f) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; g) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; h) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and i) 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 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>
10	<p>Photovoltaic panels (details)</p> <p>CONDITION: Prior to first occupation of the development hereby approved, details of the proposed Solar Photovoltaic Panels 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 angle of panels and 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 interests of securing sustainable development and to ensure that the</p>

	<p>resulting appearance and construction of the development is of a high standard of design.</p>
11	<p>Pipes</p> <p>CONDITION: Other than any pipes shown on the plans hereby approved, no additional plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional pipes be considered necessary the details of those shall be submitted to and approved in writing by the Local Planning Authority prior to installation of any such pipe.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would detract from the appearance of the building.</p>
12	<p>Access (compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved the scheme shall be constructed in accordance with the principles of Inclusive Design. To achieve this the development shall incorporate/install:</p> <p>a) Communal gates and paths, lift, ramp gradients, shared facilities and common parts, level thresholds to balconies and other amenity facilities provided in line with Category 2 and Category 3 of the National Standard for Housing Design.</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 order to facilitate and promote inclusive and sustainable communities.</p>
13	<p>Wheelchair housing (compliance)</p> <p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, 19 of the residential units shall be constructed to 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 (1 x 2b, 1 x 3b) shall be constructed to Category 3 of the National Standard for Housing Design as set out in the Approved Document M 'Wheelchair user dwellings' (3).</p> <p>Building Regulations Approved Plans and Decision Advice Notice, confirming that these requirements will be achieved shall be submitted to an approved in writing by the Local Planning Authority prior to any superstructure works beginning on site. The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable, adaptable and wheelchair accessible homes appropriate to meet diverse and changing needs, in accordance with London Plan policy 3.8.</p>
14	<p>Cycle Parking Provision (Compliance)</p> <p>CONDITION: The bicycle storage area(s) shown on drawing No. 214023/120 rev A hereby approved, shall be secure and provide for no less than 35 bicycle spaces and 1 disability tricycle space and shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on</p>

	site and to promote sustainable modes of transport.
15	<p>Waste Management</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. 214023/120 rev A shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
16	<p>Sound Insulation and Noise Control Measures</p> <p>CONDITION: A scheme for sound insulation and noise control measures shall be implemented prior to the first occupation to ensure the following internal noise targets (in line with BS 8233:1999):</p> <ul style="list-style-type: none"> - Bedrooms (23.00-07.00 hrs) 30 dB L_{Aeq}, and 45 dB $L_{max (fast)}$ - Living Rooms (07.00-23.00 hrs) 35 dB L_{Aeq}, - Kitchens, bathrooms, WC compartments and utility rooms (07.00 –23.00 hrs) 45 dB L_{Aeq} <p>The sound insulation and noise control measures 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 secure an appropriate internal residential environment due to the noise levels on Holloway Road and commercial use at ground floor level</p>
17	<p>Contamination (details)</p> <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: In order to protect the health and amenity of future residential occupiers at the site.</p>
18	<p>Lift Shaft Insulation</p> <p>CONDITION: Prior to the first occupation of the residential accommodation hereby approved sound insulation shall be installed to the lift shaft sufficient to ensure that the noise level within the dwellings does not exceed NR25(Leq) 23:00 - 07:00 (bedrooms) and NR30 (Leq. 1hr) 07:00 - 23:00 (living rooms) and a level of +5NR on those levels for the hours of 07:00 - 23:00.</p> <p>REASON: To secure an appropriate future residential environment.</p>
19	<p>Lift Installation</p> <p>CONDITION: The lift serving all floors of the proposed development hereby approved shall be installed and operational prior to the first occupation of the residential dwellings hereby approved.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that adequate access is provided to the residential units at all floors.</p>
20	<p>Ventilation</p> <p>* CONDITION: Prior to commencement of the relevant part of the development, full details of ventilation for the residential accommodation shall be submitted to and approved in writing by the Local Planning Authority. 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 secure an appropriate future residential environment.</p>
21	<p>Energy Strategy (compliance/details)</p> <p>CONDITION: The energy measures as outlined within the approved Energy Strategy shall together provide for no less than a total 17% (regulated and unregulated) on-site regulated CO2 emissions in comparison with total emissions from a building which complies with Building Regulations 2013.</p> <p>Should, following further assessment, the approved energy measures be found to be no longer suitable, a revised Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The revised energy strategy shall provide for no less than a 35% on-site regulated CO2 emissions and a 17% on-site 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 operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	<p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that the CO2 emission reduction targets are met.</p>
22	<p>Green and Brown Roofs (Details)</p>
	<p>CONDITION: Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be maximised and be :</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm); 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) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
23	<p>Sustainable Urban Drainage System (SUDS) (details)</p>
	<p>CONDITION: Details of a detailed drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems and be designed to maximise water quality, amenity and biodiversity benefits in accordance with DM Policy 6.6 and the National SuDS Standards. The submitted details shall:</p> <ol style="list-style-type: none"> i. provide information about the design storm period and intensity, the method employed (SuDS management train) to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; ii. include a timetable for its implementation; and iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. <p>The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>

24	Water Use (Compliance)
	<p>CONDITION: The development shall be designed to achieve a water use target of no more than 105litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
25	BIRD/BAT BOXES (DETAILS)
	<p>CONDITIONS: Details of bird and/or bat nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site. 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>
26	Thames Water and Piling
	<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 and piling has the potential to impact on this infrastructure.</p>

List of Informatives:

1	S106
	<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	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and</p>

	<p>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: 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.</p>
4	Car-Free Development
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
5.	Roof top plant
	<p>The applicant is advised that any additional roof top plant not shown on the approved plans will require a separate planning application.</p>
6	Construction works
	<p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
7	Thames Water
	<p>You are advised to refer to the consultation letter of 29 December 2015 from Thames Water with regard to groundwater discharge into the public sewer; groundwater risk management permit; surface water drainage; prior approval to discharge into a public sewer; and water pressure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement covered in Condition 26.</p>
8	TfL licences
	<p>Licences may be required from TfL as highway authority for Camden Road. Further information can be found on the TfL website at: https://tfl.gov.uk/info-for/urban-planning-and-construction/highway-licences</p>
9	Highways Requirements

Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk

Compliance with section 174 of the Highways Act, 1980 - “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk

Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk

Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk

Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.

Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.

Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.

Before works commence on the public highway planning applicant must provide Islington Council’s Highways Service with six months notice to meet the requirements of the Traffic Management Act, 2004.

Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.

Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council’s Highways contractors.

Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO’s) to be borne by developer.

All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction

works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk

Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.

Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980

Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.

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's Core Strategy 2011, Islington's Development Management Policies 2013, the Finsbury Local Plan 2013 and Islington's 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 2.9 Inner London

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

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

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

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

Policy 3.13 Affordable housing thresholds

Policy 3.15 Coordination of housing

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.13 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

development and investment

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage

Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
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 7.18 Protecting local open space and addressing local deficiency
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS 3 Nag's Head and Upper Holloway Road
Policy CS 8 (Enhancing Islington's Character)

Policy CS 14 (Retail and Services)
Policy CS 15 (Open Space and Green Infrastructure)
Policy CS 16 (Play Space)

Strategic Policies

Policy CS 9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS 10 (Sustainable Design)
Policy CS 11 (Waste)
Policy CS 12 (Meeting the Housing Challenge)

Infrastructure and Implementation

Policy CS 18 (Delivery and Infrastructure)
Policy CS 19 (Health Impact Assessments)
Policy CS 20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage
DM2.4 Protected views

DM6.5 Landscaping, trees and biodiversity
DM6.6 Flood prevention

Housing

DM3.1 Mix of housing sizes
DM3.2 Existing housing
DM3.4 Housing standards
DM3.5 Private outdoor space

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling

DM3.6 Play space
DM3.7 Noise and vibration (residential use)

Shops, culture and services

DM4.3 Location and concentration of uses
DM4.4 Promoting Islington's Town Centres
DM4.10 Public Houses

Health and open space

DM6.1 Healthy development
DM6.2 New and improved public open space

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

3. **Designations**

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

Islington Local Plan

Nag's Head and Upper Holloway Road Core Strategy key area
local view 4 from Archway Road
local view 5 from Archway Road
Within 50m of Hillmarton Conservation Area

London Plan

Camden Road TLRN

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Accessible Housing in Islington
- Car Free Housing
- Development Viability SPD
- Environmental Design SPD
- Inclusive Design in Islington SPD
- Inclusive Landscape Design SPD
- Planning Obligations (Section 106) SPD
- Preventing Wasted Housing Supply SPD
- Streetbook SPD
- Urban Design Guide SPD

London Plan

- Accessible London: Achieving an Inclusive Environment SPG (and Draft SPG)
- The Control of Dust and Emissions During Construction and Demolition SPG
- Housing SPG
- London Housing Design Guide (Interim Edition)
- Planning for Equality and Diversity in London SPG
- Shaping Neighbourhoods – Character and Context SPG
- Shaping Neighbourhoods – Play and Informal Recreation SPG
- Social Infrastructure SPG
- Sustainable Design and Construction SPG

APPENDIX 3 – BPS reports

273 Camden Road, Islington, London, N7 0JN

Application Ref: 2015/5306/FUL

Independent Review of Assessment of Economic Viability

19 February 2016



1.0 Introduction

- 1.1. BPS Chartered Surveyors has been instructed by The London Borough of Islington ('the Council') to review a viability assessment prepared by HEDC Limited on behalf of Origin Housing Group ('the applicant') in respect of the former Latin Corner public house at 273 Camden Road, Islington, N7 0JN.
- 1.2. The property is located on the corner of Camden Road and Dalmeny Avenue in the Holloway part of the borough. The site is approximately 0.186 acres (754 m²) with hardstanding fronting Camden Road and the building set back towards the rear of the site. The building itself is a two-storey structure built in the 1950s in an Art Deco style.
- 1.3. The site borders Camden Road to the east and Dalmeny Avenue to the North with buildings on the southern and western boundaries. The surrounding buildings are predominantly residential and range from Georgian town houses to 6 storey apartment buildings. The site is fairly well served by transport links with buses along Camden Road and three different Underground stations approximately a 10-15 minute walk away.
- 1.4. The application is for the;

'Demolition of existing building and erection of a 6 storey building to provide 21 residential units (8 x 1-bed, 12 x 2-bed and 1 x 3-bedroom flats) with associated landscaping and amenity space.'
- 1.5. The viability assessment seeks to demonstrate that the current affordable housing offer of 28.57%, which equates to 6 units (2 x Social Rent and 4 x Shared Ownership), is the maximum that can reasonably be provided on-site.
- 1.6. Our review has sought to scrutinise the cost and value assumptions that have been applied in the HEDC viability appraisal in order to determine whether the current affordable housing offer represents the maximum that can reasonably be delivered given the viability of the proposed development.

2.0 Conclusion and Recommendations

- 2.1. Based upon our review of the viability assessment we are of the view that the scheme could provide an increased level of on-site affordable housing.
- 2.2. The benchmark land value is based on a report produced by Sint & Co. The figure applied in the viability assessment is £1 million. We are of the opinion that this figure is inappropriate for the purposes of establishing viability as it is dependent upon assumptions which are largely unverified by market evidence given the assumptions applied in the report.
- 2.3. The property has received consent to convert the ground floor from A4 use to A1 and is currently used as a charity bookshop. The upper floors remain zoned for A4 use ancillary to the ground floor. However with the loss of ground floor A4 use the upper floor use is effectively redundant. In consequence an EUV approach would not maximise land value.
- 2.4. We have undertaken a valuation of the building based on the building used in its entirety for A4 use effectively bringing the upper floors into use. This reflects the property's past consent for this use which has effectively established the acceptability of this use in planning terms. We are of the view that this approach would represent an acceptable benchmark for planning viability purposes. Our opinion of the AUV of the property assuming this change of use is £664,000.
- 2.5. Our Cost Consultant, Neil Powling, has reviewed the cost plan for the application scheme and he is of the opinion that the costs appear reasonable which benchmarked against BCIS. Neil's full report can be found at Appendix A.
- 2.6. We have calculated the total CIL liability as £261,300 as opposed to the estimated £300,000 applied in the appraisal.
- 2.7. With regards to residential sales values we are of the opinion that given the available evidence we are of the opinion that the sales values could be marginally increased to represent a rate of £7,804 per m² (£725 per ft²). We highlight that this is still below a number of second hand units in the local area and significantly lower than local new build stock.
- 2.8. We are of the opinion that the affordable housing values applied in the appraisal are reasonable.
- 2.9. The ground rental income has been calculated at a range of rates from £300 per annum for one bedroom units up to £400 per annum for the two bedroom units. The total annual rent has been capitalised at a rate of 5%. In our opinion the assumptions applied are reasonable and are broadly in line with current market trends.
- 2.10. The summary of our position compared with HEDC's position is as follows:

Scenario	Benchmark	Residual Value	Surplus/ (Deficit)
HEDC	£1,000,000	£647,300	(£352,700)
BPS	£664,000	£1,114,640	£450,640

- 2.11. It is therefore clear that in our opinion the current proposed scheme is making a significant development surplus of £450,640.

2.12. We have examined the impact on viability of the inclusion of an additional 2 units, one shared ownership (1 bed) and one social rent (2 bed). When this scenario is evaluated through an appraisal the residual land value is £736,283 which would result in a surplus of £72,283 when compared to our opinion of an appropriate benchmark land value. We are therefore of the view that the site could support 8 units of affordable housing and still remain viable.

3.0 Planning Policy Context

3.1. We have had reference to national planning policy guidance including the National Planning Policy Framework. We have also had regard to the regional planning policy context including the London Plan Further Amendments 2015.

3.2. Islington Core Strategy Policy CS12 requires the maximum reasonable level of affordable housing that can be achieved with a target of 50% of new housing to be affordable.

3.3. CS12 requires a tenure split of 70% social rent and 30% intermediate tenure. CS12 also includes the requirement that affordable housing units are designed to a high quality with the Development Management Policies encouraging design to be 'tenure blind'.

3.4. We have also had due regard to the Council's emerging SPD in respect of Planning viability.

4.0 Planning History

4.1. 2013/1552/COL - Certificate of Lawfulness for proposed change of use from A4 (Public House) to A1 (Shops). Approve with no conditions.

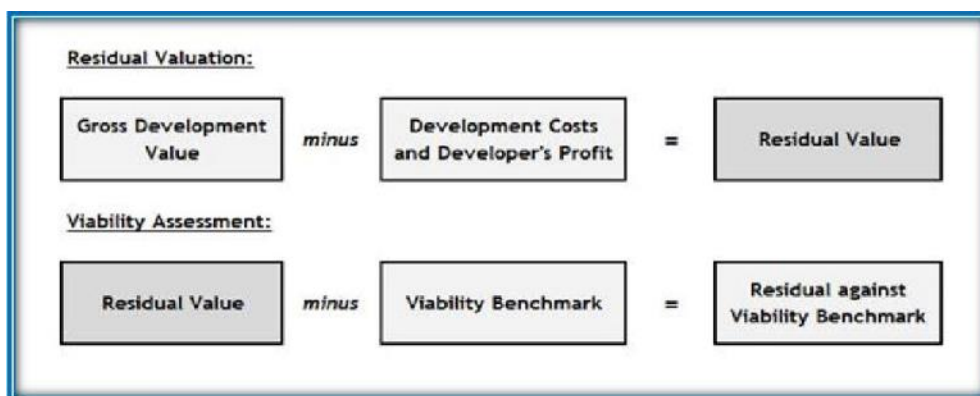
4.2. 2013/1933/FUL - Demolition of the existing building on site and the erection of a new building comprising basement ground and part four/part five storeys providing 422sqm (Class A1) retail floorspace and 22 residential units (Class C3) with associated landscaping, cycle parking, plant signage and ATM. Refusal of Permission. Subsequently dismissed at Appeal on 14/07/2014.

4.3. 2014/2215/COLP - Certificate of Lawfulness (proposed) to change to change the use of the first floor from public house (A4) to retail unit (A1). Ground floor already has A1 use. Refusal of Permission.

5.0 Principles of Viability Assessment

5.1. Assessment of viability for planning purposes is based on the principle that if a proposed scheme cannot generate a value that equals or exceeds the current site value, it will not proceed. Financial viability for planning purposes is defined by the RICS Guidance as an "objective financial viability test of the ability of a development project to meet its costs including the cost of planning obligations, while ensuring an appropriate site value for the landowner and a market risk adjusted return to the developer in delivering that project." This reflects the NPPF principle that in order to ensure viability, developments should provide competitive returns to a willing land owner and willing developer to enable them to be deliverable.

- 5.2. A fundamental issue in considering viability assessments is whether an otherwise viable development is made unviable by the extent of planning obligations or other requirements.
- 5.3. Existing Use Value has been generally recognised by many LPA's and the GLA as the standard recognised basis for establishing viability as it clearly defines the uplift arising from the grant of the planning consent sought and is currently referred to as the preferred basis for benchmarking schemes in the Council's recently adopted planning policies.
- 5.4. RICS Guidance¹ suggests that "the site value benchmark should equate to the market value subject to the following assumption: that the value has regard to development plan policies and all other material planning considerations and disregards that which is contrary to the development plan". The purpose of a viability appraisal is to assess the extent of planning obligations while also having regard to the prevailing property market.
- 5.5. In this context it is highly relevant to consider the degree to which planning policy has been reflected in the land transactions promoted and whether they are themselves considered to represent market value as distinct from overbids.
- 5.6. Viability appraisals work to derive a residual value to indicate viability. This approach can be represented by the simple formula set out below:



- 5.7. Development costs include elements such as planning obligations, professional fees, finance charges and contingencies as well as the necessary level of 'return' that would be required to ensure developers are capable of obtaining an appropriate market risk adjusted return for delivering the proposed development.
- 5.8. Residual appraisals are used either to assess a return from the proposed project (where the cost of acquiring the site is an appraisal input) or to establish a residual land value after taking account of the level or return (profit) required.
- 5.9. A scheme's residual value is then compared to the site value benchmark figure and if the residual value equals or exceeds this benchmark then the scheme can be said to be viable. It is therefore important in assessing viability for the site value benchmark ("base value") to be set at a figure which can be substantiated.
- 6.0 Viability Benchmark

¹ RICS, Financial Viability in Planning, 1st Edition Guidance Note, August 2012

- 6.1. The benchmark land value used by HEDC Ltd is based on a report produced by Sint & Co. This 'open market realisation estimate' states that the existing property is worth £1,000,000 before refurbishment and £1,400,000 after a £400,000 refurbishment.
- 6.2. As discussed above the current use of the ground floor space is A1 retail with the upper floor being designated for A4 use. Therefore we are unsure as to whether valuing the property as existing A4 use is indeed suitable. Also we note that Sint & Co have provided an 'estimate' based on the open market realisation of the property. This does not constitute a RICS red book valuation nor does it attempt to generate a site value for redevelopment purposes.
- 6.3. Sint & Co's report sets out the valuation assumptions which it has been instructed to adopt in preparing its view of value. Critical assumptions include:
- A) that the property is let to a 'major triple A rated UK multiple pub leisure chain' B) the building is fully fitted and available to trade immediately
- 6.4. There is no evidence of demand from a national multiple for this property as such the assumption of tenancy appear unjustified. Similarly the property is clearly not fully fitted or available for immediate occupation
- 6.5. If the applicant wishes to examine A4 use as a possible benchmark then it should reflect this approach as an AUV. We have assumed that an application for the change of use from A1 to A4 is acceptable and have factored in time for an application for change of use into our anticipated void period.
- 6.6. We have also assumed that once the permission has been granted the property would have to be refurbished and fitted out. Our Cost Consultant is of the opinion that the £400,000 global cost estimate assumed to refurbish the pub is broadly realistic and as such we have applied this figure in our workings together with a 12 month conversion/refurbishment period and a 6 month void period.
- 6.7. The location is not, in our opinion, prime for use as a public house as evidenced by the fact that building has changed from the Copenhagen (A4) to the Latin Corner (A4) and is now in use as a book shop - all within a 6 year period. We have therefore reflected this apparent trading history into account when determining the AUV.
- 6.8. We have had regard to the following evidence of public house lettings in the area, some of which was provided by Sint & Co:

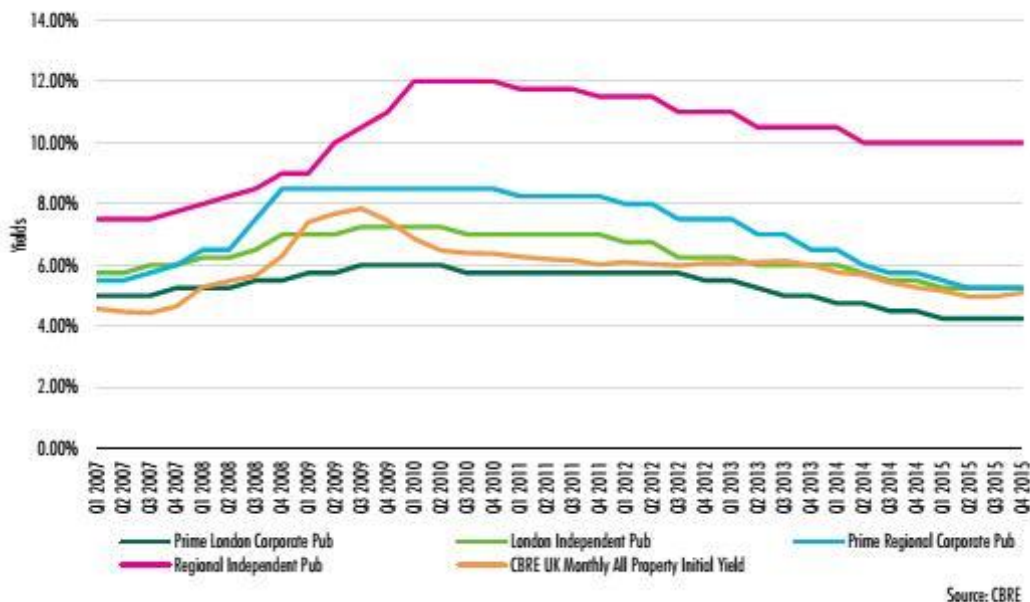
Address	Deal Date	Size m ² (ft ²)	Rent	£/m ² (ft ²)	Floors
Holloway Castle, 392 Camden Road, N7 0SJ	Sep-15	419 (4,513)	£56,760	£135 (£13)	LG, G
178 Hoxton Street, N1 2XH	Sep-15	232 (2,496)	£77,614	£335 (£31)	LG, G
55 White Lion Street, N1 9PP	Sep-15	229 (2,465)	£75,000	£328 (£30)	
The Prince of Wales, 139 Graham Street, N1 8LB	15/09/14	149 (1,604)	£70,000	£470 (£44)	LG, G
3 Chapel Market, N1 9EZ	09/03/15	167 (1,798)	£54,679	£327 (£30)	LG, G, 1st
Lindsey House, 40-42 Charterhouse Street, EC1M 6JN	29/09/13	168 (1,808)	£54,500	£324 (£30)	G
Duke Of Edinburgh, 20 Fonthill Road,	30/06/13	174 (1,873)	£30,000	£172 (£16)	LG, G

N4 3HU					
Berkshire House, 168-173 High Holborn, WC1V 7AA	15/04/14	190 (2,045)	£125,000	£658 (£61)	G
28 Maple Street, W1T 6HP	15/10/14	251 (2,702)	£110,000	£438 (£41)	LG, G
Slug & Lettuce, 1 Islington Green, N1 2XH	24/05/14	306 (3,294)	£124,969	£408 (£38)	
Marquis Of Granby, 142 Shaftesbury Avenue, WC2H 8HJ	01/08/13	467 (5,027)	£350,000	£749 (£70)	
Average				£395 (£37)	

- 6.9. The Castle Bar at 392 Camden Road is in close proximity, approximately 0.1 miles, to the subject site. The accommodation above is provided on a bed and breakfast basis. In analysing the rent we have only included the lower ground and ground floors, if the upper floors were included then the rent equates to a rate of £89 per m² (8.29 per ft²). The rental level supports our view that this area is a secondary location for a public house and would in consequence be below not achieve anything like headline rental levels.
- 6.10. 178 Hoxton Road is in a prominent corner location and is home to the Howl at the Moon public house. The pub is in very good condition and we would expect that the subject site would achieve rents close to this if it were in a refurbished state.
- 6.11. 55 White Lion is home to the Craft Beer Co. which specialises in micro-brewed beer with a wide variety on offer. This pub is in a superior location and is in a good condition.
- 6.12. The public house at 139 Graham Street is a corner unit, similar to the subject site, but with two stories of residential above. It is a similar size to the subject site but is situated in a superior location with a more prominent façade.
- 6.13. 3 Chapel Market is an end of terrace building which is currently operating as a cocktail bar. The area is in general mixed use with most nearby units having residential over ground floor retail. It has a similar small trading floor size and consequently similar trading limitations.
- 6.14. Lindsey House has A4 use on the ground floor and B1 use on the upper storeys. The location is generally good as it is in close proximity to Smithfield market.
- 6.15. The Duke of Edinburgh at 20 Fonthill Road is in a generally poor state of repair and the rent reflects this. The property has changed names numerous times in the past 10 years and this would suggest a similar number of changes in management / ownership of the lease which in turn would suggest that it has not performed well over the years. The current leasehold is a branded Yates wine bar. The potentially tied leaseholder and the apparent state of the premises at the point of letting would go some way to explaining the abnormally low rental value.
- 6.16. The ground floor of Berkshire House, a 12 storey block mainly of office use, was let in early 2014 to Craft Beer Co. The location is better than a number of the comparable pubs identified, in central London on High Holborn. The Craft Beer Company operates a number of sites across London and is free from ties, offering various craft beers and as a result of this and the superior location we would expect rents here to be significantly above the subject site.

- 6.17. 31 Maple Street is in the Fitzrovia area of Central London and is on the corner of Maple Street and Fitzroy Street. The available space is provided over the ground and lower ground levels of a four storey building. The majority of the space available was at the lower ground level which is likely to have impacted the rental value although the site was available free of tie.
- 6.18. The Slug and Lettuce Group Limited secured a new 25 year lease on this site in Islington Green in mid-2014. There are a number of drinking/dining establishments in the immediate area and given the lease length and covenant strength of the tenant the rent passing at £408 per m² (£38 per ft²) would appear to be reasonable.
- 6.19. The location of the unit at 142 Shaftesbury Avenue contributes somewhat towards the higher rental value. This unit benefits from a very large first floor dining area with a good sized bar area on the ground floor also. The free from tie lease at £749 per m² (£70 per ft²) is significantly above what we would expect the subject site to achieve and shows the premium that can be achieved by a large independent dining area with ample bar space in a good location. In short we would expect the subject site to achieve rents far lower than the rent achieved at this site.
- 6.20. We are of the opinion that a public house in this location would achieve a rent of £323 per m² (£30 per ft²). This gives a rental value of £60,000 for the ground floor space, including the storage space which could be discounted further, to which we have added £15,000 for the accommodation above as per 55 White Lion Street resulting in a total rental value of £75,000.
- 6.21. Chart 1 below has been taken from CBRE research² and shows the investment yield of various classes of public house. The light green line represents the London Independent Pub yield and is 5.25%.

Chart 1: UK Pub Investment Yield Tracker



- 6.22. Taking the location into account, which is viewed to be inferior when compared to a more central retail location with high footfall, we are of the opinion that an

² CBRE Research, Marketview United Kingdom Pubs, Q4 2015, London

appropriate yield for this site would be 6%. This is based on the assumption of an independent tenant taking a 15 year lease with 5 yearly upward only reviews.

- 6.23. We are therefore of the opinion that the capital value before refurbishment costs are detected would be £1,064,000 based on the capitalised rent deferred 18 months with a standard 5.8% allowance for purchaser's costs. With the inclusion of £400,000 of refurbishment costs the value is reduced to £664,000 and that is, in our opinion, a suitable figure for the AUV. Our calculations are shown below:

Ground Floor	60,000	
First Floor	15,000	
Total RV		75,000
Yield	6%	
Cap Rate	16.6667	
Deferred 18 Months	0.9031	
Capital Value		1,128,827
less Purchasers Error! Hyperlink	65,472	
net		1,063,355
say		1,064,000
less refurbishment	400,000	
Total Value		664,000

7.0 Costs

- 7.1. Our Cost Consultant, Neil Powling, has reviewed the cost plan for the application scheme. Neil's findings are summarised below and his full report can be found at Appendix A:

'Our adjusted benchmarking, making due allowance for demolitions and site clearance and external works, shows the Applicant's costs to be reasonable.'

- 7.2. The developers profit has been applied at 20% on the GDV of the private housing and 6% on the GDV of the affordable housing. We agree that these are reasonable figures.
- 7.3. Professional fees and other cost have been included at a rate of 15% which is stated to include all design works, surveys and NHBC fees amongst others.
- 7.4. Sales agent fees of 1.5%, sales legal fees of 0.35% and marketing fees of 2% have been applied in the appraisal and we agree that these are broadly in line with market norms.
- 7.5. An all-inclusive finance rate of 7% has been included in the appraisal, we agree that this is a commonly accepted figure and is therefore suitable in this case.

7.6. Mayoral and Borough CIL has been included at a combined estimate rate of £300,000. We have estimated that the total CIL liability would be £261,300 consisting of £217,750 Borough CIL and £43,550 Mayoral CIL. This calculation is based on the proposed scheme GIA of 1,652m² less 446m² of affordable housing and 335m² of existing floorspace resulting in a chargeable area of 871m².

8.0 Residential Sales Values

8.1. The private residential sales values have been provided on a unit by unit basis by a local agent, Robinsons, and are briefly summarised below:

Type	Count	Average Area m ² (ft ²)	Price	£ per m ² (ft ²)
1 Bedroom	6	51.4 (554)	£372,875	7,254 (673.7)
2 Bedrooms	9	69.4 (747)	£483,444	6,988 (649)

8.2. Robinsons has based the sales values on a number of transactions across the local area. They have listed 6 properties with further information provided on three of them. The comparable evidence provided can be summarised below:

Address	Date	Price
F27 Southside, 32 Carleton Rd. N7	19/03/15	£355,000
F5 Carleton Road, N7 OET	27/03/15	£399,995
F1, 53 Hilldrop Road, N7 OJE	15/05/15	£590,000
82 Brecknock Road, N7 ODB	12/06/15	£305,000
20B Hillmarton Road, N7 9JN	16/04/15	£449,950
F2, 11 Hillmarton Road, N7 9JE	24/04/15	£550,500

8.3. Carleton Road is a short distance from the proposed site and is split by Dalmeny Road. To the east of Dalmeny Avenue the units are mainly semi-detached period properties with a mix of flats and semi-detached units to the west of Dalmeny Avenue. Further details have been provided on flat 5, 55 Carleton Road. This unit is situated towards the eastern end of the road in a semi-detached house and consist of 45.8m² (493ft²) of floorspace with a sales rate of £8,734 per m² (£811 per ft²).

8.4. The apartment on Brecknock Road is situated in a purpose built block constructed in the 1950s by the local council. This, in our opinion, constitutes fairly average second hand stock and this is reflected in the achieved price of £305,000 which equates to £7,077 per m² (£657 per ft²).

8.5. The unit at Hamilton Road is situated in a block of 8 flats that again appear to be constructed as local authority housing and would be considered as average second hand stock. The price achieved for a 67m² (725ft²) two bedroom unit was £499,950 which equates to a rate of £7,425 per m² (690 per ft²).

8.6. From the evidence provided it is difficult to ascertain whether or not the prices applied are reasonable. We have therefore undertaken our own research into the local market of both new build and second hand stock in order to further support the figures applied.

8.7. In terms of new build stock there are a limited number of schemes in the local area that would be appropriate to examine.

- 8.8. The redevelopment of 19 Fortess Road with the conversion, under PDR, of the ground floor to residential gives a good indication as to prices newly built/ refurbished units in the area. This site is approximately a mile for the subject site and is close to Kentish Town station which would give it a distinct advantage over the subject site. The two bedroom unit is listed at a price ranging from £690,000 to £715,000 with one bedroom units ranging in price from £495,000 to £390,000 for a studio.
- 8.9. The Harper Building on Holloway Road is situated to the east of the subject site and again, like the above property, benefits from being situated close to good transport links, in this case Holloway Road station. We are of the opinion that this scheme is in a superior location to the subject scheme but nonetheless we are of the opinion that the prices should be taken into account. We list the asking prices for the units on offer below:

Beds	Average Area m ² (ft ²)	Asking Price	£ per m ² (ft ²)
Studio	27 (294)	£327,500	£11,992 (£1,114)
1 Bed	49 (526.5)	£452,500	£9,279 (£862)
2 Bed	69 (742.3)	£621,250	£9,031 (£839)

Second Hand Sales

- 8.10. We have considered the following evidence located within half a mile of the proposed site and sold within the last six months:

One Bedroom

Address	Sale price	Date	Area m ² (ft ²)	£ per m ² (ft ²)
95 Buckler Court, N7	£435,000	10/08/15	51 (548)	£8,546 (£794)
F33 253 Hungerford Rd, N7	£392,000	16/09/15	46 (495)	£8,522 (£792)
115 Carronade Court, N7	£375,000	31/07/15	49 (527)	£7,653 (£711)
F4 2 Nichollsfield Walk, N7	£350,000	11/08/15	48 (517)	£7,292 (£677)
11 Keighley Close, N7	£350,000	30/10/15	53 (570)	£6,604 (£614)
F1 Fairdene Court, Camden Rd, N7	£325,000	13/08/15	46 (495)	£7,065 (£656)
F1 Hilton House, Parkhurst Rd, N7	£410,000	19/10/15	53 (570)	£7,736 (£719)
61 Carronade Court, N7	£377,500	04/09/15	45 (484)	£8,389 (£779)
22 Fairweather House, Parkhurst Rd, N7	£325,000	02/10/15	43 (463)	£7,558 (£702)
Average	£371,056		48 (519)	£7,707 (£716)

- 8.11. The above properties vary in quality with many being superior in location to the subject site. Regardless of this the average value of £7,707 per m² (£716 per ft²) is someway in excess of the average value of the one bedroom flats suggested by Robinsons of £7,254 per m² (£674 per ft²). The average price achieved at £371,056 is broadly in line with the average sales prices of the proposed scheme of £372,875.

Two Bedrooms

Address	Sale price	Date	Area m ² (ft ²)	£ per m ² (ft ²)
Flat 18 453 Caledonian Rd N7	£675,000	26/08/15	72 (775)	£9,375 (£871)

163 Widdenham Rd N7	£665,000	06/08/15	77 (829)	£8,636 (£802)
33 Chris Pullen Way N7	£600,000	26/08/15	74 (793)	£8,146 (£757)
73A Tufnell Park Rd N7	£599,950	04/09/15	72 (775)	£8,333 (£774)
60 Carronade Court N7	£555,000	27/10/15	75 (812)	£7,361 (£684)
83 Carronade Court N7	£500,000	10/09/15	65 (698)	£7,705 (£716)
Flat 7 Bakersfield Crayford Road N7	£515,000	09/10/15	66 (710)	£7,803 (£725)
10 Miho Apartments 565 Caledonian Rd N7	£510,000	18/09/15	59 (635)	£8,644 (£803)
Flat 17 3 Cottage Rd N7	£475,000	13/11/15	63 (678)	£7,540 (£700)
Flat 3 Holbrooke Court Parkhurst Rd N7	£507,500	18/08/15	72 (775)	£7,049 (£655)
Average	£560,245	-	69 (748)	£8,059 (£749)

8.12. Again we appreciate that the above properties vary in terms of quality and location but the average sales rate reflects £8,059 per m² (£749 per ft²) with is considerably greater than the £6,988 per m² (£649 per ft²) suggested by Robinsons. In this case that average sales price of £560,245 is far in excess of the average of £483,444 applied to the units at the subject site.

8.13. In determining whether the residential sales values should be increased based on the evidence at hand we have considered that firstly the location is not as desirable as a number of the comparable being further from transport links, in particular rail and underground stations. Secondly we appreciate that the mix of affordable and private housing in a single unit can have a detrimental effect on the private sales values.

8.14. We are of the opinion that given the evidence at hand we are of the opinion that the sales values could be marginally increased to represent a rate of £7804 per m² (£725 per ft²). We highlight that this is still below a number of second hand units in the local area and significantly lower than local new build stock.

9.0 Affordable Housing

9.1. The proposed scheme includes 2 social rented apartments and 4 shared ownership apartments on the ground and first floors respectively.

9.2. The two social rented units consist of a two bedroom and a three bedroom unit. These units have a sales rate of £1,076 per m² (£100 per ft²) in the viability appraisal. We note that this figure has been determined by the applicants based on £107,850 per unit. Our calculations show that this rate is broadly reasonable.

9.3. The four shared ownership units, 2x one bedroom and 2x two bedroom, have a sales rate of £4,036 per m² (£375 per ft²). This rate is based on a 25% initial sale with rent payable on the unsold equity at an undisclosed rate.

10.0 We are of the opinion that the affordable housing values applied in the appraisal are reasonable.

11.0 Ground Rent

11.1. The ground rental income has been calculated at a range of rates from £300 per annum for one bedroom units up to £400 per annum for the two bedroom units. This gives an average income of £353 per unit which equates to a total annual income of £5,295. Capitalising the figure at a rate of 5% results in a capital sum of £105,900. In our opinion the assumptions applied are not unreasonable and are broadly in line with current market trends.

Project: 273 Camden Road, Islington N7 0JN
P2015/5306

Independent Review of Assessment of Economic Viability

Interim Draft Report Appendix A Cost Report

1 SUMMARY

- 1.1 Refer to our attached file “Elemental analysis and BCIS benchmarking”. Our adjusted benchmarking making due allowance for demolitions and site clearance and external works; the benchmarking shows 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 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 being 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:

- HEDC Explanatory Notes dated December 2015
- Argus Developer Summary dated 17th December 2015

- Robsons Covering letter 7th December 2015 together with three further files of pricing, comparables and location
 - RLF Build cost estimated in the amount of £4,300,000
 - Sint & Co valuation of existing public house
- 3.2 We have also downloaded several files from the planning web site including drawings, the Design & Access Statement and the Planning Statement.
- 3.3 The cost is described as an “Initial Budget Estimate” - it has apparently been priced on a m² of ground floor area for the substructure and m² of NIAs for the flats and communal areas. Separate allowances of about £1500 per unit have been made for a tenure uplift for the private sales and shared ownership units. The specification to the Robson Valuation notes white goods to the kitchens of the private sale and shared ownership units, but not the affordable rent. Drainage and external works have been separately priced but without any detailed build-up. What are described as site specific abnormalities have been estimated - these include demolitions, asbestos works, roof terraces and balconies. We have treated the demolitions and external works as abnormal costs in our benchmarking, but not the roof terraces and balconies. The Estimate states it includes for Code 4 compliance and we note the roof plan in the D&A statement shows PV panels but no specific allowance has been made for sustainability. There is insufficient detail in the estimate for us to undertake an elemental analysis.
- 3.4 Preliminaries have been priced at 14% and overheads and profit at 8% both of which are reasonable. Contingencies are 5% which is reasonable. Design fees are 8% which are reasonable although we show the item in our analysis as a separate addition to (not included with) the construction cost.
- 3.5 The construction cost included in the appraisal is £4,300,000 - the same as the 4Q2015 total of the budget estimate.
- 3.6 We have downloaded current BCIS data for benchmarking purposes including a Location Factor of 132 that has been applied in our benchmarking calculations.
- 3.7 Refer to our attached file “Elemental analysis and BCIS benchmarking”. Our adjusted benchmarking making due allowance for demolitions and site clearance and external works; the benchmarking shows the Applicant’s costs to be reasonable.

273 Camden Road, Islington N7
OJN Elemental analysis & BCIS
benchmarking

	GIA m ²	1,652	LF100	LF132
	£	£/m ²	£/m ²	£/m ²
Demolitions	135,000	82		
1 Substructure	75,000	45	122	161
2A Frame			153	202
2B Upper Floors			81	107
2C Roof			71	94
2D Stairs			26	34
2E External Walls			190	251
2F Windows & External Doors			76	100
2G Internal Walls & Partitions			54	71
2H Internal Doors			49	65
2 Superstructure	2,608,000	1,579	700	924
3A Wall Finishes			57	75
3B Floor Finishes			52	69
3C Ceiling Finishes			33	44
3 Internal Finishes	0		142	187
4 Fittings			58	77
5A Sanitary Appliances			24	32
5B Services Equipment (kitchen, laundry)			13	17
5C Disposal Installations			11	15
5D Water Installations			30	40
5E Heat Source			23	30
5F Space Heating & Air Treatment			97	128
5G Ventilating Systems			22	29
5H Electrical Installations (power, lighting, emerg lighting)				
5I Gas Installations			5	7
5J Lift Installations	75,000	45	35	46
5K Protective Installations (fire fighting, sprinklers, lightning)			11	15
5L Communication Installations (burglar, panic, fire alarm, cctv, door entry, data cabling, telecoms tv/satellite)			30	40
5M Special Installations - (window cleaning, BMS, medical gas)			26	34
5N BWIC with Services			9	12
5O Builders Profit % Attendance on Services			4	5
5 Services	75,000	45	422	557
6A Site Works	65,000	39		
6B Drainage	18,000	11		
6C External Services	66,000	40		
6D Minor Building Works - tree surgery	5,000	3		
6 External Works	154,000	93		
Roof terracing & balconies	100,000	61		
SUB TOTAL	3,147,000	1,905	1,444	1,906
7 Preliminaries 14%	441,000	267		
Overheads & Profit 8%	253,000	153		
SUB TOTAL	3,841,000	2,325		
Price & Design Risk				
Contingencies 5%	158,000	96		
TOTAL	3,999,000	2,421		
Add Design fees 8%	253,000	153		
Grand Total	4,252,000	2,574		
	4,300,000	2,603		

Benchmarking 2,146
Add demolitions and site clearance 82
Add external works 93
175
Add preliminaries 14% 24

Add OHP 8%

16

215

Total adjusted benchmark exc contingency & design fees

2,362