



Resources Department  
Town Hall, Upper Street, London, N1 2UD

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## AGENDA FOR THE PLANNING COMMITTEE

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Members of Planning Committee are summoned to a meeting, which will be held in the Council Chamber, Town Hall, Upper Street, N1 2UD on **23 February 2023 at 7.30 pm.**

Enquiries to : Ola Adeoye  
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Despatched : 15 February 2023

### Welcome:

Members of the public are welcome to attend this meeting.

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

<u>Committee Membership</u>	<u>Wards</u>	<u>Substitute Members</u>
Councillor Klute (Chair) Canalside;	- St Peter's and	Councillor Chowdhury - Barnsbury;
Councillor North (Vice-Chair) Canalside;	- St Peter's and	Councillor Gilgunn - Tollington;
Councillor Poyser (Vice-Chair)	- Hillrise;	Councillor Jegorovas-Armstrong - Highbury;
Councillor Clarke	- Tufnell Park;	Councillor Kay - Midmay;
Councillor Convery	- Caledonian;	
Councillor Hamdache	- Highbury;	
Councillor Hayes	- Clerkenwell;	
Councillor Ibrahim	- Arsenal;	
Councillor Jackson	- Holloway;	
Councillor McHugh James';	- St Mary's and St	

Quorum: 3 councillors



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

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

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

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

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

- \*(a) Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.
- (b) Sponsorship** - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.
- (c) Contracts** - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.
- (d) Land** - Any beneficial interest in land which is within the council's area.
- (e) Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) Corporate tenancies** - Any tenancy between the council and a body in which you or your partner have a beneficial interest.
- (g) Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

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

5. Order of Business	1 - 2
6. Minutes of Previous Meeting	3 - 24

<b>B.</b>	<b>Consideration of Planning Applications</b>	<b>Page</b>
1.	Barnsbury Estate, London, N1	25-352

<b>C.</b>	<b>Consideration of other planning matters</b>	<b>Page</b>
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**D. Urgent non-exempt items (if any)**

Any non-exempt items which the Chair is of the opinion should be considered as a matter of urgency and to consider whether the special circumstances included in the report as to why it was not included on and circulated with the agenda are acceptable for recording in the minutes.

**E. Exclusion of press and public**

To consider whether, in view of the nature of the remaining items on the agenda, it is likely to involve the disclosure of exempt or confidential information within the terms of the Access to Information Procedure Rules in the Constitution and, if so, whether to exclude the press and public during discussion thereof.

<b>F.</b>	<b>Confidential/exempt items</b>	<b>Page</b>
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**G. Urgent exempt items (if any)**

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

**Date of Next Meeting:** Planning Committee, 7 March 2023

**Please note all committee agendas, reports and minutes are available on the council's website: [www.democracy.islington.gov.uk](http://www.democracy.islington.gov.uk)**

## **WEBCASTING NOTICE**

This meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be filmed, except where there are confidential or exempt items, and the footage will be on the website for 12 months. A copy of it will also be retained in accordance with the Council's data retention policy.

If you participate in the meeting you will be deemed by the Council to have consented to being filmed. By entering the Council Chamber you are also consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you do not wish to have your image captured you should sit in the public gallery area, overlooking the Chamber.

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## **PROCEDURES FOR PLANNING COMMITTEE**

### **Planning Committee Membership**

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

### **Order of Agenda**

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

### **Consideration of the Application**

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

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

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

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

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

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

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**COMMITTEE AGENDA**

**1 Barnsbury Estate**  
London  
N1

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**1 Barnsbury Estate**  
London  
N1

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**Application Number:** P2022/1898/FUL

**Ward:** Barnsbury

**Proposed Development:** Hybrid planning application seeking detailed permission for Phase 1a, 1b and 3a and outline planning permission for all future phases 1c, 2a, 2b and 3b comprising:

In full, demolition of existing buildings and undertaking of groundworks and the erection of 401 residential units (Use Class C3) within seven buildings of 3, 7, 9, and 11 storeys comprising 144 x 1 bed, 192 x 2 bed, 46 x 3 bed, 14 x 4 bed and 5 x 5 bed over 42802sq.m (GIA) floorspace in phases 1a, 1b and 3a; hard and soft landscaping works including public open space and new public realm, access and highway formation and alterations, car and cycle provision with associated ancillary works.

Outline planning permission (all matters reserved) for the demolition of all remaining buildings, undertaking of ground works and the construction of a phased redevelopment of new buildings of up to 9 storeys and incorporating up to 69773sq.m (GIA) to include up to 513 residential units (Use Class C3), up to 1500sq.m of replacement retail and town centre floorspace (Use Class E), and 1275sq.m of replacement community use floorspace including community centre and nursery (Use Class F2), within phases 1c, 2a, 2b and 3b, hard and soft landscaping, new public open space, access and highway formation and alterations, new pedestrian means of access, car and cycle parking provision and ancillary works.

(EIA Application)

(Departure from the Development Plan)

**Application Type:** Full Planning Application

**Case Officer:** Nicholas Linford

**Name of Applicant:** Newlon Housing Trust and Mount Anvil Limited

**Recommendation:**

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London Borough of Islington

## Planning Committee - 29 November 2022

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 29 November 2022 at 7.30 pm.

**Present:**        **Councillors:**        Klute (Chair), North (Vice-Chair), Poyser (Vice-Chair), Clarke, Convery, Hamdache, Hayes, Ibrahim, Jackson and McHugh

**Also Present:**        **Councillors:**        Ward.

### Councillor Martin Klute in the Chair

**27**        **INTRODUCTIONS (Item A1)**

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

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

None.

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

None.

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

None.

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

The order of business would be as per the agenda.

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

**RESOLVED:**

That the minutes of the previous meeting on 8 November 2022 be agreed as a correct record and the Chair be authorised to sign them.

**33**        **BARNSBURY ESTATE, LONDON, N1 (Item B1)**

Hybrid planning application seeking detailed permission for Phase 1a, 1b and 3a and outline planning permission for all future phases 1c, 2a, 2b and 3b comprising:

In full, demolition of existing buildings and undertaking of groundworks and the erection of 401 residential units (Use Class C3) within seven buildings of 3, 7, 9, and 11 storeys comprising 144 x 1 bed, 192 x 2 bed, 46 x 3 bed, 14 x 4 bed and 5 x 5 bed over 42802sq.m (GIA) floorspace in phases 1a, 1b and 3a; hard and soft

landscaping works including public open space and new public realm, access and highway formation and alterations, car and cycle provision with associated ancillary works.

Outline planning permission (all matters reserved) for the demolition of all remaining buildings, undertaking of ground works and the construction of a phased redevelopment of new buildings of up to 9 storeys and incorporating up to 69773sq.m (GIA) to include up to 513 residential units (Use Class C3), up to 1500sq.m of replacement retail and town centre floorspace (Use Class E), and 1275sq.m of replacement community use floorspace including community centre and nursery (Use Class F2), within phases 1c, 2a, 2b and 3b, hard and soft landscaping, new public open space, access and highway formation and alterations, new pedestrian means of access, car and cycle parking provision and ancillary works.

(Planning application number: P2022/1898/FUL)

In the discussion the following main points were made:

- The planning officer reported two updates to the report: (i) an alteration to condition 31 expressing that an updated fire statement would be required for the detailed application phase; and (ii) to note that additional representations of support had been received since the publication of the report.
- A member queried the quality of communal spaces proposed to be provided on the development. In response, it was advised that the development would feature communal courtyards and two public parks. These would be tenure blind spaces of equal quality and would be maintained through a landscape maintenance plan. It was confirmed that the multi-use games area (MUGA) would be wheelchair accessible.
- A member queried the financial viability of the scheme, noting that the applicant expected a significant deficit, and sought assurance that the applicant could see the development through to completion. In response, it was advised that the applicant, the GLA and the council had undertaken viability assessments; the council's assessment identified a deficit of £19m which the applicant indicated would be achievable to overcome. The proposed S106 agreement secured a number of viability review mechanisms which would allow viability to be monitored through a transparent "open-book" basis.
- Following a question, it was clarified that, if development stopped for a period of 12 months, then this would trigger a further review of viability. Officers assured the committee that this could not decrease the amount of affordable housing provided, and could only result in an uplift.
- A member noted that on-site parking would only be provided for residents currently living on the development site and this would decrease over time as permits were relinquished. It was queried if any alternative use of those parking spaces had been considered. In response, officers advised that the development would be subject to a Car Parking Management Plan. As spaces were forfeited, it could be possible to provide additional accessible parking by merging spaces, or these unused spaces could provide additional cycle parking, storage space, or greening.

- A member noted that a survey of residents found 72% in favour of the development, with a turnout of 79%, and queried which organisation had carried out the survey. In response, it was advised the ballot was commissioned by the applicant, but undertaken by a third party.
- In response to a question, officers advised that six different meetings of the Design Review Panel (DRP) had considered aspects of the application and had been influential in helping to shape the development, including reducing the scale of some buildings. The DRP had concluded that issues of scale and massing remained a concern in the final scheme, however planning officers considered that, on balance, the scheme was acceptable as a whole.
- A member raised concerns about the loss of sun on the ground north of Carnegie Street Park due to the development of blocks B8 and B9 and asked if these blocks had been subject to discussion at the DRP about reducing massing. In response, it was confirmed that these blocks had been the subject of discussion on massing, and following negotiation, the applicant had reduced the proposed height of these blocks and this had substantially increased the amount of sun on ground. The member asked if the development would result in a community centre with limited access to light; in response, officers advised that the community centre was south-facing and scored highly on daylight/sunlight assessments.
- A member queried the objection submitted by Thames Water. Officers advised that Thames Water were largely supportive of the scheme and their concerns related to the capacity of water infrastructure. The proposed conditions required the applicant to work with Thames Water to demonstrate that their requirements would be met.
- A member noted that 20% of the properties were single aspect and asked if they would have sufficient ventilation in both hot and cold weather. In response, officers advised that the development would include a heat recovery system to address such concerns.
- A member asked about the specification of social rent homes on the site. In response, the planning officer advised that the homes would meet standards on unit size and had protections on noise and vibration, air quality, and all had access to amenity space. Further detail would be included in future reserved matters applications, however it was expected that the development would meet modern standards.
- A member asked about the proposed reduction in retail floorspace in comparison to the existing development. In response, it was advised that the lost floorspace was in basement areas which were not considered to be attractive spaces. It was noted that the reduction in retail floorspace was contrary to the council's agreed policy, but there was scope to increase retail floorspace elsewhere on site.
- The Committee heard objections from eight residents. The concerns raised included: the height, density and scale of the development; the adverse impact on nearby properties, including loss of light; how the development impacted on the nearby canalside nature reserve and historic monument; an ongoing dispute relating to leaseholder interests in the land; insufficient greenspace; the design of the development; tall buildings overlooking properties on the other side of Regent's Canal; loss of amenity space currently solely used by leaseholders; and emergency access to the site.

- An objector also queried if there was scope for ecological improvements, for example using rainwater to flush toilets.
- The applicant was allowed the same amount of time to address the Committee. A resident spoke on behalf of the applicant, emphasising the community engagement undertaken by the applicant, and how the proposed development would alleviate overcrowding and provide high quality housing for local people. The Committee was then addressed by senior representatives from the applicant and the architect.
- The main points made by the applicant included: the scheme would deliver 135 additional social rent homes; all current residents would have an opportunity to be rehoused in the new development; accessible homes would be provided for those with medical needs; the development would feature a new larger community centre; the energy efficiency of the scheme was emphasised; the scheme included a 23% net increase in open space; the applicant was committed to the viability review mechanisms in the S106 agreement. The applicant also addressed health and safety concerns raised by objectors, including the issue of emergency access.
- The Legal Officer advised that the ongoing dispute relating to leaseholder interests in the land was a private legal matter. Officers were satisfied that all statutory requirements in relation to the planning application had been complied with, and the ongoing dispute was not a material planning consideration.
- Following a question, the applicant advised that they would continue to seek grant funding to maximise the affordable housing provision on the site.
- A member noted the council's policy to protect and promote retail floorspace. In response, the applicant advised that they could look to increase the available retail floorspace up to a maximum of 2,400 square metres.
- Responding to the objection related to overlooking properties on the other side of the canal, it was advised that the distance between properties was approximately 40 metres. The council's policy on overlooking referred to a distance of under 18 metres.
- In response to a question on the environmental sustainability of the development, the applicant advised that they would be open to exploring the possibilities for the reuse of greywater on site.
- Members welcomed the extensive public consultation undertaken by the applicant.

The Committee considered the application and the representations made by the objectors and the applicant.

Councillor Klute proposed an amendment, seconded by to amend the description of the application to include up to 2,400 square metres of retail floorspace. This was seconded by Councillor Convery and carried.

Councillor Klute proposed an amendment for an additional condition that the applicant investigate the feasibility of the inclusion of a greywater scheme in the development. The exact wording was to be delegated to officers. This was seconded by Councillor Clarke and carried.

**RESOLVED:**

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee and submitted representations, permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report; and subject to the amendments set out above; and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report.

The meeting ended at 10.15 pm

**CHAIR**

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**Planning Committee - 6 December 2022**

Minutes of the meeting of the Planning Committee held in the Council Chamber, Town Hall, Upper Street, N1 2UD on 6 December 2022 at 7.30 pm.

**Present: Councillors:** Klute (Chair), North (Vice-Chair), Poyser (Vice-Chair), Hamdache, Ibrahim, Jackson and McHugh

**Also Present: Councillors:** Chowdhury, Champion and Ward

**Councillor Martin Klute in the Chair**

**1 INTRODUCTIONS (Item A1)**

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

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

Apologies were received from Councillors Clarke, Convery and Hayes.

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

None.

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

None.

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

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

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

The minutes of the previous meeting were not yet available and would be presented to the next meeting.

**7 OLD BARNSBURY, THE BARNSBURY ESTATE, N1 0TJ (Item B1)**

Full planning application for external alterations to all existing buildings (including replacement windows, doors and communal entrances) and landscaping, environmental and wayfinding works (including new bin and cycle stores, new railings to ramps, stepped access to existing buildings, play facilities, lighting, signage and gates).

(Planning application number: P2022/2454/FUL)

In the discussion the following points were made:

- In addition to the information in the report, the Planning Officer stated that there had been 43 expressions of support for this application from residents on the Estate and that the applicant was the Newlon Housing Trust, rather than Newlon Housing Association, as stated in the report
- In response to a question about the strategy for the planned reduction in car parking spaces, the Planning Officer confirmed that 28 spaces were being removed, following a survey of residents on car park demand. Once permits were no longer required by tenants, residents and leaseholders, there would be an opportunity to further enhance the reductions in car parking, by additional landscaping. However, the landscaping in the scheme was due to come forward at a future date, with the current priority being improvements to doors and windows and fabric improvements. In response to a further question as to whether Condition 18 would secure the further landscaping in the long term, the Planning Officer was satisfied that Condition 18 was sufficient to achieve this.
- In response to points raised by a resident, the applicant's representative stated that the cycle targets related to new net uplift in homes and not refurbishment of existing homes. The applicant was working to improve secure cycling and visitor cycle stands and would increase it as car spaces were reduced. There was very little secure bicycle parking at present.
- In response to a question about the installation of new aluminium windows, a member sought reassurance that they would have adequate thermal breaks to avoid the build up of condensation. The applicant's representative stated that composite windows were to be installed, which were tried and tested, and the design of the windows and their procurement were to be particularly monitored by Newlon.
- Given the difference that the surrender of parking spaces was likely to bring to the development in terms of additional greenspace and cycling, a member asked whether the applicant had any plans to incentivise residents to voluntarily surrender parking spaces. The applicant's representative said that, as this scheme was anticipated to run for 6- 8 years, they would be seeking to incentivise residents to surrender parking spaces at every opportunity. New permits would not be issued and the applicant would proactively promote alternative forms of transport wherever they could. It was noted that there was a car club at new Barnsbury.
- On the matter of the freeing up of parking spaces for landscaping, it would be preferable to have a dynamic assessment ready in order that there was a plan in place for their use. The applicant's representative said that they were also looking at increasing play space by 50%, sustainable urban drainage and the use of rain gardens across the site and also, in addition to the play space in the centre, small doorstep play spaces at the entrance to buildings. Greening on the site would also be increased and more trees would be introduced. Only two trees would be lost, which were not category A or B trees.

Councillor North proposed a motion to amend Condition 18 by the addition of the words "and secure cycle storage" after the word 'landscaping'. This was seconded by Councillor Klute and carried.

**RESOLVED:**

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objection provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report with Condition 18 amended as outlined above.

**8 VORLEY ROAD BUS STAND AND 4 VORLEY ROAD, LONDON, N19 5JH**  
**(Item B2)**

Demolition of existing part 1, part 2 storey community use building; the construction of 72 new dwellings with associated private amenity space for affordable and private homes, provided in three blocks of 13 storeys, 8 storeys, and 2 to 6 storeys, improvements to the public realm, the provision of a Medical Centre and a library, associated bicycle parking, mobility scooter stores, refuse stores and improvements to the public realm.

(Planning application number: P2022/1221/FUL)

In the discussion the following points were made:

- On the matter of why the proposal for this site to deliver a new entrance and internal route though the Archway Centre complex had been discounted, the Planning Officer reported that, during the pre-application debate, discussion had taken place about whether the link could be designed through the development. Firstly, the quality of the link across the different levels of the Archway Complex had been questioned and secondly, the aspiration for a library and a medical centre together with a link was not feasible.
- On the matter of the medical centre garden, a question was asked as to responsibility for its maintenance and whether residents would have access. It was noted that the Medical Centre (NHS) would have responsibility for the garden. Residents would not have access to this garden.
- A question was asked about the substantial deviation from policy to allow 49% 2-bed and 51% 1-bed properties for market rent at this development. The Planning Officer noted that the GLA Housing SPG referred to the fact that specific Town Centre Sites might deviate from the more general housing mix standards and, in a town centre with this high accessibility, family units were less preferred and 1-bed units were in greater demand and more suitable to that location.
- The wind impact of this building on Vorley Road meant that wind conditions would be the same in summer and windier in winter. However, all of the function of the street in those locations would be suitable for the activity in that area and the entrances would not be affected.
- A question was asked as to whether any action had been taken by the developer to mitigate the design and height of the plant room, which could

be seen from Holloway Road. The plant room was set back from the parapet and it was not thought that it could readily be seen, though it might be visible from Junction Road. A condition had been added to make the design more ephemeral and to look less solid.

- A question was asked about how the reduction in car parking spaces at this site might impact on the surrounding area and whether there would be provision for blue badge spaces in the surrounding area and any spaces available on the site. The Planning Officer reported that there would be space for ambulance parking and various other bays could be accommodated in the transport statement. Two blue badge spaces would be available from the outset and, if there was demand, five further spaces would be available.
- On the question of how residents would access the children's play space in Girdlestone Park, the Planning Officer reported that the children's play space was not actually within the site. A financial contribution would be made to Islington Parks who would have to carry out their own consultation and design process to upgrade the play space and ball court. Public realm improvements would be made to enable pedestrian access and safety to the play space.
- All units were for social rent, rather than a mix of social rent and shared ownership. It was noted that the fit-out of the library was not fully funded as part of the scheme. Some elements of the fit out of the library, including kitchens, bathrooms and toilets would be included by the developer. The developer was in discussion with the Head of the Library Service about the potential use of further S106 monies for furniture and fittings and new books.
- On the matter of decisions being made about which parts of the buildings were to be for social and private rent, the Committee noted that Buildings A and C, the smaller buildings either side of the taller building B, would be for social rent. There would be one unit for social rent in building B at the lower level. This was because, when the developer had looked at their viability range for the possibility of providing an over 50% mix, they had provided more than they were required to do so and had chosen block B as the best location for this one unit.
- The Committee noted the applicant's submissions on the benefits of the development. In response to points raised by objectors, the applicant stated that the wind micro-climate had been assessed and it was likely that there would be slightly more windy conditions created by the development, including on the clean air route, but most locations remained suitable for their intended pedestrian activity. Daylight/sunlight impacts would generally be small and fully compliant within BRE guidelines. However, an internal corner of Hill House would be impacted in terms of daylight/sunlight. Nos 32-34 Junction Road would experience notable loss of light in bedrooms. The massing of the building had been cut back to minimise impact. Transport impacts had been subject to detailed consideration by a transport consultant and there would be adequate parking for local residents within 200 metres of the development. Comprehensive consultation with residents had taken place, including letters to 1800 addresses, public meetings and questionnaires.

- On sale of the flats, there would be a long lead in period as they would not be available for another two to three years. The process had to be carefully managed to support the Council's social housing scheme.
- It was thought that there was sufficient control in terms of existing planning regulations to obviate the need for an additional condition relating to the medical centre and library not having to move until the building was fully used
- On the matter of whether there were any future plans to maximise further social housing on the site, the applicant stated that the development was not GLA grant-funded, but funded via right to buy receipts and the surplus from any sales.
- On the matter of sales, it was confirmed that this development would provide better quality 1-bedroom properties. Building costs were increasing across the board. The viability of sales of the properties was being monitored at various stages and was being carefully managed by the Council
- There were no separate entrances to the shared social/private rent properties in blocks A and B. Block C had a separate entrance due to the medical centre being on the first floor. There would be no distinction between private rent/social housing in these buildings. In order to minimise service charges for social rent tenants, they would be situated on the lower floors
- On the matter of community engagement around the application, comments had been made about the tall building on the site, there had also been support for social rent homes and also the community uses proposed. Very few objections had been received to the Council's consultation on the site allocation plan for a tall building.
- Referring to a point made by one of the objectors relating to the Archway Development Framework, the Planning Officer noted that the document dated back to 2007 and, since then, the Core Strategy had been adopted in 2011, which included a strategy for Archway itself and also the draft Local Plan and draft site allocation which had moderate to significant weight which included a specific strategy for Archway

**RESOLVED:**

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report; and subject to the prior completion of a Directors' Letter between the council and all persons with an interest in the land (including mortgagees) securing the heads of terms as set out in Appendix 1 of the officer report; and subject to any direction by the Mayor of London to refuse the application or for it to be called in for determination by the Mayor of London.

**9** **14-22 VALE ROYAL AND 184 YORK WAY, LONDON, N7 9AD (Item B3)**

Alterations, extensions and partial change of use to create mixed use (Classes B8 and E(g)) buildings arranged over ground, first, second, part third, part fourth and part fifth floors and associated plant delivered in two phases.

(Planning application number: P2022/1847/FUL)

The Committee noted that the applicant was present to respond to any questions. There being no questions from members, it was:

**RESOLVED:**

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee and submitted representations, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report.

The meeting ended at 9.50 pm

**CHAIR**

London Borough of Islington

**Planning Committee - 10 January 2023**

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 10 January 2023 at 7.30 pm.

**Present: Councillors:** Klute (Chair), North (Vice-Chair), Poyser (Vice-Chair), Clarke, Convery, Hamdache, Hayes, Ibrahim and Jackson

**Also Present:** **Councillors:**

**Councillor Martin Klute in the Chair**

- 10 **INTRODUCTIONS (Item A1)**  
Councillor Klute welcomed everyone to the meeting. Members of the Committee and officers introduced themselves.
- 11 **APOLOGIES FOR ABSENCE (Item A2)**  
Apologies were received from Councillor McHugh.
- 12 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**  
There were no declarations of substitute members.
- 13 **DECLARATIONS OF INTEREST (Item A4)**  
There were no declarations of interest.
- 14 **ORDER OF BUSINESS (Item A5)**  
The order of business would be as per the agenda.
- 15 **MINUTES OF PREVIOUS MEETING - TO FOLLOW (Item A6)**  
None
- 16 **10-14 GARRETT STREET, LONDON, EC1Y 0TY (Item B1)**  
Refurbishment of existing listed building, including internal and external alterations, alongside proposed single storey courtyard infill extension, four storey rear addition and single storey roof extension to provide Class E(g) floorspace (with identified areas at ground and first floor restricted to Class E(g)(iii) light industrial) as well as ancillary café use; the provision of landscaping; cycle storage; waste storage and other associated works

(Planning application number: P2022/2063/FUL

The Chair informed the meeting that B1, B2 and B3 will be taken together as they

interact together and part of the strategy presented by the applicant which is to relocate the affordable workspace from the HYLO building in Bunhill Row to Garrett Street. Planning Officer will present the planning application and listed building consent for Garrett Street first after which committee will receive a presentation on the planning application for the HYLO building. All objections relating to the 3 applications will be taken together and not individually after which the applicant will invited to respond.

Prior to the presentation, the following points were made:

- The Planning Officer informed the meeting of a number of updates, a slight error in condition 2 which has now been corrected, that Section drawing numbers 143 and 144 have been superseded by Revisions P03,
- Also condition 11: "Notwithstanding the plans hereby approved", details of the delivery & servicing strategy and site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved. "The details shall demonstrate that the strategy would not give rise to unacceptable impacts on the highway network, in particular the flow of vehicular traffic and pedestrian safety."
- And a New condition: (Archaeology) CONDITION: No demolition or development shall take place until a written scheme of investigation (WSI) for an archaeological watching brief has been submitted to and approved by the local planning authority in writing.

In presentation and discussion, the following points were made:

- The site is within London's Central Activities Zone as well as in St Luke's Conservation Area. The consented affordable workspace in the HYLO building is to be relocated to the site. The area is surrounded by a mixture of commercial and residential uses.
- Meeting was advised that the existing building is three storeys in height and was constructed as a stables for up to 100 shire horses in 1897, that many of the original features still remain and the building is grade II statutorily listed. Members were advised that there have been a considerable number of modern interventions.
- In addition to the above, the Planning Officer stated that the original blacksmith's building has been removed and a more recent lean-to is located in the courtyard space, that there have been further minor interventions to the building which have also occurred in association with the building's more recent use as a shooting gallery and a builder's merchants which is a sui generis light industrial use.
- Meeting were informed that the existing building is relatively low-rise compared to its immediate surroundings where the buildings are generally 4-6 storeys in height, so in townscape terms, the single storey addition at roof level is not deemed to be incompatible with the surrounding character.
- The proposal involves the opening up of the bricked up windows on both north and south elevations and on the courtyard elevation. Officer advised that the profile of the ramp is to be retained with the steel elements revealed and the existing fire escape stair will be removed to reveal more of the original building.

- The proposal is considered to result in less than substantial harm to the listed building, albeit the upper end of less than substantial harm due to the interventions such as the raising of the the floor level at 1st floor and 2nd floors by 180-380mm, reducing the floor-to-ceiling heights; the additional storey, which is considered to be in non-traditional materials; the single-storey extension in the courtyard, which exceeds the footprint of the existing lean-to; the height and extent of the eastern service core extension which further reduces the size of the courtyard and finally the proposed hard surfacing and landscaping of the courtyard would divide the courtyard into separate areas rather than unifying the courtyard to ensure it relates to the listed stable building.
- The heritage benefits arising from the proposal includes the removal of internal partitions from historically open areas with features such as the cast iron columns on the second floor being revealed again, modern accretions such as cabling, the external fire escape, and window fan vents being removed; the blocked second floor and ground windows would be restored. In addition to the above benefits a general restoration to the historic features would be undertaken.
- Meeting was advised that the above heritage benefits were not in themselves considered to outweigh the harm identified, however that in general the design is supported, that the Design Review Panel commended the scheme at the 2<sup>nd</sup> DRP Review following amendments that were made.
- 457 letters were sent out to neighbouring occupiers and initially 21 letters of objection were received including two from planning agents representing neighbouring occupiers and that following amendments to the application a further consultation letter was sent out with a number of letters of objection mainly from those already having objected plus two further letters from new objectors received.
- In terms of loss of daylight, 86-88 Banner Street, 90,92-94 Banner Street and 5 Garret Street were identified as being most affected by the proposal, however 7 Garrett Street is not affected.
- The Planning Officer stated that although majority of rooms and windows in the vicinity of the site would not be affected by the proposal, there are some that would be affected, for example kitchen and bedroom windows from ground to 3<sup>rd</sup> floor level experience losses of daylight between 20% and 42% and three further bedroom windows with losses of between 20% and 30%.
- It was noted that two rooms would be affected in 5 Garrett Street experiencing losses of between 20 and 30% in particular with the windows that serve them.
- With regards to overshadowing impacts, there are not considered to be any noticeable overshadowing impacts as a result of the proposal, i.e. there would be no reduction in the areas that would experience at least 2 hours of sunlight during the Spring Equinox, which is the standard approach to assessing overshadowing impacts.

- In terms of outlook and sense of enclosure, it is considered that there would be an adverse impact on the outlook from some of the kitchen windows at 86-88 Banner Street, mainly as a result of the east service core.
- With regards to noise and disturbance and light pollution impacts, meeting was advised that these have been fully assessed and would be suitably mitigated by conditions in the event of planning permission being granted. Conditions 8, 9 and 10 concern sound insulation and plant noise mitigation, conditions 12, 13 and 33 concern the use of all external spaces and the management of the courtyard and conditions 14 and 15 concern light pollution.
- With regards to highway impacts and pedestrian safety, meeting was advised that the existing situation is far from ideal with the street becoming a cul-de-sac during the operating hours of Whitecross food market with poor signposting creating an unsafe situation whereby vehicles entering Garrett Street from the west are forced to turn back down the narrow street, however the application involves a contribution towards improved signposting through the s106 so that drivers are notified that there is no way through onto Whitecross Street during certain hours.
- The Planning Officer advised that transport impacts of the proposal have been assessed within the submitted Transport Statement and Delivery & Servicing Management Plans, that the predicted number of delivery and servicing vehicles would be accommodated within the on-street loading bay with reconfigured parking layouts to be financed by the applicant through a section 278 agreement.
- Members were advised that the layout submitted shows how the loading and parking bays can be accommodated without unduly impeding access to the car park of No 5 Garrett Street, with further details to be considered as part of condition discharge and the legal agreement. An updated DSMP will also need to be provided to demonstrate how the timings of delivery trips can be successfully managed to mitigate against any impacts on pedestrian safety
- On safety and security concerns, the Planning Officer informed Committee that the application has been assessed by the Metropolitan Police who have made some recommendations that have been incorporated into the proposal and others which will be addressed through condition 30 with a requirement to achieve Secured by Design accreditation in the event of planning permission being granted.
- In terms of Energy and Sustainability of the scheme, officer advised that there will be a 46% reduction in total CO2 emissions and a carbon offset contribution of £30,452, a significant reduction of embodied carbon by retaining existing building, good BREEAM rating scheme, an improved U-values and energy efficiency measures. In addition to the above, Planning Officer advised that heating and cooling to the development will be provided via Air Source Heat Pumps, provision of solar panels and a green performance plan to be secured through s106.
- The Planning Officer highlighted the s106 provisions agreed at officer level and includes a provision of 1,191 sqm of affordable workspace at ground and

first floor level at Cat B fit out in perpetuity at peppercorn rent. It also states that permission not to be implemented until an agreement for lease has been entered into for the affordable workspace, that the affordable workspace is to be practically completed ( to CAT-B fit out and in accordance with the council's affordable workspace specification ) before the council surrender the HyLo affordable workspace lease ; also contribution towards employment and training ; highway contributions and improvements as detailed within the report and carbon offset contribution and safeguarding of future connections to a District Energy Network ( DEN)

- The Planning Officer acknowledged the harm to the listed building and adverse impact on neighbouring amenity, however noting that these need to be set against the benefits of the proposal such as the provision of modern and inclusive floor space of commercial office floor space within the CAZ and the reuse of the vacant building for policy compliant uses and resulting in employment increases . Further benefits include quantitative increase and qualitative improvements in affordable workspace at a well-connected location and an improvement to the energy efficiency operation of the building and biodiversity and sustainability enhancement as detailed in the report.

Members received a presentation regarding the HyLo building (Item B3) which is linked to B1 & B2 considered above:

- The Planning Officer informed the meeting that a s73 application is being considered alongside item B1 and B2, that the amended application considered above is to relocate the affordable workspace from this site on Bunhill Row and for it to be reprovided at 10-14 at Garrett street.
- The site is about 350m away from Garrett street and that the amended application involves the replacement on site of the consented 1000sqm of affordable workspace (Class E(g) office with commercial office floor space and the reprovision of 1,191sqm of affordable workspace (Class E(g) light industrial) at 10-14 Garrett street
- The Planning Officer reiterated that the affordable workspace at Garrett street is to be provided in perpetuity (999 years) and Cat B fit out
- A new planning assessment has been undertaken which demonstrates that the relocation of the affordable workspace to an off-site location can be accepted on balance as it results in the quantum increase of affordable workspace at Garrett street. In addition it will result in the qualitative enhancement of the space through the enhanced fit out and the provision of the sought after light industrial affordable workspace at 10-14 Garrett Street
- The Planning Officer advised that this was an exceptional case, that in this very specific circumstance affordable workspace could be provided at this location.
- Planning Officer reiterated the s106 legal provisions highlighted in the presentations on B1 & B2, Garrett Street, that in the event that affordable work space was unable to be provided at 10-14 Garrett street then the consented affordable workspace will be retained and reprovided at the Bunhill site

## Planning Committee - 10 January 2023

- In response to an enquiry about the removal of the historic hay and carriage store, the Planning Officer advised that as it was not an original feature no concerns were raised about its removal, that heritage officer considered the ground floor extension to be similar in footprint to what is there at the moment.
- With regard to conservation officers comments and the 6 recommendations, meeting was advised that they had been taken on board, that it will be monitored by council officers and if not adhered to enforcement action would take place. Also the applicants would have their own heritage consultants working on the project to ensure the recommendations are adhered to.
- On concerns that the provision of affordable workspace across the two sites could not be regarded as an increase, the Planning Officer reminded the meeting that in policy terms it does not meet the (quantum increase) criteria for the provision of affordable workspace on this site, that normally officers would not be seeking affordable workspace for a scheme of this size.
- On the surface run off concerns and it not being policy compliant, member requested that consideration should be given for the inclusion of blue roof and attenuation tank. Members were reminded that condition 29 seeks for more to be done in order to get closer to the green run off rate target
- On the proposed siting of the refuse storage, meeting was advised that its relocation to the middle of the courtyard next to the bicycle store was identified as a better location so that it can be shared by all users, commercial and affordable works space occupiers
- Meeting was advised that although further reductions of the footprint of the service core was technically possible, it would require interventions within the listed building.
- In response to the unusual request to revisit a consented scheme, meeting was advised that presently the Affordable works programme have significant amount of grade A floor space within CAZ , but don't have light industrial floor space for creative industry, that this application meets their requirement.
- Objector was concerned that no details had been provided regarding the café opening hours as it would result in additional noise and disturbance to adjacent properties, that no noise assessment had been carried out. Objector also raised the issue around the additional glazing extension at roof top level to accommodate new office space, as it would significantly increase the numbers of north and south facing windows facing neighbouring properties of less than 16 meters so resulting in loss of privacy and overlooking.
- Objector stated that the proposed glazing will also increase the potential light spill to the neighbouring amenity and that in the absence of a comprehensive noise and lighting impact assessment the council is unable to determine the degree of harm to neighbouring amenity.
- Objector questioned the proposed service and delivery arrangements, that they were based on unfounded assumptions and would result in delivery, service and emergency vehicles being forced to reverse into Golden lane or perform a U turn on Garrett street which is extremely narrow making it unsafe for cyclist and pedestrians including parents and school children who use the narrow pavements travelling to the primary school. It was also

suggested that altering the off street parking restrictions would also make it impossible for many larger vehicles that access the underground garages that serve 5 garage street.

- Objector also stated that it is unclear when the ecological survey supporting the application was carried out because without a robust survey and an accompanying ecological impact assessment the Council will be unable to conclude that the proposal would not be harmful to any protected species and could be in breach of habitat regulation and subject to judicial review.
- Another objector, resident of 74-78 banner street noted that although he is broadly sympathetic to the development of the stable and the potential restoration of buildings he had concerns in relation to the east core extension which comes across as a rather brutal structure and is out of character and its impact on the heritage and aesthetics of the site.
- In addition to the above the objector raised his concern about the approval of a mechanical plant on the roof of the extension, questioning the basis on which the plant is being approved for installation without specific conditions relating to its size or the purpose of the plant.
- in response to objectors concerns, the applicant welcomed the opportunity to work on an unusual scheme, that a lot of time has been invested on the project, noting the long standing relationship especially with regards to the HYLO building when it was considered by the committee many years ago.
- Applicant reiterated that the proposal is a well-designed contextual building that sits sympathetically within its area and is supported by council's DRP, that the team is aware of concerns raised by neighbours, noting that although the team has not been able to rectify all issues raised it will continue its dialogue with residents going forward to address their concerns.
- With regards the noise concerns post construction, meeting was advised that noise assessment had been carried out which states that there will be no detrimental effect on resident when the building is in use
- In terms of overlooking concerns, the applicant reminded meeting that the building is to be used during office hours, however the team were willing to look at some mitigation measures in relation to the glazing concerns. Members were reminded that the rest of the windows have always been there since the 1800's , that no new window is being proposed.
- On the traffic and parking issues, the applicant stated that what is being proposed is better than the existing arrangement, that presently delivery can turn up anywhere and any location, however with the scheme this will be restricted to places designed to avoid conflict with the garage . A Transport Statement has been submitted with the application, with the result that the scheme will result in a 30% reduction of the number of deliveries from the previous scheme use by a builders merchant.
- With regards the unspecified mechanical plant, meeting was advised that what is being proposed will fit within the envelope of the space specified in the plans, that the team welcome conditions in relation to this concern if required.
- Meeting was advised that ecological surveys were undertaken in an appropriate manner, that site has no ecological value and the site is being

improved with the proposed blue roofs and the planting, that the scheme will improve the ecological space

- On the concerns about the opening hours of the café, the applicant advised that considering it is part of the affordable workspace team and being managed by Islington Council and the Inclusive Economy Team, it is likely to be operated during normal working hours .
- In response to conditions about the mechanical plant, the Planning Officer reiterated condition 5 which deals with roof level structures with details to be submitted to LPA prior to relevant works commencing
- Also conditions 9 and 10 is recommended to ensure that the plant noise is to be 5 decibels below the background levels. Officer acknowledged that if committee is minded, further wordings can be included in conditions to mitigate impact on neighbouring amenity and air quality besides the proposed conditions which address the mechanical plant harmful impact to street scene and its location.  
Cllr Poyser moved a motion to include 'neighbouring amenity' in conditions 9 & 10. This was seconded by Cllr Klute.
- On the decision to relocate the affordable workspace from the HYLO building despite previous commitment and being granted planning permission, the applicant advised that following years of dialogue with the Inclusive economy team about their requirement, the team was able to provide a better solution hence the Garrett Street which suits the inclusive team needs as it can be easily carved up for their user needs.
- Meeting was advised that most of the Inclusive Team end users have a preference for the Garrett street building rather than the HYLO building.
- On the transport and servicing access via Nags Court which was possible with the previous use and not available for the scheme, the applicant informed the meeting that the access gate is owned by a third party, that the entire strategy is dependent on the third party giving access to that gate, that despite discussions this has not been resolved so the team has had to move the design forward to find a solution that did not have those hindrances, as the team have no legal mechanism to enforce that use.
- In response to concerns about the activities of the cafe, the officer acknowledged that although condition **33** relates to the management of the courtyard services and deemed to be the area of the building that will have any significant impact on neighbouring amenity with restrictions between 8am - 7pm Monday to Friday, it was possible to include the café in conditions 13 and 33 to address any amenity concerns
- Cllr North moved a motion to include the café within the conditions relating to the courtyard. Cllr Klute seconded the motion.
- On the potential risk to the Council, the Planning Officer stated that the HYLO building is complete and partly occupied, that the affordable work space is ready for occupation if and when the Inclusive Economy Team require that space, that it will be remain ready for occupation until the practical completion of this Garrett street.
- Meeting was reminded that there is already a lease in place for the inclusive team to have the HYLO space secured and it has the choice to take up that space or to take Garrett street.

- With regards the surface water run off, the applicant suggested that a condition can be recommended for the applicant to explore options, acknowledging that more could be done.
- In response to the question on whether the café would be on a perpetuity lease, the planning officer acknowledged that it is to be operated by the affordable workspace team.
- With regards to construction training / work placement, whether there will be opportunities for training for local work force and whether the fascinating recent history of the building could be promoted/protected, the applicant acknowledged that this would be considered going forward.
- In summary the Chair reminded committee that when the HYLO building was considered previously, as a compromise with its breach of Council's Tall building policy, the applicant offered the affordable workspace in perpetuity lease which is to be replicated on Garrett Street when completed and should be welcomed and a benefit. Also the applicants suggestion to explore blue roof and attenuation tank is to be welcomed.
- Cllr Clarke moved the above motion and Cllr Klute seconded the motion.
- Another member noted that considering the benefit of the scheme, the offer of light industrial use which is not possible within the HYLO building especially as it meets the requirements of the Inclusive Economy Team.
- Another member stated his reassurance that the council is not at risk from the applicants response and especially the provisions in the s106 that HYLO AWS will not be surrendered until Garrett street is available for occupation.
- Member acknowledged the applicant's efforts to keep the original features of the building, welcomed the net benefit in terms of affordable workspace, and the amended and added conditions imposed to mitigate the impact of the scheme on neighbouring amenity and the exploration of options to address the run off concerns
- A suggestion for applicants to improve the apprenticeship offer and for the history of the building not to be lost was noted.
- The Chair requested as an extra protection for the Council, that in Recommendation A that he be included in the list of internal consultees before it is agreed.

**RESOLVED:**

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report.

17

**10-14 GARRETT STREET, LONDON, EC1Y 0TY (Item B2)**

Refurbishment of existing listed building, including internal and external alterations, alongside proposed single storey courtyard infill extension, four storey rear addition and single storey roof extension to provide Class E(g) floorspace (with identified areas at ground and first floor restricted to Class E(g)(iii) light industrial) as well as

ancillary café use; the provision of landscaping; cycle storage; waste storage and other associated works. Listed Building Consent ref: P2022/2097/LBC also submitted.

(Listed Building Consent: P2022/2097/LBC)

Item was considered with B1

**RESOLVED:**

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, Listed Building Consent be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report.

**18 HYLO BUILDING, 105 BUNHILL ROW, LONDON, EC1Y 8LZ (Item B3)**

Section 73 application involving the variation of Condition 2 (Drawing and Document Numbers) of Planning Permission Ref. P2017/4939/S73 dated 27/07/2018. The amendment involves the replacement on site of the consented affordable workspace with commercial office floorspace.

(Planning application number: P2022/3516/S73)

Item was considered with Item B1

**RESOLVED:**

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and the additional condition outlined above; and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report as amended above, the wording of which was delegated to officers.

The meeting ended at 9.15 pm

**CHAIR**

**PLANNING COMMITTEE  
ADDENDUM REPORT**

Development Management Service  
 Planning and Development Division  
 Community Wealth Building  
 Department

<b>PLANNING COMMITTEE</b>		<b>AGENDA ITEM NO:</b>	<b>B1</b>
<b>Date:</b>	23 February 2023	<b>NON-EXEMPT</b>	

Application number	P2022/1898/FUL
Application type	Hybrid Planning Application (Full and Outline)
Ward	Barnsbury
Listed building	Adjacent to Grade II Listed Building – 214 Caledonian Road
Conservation area	Within 50m of Barnsbury Conservation Area Within 50m of Regent’s Canal Conservation Area
Development Plan Context	Kings Cross & Pentonville Road Core Strategy Key Area Local Shopping Area (Caledonian Road) Local Cycle Route Major Cycle Route Local Flood Risk Zone Local View from Archway Road Local View from Archway Bridge Thornhill Bridge Community Garden Open Space Regent’s Canal Open Space Regent’s Canal (West) SINC Within 100m of Strategic Road Network Tree Protection Order (Site Wide) Draft Islington Local Plan Site Allocations - Site Allocation OIS27
Licensing Implications	N/A
Site Address	Barnsbury Estate, London, N1
Proposal	<p>Hybrid planning application seeking detailed permission for Phase 1a, 1b and 3a and outline planning permission for all future phases 1c, 2a, 2b and 3b comprising:</p> <p>In full, demolition of existing buildings and undertaking of groundworks and the erection of 401 residential units (Use Class C3) within seven buildings of 3, 7, 9, and 11 storeys comprising 144 x 1 bed, 192 x 2 bed, 46 x 3 bed, 14 x 4 bed and 5 x 5 bed over 42802sq.m (GIA) floorspace in phases 1a, 1b and 3a; hard and soft landscaping works including public open space and new public realm, access and highway formation and alterations, car and cycle provision with associated ancillary works.</p> <p>Outline planning permission (all matters reserved) for the demolition of all remaining buildings, undertaking of ground works and the construction of a phased redevelopment of new buildings of up to 9 storeys and incorporating up to 69773sq.m (GIA) to include up to 513 residential units (Use</p>

	<p>Class C3), up to 2400sq.m of replacement retail and town centre floorspace (Use Class E), and 1275sq.m of replacement community use floorspace including community centre and nursery (Use Class F2), within phases 1c, 2a, 2b and 3b, hard and soft landscaping, new public open space, access and highway formation and alterations, new pedestrian means of access, car and cycle parking provision and ancillary works.</p> <p>(EIA Application) (Departure from the Development Plan)</p>
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Case Officer	Nicholas Linford
Applicant	Newlon Housing Trust and Mount Anvil Limited
Agent	Lichfields

## 1. RECOMMENDATION

The Committee is asked to resolve to GRANT planning Permission:

1. For the reasons for approval (set out in Section 28.1 and 28.2 of the Committee Report dated 29 November 2022 detailed at Appendix 3 and at 15.1 and 15.2 of the Addendum Report);
2. Subject to the conditions set out in Appendix 1 (Recommendation B of the Addendum Report)
3. Subject to the prior completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 (Recommendation A of the Addendum Report);
4. Subject to any direction by the Secretary of State (SoS) to call in the application for determination by the SoS; and/or
5. Subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

## 2. BACKGROUND

2.1 This planning application was considered by the Planning Committee at its meeting on 29 November 2022.

2.2 Following consideration of the Committee Report and Recommendation, the presentations to the Committee, the submitted representations and the representations made to the meeting, the Planning Committee resolved that planning permission be granted for the reasons set out in Sections 28 and 29 of the Committee Report of 29 November 2022. The resolution was made:

- Subject to any direction by the Mayor of London to refuse the application or for it to be called in for determination by the Mayor of London.
- 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 Term as set out in Recommendation A.
- Subject to an amendment to the description of development to reflect the level of commercial floorspace proposed.

- Subject to the conditions set out in Recommendation B with Condition 31 updated as per the verbal update by officers and that a condition was added requiring the applicant to undertake a feasibility study for the inclusion of greywater harvesting in the development

2.3 Following the resolution to grant planning permission, officers have engaged in discussions with the GLA regarding the Stage 2 referral. The GLA have subsequently advised of a new position relating to fire safety that has necessitated changes to the proposal before a Stage 2 referral can be made.

2.4 Officers have also continued to draft and negotiate the legal agreement, with limited changes sought to this.

2.5 The amendments to the application and the purpose of this report are to ask the Planning Committee to **approve**:

A) Amended plans showing alterations to blocks D1 and D2, namely:

- a. The relocation of the plant room from Block D1 to D2
- b. The relocation of two residential units from Block D2 to D1 to be provided in a social rent tenure.
- c. The removal of the residents' accessible roof terrace at block D2.

For the purposes of mitigating the fire safety implications of residential buildings with a finished floor level of over 30m without a secondary access core.

B) The inclusion within the review mechanism secured in the S106 agreement of the Existing Use Value for the Social Housing (EUV – SH) at the site. The inclusion of an EUV-SH value within the review mechanism would be subject to the submission of detailed financial justification, would be capped at a maximum value of £8.67m and the assessment and acceptance of any evidence would be at the absolute discretion of the Council.

C) To consider and evaluate information submitted by the applicant to prevent the need for the future discharge of planning applications.

D) Clarifications to the floor area dedicated to permanent community centre and nursery.

E) Consideration of the subsequent changes to the planning balance.



## 4. SUMMARY

- 4.1 The planning application and the Heads of Terms of the associated legal agreement have been the subject of detailed consideration during the previous meeting of the Planning Committee. The Heads of Terms are set out in Recommendation A and the conditions are set out in Recommendation B of the 29 November 2022 Committee Report, attached here as Appendix 3.
- 4.2 In order to secure GLA approval at Stage 2, further alterations have been required to be made to the scheme in relation to fire safety. The GLA have very recently advised of a position relating to fire safety whereby they seek referable applications to include a second access core for buildings with a finished floor level of the uppermost residential storey of 30m or more.
- 4.3 Mitigation measures to address this requirement are set out in this report which are demonstrated through the provision of amended plans for blocks D1 and D2. These propose a relocation of residential floor space to ensure no residential finished floor level would exceed 30 metres and therefore that a second core would not be required. For clarity, there is no proposed change to the height of any buildings. These plans will be incorporated into an updated approved plans condition.
- 4.4 The GLA has also advised that a previously proposed roof top communal garden space to Block D2, which provided communal amenity space for the open market sales units in this block, should be removed as it is likely to represent residential floorspace. This would result in a reduction in 126 square metres of communal open space for the use of the open market residential units in this block. However, it should be noted that each unit has sufficient private open space and continues to have access to a ground floor level communal garden area.
- 4.5 In continuing negotiations to progress the Heads of Terms for the Section 106 legal agreement, further clarity is required on the proposed floor areas dedicated to the community centre and the nursery which may affect the wider planning balance given that the prescribed floorplates will require residential access points and cores for the upper floor units, which was not represented in the previously reported total figures.
- 4.6 Following further negotiation relating to the proposed review mechanisms to be secured within the S106 agreement, officers have accepted that a value can be ascribed to the Existing Use Value of the current social housing stock at the site (EUV-SH). This is proposed to be capped at £8.67m and the assessment and acceptance of a value up to this cap is subject to the submission of detailed financial justification and is at the absolute discretion of the Council. Officers consider the inclusion of the EUV-SH to be relevant in this case to secure the delivery of the development.
- 4.7 It is considered that the planning balance detailed in Section 27 of the Committee Report presented to 29 November 2022 Committee continues to be relevant, namely that given the benefits of the proposal, the proposed development would be sufficiently beneficial for officers to recommend approval. However, it should be noted that any further amendments to the development would require the planning balance to be revisited.

## 5. PROPOSED AMMENDMENTS

5.1 Below is a summary of each of the proposed amendments:

### *Fire Safety*

- 5.2 In order to satisfy the GLA's position regarding tall buildings insofar as they relate to fire safety, emerging Approved Building Regulations Documents on fire safety and the position of the London Fire Brigade and National Fire Chiefs, buildings with an uppermost residential finished floor level greater than 30m in height above adjoining land level will require a second access core.
- 5.3 On the plans considered by the Planning Committee on 29 November 2022, the 10<sup>th</sup> floor of block D2 has a finished floor level of approximately 31m while blocks D1 and D3 which are 9 storeys in total have a finished floor level of approximately 28m. Taking into account the possible options for progress, the applicants considered whether to either (a) reduce the height of block D2 so that the height of the uppermost finished floor level is below 30m which would result in the removal of 4 residential units; or (b) introduce a second stair and lift core within the building and retain its existing height. This would have resulted in the potential loss of a unit per floor which would mean that there would be a reduction of 10 units.
- 5.4 The applicants have proposed an alternative scenario which forms the basis of the amendments submitted to the Council. This comprises a 'floorspace swap' whereby the plant room in the lower Block D1 is moved to the upper floor of Block D2 in lieu of the flats in the top floor of Block D2. These are then moved to the top floor of Block D1. As Block D1 is a social rent block, the units placed here from block D2 become social rent units. Crucially, the finished floor level of all residential floors would be below 30 metres.
- 5.5 The GLA have also advised and recommended that the existing designated residents shared gardens should also be removed from the roof of block D2 which results in a loss of 126 square metres.
- 5.6 These proposed changes result in the following alterations to the dwelling mix by tenure within the detailed and outline phases. It should be noted that there would be no change to the numbers of units provided by tenure within the overall scheme and there would be no change to the numbers of units provided within the detailed and outline elements.

Tenure	1 bed	2 bed	3 bed	4 bed	5 bed	Total
Replacement social rent	49	94	35	14	5	197
Replacement leasehold	6	18	1	0	0	25
Uplift social rent	14	12	6	0	0	32
Uplift market housing	76	67	4	0	0	147
Shared ownership	0	0	0	0	0	0
<b>TOTAL</b>	<b>145</b>	<b>191</b>	<b>46</b>	<b>14</b>	<b>5</b>	<b>401</b>

5.7 The table above shows an increase in one additional one bed unit and one less 2 bed unit. It also shows an increase of two social rent units (uplift) and a decrease of two market housing units (uplift).

5.8 The proposed changes result in the following alterations to the provision of open space within the development as shown in the table below.

Open Space Type	Previous Submission (sqm)	Current Amendments (sqm)

Private amenity	1141	1141
Shared resident garden	6565	6565
Community Garden	486	486
24 Hour open space	4157	4157
Landscape buffer non-accessible	3672	3672
Rooftop space	381	255
<b>Total</b>	<b>16402</b>	<b>16276</b>

- 5.9 No replacement open space will be provided, although this still constitutes an increase over and above the current open space within the estate and an increase over the open space provision set out in the original submission in May/June 2022. Furthermore, each of the open market units within Block D2 would continue to have acceptable levels of private amenity space and access to a ground floor communal garden.
- 5.10 In summary, the proposed changes to the scheme to respond to the significant and important fire safety concerns do not materially change the built form of the proposed development. No building becomes taller or larger and there is no change in the overall number of units and there are no material changes to the appearance of buildings other than elevational amendments to address the fact that residential units have been exchanged for a plant room and the requirements to provide different façade openings and treatments in their respective locations.

#### *Affordable Housing*

- 5.11 Following the resolution to grant planning permission, officers have been granted delegated authority to continue refining the planning obligations to be contained within the Section 106. In respect of affordable housing, the Committee Report of 29 November 2022, states that the scheme will be subject to a number of Viability Review Mechanisms to take into account potential uplifts in scheme value should the deficit which has been detailed within the report become alleviated.
- 5.12 It has been agreed that in processing the open book bespoke early, mid and late-stage reviews which are proposed within the Heads of Terms, that an EUV-SH value should be inputted as a value for the existing buildings within the estate. This would be capped to a maximum figure of £8.67m and would also continue exclude any Old Barnsbury cost.

#### *Community Floorspace*

- 5.13 Subsequent to the Committee on 29 November 2022, the applicants have advised that they will not be able to deliver what had been indicated as being up to 1,275sq.m of combined nursery and community centre floorspace within the scheme. The applicants had referred to a range with lower and upper parameters and had advised that while there would be an increase in community floorspace, this would be at the lower end of the scale close to 600sq.m. This is to account for residential access and cores, together with circulation space to serve the two uses.
- 5.14 Officers have sought to secure community floorspace that reflects the expectations of the scheme and to resecure the scheme planning balance where the provision of enhanced uplifted community floorspace was a significant planning benefit in the context of the planning harms set out in section 27 of the 29 November 2022 Committee Report. Officers advised the applicants to consider how much floorspace within the community centre would be utilised by circulation space, and other ancillary facilities and then deduct that from the figure of 1275sq.m to determine what would be functional active community floorspace. The applicants have also been asked to remove what had been proposed as

a dedicated residents lounge. This results in an overall provision of approximately 900sq.m comprising of 300sq.m of nursery and 600sq.m of community centre.

## 6. CONSULTATION

### Public Consultation

- 6.1 In accordance with the Islington Revised Statement of Community Involvement (May 2017) and g the proposed changes are not considered to be significant and therefore no further public consultation ahs been carried out
- 6.2 Notwithstanding this, since the Committee meeting on 29 November 2022, no further representations have been received from the public.
- 6.3 Instead a consultation exercise has taken place with select departments within the Council and externally that are relevant to the proposed changes outlined in section 4. Consultation letters were sent on 6 February 2023. The consultation period for the consultees expires on 20 February 2023. Whilst this post-dates the publication of the report, any additional comments will be reported to the Committee. Comments, observations and representations (or otherwise) received to date are summarised below:

### External Consultees

- 6.4 **Greater London Authority:** No comments received.
- 6.5 **Health and Safety Executive (HSE):** No comments received.
- 6.6 **London Fire Brigade:** No comments received.

### Internal Consultees

- 6.7 **Housing Officer:** No comments received.
- 6.8 **Policy Officer:** No comments received.
- 6.9 **Urban Design Officer:** No comments received.
- 6.10 **Housing Officer:** No comments received.
- 6.11 **Parks and Open Spaces Officer:** No comments received.
- 6.12 **Environmental Health (Contaminated Land):** Comments have been received from the Environmental Health Officer concerning Phase 1a of the development. There are no objections to the contaminated land details submitted and as a result, this condition does not need to be discharged prior to the first commencement of any development on the site. Resubmissions will be required for further phases

## 7. RELEVANT POLICIES

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

## **National Guidance**

- 7.2 Islington Council (Planning Committee) in determining the planning application has the main following statutory duty to perform:
- To have regard to the provisions of the Development Plan so far as material to the application and to any other material consideration (Section 70 Town and Country Planning Act 1990)
  - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan including adopted Supplementary Planning Guidance).
  - As the development is within or adjacent to a conservation area(s), the Council has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. (s72(1)).
- 7.3 National Planning Policy Framework 2021 (NPPF) Paragraph 10 states: 'at the heart of the NPPF is a presumption in favour of sustainable development.
- 7.4 The National Planning Policy Framework 2021 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.
- 7.5 Since March 2014, Planning Practice Guidance has been published on line.
- 7.6 In considering the planning application, account has to be taken of the statutory and policy framework, the documentation accompanying the application and views of both statutory and non statutory consultees.
- 7.7 The Human Rights act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to peaceful enjoyment of his possessions. No-one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
  - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.
- 7.8 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a persons rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 7.9 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia

when determining all planning applications. In particular, the Committee must pay due regard to the need to (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 7.10 In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard has been given to the desirability of preserving adjoining listed buildings, their setting and any of their features of special architectural or historic interest.

### **Development Plan**

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

### **Emerging Policy: draft Islington Local Plan**

- 7.12 The Regulation 19 of the Local Plan was approved at Full Council on 27 June 2019 for consultation, with consultation on the Regulation 19 draft taking place from 5 September 2019 to 18 October 2019. The Draft Local Plan was subsequently submitted to the Secretary of State for Independent Examination in February 2020. The Examination Hearings took place between 13 September and 1 October 2021. The Council consulted on Main Modifications to the plan running from 24 June to 30 October 2022.

- 7.13 In line with the NPPF, Local Planning Authorities, may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given).
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- 7.14 Given the advanced stage of the draft plan the conformity of the emerging policies with the Framework it is considered that policies can be afforded moderate weight to significant weight depending on the significance of objections to the main modifications.

- 7.15 Emerging policies that are relevant to this application are set out in Appendix 2. The emerging policies are considered to be consistent with the current policies.

### **Designations**

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

- Caledonian Road local shopping area
- Site of importance for nature conservation
- Within 50m of Regents Canal Conservation Area

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

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

### **8. ENVIRONMENTAL IMPACT ASSESSMENT**

8.1 The applicant submitted an Environmental Impact Assessment statement with the planning application. This has been updated with a letter of conformity to advise that no wider impacts arise from the proposed changes that are being considered through these amendments.

### **9. ASSESSMENT**

9.1 The main issues arising from this proposal relate to:

- Fire Safety
- Design
- Amenity
- Quality of Housing
- Delivery of Affordable Housing
- Quality and Quantity of Open Space
- Quality and Quantity of Community Floorspace and Community Facilities.

#### **Fire Safety Implications**

9.2 Policy DH1 of the draft Islington Local Plan sets out the Council's overarching strategic approach to design including aims to foster innovation, and to conserve and enhance the historic environment. The supporting text sets out an expectation that innovative development and design must use physical form to provide solutions to issues which arise through the design and development process and includes designing for fire safety.

9.3 Policy D12 of the London Plan which relates to fire safety states that all development proposals must achieve the highest standards of fire safety and includes the expectation at section 4 of providing a suitable and convenient means of escape and associated evacuation strategy for all building users. Supporting paragraph 3.12.5 states that developments, their floor layouts and cores need to be planned around issues of fire safety and a robust strategy for evacuation from the outset, embedding and integrating a suitable strategy and relevant design features at the earliest possible stage.

9.4 In December 2023, the Government issued a consultation on proposals to require developments to have a second staircase in all new housing developments where buildings exceed 30m. The National Fire Chiefs Council Single Staircases Policy Position Statement (December 2022) recommends that a second staircase should be included within buildings of at least 18m or at least 7 storeys in conflict with the Government position.

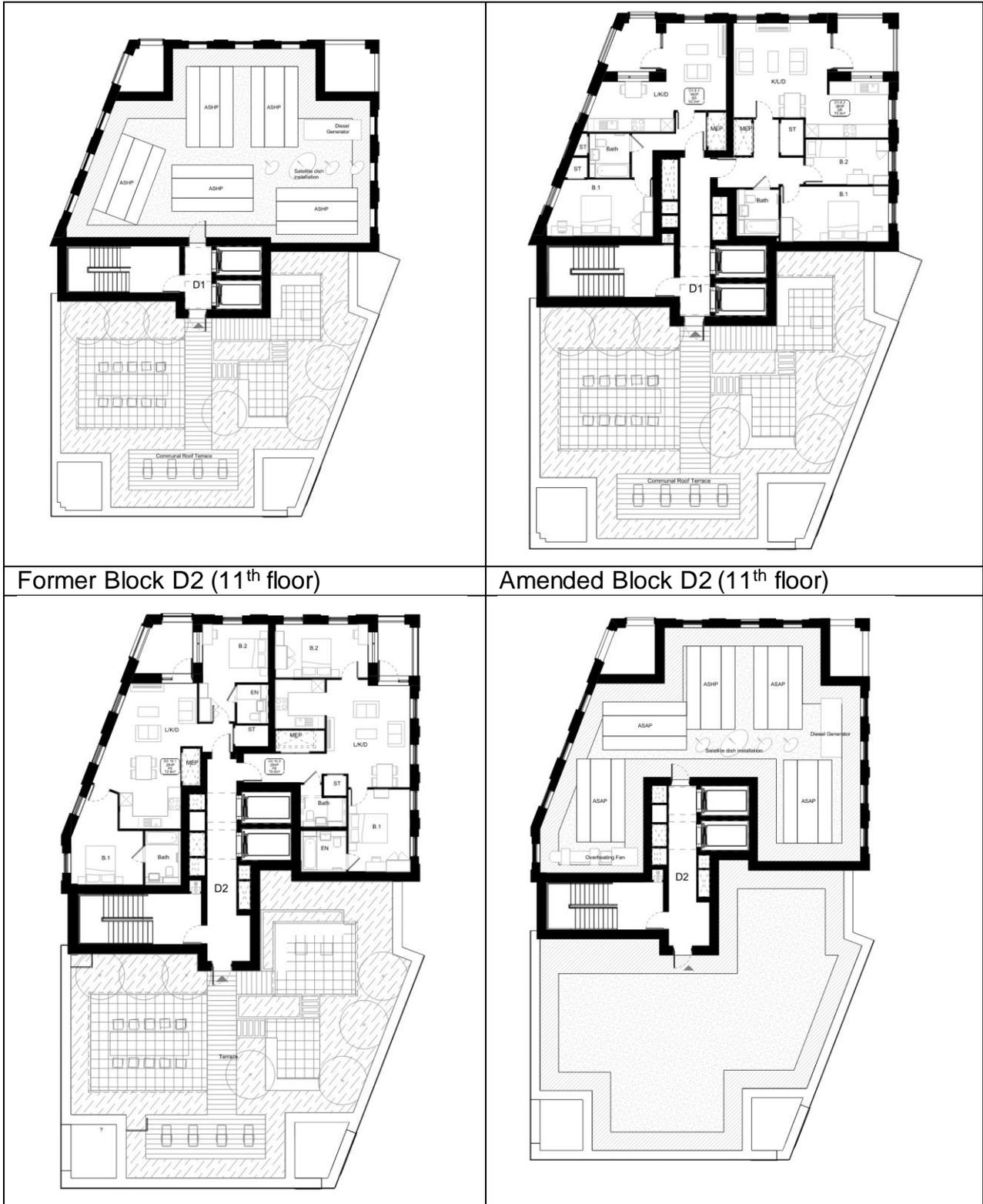
9.5 The GLA have recently written to London Boroughs to advise of a newly adopted position whereby schemes should not progress to Stage 2 for Mayoral determination where any residential building above 30m does not have a second staircase. It is intended to confirm this position in a Fire Safety London Plan Guidance Document to be published in 2023. The GLA have advised that the 30m requirement relates to buildings where the finished floor level of the uppermost residential unit is above 30m.

9.6 Block D2 in the plans presented to the Committee on 29 November 2022, is the only building that would be subject to this stipulation. It has a total height of over 36m and a

finished floor level of the uppermost residential storey of 31.5m. Blocks D1 and D3 do not exceed 30m. In order for the development subject to the Committee resolution to grant planning permission on 29 November 2022, to proceed to Stage 2 and subsequently a decision, a fire safety mitigation measure is required to be undertaken. In the context of the emerging guidance and regulation, any proposed residential building greater than 30m will require a reduction in height or the introduction of a second staircase. Each of these options would be harmful to proposed unit numbers in the development. The former option would potentially reduce unit numbers by two and the second option would reduce the scheme numbers by a unit per floor meaning that there would potentially be a loss of 10 units.

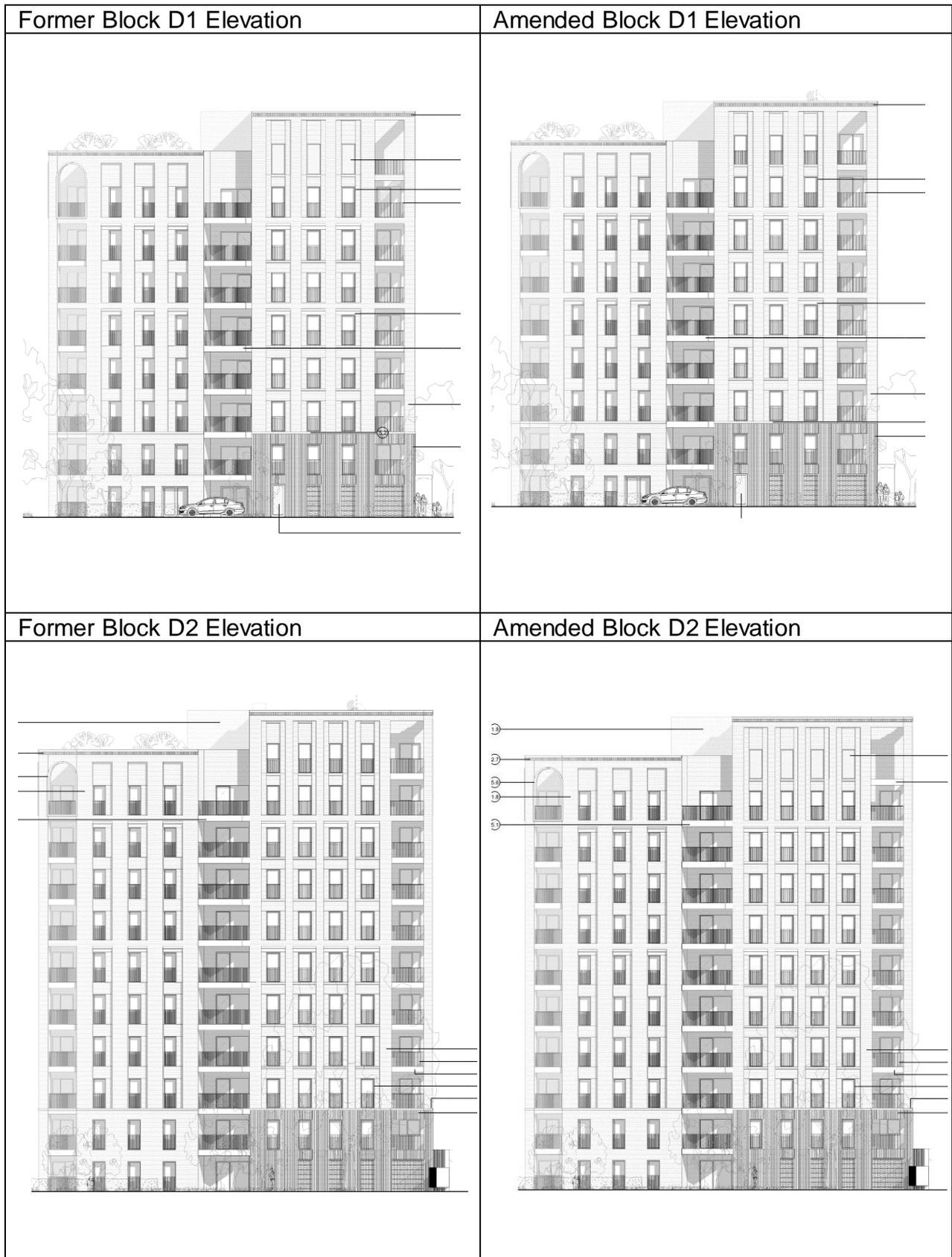
- 9.7 However, the applicant has proposed the transfer of the plant room from the upper most floor of Block D1 (the social rent block at the junction of Carnegie Street and Muriel Street) to the location currently occupied by proposed flats on the 11<sup>th</sup> floor of Block D2 where the finished floor level is above 30m. There are two flats at the 11<sup>th</sup> floor in the previous plans in the form of two 2 bed 4 person flats in open market sale tenure. In being transferred to the 8<sup>th</sup> floor of block D1, these become a 1 bed 2 person and a 2 bed 3 person unit in social rent tenure and would then have a finished floor level below 30m.
- 9.8 Following clear instruction from the GLA, the existing block D2 roof garden is proposed to be converted into extensive green roof which contributes to the biodiversity properties of the development.
- 9.9 The following plans detail the before and after of the floorspace swap within Blocks D1 and D2:

Former Block D1 (8 <sup>th</sup> floor)	Amended Block D1 (8 <sup>th</sup> floor)
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9.10 The removal of the roof garden results in a reduction of 126sq.m of shared communal roof garden for the open market sale block which is a limited loss within the wider context of the site and the estate redevelopment. All of the units within this block maintain sufficient private amenity space and access to shared communal gardens remain at the ground floor. It is noted that there is still an increase above the current provision within the estate. Furthermore, the level of accessible open space still shows a considerable increase.

9.11 The images below show the transitional change of elevations between October 2022 and February 2023. Where the plant room is removed from D1, the ventilation louvres are replaced with windows/doors with balustrades. Where the plant room is introduced into D2, the windows are replaced with ventilation louvres and the balustrades are removed.



9.12 Each unit has its own private balcony. Each unit has genuine dual aspect with two window walls serving habitable rooms providing outlook in two directions. Furthermore, the layouts are largely similar which contribute to a minimisation of potential internal noise transfer through logical stacking. The proposed change would leave each unit exceeding unit size standards, and would not result in any degradation of outlook, daylight or privacy.

9.13 An addendum to the original daylight and sunlight assessment has been provided which uses the June 2022 BRE methodology in respect of luminance. While it is difficult to

transpose the new lighting conditions to the new residential use of 8<sup>th</sup> floor of block D1 from its equivalent position at the top of block D2, it is possible to assess the results in their own right. Seven habitable rooms, served by nine windows are assessed. Only one room, which is a kitchen demonstrates a marginal transgression against BRE, while the separate lounge diner passes. This is considered to be acceptable.

- 9.14 The proposed change would not result in any alteration to the building envelope, design, scale, height or massing, but would result in minor changes to adjust windows and openings to the new layout within the top floor of each building however, this is not considered to detract from the appearance of each building.
- 9.15 The proposed changes would result in the detailed element delivering two additional social rent units within the 401 overall for phases 1a, 1b and 3a, meaning that 32 social rent units would be provided as net new uplift, in addition to the 197 replacement social rent units. Overall, the scheme retains the same distribution and proportion of tenure and no reductions of social rent units is proposed to take place following the resolution to grant planning permission in November 2022.

### *Changes to Affordable Housing*

- 9.16 Policy CS12 (G) sets out the strategic approach to securing genuinely affordable housing within the adopted development plan. It sets out a target of requiring 50% of all additional housing to be affordable with all sites capable of providing 10 or more units to provide affordable housing on site. Developments should seek the maximum reasonable amount of affordable housing especially social rented housing over and above the threshold set out in the policy.
- 9.17 Policy H3 of the Emerging Local Plan (2019) sets out the Council's developing planning policy position concerning the delivery of affordable housing. At least 50% of the net additional housing built in the Borough should be genuinely affordable housing. Schemes that qualify for on site provision should provide at least 45% without public subsidy and then exhaust options for the provision of on site affordable housing through subsidy to provide at least 50% of the net additional units on site. Sites which are or have previously been in public sector ownership should deliver at least 50% of the additional new units as affordable housing without public subsidy as well as providing additionality through public subsidy. Where policy expectations are not met in relation to the provision of 50% of new units as affordable housing, the proposal will be subject to a detailed review mechanism through the period of development to completion.
- 9.18 The Council's policy H3 reflects the content and direction of the London Plan policy H4 in relation to provision, grant and the treatment of public sector land. Policy H5 of the London Plan sets out the GLA's approach to viability review mechanisms. Where a development does not meet the GLA expectations of on site provision, the scheme should be subject to the appraisal of a financial viability appraisal exercise. The scheme will then be subject to a number of review mechanisms including an early stage, mid stage and late stage.
- 9.19 The scheme re-provides the existing 291 social rent homes that are demolished on the New Barnsbury Estate. The scheme then provides a further 135 social rent homes. The scheme provides approximately 25% of the uplift in homes at social rent and the scheme overall provides over 46% (or 426) of total constructed homes (914) on the site as social rent. The previously published Heads of Terms within the 29 November 2022 Committee Report states that the early stage review will take place if the developer has not substantially implemented the planning permission by 18 months from the grant of planning permission. Given the requirement to utilise GLA funding for replacement homes,

commencement is required to take place by the end of March 2023 so therefore this early stage review mechanism is unlikely to take place.

9.20 The Heads of Terms also state that the mid stage review will take place on occupation of 50% of the market housing units within phase 2b. No more than 90% of the market housing units in Phase 2b may be occupied and no market housing units in Phase 3 may be occupied until such time as the viability review has been settled and the approach to any surplus has been agreed. Such surplus shall be attributed in new homes. A late stage review shall be undertaken upon occupation of 75% of the market housing units in Phase 3. No more than 90% of the housing units in Phase 3 shall be occupied until such time as viability review has been settled with a 60/40 breakdown in favour of the local authority.

9.21 Of significant importance, the Heads of Terms within the Committee report states at point 10 the following:

*“The S106 agreement will identify (on a non-exhaustive basis) specific costs which may/may not be taken into account as part of each viability review, with costs included needing to be receipted and certified. For the purposes of these Heads of Terms, it is important to clarify the Council’s position that the costs associated with works to the Old Barnsbury Estate or **a residual value of the buildings to be demolished on New Barnsbury** may not be taken into account as part of any viability review, and the costs of purchasing existing leases shall be accounted for as part of a cost.”*

9.22 In addition to the fire safety mitigation measures, this report seeks to modify this point within the Heads of Terms. Where previously, officers had sought that each review mechanism shall not include any costs for the existing dwellings to be demolished within New Barnsbury (i.e. prescribing a nil value), officers have agreed to a reasonable cost to be incorporated, albeit this would be capped at £8.67million and it’s inclusion would be subject to the requirements set out below at the Council’s discretion.

9.23 The applicants have advised that the scheme would not be deliverable without a value being included pertaining to the existing social rent housing within the New Barnsbury Estate. While the Council’s starting point will be made clear to a prescribed nil value, the applicants, through the relevant review mechanism are able to include a potential value capped at £8.67m. Any figure used as residual value will be derived from a third party commissioned, red-book valuation. The Council will retain discretion over the use of the estimated costs to be inserted into the appraisal. The third-party valuation of the existing stock will include an actual or reasonably assumed maintenance or renewal programme and the submission of a Stock Conditions Survey or a reasonable assumption of the state of repair at the time of review. The valuation should also acknowledge the planning requirement to replace the stock at the end of its assumed operational life.

9.24 The capped figure to be adopted is £8.67m, which follows negotiations to reduce this from the applicant’s initially proposed figure of over £18million. The applicant has detailed that the £8.67m figure is informed by a range of inputs. These include a discounted 50 year cashflow rate; rental levels supported by a commissioned report, management and maintenance fees based on a Newlon report, major works costs and a void rate of 2.5%. An assumption of base rate of inflation at 2% is also included.

9.25 The Council’s Financial Viability consultant has questioned the fact that the figure proposed is reliant on assumptions of existing stock conditions and a maintenance programme, together with an assumed 50 year lifespan for the existing stock. Noting that a Stock Condition Survey has not been provided to date, it is accepted that some level of assumption is required. However, it is noted that the Section 106 legal agreement allows

for the valuation of the units to be assessed and challenged, where necessary, at the appropriate time within the review mechanisms.

- 9.26 Crucial to the acceptance of this capped value being included within the legal agreement, the Heads of Terms and drafting of the S106 agreement ensure that the Council will comprehensively and critically appraise the costs within the appropriate context and the inclusion of the EUV-SH, at a capped value. The key principles for the Council include an agreement that the Council will have total discretion over the figure to be inputted into the review mechanism (including the potential that nil value could still be used), the limitation of the applicants ability to arbitrate in dispute and the use of third party red book valuations using stock conditions surveys and/or reasonable assumptions. Including a potential capped EUV-SH, subject to the Council's absolute discretion, will facilitate the implementation and ultimate delivery of affordable housing at the site.
- 9.27 The Section 106 legal agreement is being updated on this basis and the Heads of Terms reflect this.

### *Community Use Floorspace*

- 9.28 Policy SC1 of the emerging local plan states that the Council will support proposals to provide new and/or extended social and community infrastructure facilities. In addition, new and/or extended on site provision of social and community infrastructure facilities may be required as part of the supporting infrastructure for significant new housing and mixed use development proposals. The Council will not permit any loss of social or community infrastructure use unless a replacement facility is provided on site that is at least the equivalent in quality, quantity and accessibility. New provision should meet requirements for accessibility within the building and should also meet specification requirements particularly in relation to disabled access.
- 9.29 The elements of emerging policy SC1 largely replicate adopted policy DM4.12 in respect of the presumption against loss, the requirement to provide facilities in major mixed use development and to secure replacement facilities that are equivalent or better in respect of quality, quantity and accessibility.
- 9.30 The community centre within the New Barnsbury Estate is well used and considered by the applicant to be an intrinsic common public benefit that is essential to community cohesion within the estate. The current community centre is a recent construction having been built following the grant of planning permission of P080910 in 2008. The existing single storey building had an internal floor area of 276sq.m before being demolished and rebuilt as a larger single storey building with 379sq.m. The proposed replacement community centre will be delivered within block B8 and B9 as a modern two storey building within flexible use and internal division to allow for a wide range of uses.
- 9.31 Officers outlined within the Committee report that the proposed new community centre was proposed to have a floorspace area of up to 1275sq.m, which was based on the submission documentation and plans. This would comprise approximately 970sq.m for the community centre and 305sq.m for the nursery. Considered to be a significant uplift in both quantity and quality, this provision was presented as a significant benefit in the planning balance as outlined in Section 27 of the Committee Report.
- 9.32 Following the Committee resolution to grant, as Section 106 provisions regarding the community centre and nursery use/floorspace were being finalised, the applicants advised that the scheme would only provide an increase of 256sq.m of community centre floorspace to at least 514sq.m and an increase of 123sq.m of nursery floorspace to at least 200sq.m. This contradicts the provision made frequently in the applicants documents

including the planning statement, EIA and development specification document and therefore reduces the role that this plays in influencing the planning balance. The applicant has advised that provision was intended to be expressed as a range from the combined figure of 714sq.m at one end to a combined figure of 1275sq.m at the other end of the range. While the community floorspace was to be provided in blocks B8 and B9, this was to be supplemented also by a residents' lounge.

9.33 Officers have advised the removal of concierge and residents lounge facilities from this part of the scheme to maximise community floorspace. The applicants have confirmed that the scheme could, at the upper limit, provide 300sq.m of nursery floorspace and 700sq.m of community centre floorspace, while still accounting for entrance facilities and cores. This places the actual provision within a range with the lower end at 714sq.m and the upper end at 1000sq.m.

9.34 In order to preserve the planning balance and make the scheme acceptable in the context of the (planning) harms listed in the original committee report, it is proposed to insert a new planning condition to the recommendation that would secure provision at the upper end of the deliverable scale. Should circumstances change, the applicants are able to submit an application seeking to vary the condition accordingly. Any such application to change the level of community floorspace provision would require a reconsideration of the planning balance. The proposed condition would go hand in hand with the planning condition in the resolution to grant planning permission on 29 November 2022 in relation to ensuring that reasonable endeavours are used to secure 2400sq.m of retail floorspace in association with the proposed development.

9.35 The proposed condition would be worded accordingly:

*CONDITION: Notwithstanding the drawings and documents hereby approved, the total permanent community floorspace (combined) (use class(es) E/F2)) comprising of a nursery and a community centre shall equate to or exceed a total of 900sq.m (GIA)/1000sq.m (GEA) made up of at least 300sq.m (GEA)/270sq.m (GIA) of nursery and at least 700sq.m (GEA)/630sq.m (GIA) of community centre.*

*The development and use shall operate strictly in accordance with the details so approved and shall be retained as such permanently thereafter.*

*REASON: A restriction on the minimum quantum of community floorspace and its prescribed attribution into nursery and community use is necessary at the site to ensure that the development maintains its requirement to provide a suitable provision of community floorspace which is essential for the wellbeing of residents on the estate and beyond.*

9.36 On the basis of this condition, it is considered that the proposed development would continue to be acceptable.

#### *Other Considerations*

9.37 The recent amendments do not affect the aspects assessed within the original massing studies, the effects and conclusions insofar as they affect microclimate, wind and daylight/sunlight for adjoining properties are unchanged.

9.38 The proposed amendments do not affect the Air Quality or Traffic and Transport assessments as there is no change to unit numbers, unit mix or population. While the location of building plant has moved, the assumptions previously made about flue termination and testing regime remain the same. The applicants have advised that earlier

assumptions of trip generation by the community floorspace was based on a smaller floor area dedicated to these uses. However, given the localised nature of the proposed community facilities, these are not considered to give rise to any tangible additional trip generation. Furthermore, given that there is no change to the residential accommodation within the development, no transport or traffic considerations are considered to arise. Given that there would be no change to traffic and transport, it is considered that there would not be any air quality or noise and vibration impacts arising from this change.

- 9.39 Conditions remain in place to address noise and vibration for residential occupiers from external sources.
- 9.40 From ground level, the only perceptible changes will be a minor alteration to the fenestration regime where there glazing becomes ventilation louvres and ventilation louvres become clear glazed habitable room windows. There is no tangible alteration to the massing, appearance or form of the development and the impact to townscape, character and heritage remain exactly the same.
- 9.41 In respect of climate change and building performance insofar as its contributions to Co2 emissions, there would be no material change arising from the modifications that are proposed to be made through the amended plans.

**10. PLANNING OBLIGATIONS, COMMUNITY INFRASTRUCTURE LEVY AND LOCAL FINANCE CONSIDERATIONS**

- 10.1 There is a requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. 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) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor’s adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.
- 10.2 Policy CS18 (Delivery and Infrastructure) of the Islington Core Strategy 2011 states that the council will work with its partners to deliver the infrastructure required to support development, and will require contributions from new development to ensure that the infrastructure needs are provided for and that the impacts of the development are mitigated. Further details of planning obligations are set out in the relevant sections of this report, and as a full list in Appendix 1.
- 10.3 In order for the development to mitigate its own direct impacts, and to be acceptable in planning terms the following heads of terms are recommended to be secured by a S106 agreement. The Changes from the previous Heads of Terms detailed in the Committee report to Committee on 29 November 2022 are detailed in bold:

**1. Table of Financial Contributions**

<b>Contribution</b>	<b>Amount</b>
<b>Employment and training contribution</b> (penalty payment in lieu of placement) £5000 per 20 units £5000 per 1000sq.m replacement commercial floorspace	£0 (min) £235,000 (max)
<b>Accessible parking contribution</b>	£0 (min)

(penalty payment in lieu of provision) £2000 per bay based on 10% provision of wheelchair dwellings and for each addition 33 employees.	£192,000 (max)
40 spaces (40x £2000)	£80,000
53 spaces (52x £2000 subject to demand)	£104,000
1 Commercial Space (1 x £2000)	£2,000
<b>Construction Practice Monitoring Costs</b> £100 per residential unit £100 per 100sq.m replacement commercial floorspace	£92,400
<b>Carbon offsetting</b> £95 per tonne of Co2 for 30 years	£1,222,650
<b>Green skills training contribution</b> £2500 per 20 new units of residential	£115,000
<b>Employment and training contribution – operation of development</b> Uplift in occupancy x proportion of residents requiring support (6.7%) x cost per person (£2500)	£7,370
<b>Open space</b> Barnard Park	£550,0000
<b>Copenhagen Street Cycle Segregation Lane</b>	£60,000

## 2. Affordable housing

- 2.1 Full replacement of 291 existing social rent dwellings with new social rent dwellings based on existing rents and tenancy conditions. This will comprise the replacement of 191 social rent dwellings in the detailed phase and the replacement of 100 social rent dwellings in the outline phases.
- 2.2 Provision of **[135]** new social rent dwellings with rental levels set at target rents and reasonable service charge to ensure affordability. This will comprise the provision of **[30]** new social rent dwellings in the detailed phase and the provision of **[105]** new social rent dwellings in the outline phases (minimum quantum of new social rented dwellings to be secured for each outline phase).
- 2.3 Development-wide baseline to be secured, equating to **25%** of total dwellings as social rented affordable.
- 2.4 Obligations securing delivery of fixed quantum of affordable housing dwellings in each phase prior to occupation of a fixed quantum of market housing dwellings in each phase.
- 2.5 Quantum, size and tenure mix of affordable dwellings to be secured in the detailed phase as detailed in the approved plans/submission documents
- 2.6 Quantum, size and tenure mix of affordable dwellings to be secured in the outline phases.
- 2.7 Nominations to the Council of all affordable housing dwellings to be secured in accordance with the Council's agreed nomination provisions.
- 2.8 All standard Council affordable housing requirements to be secured including transfer to appropriate registered provider.

## 3. Viability Review

- 3.1 Early, mid and late-stage viability reviews will be secured, as well as provision made for development break reviews
- 3.2 Each viability review will take the form of a 'whole scheme appraisal', by which it is meant that the entire scheme will be reviewed at each review stage, taking into account receipted/certified costs and values incurred up until that review stage and estimating costs incurred and values achievable for the remainder of the scheme.
- 3.3 As a result of adopting a 'whole scheme appraisal', the viability review will not utilise the GLA's standard viability review formulae.
- 3.4 The only fixed inputs into the viability review mechanism (and which will be specified in the S106 Agreement) will be the Benchmark Land Value (being the BLV of the commercial elements only), and the developer profit rate which will be 17.5% profit on GDV for the market sale dwellings, 4% on the affordable dwellings and 15% on the commercial floorspace). Otherwise, all costs and revenues will be reviewed and the Financial Viability Appraisal effectively re-run at each review stage.
- 3.5 ***The s106 agreement will identify (on a non-exhaustive basis) specific costs which may / may not be taken into account as part of each viability review, with costs included needing to be receipted and certified. For the purposes of these Heads of Terms, it is important to clarify the Council's position that the costs associated with works to the Old Barnsbury may not be taken into account as part of any viability review; and the cost of purchasing existing leases shall be accounted for as a cost. Any costs in relation to the existing housing stock to be demolished can be taken into account subject to third party appraisal to a value of £8.67m may be included at the Council's discretion.***
- 3.6 The early stage review will take place if the developer has not substantially implemented the planning permission by 18 months from the grant of planning permission. In the event that it is triggered, all surplus would be allocated towards the provision of additional on site affordable housing (subject to an overarching affordable housing cap which sets a limit on the amount of additional affordable housing (whether through on-site provision or payment in lieu) which may be sought in the target tenure mix of 70:30 between social rent and the housing respectively).
- 3.7 The mid-stage review will take place on occupation of 50% of the market housing units within Phase 2b of the development. No more than 90% of the market housing units in Phase 2b may be occupied and no market housing units in Phase 3 may be occupied, until such time as the viability review has been settled and the approach to allocating any surplus agreed. All surplus arising from the mid-stage review is to be allocated towards the provision of additional on-site affordable housing (subject to an overarching affordable housing cap).
- 3.8 The late-stage review will take place upon occupation of 75% of the market housing units in Phase 3 of the development. No more than 90% of the market housing units in Phase 3 may be occupied until such time as the viability review has been settled. Surplus arising (subject to a cap) will be split 60:40 in favour of the Council and will be paid as a contribution in lieu of the delivery of additional on-site affordable housing.
- 3.9 Development break reviews will be carried out if construction of the development is ceased for in excess of one year. Surplus arising (subject to the overarching cap) will all be due to the Council and will be applied to the delivery of on-site affordable housing and/or paid as a contribution in lieu of the delivery of additional on-site affordable housing, at the Council's discretion, depending upon when the development break occurs
- 3.10 The purpose of the viability review mechanism will be to assess whether, at various stages of the development, any surplus profit is generated which can be

applied to increasing the level of affordable housing to be provided, with the aim of achieving a policy-compliant level of affordable housing, should the viability of the scheme improve. A policy-compliant level of affordable housing would be a minimum of 50% on site, but potentially up to 100% for the purposes of Council policy. Consequently, the cap on affordable housing to be provided by the development will be the provision of 100% of the additional or uplift dwellings (i.e. excluding any re-provided dwellings). There will be a requirement for the surplus profit arising from reviews to be applied to provide additional affordable housing on site, in order to increase the baseline provision from 25% to 50%. But thereafter there will be flexibility as to whether any further surplus arising from the reviews should be applied to more on-site affordable housing, having regard to the practicality of achieving this at the time the relevant review is carried out, and/or can be paid to the Council as a contribution. This will be at the Council's discretion and subject to the Council's approval.

#### **4. Wheelchair Accessible Homes**

- 4.1 41 dwellings in the detailed phase, a minimum of 5% of dwellings in each outline phase and a minimum of 10% of dwellings in the development as a whole will be 'wheelchair user dwellings' designed in accordance with The Building Regulations 2010 Approved Document M optional requirement M4(3): Category 3 or, in the case of re-provided dwellings, dwellings which are otherwise adapted to address health conditions of returning residents.
- 4.2 Remainder of dwellings to be 'accessible and adaptable dwellings' in accordance with The Building Regulations 2010 Approved Document M optional requirement M4(2): Category 2.
- 4.3 Tenure and size mix for provision of 'wheelchair user dwellings' within the detailed phase to be secured
- 4.4 Tenure and size mix for provision of 'wheelchair user dwellings' in each outline phase (proportionate to the range of tenures and mix of the development as a whole) to be secured.
- 4.5 Requirement to adapt 'wheelchair adaptable' dwellings into 'wheelchair accessible' dwellings at developer's cost if requested by prospective owners/occupiers (only if requested by first owners/occupiers in the case of market dwellings).
- 4.6 Wheelchair user dwellings marketing plan to be secured including requirement for wheelchair user dwellings (other than social rented wheelchair user dwellings and initial sales/lets of re-provided dwellings) to be marketed for a relevant period prior to first sale and letting and for all subsequent sales and lettings (up until the dwelling has been sold/let to a wheelchair user) as wheelchair user dwellings with priority given to Council residents.

#### **5. Community Centre and Nursery**

- 5.1 Delivery of new community centre (with minimum floorspace specified) to be secured at appropriate stage of the development, as well as temporary community centre to be available for use immediately upon demolition of the current community centre and up until the provision of the new community centre.
- 5.2 Temporary and permanent nursery strategies to be secured with the aim of securing delivery, subject to developer's ability to procure operator through implementation of marketing strategy, of a temporary nursery following demolition of the current community centre and nursery and a permanent new nursery at appropriate stage of development (with minimum floorspace specified).

- 5.3 Use of permanent community centre and nursery (which may or may not be co-located) by local residents and on-going management to be secured by management plans.

## **6. Public Routes and Open Space**

- 6.1 Delivery of temporary public routes during the construction phase to be secured via temporary public routes strategy, to be updated on a phased basis. Temporary public routes to be provided, alongside the maintenance of existing routes (as applicable), to ensure sufficient, safe and appropriate access is maintained into and through the development in instances where the construction programme prohibits provision of final public routes until later in the construction phase.
- 6.2 Final public routes (namely, identified pedestrian routes, Jays Lane and Leirum Lane), along with public realm associated with Jays Lane and Leirum Lane, to be delivered at appropriate stages of the development. Jays Lane and Leirum Lane to be constructed to an adoptable standard.
- 6.3 Open space phasing plan to be secured to ensure delivery of requisite quantum of open space (namely, parks, playspace, public realm and private communal areas) within each phase and associated obligations securing delivery of the same at appropriate stages of the development linked with occupation of a certain quantum of dwellings
- 6.4 Delivery of Carnegie Park and Pulteney Park to be secured in phases (identified by reference to appended plans), at appropriate stages of the development.
- 6.5 Maintenance and management strategy to be secured in respect of open space and public routes and Council granted step-in rights if not adhered to.
- 6.6 'Keep open' provisions in respect of open space, temporary public routes and final public routes (other than private communal areas) to be secured to ensure these are kept open to the public in perpetuity (subject to standard exemptions/matters relating to secured by design guidance).

## **7. Car Parking, Highways and Transport**

- 7.1 Car Free – Council standard permit free provisions shall apply to all dwellings. 7
- 7.2 Separate travel plans to be secured in respect of the dwellings, commercial floorspace and the community centre/nursery respectively with appropriate monitoring and review provisions (such reviews to result in the provision of updated travel plans to the extent that monitoring demonstrates that this is necessary).
- 7.3 Car parking delivery and management plan to be secured (with subsequent updates on a phased basis) to control the delivery and management of car parking in the development including the number of car parking spaces and accessible bays to be provided in each phase, the means by which use of the car parking spaces will be restricted to returning residents with an existing permit, ensure that no new parking permits/extensions to existing permits are issued to returning residents and the means of converting car parking spaces into accessible parking bays upon the expiry or return of parking permits held by returning residents.
- 7.4 Traffic management provisions to ensure that use of Leirum Lane and Jays Lane by persons who are neither residents of nor visitors to the development is disincentivised (to complement physical design measures).
- 7.5 Provision of car club spaces and delivery of car club (with free membership for three years for first owners/occupiers of the dwellings) at an appropriate stage of the development to be secured
- 7.6 Highway works to be secured through a Section 278 agreement, including but not limited to: (a) highway works to Charlotte Terrace and Carnegie street; (b) highway works to Caledonian Road between Copenhagen Street and Carnegie

Street (c) improved crossing on Caledonian Road north of Copenhagen Street, (d) raised entry treatment at Charlotte Terrace (where it adjoins Copenhagen Street).

## **8. Employment, Skills and Training**

- 8.1 Compliance with Council's Employment and Training Code.
- 8.2 Apprenticeships –
- All reasonable endeavours to secure 47 number of 26-week placements in the construction phase;
  - £5,000 penalty for each of the construction apprenticeships not provided (up to an aggregate total sum of £235,000)
  - London Living Wage for apprenticeships;
  - All reasonable endeavours to provide not less than 30% of apprenticeships to women and 30% to those from a BAME background;
  - Work with the Council's Inclusive Economy and Jobs Service to advertise and promote vacancies during construction phase; and
  - Associated monitoring and reporting obligations
- 8.3 Supply chain strategy to include a range of employment policies to be implemented through the construction supply chain to be secured, covering: diversity and inclusion; continuous professional development; well-being; net zero (e.g. cycle to work); and flexible and part-time working where the role permits.
- 8.4 Work in partnership with Council's Inclusive Economy and Jobs Service to advertise and promote vacancies during operational phase of development to promote employment within the Borough.
- 8.5 Local Procurement –
- Compliance with Council's Local Procurement Code;
  - Host 'Meet the Buyer' events with local businesses to discuss packages available; and
  - Provide procurement training to help local business by 'tender ready'.
- 8.6 Green Skills Training Contribution

## **9. Energy and Sustainability**

- 9.1 Submission of updated energy assessment and a Green Performance Plan, and compliance with the same, to be secured..
- 9.2 Requirements to safeguard connection to Communal Heating System / District Heating.
- 9.3 Be Green, Be Lean, Be Seen GLA monitoring requirements to be secured.

## **10. Construction Requirements**

- 10.1 Compliance with Council's Code of Construction Practice and submission of site-specific response document setting out how the developer intends to comply with the Code of Construction Practice for the relevant phase/sub-phase for approval in respect of each phase to be secured.
- 10.2 Construction Logistics Plan and Delivery and Servicing Plan to be secured on phased basis.

## **11. Design Quality**

- 11.1 Provisions securing retention of the developer's design team (including the architect and landscaping architect) to oversee in a guardian role the delivery of the design quality of the development in accordance with the planning permission for the duration of the construction phase, subject to the Council's right to approve

any proposed replacements where these are of a similar standing (as determined by the Council).

## 12. Annual Monitoring Report

- 12.1 Requirement to submit Annual Monitoring Report detailing delivery in respect of s106 obligations.

### Community Infrastructure Levy

- 10.4 Community Infrastructure levy (CIL) applies to most new developments (new buildings or extensions) which involve creating 100m<sup>2</sup> or more of gross internal floor space. CIL is a source of funding from new development to help support local infrastructure. Funding raised through the levy can be used to pay for improvements such as parks, play spaces, education, health facilities and the transport network. Dispensations may be sought for development such as social housing or charitable relief.
- 10.5 The total LBI CIL payable is currently projected to be £10.3m and Mayoral CIL will be £2.4m – Total £12.7m.

## 11. AMENDMENTS TO PLANNING CONDITIONS

- 11.1 In order to facilitate the referral of the planning application to Stage 2 with the GLA, officers have been in discussion with both the GLA and the applicants to address the wording of the planning conditions to ensure, particularly, that they meet the policy expectations of the London Plan and the GLA and that they adequately serve their purpose as prescribed by National Planning Policy Guidance.
- 11.2 Since the resolution to grant planning permission the applicant has submitted further detail to address previously recommended condition 9, which related to contaminated land. The applicant has submitted details relating to Phase 1a of the development and this has been assessed by the Council's Environmental Health Team, who consider the details acceptable for phase 1a of the development. Subsequently condition 9 is proposed to be amended accordingly.
- 11.3 On this basis, some of the conditions as published within the Committee Report to 29 November 2022 planning committee are proposed to be modified, deleted or amalgamated. Amendments to conditions are as follows

Condition number	Theme	Amendment
Condition 3	Plans and Documents	Updated to include amended documents
Condition 8	Whole Life Cycle Carbon	Updated following GLA review.
Condition 11	Commercial Uses	Removal of part B of the condition
Condition 12	Commercial Uses	Amendment to the maximum quantum of retail floorspace to be provided in the development.
Condition 14	Hours of Use	Introduction of opening hours for offices to the condition.
Condition 16	Water Supply	Affirms the commitment to meet the requirements of the Thames Water request to limit occupation of the 100 <sup>th</sup> dwelling until appropriate infrastructure has been added and also to raise the consumption per person per day to 100 litres as per policy
Condition 18	Sustainable Drainage	Amended text following input from the GLA
Condition 28	Air Quality Positive	Amended and expanded following input from the GLA.

Condition 29	Green Roofs	Brown	Minor modification to the depth of the substrate base.
Condition 33	Fire Statement		The condition has been amended to secure a new fire statement prior to the commencement of phase 1a superstructure as well as for the reserved matters applications
Condition 38	Landscaping		This condition has been amended to remove references to tree planting and to play equipment which are covered in different conditions
Condition 40	Circular Economy		This condition has been amended following GLA review
Condition 42 (NEW)	Community floorspace		This was previously the water supply condition. This is now condition 16. Condition 42 now relates to the community floorspace provision.
Condition 47 (NEW)	Grey Water Recycling System		This reflects the Committee Resolution on 29 November 2022. The applicants shall assess the feasibility of providing a greywater recycling system.
Condition 48 (NEW)	WIFI Connectivity		Condition requested by the GLA
Condition 49 (NEW)	Circular Economy		Condition requested by the GLA. Requires a CE Statement to accompany each RMA.
Condition 50 (NEW)	Circular Economy		Condition requested by the GLA and requires an identification of the waste streams associated with the CE Statement to prevent excess landfill.

## 12. EQUALITIES AND HEALTH IMPACT

- 12.1 In relation to the Equality Act 2010, an Equalities Impact Assessment (EqIA) is a way of measuring the potential impacts (both positive and negative, temporary and permanent) that a proposal may have on the key protected characteristics covered by the Equality Duty and on Human Rights. An EqIA was submitted with the application to anticipate and mitigate against impacts that the proposal could have on people with the protected characteristics.
- 12.2 Regarding the temporary, construction phase of the scheme, the assessment finds there will be positive impacts associated with employment and skills, but negative amenity impacts (noise, disturbance) could affect local populations living near the site, including those within protected groups who may be more likely to spend more time at home than others. During construction there would be a benefit to a group typically disadvantaged in the construction sector - of the apprentices to be delivered, the scheme has an aspirational target that 30% of these opportunities will be filled by a wide range of groups including women and BAME individuals as well as people with a mental health background.
- 12.3 Mount Anvil – one part of the Joint Venture – operate a mentors and makers apprenticeship scheme that opens opportunities to disadvantaged groups who would not normally have access to roles, jobs and careers in the Built Environment.
- 12.4 At operational phase, the creation of a permeable site with increased public open space, enhanced connectivity and integration with the surrounding neighbourhood is found to be beneficial to all persons in the local area.

### Health Impact Assessment

- 12.5 The applicant has presented a comprehensive Health Impact Assessment (HIA) of the redevelopment. It has been updated with a statement of conformity following changes to the original proposals. The HIA has had a positive impact on the proposals, and actions have been identified to mitigate any negative impacts. In particular, the applicant has

engaged well with the local community, an important aspect given that this is a redevelopment of an existing estate rather than a new development.

- 12.6 The HIA was undertaken at an early stage in the process, which together with a meeting with the HIA consultant, the case officer for the proposal, and the Parks and Open Spaces manager, has ensured that health aspects have been identified at an early stage and taken into account in the proposal. Mount Anvil is also an active supporter of causes to reduce suicide and mental illness in the construction industry. The applicant should be aware of opportunities provide sources of help, support and assistance that operate in the London Borough of Islington.

#### Amendments

- 12.7 The proposed changes to Blocks D1 and D2 improve the safety aspects of living within these blocks bringing them into line with current and emerging GLA and Government (respectively) regulation on access and evacuation requirements for taller buildings.
- 12.8 The changes to affordable housing EUV-SH consideration will potentially introduce a greater deficit within the review mechanism process. However, the introduction of safeguards by officers in terms of introducing a cap for additional cost; subjecting the costs to further third party appraisal and acting as final arbiter on the extent of costs being introduced is considered sufficient mitigation.

### **13. ENVIRONMENTAL IMPACT ASSESSMENT**

- 13.1 The application has submitted a Statement of EIA Conformity and this is accepted.

### **14. FURTHER CONSIDERATION OF PLANNING BALANCE**

- 14.1 As identified within this report, the proposed development would result in identified benefits and identified harm in planning terms.
- 14.2 Section 70(2) of the Town and Country Planning Act 1990 states that in dealing with a planning application ‘the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material consideration.’
- 14.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that ‘If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.’
- 14.4 There are the following additional requirements when considering planning applications which affect the setting of a listed building or the character and appearance of a conservation area. (Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: ‘In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses’.
- 14.5 Section 72(1) of the Act states: ‘In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

- 14.6 The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 14.7 The NPPF states at paragraphs 132 and 134-135, inter alia, that: 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification... Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'
- 14.8 The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required and having regard to the scale of any harm or loss and the significance of the heritage asset.

#### Assessment of Harm

- 14.9 It is considered that the proposed development by way of a tall building within the canal side area, situated outside of a site or area suitable for tall buildings and within a site allocation where tall buildings are not supported would give rise to an element of harm within the scheme. The application has been subject to advertisement as a departure and the Secretary of State and the Mayor of London has been advised accordingly. While the number of tall buildings has reduced from three to one, this is located in a visually prominent location and would be harmful in the context of its discreet canalside setting.
- 14.10 London Plan Policy D9 seeks to ensure that there is a plan-led and design-led approach to the development of tall buildings across London and that the visual, functional, environmental and cumulative impacts of tall buildings are addressed to avoid adverse or detrimental impacts. Part B of Policy D9 states that boroughs should determine which locations are appropriate for tall buildings (subject to meeting the other requirements of the Plan) and states that tall buildings should only be developed in these suitable locations. Policy C9 of Islington's Core Strategy states that tall buildings (defined as being above 30 metres) are generally inappropriate to Islington's predominantly medium to low level character and therefore such proposals will not be supported except in parts of the Finsbury Local Plan (Area Action Plan for Bunhill and Clerkenwell). The site is located outside of the Finsbury Local Plan area so by default is not identified as being an appropriate location. In addition, Islington's Draft Local Plan (2021) sets out the criteria for assessing tall buildings and includes specific sites which are considered potentially suitable (in principle) for tall buildings. This strategy is informed by the Council's Tall Buildings study (2018).
- 14.11 This building (Block D2) would generate a harm to the of listed structures including the western facing portal of the Regents Canal. It would also harm the significance of the Conservation Areas that adjoin the estate including Regents Canal West, Keystone Crescent, Priory Green and Barnsbury. While this harm is not substantial, it is still nonetheless harm and is a view that has been shared by the Canals and Waterways Trust. Historic England directs through guidance that tall buildings should be located through plan – led locations. This is not the case here and as a result, this tall building is out of context,

incongruous and harmful to the designated heritage assets. Harm has been expressed through scale, presence and materiality in the canal context. The tall building is also deemed harmful within selected views expressed in the report where the presence of a building would add visual conflict to these views where lower level context is appreciated. There is also a degree of harm from a planning context and the harm is not exclusively from a heritage point of view. The borough has been characterised by a generally low level building height regime borough wide. Some locations have been scoped for acceptability through the local plan process. The area was considered for tall buildings and deemed to be unacceptable from a wider character of the area perspective.

14.12 There is also a planning harm associated with the height of the Caledonian Road blocks which are nine storeys opposite a three to four storey regime and also in the presence of listed buildings at 214 to 216 Caledonian Road. The setting of these listed buildings generates harm to their significance and is deemed to be unacceptable in this townscape.

14.13 Within the site the proposed development features a carefully crafted masterplan where a variety of typologies were generated to address different street types and to provide architectural variety. In addressing the streets and spaces, officers sought appropriate heights. The weakest part of the masterplan is the lanes and to some degree the mews. The lanes feature streets with a facing width of 14m, but the buildings are six storeys with a recessed seventh floor. The uppermost level is visible and there is scope to reduce this as advised by officers. This height to space ratio gives rise to compact and cramped spaces with the potential for poor amenity conditions. Within the eastern mew, the land level changes gives effect to an eight storey elevation from the mews which is simply out of scale with the wider townscape rationale.

14.14 Generally, post ballot, the proposed masterplan has been boosted by an additional 90 homes at the time of the first submission in May 2022. This was driven by viability, however, rather than demonstrate how the masterplan can accommodate 950 dwellings, the submission was progressed merely as a layering to add new homes. No capacity work has been done to consider whether the 950 units was the product of a design led capacity. Externally, the perimeter blocks have expanded and to some degree form a fortification when viewed from outside the estate.

14.15 The scheme results in the demolition of 291 homes for social rent and 80 leasehold properties. The scheme is partially grant funded with a sunset clause for funding in March 2023. The funding is for replacement homes. Without this funding this scheme is not deliverable. The application proposes to replace all 291 homes at a much higher quality and re-provide them within New Barnsbury for existing residents of New Barnsbury and overcrowded residents within the Old Barnsbury estate. Post ballot, the applicants demonstrated that the aspirations and ambitions for affordable housing would be revised down. While the scheme could provide 35% affordable housing within the uplift, this was still subject to a significant deficit which harms or limits the ability to generate an appropriate level of scheme value. The scheme comes to Committee with a deficit that is more than £50million greater than that identified by the Council's consultants.

14.16 The presence of a significant deficit reduces the ability of the scheme through review mechanisms to demonstrate that it can provide further affordable housing at a point in the future. The effectiveness of the viability review mechanisms have been weakened to a degree through the agreement to include a capped cost for EUV-SH. While there are mechanisms in place to control its application, with third party input and the use of local authority discretion, there is a risk that the scheme will not generate additional units.

14.17 The scheme has been further amended. 950 homes have become 914 and shared ownership has been removed from the scheme. However, this has had a further impact on

the capacity of the scheme to deliver an uplift in the number of affordable homes. The scheme can now only provide 25% of units as a whole within affordable tenure, albeit this is being delivered as homes for social rent to meet priority housing need.

- 14.18 The scheme provides a limited dwelling mix range. While no studios are provided there is a concentration on one and two bedroom dwellings for the market sale units and generally two and three beds for the social rent when larger units are required across all tenures.
- 14.19 The scheme provides for a significant reduction in retail floorspace. The current arrangement provides for nearly 2000sq.m. This will be reduced to just over 1000sq.m. The scheme also envisages a loss of units from 22 to 14. This may affect the manner in which the proposed development is able to contribute to the Local Shopping Area. While the scheme proposes to significantly increase the level of community floorspace within the development, this is now not so ambitious as per earlier expectations due to the constraints of the developing the scheme.
- 14.20 The proposed development generates some critical concerns about privacy and overlooking distances between proposed buildings which would have a genuine and significant impact on amenity for future occupiers.
- 14.21 The Urban Greening Factor presents a complicated scenario where the primary resources that are employed to ensure that the score significantly exceeds benchmarks would also be used or open space and play space and as a such, the biodiversity and greening of such spaces would be at risk.
- 14.22 Only 80% of units would be dual aspect. There would be no due north single aspect units, however and less than half of the impacted homes would be social rent. A number of blocks would experience levels of daylight and sunlight below both new and pre-existing BRE levels.

#### Assessment of Benefits

- 14.23 The scheme delivers a net increase of 543 new homes. All new homes would be of a substantially higher quality and all would be provided with private external amenity space. All but two of the homes in the detailed phase would meet or exceed the internal space standards. They would generally be well laid out, well lit with good outlook and would meet housing needs of residents. The objective of the scheme is to alleviate overcrowding within multi generational households and to deliver high quality homes. Of greater significance, the replacement social rent households would benefit from discounted target rent at a level up to 32% below target rent. The scheme would also move tenants with medical needs to properties more appropriate for their needs.
- 14.24 Newlon have been advised that they should manage the re-allocations of the proposed replacement tenants in accordance with the Council's lettings policy. The Council will then utilise its nominations policy for further lets.
- 14.25 The scheme is able to deliver 25% of the new units as social rent, all of which are social rent and constitute potentially 135 units which is just 7 below the original social rent offer when first submitted in May 2022. Overall, the scheme is able to generate 426 social rent units which is 46% of the overall total. A series of review mechanisms will be secured through the Section 106 at early mid and late stage to determine whether the scheme is able provide additionality. This mechanism series is bespoke and site wide and will take in the full range of costs and values to extract as efficiently as possible future benefits for affordable housing.

- 14.26 The new retail floorspace despite being a reduction from the current layout will take the form of modern units which contribute to the LSA and would be flexibly shaped and arranged permitting a wider range of occupiers. Future occupiers and future uses have been prescribed by condition to ensure such future units contribute to the vitality and viability of the LSA. The Council is also able to secure a replacement community centre almost double the size of the current and also like the retail, flexible in its use, layout and offer although the expectations of the likely size have been somewhat reduced. A nursery space has been secured. Both functions will have continuity through the construction phase.
- 14.27 All units will have a level of private amenity space that meets or exceeds requirements set out in guidance and policy. They will have access to a more coherent and substantive open space provision across the estate where inaccessible or challenging spaces have been replaced by meaningful semi-private courtyards and redesigned parks with playspace and quiet space. The Council will also seek to secure monies to fund the upgrade works to Barnard Park. The Urban Greening Factor is increased and Biodiversity Net Gain has substantially increased. New street trees in Charlotte Terrace will also provide further green infrastructure.
- 14.28 While existing residents with parking spaces will retain their parking permits for the estate, no new permits will be issued over time the parking numbers will reduce to ensure that the scheme becomes less car dominated. The road surfaces of the lanes and the mews will give rise to pedestrian dominated spaces with planting, seating out areas and play areas.
- 14.29 The scheme largely provides acceptable levels of sunlight and daylight for all. Despite the removals of trees from the estate, the replacement planting addresses canopy coverage and has been well considered and within 10 years post completion will generate a canopy coverage over and above the current qualities.
- 14.30 The scheme contributes to an improved energy and sustainability environment. The scheme as completed will save over 40000 tonnes of carbon over sixty years compared to a further sixty years of the continued status quo of the estate. The scheme provides for contributions to green skills training, to affordable housing, construction training and jobs, carbon offsetting and more for the site.
- 14.31 Overall, it is considered that, in view of the significant contribution that this site will make to meeting Islington's housing need, some weight can be attached to these substantial public benefits. Additionally, the public benefits of the enhancement to the public realm surrounding the site and the public benefits of tree and biodiversity enhancements, when taken together, are considered to further increase the public benefits arising from these proposals. As such, it is considered that, on balance, the proposed development would be sufficiently beneficial for officers to recommend approval.
- 14.32 The proposed amendments to the scheme from those subject to the resolution to grant planning permission at 29 November 2022 Planning Committee comprise limited internal changes to address GLA requirements, further clarification to clarify the community use provision and the detailing of the review mechanism to ensure the deliverability of the scheme.
- 14.33 The amendments to address fire safety benefits, particularly in light of the current consultation on amendments to the Building Regulation Approved Documents will ensure that this latter part of the development is future proofed and crucially safe for residents.
- 14.34 Although the further negotiation of the S106 review mechanisms, and the amended Heads of Terms detailed in Appendix A, would present the potential inclusion of a larger deficit in the scheme, this is considered to be reasonable, in this case, and necessary to ensure the

delivery of the development and crucially affordable housing, subject to this being at the discretion of the Council.

14.35 The clarification of the space requirements within the parameter plans and imposition of a condition requiring a minimum quantum of community and nursery floorspace would ensure that an appropriate level of social infrastructure space is continued to be re-provided at the site.

14.36 Given the above, it is considered that the planning balance detailed in Section 27 of the Committee Report presented to 29 November 2022 Committee continues to be relevant, namely that given the benefits of the proposal, the proposed development would be sufficiently beneficial for officers to recommend approval.

14.37 However, it should be clearly noted that any further amendments to the development would require the planning balance to be revisited.

## **15. REASON FOR RECOMENDATION**

15.1 For the reasons noted within this report and those noted in the previous report to Committee on 29 November 2022, it is considered that on balance, the harm created by these proposals, inclusive of the tall building that represents a departure from policy, is outweighed by the scheme benefits, notably the provision of improved social rented housing for the residents pf the New Barnsbury Estate, a reduction in overcrowding and an uplift in homes for social rented housing.

15.2 With regard to the Environmental Impact Assessment, it is considered that the submitted Environmental Statement, Environmental Statement Addendum, the Statement of EIA Conformity and the reports that comprise the planning application are sufficiently comprehensive and for the reasons set out in this Committee Report, it is considered that the impact of the proposal is acceptable.

## **16. CONCLUSION AND RECOMENDATION**

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

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

That the Committee resolve to GRANT planning permission subject to any direction by The Secretary of State (SoS) to call in the application for determination by the SoS. Therefore, following the Council's determination of the application, the application shall be referred to the Secretary of State (SoS) under the Town and Country Planning (Consultation) England Direction 2009. Pursuant to Section 77 of the Town and Country Planning Act 1990 the SoS can decide, within 21 days, whether to call in the application to determine it herself.

And

That the Committee resolve to GRANT planning permission subject to any direction by The Mayor to refuse the application or for it to be called in for determination by the Mayor of London. Therefore, following the Council's resolution to determine the application, the application shall then be referred to the Mayor of London in accordance with Article 5 of the Town and Country Planning (Mayor of London) Order 2008 – allowing him 14 days to decide whether to:

- A. allow the draft decision to proceed unchanged; or
- B. direct the Council under Article 6 to refuse the application; or
- C. issue a direction under Article 7 that he is to act as the Local Planning Authority for the purpose of determining the application.

And

That planning permission be granted for the reasons given in paragraph no. 29.1 to 29.2 and 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:

In order for the development to mitigate its own direct impacts, and to be acceptable in planning terms the following heads of terms are recommended to be secured by a S106 agreement. The Changes from the previous Heads of Terms detailed in the Committee report to Committee on 29 November 2022 are detailed in bold:

### 1. Table of Financial Contributions

<b>Contribution</b>	<b>Amount</b>
<b>Employment and training contribution</b> (penalty payment in lieu of placement) £5000 per 20 units £5000 per 1000sq.m replacement commercial floorspace	£0 (min) £235,000 (max)
<b>Accessible parking contribution</b> (penalty payment in lieu of provision) £2000 per bay based on 10% provision of wheelchair dwellings and for each addition 33 employees.  40 spaces (40x £2000)	£0 (min) £192,000 (max)  £80,000 £104,000

53 spaces (52x £2000 subject to demand) 1 Commercial Space (1 x £2000)	£2,000
<b>Construction Practice Monitoring Costs</b> £100 per residential unit £100 per 100sq.m replacement commercial floorspace	£92,400
<b>Carbon offsetting</b> £95 per tonne of Co2 for 30 years	£1,222,650
<b>Green skills training contribution</b> £2500 per 20 new units of residential	£115,000
<b>Employment and training contribution – operation of development</b> Uplift in occupancy x proportion of residents requiring support (6.7%) x cost per person (£2500)	£7,370
<b>Open space</b> Barnard Park	£550,000
<b>Copenhagen Street Cycle Segregation Lane</b>	£60,000

## 2. Affordable housing

- 2.1 Full replacement of 291 existing social rent dwellings with new social rent dwellings based on existing rents and tenancy conditions. This will comprise the replacement of 191 social rent dwellings in the detailed phase and the replacement of 100 social rent dwellings in the outline phases.
- 2.2 Provision of **[135]** new social rent dwellings with rental levels set at target rents and reasonable service charge to ensure affordability. This will comprise the provision of **[30]** new social rent dwellings in the detailed phase and the provision of **[105]** new social rent dwellings in the outline phases (minimum quantum of new social rented dwellings to be secured for each outline phase).
- 2.3 Development-wide baseline to be secured, equating to **25%** of total dwellings as social rented affordable.
- 2.4 Obligations securing delivery of fixed quantum of affordable housing dwellings in each phase prior to occupation of a fixed quantum of market housing dwellings in each phase.
- 2.5 Quantum, size and tenure mix of affordable dwellings to be secured in the detailed phase as detailed in the approved plans/submission documents
- 2.6 Quantum, size and tenure mix of affordable dwellings to be secured in the outline phases.
- 2.7 Nominations to the Council of all affordable housing dwellings to be secured in accordance with the Council's agreed nomination provisions.
- 2.8 All standard Council affordable housing requirements to be secured including transfer to appropriate registered provider.

## 3. Viability Review

- 3.1 Early, mid and late-stage viability reviews will be secured, as well as provision made for development break reviews
- 3.2 Each viability review will take the form of a 'whole scheme appraisal', by which it is meant that the entire scheme will be reviewed at each review stage, taking into account received/certified costs and values incurred up until that review stage

- and estimating costs incurred and values achievable for the remainder of the scheme.
- 3.3 As a result of adopting a 'whole scheme appraisal', the viability review will not utilise the GLA's standard viability review formulae.
  - 3.4 The only fixed inputs into the viability review mechanism (and which will be specified in the S106 Agreement) will be the Benchmark Land Value (being the BLV of the commercial elements only), and the developer profit rate which will be 17.5% profit on GDV for the market sale dwellings, 4% on the affordable dwellings and 15% on the commercial floorspace). Otherwise, all costs and revenues will be reviewed and the Financial Viability Appraisal effectively re-run at each review stage.
  - 3.5 **The S106 agreement will identify (on a non-exhaustive basis) specific costs which may / may not be taken into account as part of each viability review, with costs included needing to be receipted and certified. For the purposes of these Heads of Terms, it is important to clarify the Council's position that the costs associated with works to the Old Barnsbury may not be taken into account as part of any viability review; and the cost of purchasing existing leases shall be accounted for as a cost. Any costs in relation to the existing housing stock to be demolished can be taken into account subject to third party appraisal to a value of £8.67m may be included at the Council's discretion.**
  - 3.6 The early stage review will take place if the developer has not substantially implemented the planning permission by 18 months from the grant of planning permission. In the event that it is triggered, all surplus would be allocated towards the provision of additional on site affordable housing (subject to an overarching affordable housing cap which sets a limit on the amount of additional affordable housing (whether through on-site provision or payment in lieu) which may be sought in the target tenure mix of 70:30 between social rent and the housing respectively).
  - 3.7 The mid-stage review will take place on occupation of 50% of the market housing units within Phase 2b of the development. No more than 90% of the market housing units in Phase 2b may be occupied and no market housing units in Phase 3 may be occupied, until such time as the viability review has been settled and the approach to allocating any surplus agreed. All surplus arising from the mid-stage review is to be allocated towards the provision of additional on-site affordable housing (subject to an overarching affordable housing cap).
  - 3.8 The late-stage review will take place upon occupation of 85% of the market housing units in Phase 3 of the development. No more than 90% of the market housing units in Phase 3 may be occupied until such time as the viability review has been settled. Surplus arising (subject to a cap) will be split 60:40 in favour of the Council and will be paid as a contribution in lieu of the delivery of additional on-site affordable housing.
  - 3.9 Development break reviews will be carried out if construction of the development is ceased for in excess of one year. Surplus arising (subject to the overarching cap) will all be due to the Council and will be applied to the delivery of on-site affordable housing and/or paid as a contribution in lieu of the delivery of additional on-site affordable housing, at the Council's discretion, depending upon when the development break occurs
  - 3.10 The purpose of the viability review mechanism will be to assess whether, at various stages of the development, any surplus profit is generated which can be applied to increasing the level of affordable housing to be provided, with the aim of achieving a policy-compliant level of affordable housing, should the viability of the scheme improve. A policy-compliant level of affordable housing would be a minimum of 50% on site, but potentially up to 100% for the purposes of Council policy. Consequently, the cap on affordable housing to be provided by the

development will be the provision of 100% of the additional or uplift dwellings (i.e. excluding any re-provided dwellings). There will be a requirement for the surplus profit arising from reviews to be applied to provide additional affordable housing on site, in order to increase the baseline provision from 25% to 50%. But thereafter there will be flexibility as to whether any further surplus arising from the reviews should be applied to more on-site affordable housing, having regard to the practicality of achieving this at the time the relevant review is carried out, and/or can be paid to the Council as a contribution. This will be at the Council's discretion and subject to the Council's approval.

#### **4. Wheelchair Accessible Homes**

- 4.1 41 dwellings in the detailed phase, a minimum of 5% of dwellings in each outline phase and a minimum of 10% of dwellings in the development as a whole will be 'wheelchair user dwellings' designed in accordance with The Building Regulations 2010 Approved Document M optional requirement M4(3): Category 3 or, in the case of re-provided dwellings, dwellings which are otherwise adapted to address health conditions of returning residents.
- 4.2 Remainder of dwellings to be 'accessible and adaptable dwellings' in accordance with The Building Regulations 2010 Approved Document M optional requirement M4(2): Category 2.
- 4.3 Tenure and size mix for provision of 'wheelchair user dwellings' within the detailed phase to be secured
- 4.4 Tenure and size mix for provision of 'wheelchair user dwellings' in each outline phase (proportionate to the range of tenures and mix of the development as a whole) to be secured.
- 4.5 Requirement to adapt 'wheelchair adaptable' dwellings into 'wheelchair accessible' dwellings at developer's cost if requested by prospective owners/occupiers (only if requested by first owners/occupiers in the case of market dwellings).
- 4.6 Wheelchair user dwellings marketing plan to be secured including requirement for wheelchair user dwellings (other than social rented wheelchair user dwellings and initial sales/lets of re-provided dwellings) to be marketed for a relevant period prior to first sale and letting and for all subsequent sales and lettings (up until the dwelling has been sold/let to a wheelchair user) as wheelchair user dwellings with priority given to Council residents.

#### **5. Community Centre and Nursery**

- 5.1 Delivery of new community centre (with minimum floorspace specified) to be secured at appropriate stage of the development, as well as temporary community centre to be available for use immediately upon demolition of the current community centre and up until the provision of the new community centre.
- 5.2 Temporary and permanent nursery strategies to be secured with the aim of securing delivery, subject to developer's ability to procure operator through implementation of marketing strategy, of a temporary nursery following demolition of the current community centre and nursery and a permanent new nursery at appropriate stage of development (with minimum floorspace specified).
- 5.3 Use of permanent community centre and nursery (which may or may not be co-located) by local residents and on-going management to be secured by management plans.

#### **6. Public Routes and Open Space**

- 6.1 Delivery of temporary public routes during the construction phase to be secured via temporary public routes strategy, to be updated on a phased basis. Temporary public routes to be provided, alongside the maintenance of existing routes (as applicable), to ensure sufficient, safe and appropriate access is maintained into and through the development in instances where the construction programme prohibits provision of final public routes until later in the construction phase.
- 6.2 Final public routes (namely, identified pedestrian routes, Jays Lane and Leirum Lane), along with public realm associated with Jays Lane and Leirum Lane, to be delivered at appropriate stages of the development. Jays Lane and Leirum Lane to be constructed to an adoptable standard.
- 6.3 Open space phasing plan to be secured to ensure delivery of requisite quantum of open space (namely, parks, playspace, public realm and private communal areas) within each phase and associated obligations securing delivery of the same at appropriate stages of the development linked with occupation of a certain quantum of dwellings
- 6.4 Delivery of Carnegie Park and Pulteney Park to be secured in phases (identified by reference to appended plans), at appropriate stages of the development.
- 6.5 Maintenance and management strategy to be secured in respect of open space and public routes and Council granted step-in rights if not adhered to.
- 6.6 'Keep open' provisions in respect of open space, temporary public routes and final public routes (other than private communal areas) to be secured to ensure these are kept open to the public in perpetuity (subject to standard exemptions/matters relating to secured by design guidance).

## **7. Car Parking, Highways and Transport**

- 7.1 Car Free – Council standard permit free provisions shall apply to all dwellings. 7
- 7.2 7.2 Separate travel plans to be secured in respect of the dwellings, commercial floorspace and the community centre/nursery respectively with appropriate monitoring and review provisions (such reviews to result in the provision of updated travel plans to the extent that monitoring demonstrates that this is necessary).
- 7.3 Car parking delivery and management plan to be secured (with subsequent updates on a phased basis) to control the delivery and management of car parking in the development including the number of car parking spaces and accessible bays to be provided in each phase, the means by which use of the car parking spaces will be restricted to returning residents with an existing permit, ensure that no new parking permits/extensions to existing permits are issued to returning residents and the means of converting car parking spaces into accessible parking bays upon the expiry or return of parking permits held by returning residents.
- 7.4 Traffic management provisions to ensure that use of Leirum Lane and Jays Lane by persons who are neither residents of nor visitors to the development is disincentivised (to complement physical design measures).
- 7.5 Provision of car club spaces and delivery of car club (with free membership for three years for first owners/occupiers of the dwellings) at an appropriate stage of the development to be secured
- 7.6 Highway works to be secured through a Section 278 agreement, including but not limited to: (a) highway works to Charlotte Terrace and Carnegie street; (b) highway works to Caledonian Road between Copenhagen Street and Carnegie Street (c) improved crossing on Caledonian Road north of Copenhagen Street, (d) raised entry treatment at Charlotte Terrace (where it adjoins Copenhagen Street).

## **8. Employment, Skills and Training**

- 8.1 Compliance with Council's Employment and Training Code.
- 8.2 Apprenticeships –
- All reasonable endeavours to secure 47 number of 26-week placements in the construction phase;
  - £5,000 penalty for each of the construction apprenticeships not provided (up to an aggregate total sum of £235,000)
  - London Living Wage for apprenticeships;
  - All reasonable endeavours to provide not less than 30% of apprenticeships to women and 30% to those from a BAME background;
  - Work with the Council's Inclusive Economy and Jobs Service to advertise and promote vacancies during construction phase; and
  - Associated monitoring and reporting obligations
- 8.3 Supply chain strategy to include a range of employment policies to be implemented through the construction supply chain to be secured, covering: diversity and inclusion; continuous professional development; well-being; net zero (e.g. cycle to work); and flexible and part-time working where the role permits.
- 8.4 Work in partnership with Council's Inclusive Economy and Jobs Service to advertise and promote vacancies during operational phase of development to promote employment within the Borough.
- 8.5 Local Procurement –
- Compliance with Council's Local Procurement Code;
  - Host 'Meet the Buyer' events with local businesses to discuss packages available; and
  - Provide procurement training to help local business by 'tender ready'.
- 8.6 Green Skills Training Contribution

## **9. Energy and Sustainability**

- 9.1 Submission of updated energy assessment and a Green Performance Plan, and compliance with the same, to be secured..
- 9.2 Requirements to safeguard connection to Communal Heating System / District Heating.
- 9.3 Be Green, Be Lean, Be Seen GLA monitoring requirements to be secured.

## **10. Construction Requirements**

- 10.1 Compliance with Council's Code of Construction Practice and submission of site-specific response document setting out how the developer intends to comply with the Code of Construction Practice for the relevant phase/sub-phase for approval in respect of each phase to be secured.
- 10.2 Construction Logistics Plan and Delivery and Servicing Plan to be secured on phased basis.

## **11. Design Quality**

- 11.1 Provisions securing retention of the developer's design team (including the architect and landscaping architect) to oversee in a guardian role the delivery of the design quality of the development in accordance with the planning permission for the duration of the construction phase, subject to the Council's right to approve any proposed replacements where these are of a similar standing (as determined by the Council).

## **12. Annual Monitoring Report**

12.1 Requirement to submit Annual Monitoring Report detailing delivery in respect of s106 obligations.

If the Committee resolve to grant, resolution will include provision to provide flexibility to officers to negotiate and finalise s106 on behalf of the Committee.

That, should the Section 106 Deed of Planning Obligation not be completed within 13 weeks from the date when the application was made valid or within the agreed extension of time, 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, and that there is delegated to each of the following: the Head of Development Management the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes (additions removals or amendments) to the conditions:

**List of Conditions:**

<b>1</b>	<b>THREE YEAR PERMISSION</b>
	<p>CONDITION: The Detailed Element of the development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<b>Reserved Matters</b>
	<p>CONDITION: An application or applications for the approval of all reserved matters relating to all areas within the Outline Element demarcated area on the hybrid application boundaries parameter plan BAE-PTE-ZZ-XX-DR-A-100092 rev C2 must be made to the Local Planning Authority prior to any works commencing in these areas no later than the expiry of 10 years beginning with the date of this permission.</p> <p>REASON: To comply with Section 92(2) of the Town and Country Planning Act 1990 as amended</p>
<b>3</b>	<b>Approved Plans</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved drawings and information:</p> <p><b>Plans</b>            Illustrative Landscape Masterplan (Detailed and Outline), 732-FH-XX-00-DP-L-100, Rev. A            General Arrangement Plan, 732-FH-XX-00-DP-L-101, Rev. A</p>

Detailed Area Location Plan, 732-FH-XX-00-DP-L-110, Rev. A  
Block A and Block B - Landscape Plan, 732-FH-XX-00-DP-L-111, Rev. A  
Block C and Pultney Street Park - Landscape Plan, 732-FH-XX-00-DP-L-112, Rev. A  
Block D and Carnegie Street Park - Landscape Plan, 732-FH-XX-00-DP-L-113, Rev. A  
Block D Rooftop - Landscape Plan, 732-FH-XX-XX-DP-L-114, Rev. A  
Proposed Level Plan, 732-FH-XX-00-DP-L-301, Rev. B  
Block A and Block B - Proposed Level Plan, 732-FH-XX-00-DP-L-311, Rev. B  
Block C and Pultney Street Park - Proposed Level Plan, 732-FH-XX-00-DP-L-312, Rev. B  
Block D and Carnegie Street Park - Proposed Level Plan, 732-FH-XX-00-DP-L-313, Rev. B  
Tree and Soft Landscape Plan, 732-FH-XX-00-DP-L-401, Rev. A

### **Details**

Block A and Block B - Sections, 732-FH-XX-00-DT-L-111, Rev. A  
Block C and Pultney Street Park - Sections, 732-FH-XX-00-DT-L-112, Rev. A  
Block D and Carnegie Street Park - Sections, 732-FH-XX-00-DT-L-113, Rev. A  
Typical Tree Pit Details, 732-FH-XX-00-DT-L-401, Rev. A

### **Masterplan**

#### **General**

Site Location Plan, BAE-PTE-ZZ-XX-DR-A-100001, Rev. C1  
Existing Site Plan, BAE-PTE-ZZ-XX-DR-A-100002, Rev. C1  
Newlon Ownership Boundary Plan, BAE-PTE-ZZ-XX-DR-A-100003, Rev. C1  
Existing Topographical Plan, BAE-PTE-ZZ-XX-DR-A-100004, Rev. C1  
Proposed Topographical Plan, BAE-PTE-ZZ-XX-DR-A-100005, Rev. C2  
Site Plan with Proposed and Existing Footprint, BAE-PTE-ZZ-XX-DR-A-100006, Rev. C2  
Indicative Phasing Plan, BAE-PTE-ZZ-XX-DR-A-100007, Rev. C2

#### **Existing Masterplan Site Sections - 1:500 Site Section**

Existing Site Sections A - D, BAE-PTE-XX-ZZ-DR-A-102008, Rev. C3  
Existing Site Sections E - I, BAE-PTE-XX-ZZ-DR-A-102009, Rev. C3

#### **Proposed Masterplan Floor Plans & Roof Plan - 1:500 Masterplan GA's**

Masterplan Level 099 GA Plan, BAE-PTE-ZZ-B1-DR-A-101010, Rev. C2  
Masterplan Level 100 GA Plan, BAE-PTE-ZZ-00-DR-A-101011, Rev. C2  
Masterplan Level 101 GA Plan, BAE-PTE-ZZ-01-DR-A-101012, Rev. C2  
Masterplan Level Typical GA Plan, BAE-PTE-ZZ-ZZ-DR-A-101013, Rev. C2  
Masterplan Level 107 GA Plan, BAE-PTE-ZZ-07-DR-A-101014, Rev. C2  
Masterplan Level Roof GA Plan, BAE-PTE-ZZ-ZZ-DR-A-101015, Rev. C3

#### **Proposed Masterplan Site Sections - 1:500 Site Sections**

Proposed Site Sections A - D, BAE-PTE-XX-ZZ-DR-A-102016, Rev. C6  
Proposed Site Sections E - I, BAE-PTE-XX-ZZ-DR-A-102017, Rev. C4

### **Detailed Element**

#### **Proposed Floor Plans - 1:200 Phase 1a, 1b and 3a Detailed Application GA's Plan**

Phase 1a Detailed Application GA Plan - Level 100, BAE-PTE-XX-00-DR-A-101018, Rev. C2  
Phase 1a Detailed Application GA Plan - Level 101, BAE-PTE-XX-01-DR-A-101019, Rev. C2  
Phase 1a Detailed Application GA Plan - Level 102, BAE-PTE-XX-02-DR-A-101020, Rev. C2  
Phase 1a Detailed Application GA Plan - Level 103, BAE-PTE-XX-03-DR-A-101021, Rev. C2

Phase 1a Detailed Application GA Plan - Level 104, BAE-PTE-XX-04-DR-A-101022, Rev. C2

Phase 1a Detailed Application GA Plan - Level 105, BAE-PTE-XX-05-DR-A-101023, Rev. C2

Phase 1a Detailed Application GA Plan - Level 106, BAE-PTE-XX-06-DR-A-101024, Rev. C2

Phase 1a Detailed Application GA Plan - Level 107, BAE-PTE-XX-07-DR-A-101025, Rev. C2

Phase 1a Detailed Application GA Plan - Level 108, BAE-PTE-XX-08-DR-A-101026, Rev. C2

Phase 1b Detailed Application GA Plan - Level 099, BAE-PTE-XX-B1-DR-A-101027, Rev. C2

Phase 1b Detailed Application GA Plan - Level 100, BAE-PTE-XX-00-DR-A-101028, Rev. C2

Phase 1b Detailed Application GA Plan - Level 101, BAE-PTE-XX-01-DR-A-101029, Rev. C2

Phase 1b Detailed Application GA Plan - Level 102-105, BAE-PTE-XX-ZZ-DR-A-101030, Rev. C2

Phase 1b Detailed Application GA Plan - Level 106, BAE-PTE-XX-06-DR-A-101031, Rev. C2

Phase 1b Detailed Application GA Plan - Level 107, BAE-PTE-XX-07-DR-A-101032, Rev. C2

Phase 1b Detailed Application GA Plan - Level 108, BAE-PTE-XX-08-DR-A-101033, Rev. C2

Phase 3a Detailed Application GA Plan - Level 099, BAE-PTE-XX-B1-DR-A-101034, Rev. C2

Phase 3a Detailed Application GA Plan - Level 100, BAE-PTE-XX-00-DR-A-101035, Rev. C2

Phase 3a Detailed Application GA Plan - Level 101-105, BAE-PTE-XX-ZZ-DR-A-101036, Rev. C3

Phase 3a Detailed Application GA Plan - Level 101-105, BAE-PTE-XX-ZZ-DR-A-101037, Rev. C3

Phase 3a Detailed Application GA Plan - Level 108, BAE-PTE-XX-08-DR-A-101038, Rev. C2

Phase 3a Detailed Application GA Plan - Level 109, BAE-PTE-XX-09-DR-A-101039, Rev. C2

Phase 3a Detailed Application GA Plan - Level 110, BAE-PTE-XX-10-DR-A-101040, Rev. C2

Phase 3a Detailed Application GA Plan - Level 111, BAE-PTE-XX-11-DR-A-101041, Rev. C2

***Proposed Elevations - 1:200 Building Elevations***

Detailed Application Elevations - Block A3, BAE-PTE-VA-ZZ-DR-A-103044, Rev. C3

Detailed Application Elevations - Block B1 - B2 - B3, BAE-PTE-VB-ZZ-DR-A-103045, Rev. C3

Detailed Application Elevations - Block B1 - B4, BAE-PTE-VB-ZZ-DR-A-103046, Rev. C2

Detailed Application Elevations - Block B1 - B4 Internal Elevations, BAE-PTE-VB-ZZ-DR-A-103047, Rev. C4

Detailed proposed plans per block - 1:100 Detailed Floor Plans and Roof Plans

Detailed Application Elevations - Block C6, BAE-PTE-VC-ZZ-DR-A-103048, Rev. C3

Detailed Application Elevations - Block C7 - C9, BAE-PTE-VC-ZZ-DR-A-103049, Rev. C3

Detailed Application Elevations - Block C7 - C9 Internal Elevations, BAE-PTE-VC-ZZ-DR-A-103050, Rev. C3

Detailed Application Elevations - Block D1, BAE-PTE-VD-ZZ-DR-A-103051, Rev. C4  
Detailed Application Elevations - Block D2, BAE-PTE-VD-ZZ-DR-A-103052, Rev. C4  
Detailed Application Elevations - Block D3, BAE-PTE-VD-ZZ-DR-A-103053, Rev. C3

***Proposed Detailed Sections/Elevations - 1:50 Detailed Elevations Sections***

Detailed Elevation Section - A3 North, BAE-PTE-VA-ZZ-DR-A-105054, Rev. C2  
Detailed Elevation Section - B1 West, BAE-PTE-VB-ZZ-DR-A-105055, Rev. C2  
Detailed Elevation Section - B1 East, BAE-PTE-VB-ZZ-DR-A-105056, Rev. C2  
Detailed Elevation Section - B1 Gateway, BAE-PTE-VB-ZZ-DR-A-105057, Rev. C2  
Detailed Elevation Section - B4 South, BAE-PTE-VB-ZZ-DR-A-105058, Rev. C2  
Detailed Elevation Section - C6 South, BAE-PTE-VC-ZZ-DR-A-105059, Rev. C2  
Detailed Elevation Section - C8 North, BAE-PTE-VC-ZZ-DR-A-105060, Rev. C2  
Detailed Elevation Section - D2 West, BAE-PTE-VD-ZZ-DR-A-105061, Rev. C2  
Detailed Elevation Section - D2 North & East, BAE-PTE-VD-ZZ-DR-A-105062, Rev. C3

***Detailed proposed plans per block - 1:100 Detailed Floor Plans and Roof Plans***

A3 - Level 100 & 101-104, BAE-PTE-VA-ZZ-DR-A-101063, Rev. 3  
A3 - Level 105, 106 & Roof, BAE-PTE-VA-ZZ-DR-A-101064, Rev. 2  
B1 - Level 100 & 101 & 102-104, BAE-PTE-VB-ZZ-DR-A-101065, Rev. 3  
B1 - Level 105, 106 & Roof, BAE-PTE-VB-ZZ-DR-A-101066, Rev. 2  
B2 - Level 099 & 100, BAE-PTE-VB-ZZ-DR-A-101067, Rev. 3  
B2 - Level 101 & 102-106, BAE-PTE-VB-ZZ-DR-A-101068, Rev. 2  
B2 - Level 107 & Roof, BAE-PTE-VB-ZZ-DR-A-101069, Rev. 2  
B3 - Level 100 & 101 & 102, BAE-PTE-VB-ZZ-DR-A-101070, Rev. 3  
B3 - Level 103-106, 107 & Roof, BAE-PTE-VB-ZZ-DR-A-101071, Rev. 2  
B4 - Level 100, 101, 102 & Roof, BAE-PTE-VB-ZZ-DR-A-101072, Rev. 3  
C6 - Level 100 & 101-105, BAE-PTE-VC-ZZ-DR-A-101073, Rev. 3  
C6 - Level 106 & Roof, BAE-PTE-VC-ZZ-DR-A-101074, Rev. 4  
C7 - Level 100 & 101-105, BAE-PTE-VC-ZZ-DR-A-101075, Rev. 3  
C7 - Level 106 & 107, BAE-PTE-VC-ZZ-DR-A-101076, Rev. 2  
C7 - Level Roof, BAE-PTE-VC-08-DR-A-101077, Rev. 2  
C8 - Level 099, 100 & 101-105, BAE-PTE-VC-ZZ-DR-A-101078, Rev. 3  
C8 - Level 106, 107 & Roof, BAE-PTE-VC-ZZ-DR-A-101079, Rev. 2  
C9 - Level 100 & 101-105, BAE-PTE-VC-ZZ-DR-A-101080, Rev. 3  
C9 - Level 106 & 107, BAE-PTE-VC-ZZ-DR-A-101081, Rev. 2  
C9 - Level Roof, BAE-PTE-VC-08-DR-A-101082, Rev. 2  
D1 - Level 099, 100 & 101, BAE-PTE-VD-ZZ-DR-A-101083, Rev. C4  
D1 - Level 102-105, 106-107 & 108, BAE-PTE-VD-ZZ-DR-A-101084, Rev. C4  
D1 - Level Roof, BAE-PTE-VD-RF-DR-A-101085, Rev. C2  
D2 - Level 100, 101 & 102-105, BAE-PTE-VD-ZZ-DR-A-101086, Rev. C5  
D2 - Level 106-109 & 110, BAE-PTE-VD-ZZ-DR-A-101087, Rev. C4  
D2 - Level Roof, BAE-PTE-VD-RF-DR-A-101088, Rev. C2  
D3 - Level 100, 101 & 102-105, BAE-PTE-VD-ZZ-DR-A-101089, Rev. C5  
D3 - Level 106-107, 108 & Roof, BAE-PTE-VD-ZZ-DR-A-101090, Rev. C4

**Parameter Plans**

***General***

Parameter Plan - Demolition Plan, BAE-PTE-ZZ-XX-DR-A-100091, Rev. 2  
Parameter Plan - Hybrid Application Boundary, BAE-PTE-ZZ-XX-DR-A-100092, Rev. 2  
Parameter Plan - Building Heights Plan, BAE-PTE-ZZ-XX-DR-A-100093, Rev. 4  
Parameter Plan - Building Plots Plan, BAE-PTE-ZZ-XX-DR-A-100094, Rev. 3  
Parameter Plan - Land Use Plan, BAE-PTE-ZZ-XX-DR-A-100095, Rev. 3  
Parameter Plan - Access and Movement Plan, BAE-PTE-ZZ-XX-DR-A-100096, Rev. 3  
Parameter Plan - Landscape and Open Space Plan, BAE-PTE-ZZ-XX-DR-A-100097, Rev. 3

Parameter Plan - Basement Plan, BAE-PTE-ZZ-XX-DR-A-100098, Rev. 3

***Proposed Site Elevation***

Proposed Site Elevation A - D, BAE-PTE-XX-ZZ-DR-A-103099, Rev. C4

**Documents**

Planning Application Form and Certificates, prepared by Lichfields (Updated 11 November 2022)

Development Specification, prepared by Lichfields (Updated 11 November 2022 & February 2023)

Design Code, prepared by PTE and Farrer Huxley (Updated 02 November 2022)

CIL Additional Information Form, prepared by Lichfields (Updated 11 November 2022 and February 2023)

Design and Access Statement, prepared by PTE (13 May 2022)

Design and Access Statement Addendum, prepared by PTE (Updated 11 November 2022)

Design and Access Statement addendum 2, prepared by PTE (Updated February 2023)

Planning Statement, prepared by Lichfields (13 May 2022)

Planning Statement Addendum, prepared by Lichfields (30 September 2022)

Planning Statement Report Addendum 2, prepared by Lichfields (11 November 2022)

Planning Statement Addendum, prepared by Lichfields (February 2023)

Aboriginal Impact Assessment and Method Statement, prepared by Sharon Hosegood Associates (Updated 30 September 2022)

Archaeology (Buried Heritage) Assessment, prepared by RPS (Updated 30 September 2022)

Basement Impact Assessment, prepared by Stantec (13 May 2022)

Basement Impact Assessment Addendum, prepared by Stantec (30 September 2022)

Biodiversity Impact Assessment (Net Gain), prepared by Greengage (Updated 30 September 2022)

BREEAM Ecology Report, prepared by Greengage (Updated 30 September 2022)

Circular Economy Statement, prepared by AECOM (13 May 2022)

Circular Economy Statement Addendum, prepared by AECOM (09 November 2022)

Energy Statement and Modelling, prepared by AECOM (13 May 2022)

Energy Statement and Modelling Addendum, prepared by AECOM (09 November 2022)

Equality Impact Assessment, prepared by Quod (13 May 2022)

Equality Impact Assessment, Statement of Conformity (30 September 2022)

Financial Viability Assessment, prepared by DS2 (13 May 2022)

Financial Viability Assessment Addendum 1, prepared by DS2 (30 September 2022)

Financial Viability Assessment Addendum 2, prepared by DS2 (11 November 2022)

Fire Statement & Gateway One Form, prepared by Affinity Fire (Updated 30 September 2022)

Flood Risk Assessment and Drainage Report, prepared by Stantec (Updated 30 September 2022)

Ground Conditions Assessment, prepared by Stantec (13 May 2022)

Green Performance Plan, prepared by AECOM (13 May 2022)

Green Performance Plan Addendum, prepared by AECOM (09 November 2022)

Health Impact Assessment, prepared by Quod (13 May 2022)

Health Impact Assessment, Statement of Conformity, prepared by Quod (30 September 2022)

Internal Daylight & Sunlight Assessment, prepared by Point 2 Surveyors (30 September 2022)

Internal Daylight & Sunlight Assessment (ADDENDUM), prepared by Point 2 Surveyors (February 2023)

Outline Construction Management Plan, prepared by Stantec (13 May 2022)

Outline Construction Management Plan, Statement of Conformity (30 September 2022)

	<p>Outline Lighting Strategy, prepared by Light Follows Behaviour (updated 30 September 2022)</p> <p>Overheating Report, prepared by AECOM (13 May 2022)</p> <p>Overheating Report Addendum, prepared by AECOM (09 November 2022)</p> <p>Schedule of Accommodation, prepared by PTE (updated 31 October 2022)</p> <p>Schedule of Accommodation, prepared by PTE (updated February 2023)</p> <p>Site Waste Management Plan, prepared by Stantec (13 May 2022)</p> <p>Statement of Community Involvement, prepared by London Communications Agency (13 May 2022)</p> <p>Statement of Community Involvement Addendum, prepared by London Communications Agency (11 November 2022)</p> <p>Sustainable Design &amp; Construction Statement including BREEAM Assessment, prepared by AECOM (13 May 2022)</p> <p>Sustainable Design &amp; Construction Statement including BREEAM Assessment Addendum, prepared by AECOM (09 November 2022)</p> <p>Transport Assessment, prepared by Stantec (13 May 2022)</p> <p>Transport Assessment Addendum, prepared by Stantec (30 September 2022)</p> <p>Unexploded Ordnance Report, prepared by Stantec (13 May 2022)</p> <p>Utilities and Foul Drainage Assessment, prepared by Stantec (13 May 2022)</p> <p>Utilities and Foul Drainage Assessment Addendum, prepared by Stantec (30 September 2022)</p> <p>Whole Life Carbon Report, prepared by AECOM (13 May 2022)</p> <p>Whole Life Carbon Report Addendum, prepared by AECOM (09 November 2022)</p> <p>Environmental Statement, coordinated by Trium Consulting (13 May 2022)</p> <p>Environmental Statement Addendum, coordinated by Trium Consulting (30 September 2022)</p> <p>Environmental Statement, Statement of Conformity, coordinated by Trium Consulting (11 November 2022)</p> <p>PEA, Statement of Conformity, prepared by Greengage (30 September 2022)</p> <p>Light Spill Report, prepared by Greengage (30 September 2022)</p>
<b>4</b>	<b>Phasing Plan</b>
	<p>CONDITION: Unless otherwise agreed in writing by the Local Planning Authority the development shall be implemented in accordance with the phasing plan ref. BAE-PTE-ZZ-XX-DR-A-10007 C2 hereby approved. Any subsequent updated phasing plan hereby approved shall accompany each future reserved matters application.</p> <p>REASON: The programme is phased to allow for a staggered approach to construction, in order to bring forward the proposed resident decant and rehousing strategy and to minimise harm and disturbance to the amenity of residents within the local area through construction procedures, to ensure that an appropriate decanting of existing residents, tenants and occupiers and to ensure that the development is implemented to the satisfaction of the Local Planning Authority.</p>
<b>5</b>	<b>Construction Logistics and Environmental Management Plan</b>
	<p>CONDITION: The Proposed Development shall be constructed in accordance with the Outline Construction Environmental Management Plan hereby approved.</p> <p>Prior to the commencement (including demolition) of the relevant parts of the Detailed and Outline Element of the Proposed Development, a Construction Environmental Management Plan shall be submitted to the Local Planning Authority and approved in writing The report(s) shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity (inclusive of occupiers of completed phases of the development) and other occupiers together with</p>

means of mitigating any identified impacts. The details must refer to the new London Borough of Islington Code of Practice for Construction Sites.

Details shall include:

- a) Demolition techniques to be used (particularly with the demolition of some of the reinforced structures);
- b) Protection of bats during the demolition
- c) Monitoring positions;
- d) Consideration of how impacts will be managed for any occupants of any completed phases;
- e) Freight Operator Recognition Scheme (FORS) Silver Level or similar accreditation,
- f) site access
- g) loading/unloading and parking arrangements,
- h) booking systems and timing of arrivals at and departures from the site,
- i) vehicular routes
- j) scope for load consolidation; and
- k) use of alternative modes and measures to reduce risks and impact of collisions with vulnerable road users. The demolition and construction of the development (or relevant phase approved) 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.

REASON: The Plan shall identify efficient, safe and sustainable arrangements to be employed at each stage of implementation of the development to reduce and mitigate impacts of freight vehicle movements arising from the scheme, including impacts on the expeditious movement of traffic, residential amenity and highway safety and to mitigate the impacts of the development in accordance with London Plan policy T7 Deliveries, Servicing & Construction and Development Management Policies DM2.1 and DM8.2.

**6 Tree Protection Details**

CONDITION: Notwithstanding the plans hereby approved, no site clearance, preparatory work or development shall take place within a relevant part of the site until an updated scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods (the arboricultural method statement, AMS) in accordance with Clause 7 of British Standard BS 5837 2012 -Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Specific issues to be dealt with in the TPP and AMS where they intrude into Root Protection or Canopy Protection Areas:

- a. Location and installation of services/ utilities/ drainage;
- b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees;
- c. Details of construction within the RPA or that may impact on the retained trees;
- d. A full specification for the installation of boundary treatment works;
- e. A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them;
- f. Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses;

	<p>g. A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing;</p> <p>h. A specification for scaffolding and ground protection within tree protection zones;</p> <p>i. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area;</p> <p>j. Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires;</p> <p>k. Boundary treatments within the RPA;</p> <p>l. Methodology and detailed assessment of root pruning;</p> <p>m. Reporting of inspection and supervision;</p> <p>n. Methods to improve the rooting environment for retained and proposed trees and landscaping; and</p> <p>o. Veteran and ancient tree protection and management</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
<b>7</b>	<b>Arboricultural Site Supervision</b>
	<p>CONDITION: Prior to the commencement of a relevant part of the development hereby approved (including any ground clearance, tree works, demolition or construction), details of all tree protection monitoring and site supervision by a suitably qualified tree specialist (where arboricultural expertise is required) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>REASON: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with Policy DM 2.3 and DM 6.5, policies G1, G5 and G7 of the London Plan, policies G1 and G4 of the emerging Local Plan.</p>
<b>8</b>	<b>Whole Life Cycle Carbon – review and further details</b>
	<p>CONDITION: Notwithstanding the details hereby approved prior to the occupation of each relevant part of development, the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance. The post-construction assessment should be submitted to the GLA at: <a href="mailto:ZeroCarbonPlanning@london.gov.uk">ZeroCarbonPlanning@london.gov.uk</a>, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the phase of development.</p> <p>The updated assessment shall include/address:</p> <ul style="list-style-type: none"> <li>- the feasibility for further carbon reduction quantification through the detailed design stage material selection and specification;</li> <li>- Completed GLA Draft Whole Life-Cycle Carbon Assessment</li> <li>- Details of how opportunities for retaining and refurbishing/re-purposing existing buildings, materials and other resources on site have been maximised to reduce the need for new materials;</li> <li>- Details of life cycle of embodied carbon and finite resources relating to the enabling works stage and end of life approach;</li> <li>- The feasibility of using a consolidated delivery facility;</li> </ul>

- Details of the applicant's Principals of Sustainable Procurement and details of specific measures being taken on the site for specification and sourcing of materials;
- Consideration of end of life de-construction;
- Cost premiums, supply chain limits and structural constraints for the proposal and implications of Key Performance Indicators not being met; and
- Updated targets for Bill of Materials

The development shall be carried out strictly in accordance with the details so approved and no change therefrom unless otherwise specified in writing by the Local Planning Authority.

REASON: The revised and updated details and designs will ensure that the embodied carbon emissions associated with the proposed development, taking into account the materials quantities and loads, operational energy consumption of the built scheme, with total emissions estimated and compared to the GLA benchmarks are reduced to their lowest possible levels, having regard to GLA benchmarks in accordance with policy S4 of the London Plan.

**9 Contamination**

CONDITION: Prior to the commencement of a relevant part of the development (excluding phase 1a) and (excluding demolition) the following assessment in response to the NPPF and in accordance with Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) and BS10175:2011+A2:2017 shall be submitted to and approved in writing by the Local Planning Authority

- a) A land contamination investigation.

The investigation shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements for sampling and testing.

Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:

- b) A remediation method statement of any necessary land contamination remediation works arising from the land contamination investigation.

This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved site investigation. The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements for sampling and testing

	<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>This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements for sampling and testing.</p> <p>REASON: Given the history of the site the land may be contaminated investigation and potential remediation is necessary to safeguard the health and safety of future occupants</p>
<b>10</b>	<b>Materials</b>
	<p>CONDITION: Details and samples of all facing materials proposed shall be submitted to and approved in writing by the Local Planning Authority prior to installation of the relevant materials commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a. Plan, elevation and section drawings, including jambs, head and sill, of all external windows and doors at a scale of 1:10;</li> <li>b. Samples and manufacturer's details at a scale of 1:10, of all main facing materials including brickwork in both primary base bricks, accent bricks and brick clad soffits and architectural pre-cast concrete balcony slabs, columns, copings, soffits, ground floor sills and entrance signage;</li> <li>c. Samples and manufacturer's details of all metalwork including PPC aluminium window system, sills, canopies, ventilation grilles and soffits and rainwater goods and bronze PPC steel balustrades, gates, shutters, soffits and gallery access railings;</li> <li>d. Unless otherwise agreed in writing a full scale sample bay panel should be erected on-site to show a typical window detail, surrounding brickwork and relevant construction detailing and should be approved by the Council before the relevant parts of the work are commenced. This should demonstrate the exact facing brick blend and detail demonstrating the proposed colours, texture, face-bond and pointing and include a junction with a window opening. The development shall be carried out in accordance with the approval given;</li> <li>e. Details of the green roof system</li> <li>f. Green procurement plan; and</li> <li>g. Any other materials to be used</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>11</b>	<b>Flexible Commercial uses</b>
	<p>CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to the flexible unit on the ground floor level, except the permitted use(s) hereby approved within Class E:</p>

	<p>A) Blocks A1, A2, A6 &amp; A7: Proposed Ground Floor the flexible commercial units as shown on land uses parameter plan BAE-PTE-ZZ-XX-DR-A-10095 rev C2 shall only be operated as:</p> <p>E(a) Display or retail sale of goods, other than hot food  E(b) Sale of food and drink for consumption (mostly) on the premises  E(c) Provision of:  E(c)(i) Financial services,  E(c)(ii) Professional services (other than health or medical services), or  E(c)(iii) Any other services which it is appropriate to provide in a commercial, business or service locality.  E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)</p> <p>B) Block C1: Proposed Ground Floor flexible commercial units as shown on land uses parameter plan BAE-PTE-ZZ-XX-DR-A-10095 rev C2 shall only be operated as:</p> <p>E(a) Display or retail sale of goods, other than hot food  E(b) Sale of food and drink for consumption (mostly on the premises)  E(g)(i) office  and for no other purpose, including any purpose falling solely under Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and subsequent Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>REASON: For the avoidance of doubt and to enable the Local Planning Authority to monitor and restrict the commercial uses at the site in order to ensure an appropriate balance of uses that provide services for new and existing residents and support the delivery of economic growth within the borough; to protect the viability of the designated Local Shopping Area; to protect residential amenity; and to ensure that uses adjacent to the new public open space provide an active frontage with passive surveillance to support the amenity and safe use of the open space and development more generally.</p>
<b>12</b>	<b>Restriction on quantum of retail floorspace</b>
	<p>CONDITION: Notwithstanding the drawings and documents hereby approved, the total retail (Class E(a) use) floorspace within the development shall be restricted to a maximum of 2400sqm in total and no single retail unit shall be larger than 200sqm (GIA)</p> <p>The development and use shall operate strictly in accordance with the details so approved and shall be retained as such permanently thereafter.</p> <p>REASON: A restriction on the quantum of floorspace and number of units in convenience use is necessary at the site to ensure that the development does not jeopardise the future viability of the local shopping area. The restriction would provide an appropriate balance to provide for future residents needs whilst protecting Town Centre viability.</p>
<b>13</b>	<b>Restriction of PD Rights</b>
	<p>CONDITION: Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modifications), no change of use from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place.</p>

	<p>REASON: To safeguard the vitality and viability of the local shopping area and to safeguard residents amenity in the context of traffic noise and detrimental air quality in Caledonian Road.</p>
<b>14</b>	<p><b>Hours of Operation</b></p> <p>CONDITION: The following non-residential uses of the hereby approved development shall only operate between the following hours and at no other time:</p> <p>Class E (a) – Retail Use: 7am - 11pm Monday to Saturday 7am - 8pm Sundays and Bank Holidays</p> <p>Class E (b) – Café/Restaurant Use: 7am - 10pm Monday to Thursday 7am - 11pm Friday to Saturday 7am – 9pm Sundays and Bank Holidays</p> <p>Class E (c) – professional services 7am - 8pm Monday to Thursday 7am - 8pm Friday to Saturday 9am – 6pm Sundays and Bank Holidays</p> <p>Class E(e) Provision of medical or health services: 7am – 10pm Monday to Saturday 7am – 8pm Sundays and Bank Holidays</p> <p>Class E(g) Office 7am – 10pm Monday to Saturday 9am – 7pm Sundays and Bank Holidays</p> <p>REASON: In the interests of protecting neighbouring residential amenity from unacceptable noise impacts in particular at the quietest times of each day. These restrictions are necessary in order to secure compliance with London Plan Policy D3 and policy DM2.1 of the Islington Development Management Policies 2013.</p>
<b>15</b>	<p><b>Piling Method Statement</b></p> <p>CONDITION: Piling method statement (pre-commencement insofar as it relates to the commencement of piling. Details to be agreed prior to piling takes place).</p> <p>No piling, within each relevant part of development, 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 for each phase of the development in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure</p>
<b>16</b>	<p><b>Water supply</b></p> <p>CONDITION: There shall be no occupation beyond the 99<sup>th</sup> dwelling until confirmation has been provided that either:- all water network upgrades required to accommodate the</p>

	<p>additional demand to serve the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.</p> <p>The applicant shall also demonstrate that water supply is limited to 105 litres per person per day.</p> <p>REASON: The development may lead to low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid low / no water pressure issues.</p>
<b>17</b>	<b>Privacy Screen and Overlooking Mitigation</b>
	<p>CONDITION: Notwithstanding the plans hereby approved, further details of obscured glazing and privacy screens to prevent overlooking within the estate shall be submitted and approved in writing by the Local Planning Authority prior to the occupation of the relevant phase of the development hereby permitted.</p> <p>The details should be provided for screening and glazing and may be temporary or permanent depending on their relationship to buildings as follows:</p> <ul style="list-style-type: none"> <li>a) to buildings within the relevant phase</li> <li>b) the temporary relationship to buildings yet to be demolished outside the relevant phase and</li> <li>c) to buildings to be constructed outside the relevant phase</li> </ul> <p>Where part (b) is applicable, the local planning authority should determine whether a further application is to be required to evaluate the overlooking impact identified to be mitigated through part (c).</p> <p>The obscured glazing and privacy screens shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking between habitable rooms within the development itself, to protect the future amenity and privacy of residents.</p>
<b>18</b>	<b>Sustainable Urban Drainage</b>
	<p>CONDITION: Details of surface drainage works pertaining to the outline phases shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each relevant part of the development. The details shall be based on an assessment of the potential for disposing of surface water by means of sustainable drainage system in accordance with the principles as set out in London Plan Policies SI 13.</p> <p>The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme would achieve the run off rate set out in the approved drainage strategy. The drainage system shall be installed/operational prior to the first occupation of each relevant phase of the development. The details submitted should also include a management and maintenance programme. Ground water monitoring should be undertaken (in winter) to confirm ground water levels and associated risk of surface flooding. The design of external levels will need to consider the surface water exceedance flood flow routes to demonstrate that the proposed development and off site</p>

	<p>areas are safe from flooding. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable management of water</p>
<b>19</b>	<b>Cycle Parking</b>
	<p>CONDITION: Prior to the occupation of each relevant part of the development hereby permitted, details of cycle parking and associated facilities, and provision for specialist and electric cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The details approved shall be installed and operational prior to occupation of the relevant part of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking and associated support facilities (shower and locker facilities for non-residential floorspace) are made available and easily accessible on site and to promote sustainable modes of transport in accordance with London Plan policy T5 Cycling and Development Management Policy DM8.4.</p>
<b>20</b>	<b>BREEAM Excellent</b>
	<p>CONDITION: The non-residential elements of the development hereby approved shall target a BREEAM “New Construction” 2018 (or equivalent scheme) rating of no less than “Excellent”. The scope of the works of the development must include a full fit-out, unless it can be demonstrated that this is not feasible through the submission to and approval of a feasibility statement by the Local Planning Authority.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development</p>
<b>21</b>	<b>Overheating Mitigation</b>
	<p>CONDITION: Prior to occupation on the relevant part of the development full details of mitigation measures to reduce overheating risk (undertaken using the recommended approach set out in GLA guidance (CIBSE TM59 methodology) shall be submitted to the Local Planning Authority and approved in writing. The fully detailed and mitigation measures may include:</p> <ul style="list-style-type: none"> <li>a) glazing measures</li> <li>b) solar control glazing</li> <li>c) ventilation panels (louvres)</li> <li>d) side hung window / door openings to increase passive ventilation of units; and</li> <li>e) balcony design;</li> <li>f) external blinds; and</li> <li>g) Mechanical Ventilation and Heat Recovery system.</li> </ul> <p>The development of each relevant part of 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 approval of the Local Planning Authority.</p> <p>REASON: In order to ensure that the design of residential units are such that they would achieve comfortable temperatures in the event of extreme weather scenarios (which are becoming more common). These measures are necessary in order to secure compliance with GLA guidance. These base measures secure compliance with policies D6 and S14 of the London Plan, and policies DM7.5 of the Development Management Policies.</p>
<b>22</b>	<b>Noise Mitigation</b>

	<p><b>CONDITION:</b> Notwithstanding the details and drawings approved, prior to superstructure works commencing on the relevant part of the development hereby approved, a scheme for sound insulation and noise control measures including details of the adoption of suitable acoustic glazing specification and facade construction shall be submitted to the local Planning Authority and approved in writing.</p> <p>The sound insulation and noise control measures shall achieve the following internal noise targets:</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast)  Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour  Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the relevant part 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. The detailed specification and design of sound insulation and noise control measures will need to be managed alongside and aligned with measures to address overheating. In this regard, this condition and condition 22 (Overheating mitigation) shall be developed and discharged in parallel and shall be determined alongside each other to prevent one unacceptably impacting the other. The development shall be carried out strictly in accordance with the details so approved and retained as such thereafter.</p> <p><b>REASON:</b> In order to protect the amenity of future residential units to achieve an appropriate internal noise environment, protected from road traffic noise from Caledonian Road. These measures will ensure the amenity of future residential units accord with Development Management Policy DM2.1 and DM3.7 and London Plan Policy D14.</p>
<b>23</b>	<b>Lighting</b>
	<p><b>CONDITION:</b> Details of any general / security lighting measures shall be submitted to and approved in writing by the Local Planning Authority prior to the practical completion for each relevant part of the development commencing on site.</p> <p>The details shall: - include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation; - demonstrate how the ecology of the site would not be adversely affected by the proposed lighting. The general lighting and security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p><b>REASON:</b> To ensure that any resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity nor those with visual impairments, contributes towards safety and security, does not adversely impact biodiversity or ecology and is appropriate to the overall design of the building.</p>
<b>24</b>	<b>Refuse and Recycling</b>
	<p><b>CONDITION:</b> Prior to the occupation of the relevant part of the development hereby approved, details of dedicated refuse / recycling enclosure(s) and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The details shall also demonstrate how refuse enclosures can be accessed by people with mobility needs including people in wheelchairs and the ambulant disabled.</p>

	<p>The details approved shall be installed and operational prior to occupation of the relevant part 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>
<b>25</b>	<b>Noise from Non-Residential Uses</b>
	<p>CONDITION: Prior to superstructure works commencing on the relevant part of the development full particulars and details of a scheme for sound insulation between non-residential and residential shall be submitted to and approved in writing by the Local Planning Authority. The sound insulation and noise control measures shall achieve the following internal noise targets:</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast)  Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour  Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the relevant building hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the amenity of residents is not adversely affected in accordance with Development Management policy DM2.1 and DM3.7, and London Plan Policy D14.</p>
<b>26</b>	<b>Plant Equipment Noise</b>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: In order to protect the amenity of future and existing residential properties from noise generated by the operation of plant equipment, in particular ASHP units located across the roofs of the development hereby approved. These measures are necessary to secure compliance with Development Management Policy DM2.1 and London Plan Policy D14.</p>
<b>27</b>	<b>Plant Equipment Verification</b>
	<p>CONDITION: Within 3 months of first occupation of the relevant part to which the plant equipment is located the application shall submit to and have in approved in writing by the Local Planning Authority, a report prepared by an appropriately experienced &amp; competent person, to assess the noise from the mechanical plant to demonstrate compliance with condition 26. The report shall include site measurements of the plant in-situ. Any noise mitigation measures needed to secure compliance shall be installed prior to first occupation of the relevant block to which the plant is located and permanently retained thereafter.</p> <p>REASON: In order to protect the amenity of future and existing residential properties from noise generated by the operation of plant equipment, in particular ASHP units</p>

	located across the roofs of the development hereby approved. These measures are necessary to secure comp
<b>28</b>	<b>Air Quality Positive</b>
	<p>CONDITION: Prior to the commencement of demolition of each part of the development, an Air Quality Positive Statement (AQPS) shall be submitted to and approved in writing by the local planning authority. The AQPS shall set out measures that can be implemented across the phase that improve local air quality as part of an air quality positive approach, in line with the latest GLA Air Quality Positive Guidance. The measures set out with the AQPS for each phase shall be implemented in accordance with the details so approved, and thereafter retained, unless otherwise agreed in writing by the local planning authority.</p> <p>REASON: To ensure that the development does not result in unacceptable impacts to air quality, in accordance with Development Management Policy DM6.1 and London Plan Policy S11.</p>
<b>29</b>	<b>Green/brown Biodiversity Roofs</b>
	<p>CONDITION: Notwithstanding the plans hereby approved, green/brown roofs shall be maximised across the development. Details shall be submitted to and approved in writing to the Local Planning Authority prior to occupation of each relevant part, demonstrating the following:</p> <ul style="list-style-type: none"> <li>a) how the extent of green/brown roof has been maximised</li> <li>b) that the green/brown roofs are biodiversity based with extensive substrate base (depth 80 -150mm); and</li> <li>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</li> </ul> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency. The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation of each relevant part, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise water run-off.</p>
<b>30</b>	<b>Bats</b>
	<p>CONDITION: The construction and demolition of the hereby approved development shall be carried out strictly in accordance with the recommendations and mitigation/enhancement measures detailed within the Greengage Bat Report and all subsequent surveys, noting that the validity of a bat survey is 18 months only and shall be maintained as such thereafter. No change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the presence of any bats on the site is appropriately accounted for, to ensure the demolition and development hereby approved does not cause harm to wildlife, habitats and valuable areas for biodiversity in accordance with policy G6 of the London Plan policy CS15 of the Islington Core Strategy 2011 and policy DM6.5 of Islington's Development Management Policies 2013.</p>

<p><b>31</b></p>	<p><b>Bird and Insect Habitats</b></p> <p>CONDITION: Notwithstanding the details so approved, revised details of bird and bat boxes across all new buildings shall be submitted and approved in writing by the Local Planning Authority prior to superstructure works commencing for each relevant part of the development. The details so approved shall be implemented prior to occupation of the development and shall be maintained as such in perpetuity.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with London Plan Policies GG2, D8, G6 and Development Management Policies DM2.1 and DM6.5.</p>
<p><b>32</b></p>	<p><b>Roof Level Structures</b></p> <p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts and plant room) on the relevant part of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on that part. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding streetscene or the character and appearance of the area in accordance with policies D4 the London Plan 2021 policies CS8 and CS9 of Islington's Core Strategy 2011, and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.</p>
<p><b>33</b></p>	<p><b>Fire Statement</b></p> <p>CONDITION: Prior to the commencement of superstructure works to phase 1A, an updated Fire Statement shall be submitted to and approved in writing by the Local Planning Authority relating to the detailed elements of the development hereby approved. The updated Fire Statement shall address all requirements of London Plan (2021) Policy D12 and shall include:</p> <ul style="list-style-type: none"> <li>- Details of construction methods and control measures to reduce impact of fire on surrounding areas;</li> <li>- Details of evacuation of open plan flats;</li> <li>- Annotation of communal area vent shafts;</li> <li>- External fire spread calculations; and</li> <li>- Details of temporary access for fire and rescue services during construction.</li> </ul> <p>The development shall be carried out in accordance with the Fire Statement approved under this condition for that relevant phase and shall be maintained as such thereafter unless approved in writing by the Local Planning Authority.</p> <p>For the Outline phases hereby approved, a Fire Statement shall be submitted with every relevant Reserved Matters Application. The measures contained therein shall be installed in full prior to the first occupation.</p> <p>REASON: To ensure that the development upholds relevant resident safety standards pursuant to fire safety in accordance with policy D12 of the London Plan (2021).</p>

<b>34</b>	<b>PV Panels Optimisation</b>
	<p>CONDITION: Prior to first occupation of a relevant part 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 submissions shall demonstrate how Solar PVs have been maximised on site taking into account other planning policy expectations, and details shall include but not be limited to: location; area of panels; how the PV output has been maximised and design (including section drawings showing the angle of panels in-situ, and elevation plans). The solar photovoltaic panels as approved shall thereafter be installed prior to the first occupation of each of the buildings and retained as such permanently thereafter.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.</p>
<b>35</b>	<b>Lifts</b>
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of each of the buildings hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
<b>36</b>	<b>Safety and Security (SBD)</b>
	<p>CONDITION: Prior to the occupation of each relevant part of the development hereby approved, a full and detailed scheme for the Secure by Design award scheme accreditation or equivalent standard shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <ul style="list-style-type: none"> <li>a) Bin stores and bicycle stores doors</li> <li>b) CCTV.</li> <li>c) Communal door sets</li> <li>d) Access control system</li> <li>e) Residential flat doors</li> <li>f) Ground floor and accessible windows.</li> <li>g) Post boxes.</li> <li>h) open space and boundary treatments</li> </ul> <p>REASON: In the interests of safety and security</p>
<b>37</b>	<b>Tree Planting</b>
	<p>CONDITION: Prior to completion or first occupation of each relevant part of the development hereby approved, whichever is the sooner; full details of proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.</p>

	<p>REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy DM 2.3 and DM 6.5, policies G1, G5 and G7 of the London Plan, policies G1 and G4 of the emerging Local Plan.</p>
<p><b>38</b></p>	<p><b>Landscaping</b></p>
	<p>CONDITION: Notwithstanding the submitted details and the development hereby approved, a landscaping scheme for a relevant part shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The submission shall include the following details:</p> <ul style="list-style-type: none"> <li>a. phasing of landscaping and planting;</li> <li>b. scaled plan showing all existing vegetation and landscape features to be retained and plants to be planted;</li> <li>c. an updated Access Statement detailing routes through the landscape and the facilities provided;</li> <li>d. a biodiversity and ecological statement detailing how the landscaping scheme maximises biodiversity and ecological benefits;</li> <li>e. existing and proposed underground services and their relationship to both hard and soft landscaping;</li> <li>f. soft planting: including all planting areas, planters and all other grass and turf areas, shrub and herbaceous areas;</li> <li>g. topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</li> <li>h. enclosures and boundary treatment: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</li> <li>i. hard landscaping: kerbs, edges, steps, paving, play safety surfaces and furniture including bike racks, seating, planters, drinking fountains and outdoor gymnasium equipment;</li> <li>j. wayfinding and signage;</li> <li>k. details of all ramps, landings, gradients, steps, balustrades to ensure inclusive access for all throughout the public realm and semi private realm within the site.</li> <li>l. specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and</li> <li>m. any other landscaping feature(s) forming part of the scheme.</li> </ul> <p>There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the relevant phase of the development hereby approved in accordance with the approved planting phase.</p> <p>All soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p>

	<p>REASON: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy DM 2.3, DM 6.2, DM 6.5 and DM6.6, policies G1, G4, G5, G6 and G7 of the London Plan, policies G1, G2, G3, G4 and G5 of the emerging Local Plan.</p>
<b>39</b>	<b>Playspace Equipment</b>
	<p>CONDITION: Prior to the occupation of each part of the development hereby approved, details of the on-site playspace equipment shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include details of maintenance of play equipment. The details approved shall be installed and operational prior to occupation of the relevant part of the development hereby approved and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In order to ensure that the development is provided with tenure blind, high quality, accessible play provision for all ages of at least 10sqm per child, in accordance with Policy S4 of the London Plan.</p>
<b>40</b>	<b>Post Completion Circular Economy Statement</b>
	<p>CONDITION: Within 3 months of practical completion of each phase of the development hereby approved, a post completion Circular Economy Statement report shall be submitted to the Local Planning Authority for approval in writing.</p> <p>REASON: To ensure that circular economy principles are incorporated in the design, construction and management of the approved development, including through minimising materials use and the sourcing and specification of materials; minimising and designing out waste at various stages; and by promoting re-usability, adaptability, flexibility and longevity. This is to secure compliance with London Plan Policy S17.</p>
<b>41</b>	<b>Urban Greening Factor</b>
	<p>CONDITION: The development hereby permitted shall achieve an Urban Greening Factor of 0.45 unless otherwise agreed in writing.</p> <p>An update report should be submitted at the practical completion of each phase. Should there be any decrease in the Urban Greening Factor at the site, a report shall be submitted to an approved in writing by the Local Planning Authority prior to first occupation of the relevant phase hereby permitted which satisfactorily demonstrates why an Urban Greening Factor of 0.4 cannot be achieved.</p> <p>The report shall give consideration to additional planting, intensive or semi intensive green roofs, and consultation with residents regarding the addition of raingardens and planting.</p> <p>The report shall also demonstrate how the UGF proposals are compatible with open space and the children's playspace within which the green infrastructure is to be provided to achieve the required Urban Greening Factor.</p> <p>REASON: In the interest of biodiversity, sustainability and to ensure that green infrastructure is maximised on the site.</p>
<b>42</b>	<b>Community Use Floorspace</b>
	<p>CONDITION: Notwithstanding the drawings and documents hereby approved, the total permanent community floorspace (combined) (use class(es) E/F2)) comprising of a</p>

	<p>nursery and a community centre shall equate to or exceed a total of 900sq.m (GIA)/1000sq.m (GEA) made up of at least 300sq.m (GEA)/270sq.m (GIA) of nursery and at least 700sq.m (GEA)/630sq.m (GIA) of community centre.</p> <p>The development and use shall operate strictly in accordance with the details so approved and shall be retained as such permanently thereafter.</p> <p>REASON: A restriction on the minimum quantum of community floorspace and its prescribed attribution into nursery and community use is necessary at the site to ensure that the development maintains its requirement to provide a suitable provision of community floorspace which is essential for the wellbeing of residents on the estate and beyond.</p>
<b>43</b>	<b>Arboricultural Supervision 2</b>
	<p>CONDITION: The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in condition 7 shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.</p> <p>REASON: In order to ensure compliance with the tree protection and arboricultural supervision details submitted under condition (insert condition(s)) pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with Policy DM 2.3 and DM 6.5, policies G1, G5 and G7 of the London Plan, policies G1 and G4 of the emerging Local Plan.</p>
<b>44</b>	<b>Retaining Trees</b>
	<p>CONDITION: No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.</p> <p>REASON: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy DM 2.3 and DM 6.5, policies G1, G5 and G7 of the London Plan, policies G1 and G4 of the emerging Local Plan.</p>
<b>45</b>	<b>Communal Residential Areas Inclusive Design</b>
	<p>CONDITION: The communal residential areas of the development hereby approved shall provide:</p> <ul style="list-style-type: none"> <li>- all residential corridors with a minimum width of 1200mm with regular turning points measuring a minimum of 1500mm x 1500mm and passing places wherever possible;</li> <li>- waste disposal and storage accessible to all residents;</li> <li>- 2 lifts serving all wheelchair accessible units; and</li> <li>- cycle parking facilities accessible to ambulant disabled persons.</li> </ul> <p>Details of entry systems for the entrance and core shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the relevant residential unit(s).</p>

	<p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development is of an inclusive design in accordance with Policy D7 of the London Plan 2021, policy CS12 of Islington's Core Strategy 2011, and policy DM2.2 of Islington's Development Management Policies 2013</p>
<b>46</b>	<b>Accessible Dwellings</b>
	<p>CONDITION: Floorplans at a scale of 1:50 shall be submitted to and approved in writing by the Local Planning Authority on a part by part basis for every unit type prior to any superstructure work commencing on the relevant Section. The floorplans shall include:</p> <ul style="list-style-type: none"> <li>- an assessment of the residential units hereby approved against the flexible Homes standards set out in the Inclusive Design in Islington 2014 SPD demonstrating that reasonable endeavours have been made by the applicant to meet these standards;</li> <li>- a wheelchair turning circle in both the living and dining rooms (if the dining room is separate to the living area) and in at least 1 bedroom; and</li> <li>- a minimum space of 1200mm between units in kitchens.</li> <li>- A demonstration that communal entrances, corridors, lifts and circulation space leading to front doors meet the requirements of the Inclusive Design in Islington 2014 SPD.</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and all approved inclusive design measures shall be implemented and operational prior to the first occupation of the relevant phase, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development is of an inclusive design in accordance with Policy D7 of the London Plan 2021, policy CS12 of Islington's Core Strategy 2011, and policy DM2.2 of Islington's Development Management Policies 2013</p>
<b>47</b>	<b>BRE Home Quality Mark Four Star</b>
	<p>CONDITION: The development will be designed to be capable of achieving a BRE Home Quality Mark Rating of no less than 'Four Star'. The applicant shall demonstrate this by submitting to the Local Planning Authority a Home Quality Mark Stage 2 Pre-Assessment for each relevant part of the development.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development</p>
<b>48</b>	<b>Grey Water Harvesting</b>
	<p>CONDITION: With the exception of Sub-Phase 1A, a grey water recycling system feasibility assessment, and where feasible details of the system, shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on each relevant phase of the development hereby approved. Where it is demonstrated that the grey water harvesting is feasible, details demonstrating how the maximum level of recycled water that can feasibly be provided to the development shall be provided.</p> <p>Where approved the grey water recycling system shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first</p>

	<p>occupation of the relevant building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable use of water.</p>
<b>49</b>	<b>WiFi Connectivity</b>
	<p>CONDITION: Prior to commencement of each building detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans and maintained as such in perpetuity.</p> <p>REASON: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness.</p>
<b>50</b>	<b>Requirement for Circular Economy Statement with Each Reserved Matters Application</b>
	<p>CONDITION: Each application for reserved matters shall be accompanied by a detailed Circular Economy Statement in line with the GLA's Circular Economy Statement Guidance, which shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.</p> <p>REASON: In the interests of sustainable waste management and in order to maximise the re-use of materials.</p>
<b>51</b>	<b>Circular Economy – Landfill and Materials/Spoil Recycling</b>
	<p>CONDITION: With the exception of the works to Carnegie Street Park and its MUGA, Prior to any works commencing on site for each phase of development, notification of the likely destination of all waste streams (beyond the Materials Recycling Facility) and a written confirmation that the destination landfill(s) has/have the capacity to receive waste shall be submitted and approved by the Local Planning Authority (in conjunction with the GLA) in writing.</p> <p>REASON: In the interests of sustainable waste management and in order to maximise the re-use of materials.</p>

**List of Informatives:**

<b>1</b>	<b>S106 AGREEMENT</b>
	<p>INFORMATIVE: You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
<b>2</b>	<b>Community Infrastructure Levy (CIL) (Granting Consent)</b>
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable. For the purpose of clarity, a MUGA is not a building.</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.</p>

	<p>The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p> <p>Pre-Commencement Conditions:  These conditions are identified with an 'asterisk' * 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>
<b>3</b>	<b>Superstructure</b>
	<p>INFORMATIVE: 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. For the purpose of clarity, a MUGA is not a building.</p>
<b>3</b>	<b>Community Infrastructure Levy (CIL) (Granting Consent)</b>
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable. For the purpose of clarity, a MUGA is not a building.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p> <p>Pre-Commencement Conditions:  These conditions are identified with an 'asterisk' * 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>
<b>4</b>	<b>Development within 15m of Thames Water Underground Assets.</b>
	<p>INFORMATIVE: The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <a href="https://developers.thameswater.co.uk/Developing-a-largesite/Planningyour-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-largesite/Planningyour-development/Working-near-or-diverting-our-pipes</a>. Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a> Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p>
<b>5</b>	<b>Oil and Petrol Development</b>

	<p>INFORMATIVE: It is recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil polluted discharges entering local watercourses.</p>
<b>6</b>	<b>Roller Shutters</b>
	<p>INFORMATIVE: The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.</p>
<b>7</b>	<b>Development within 5m of a strategic water main</b>
	<p>INFORMATIVE: The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains. Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works. Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <a href="https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes">https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes</a> Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a>.</p>
<b>8</b>	<b>Compliance with the Highways Act</b>
	<p>INFORMATIVE: 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 <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. All agreements relating to the above need to be in place prior to works commencing. 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 <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. Section 50 license must be agreed prior to any works commencing. Compliance with section 140A of the Highways Act, 1980 - 'Builders skips: charge for occupation of highway. Licenses can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</p> <p>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 <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</p>
<b>9</b>	<b>Joint Conditions Surveys</b>
	<p>INFORMATIVE: 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 <a href="mailto:highways.maintenance@islington.gov.uk">highways.maintenance@islington.gov.uk</a> Approval of highways required and copy of findings and condition survey document</p>

	<p>to be sent to planning case officer for development in question. Temporary crossover licenses to be acquired from <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. 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. P-DEC-AP1 Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six month's notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>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.</p>
<b>10</b>	<b>Alterations to the highway</b>
	<p>INFORMATIVE: 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 <a href="mailto:streetlights@islington.gov.uk">streetlights@islington.gov.uk</a>. 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</p>
<b>11</b>	<b>Compliance with Approved Document B</b>
	<p>INFORMATIVE: The requirements of B5 of Approved Document B must be met in relation to access and water supply whilst in construction phase and compliance with the Building Regulations and the Regulatory Reform (Fire Safety) Order 2005 once built and occupied. If the building is taken over 18m the Fire Brigade would expect a fire fighting shaft is provided. If approval is granted, it's advised that a building control submission is carried out as early as possible, to ensure any issues found around fire safety are addressed sufficiently and quickly. The Commissioner strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Commissioner's opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier. Please note that it is our policy to regularly advise our elected Members about how many cases there have been where we have recommended sprinklers and what the outcomes of those recommendations were. These quarterly reports to our Members are public documents which are available on our website. The London Fire Brigade promotes the installation of sprinkler suppression systems, as there is clear evidence that they are effective in suppressing and extinguishing fires; they can help reduce the numbers of deaths and injuries from fire, and the risk to firefighters.</p>

<b>12</b>	<b>Marketing Suite</b>
	INFORMATIVE: The applicant is advised that planning consent will be required for a temporary sales and marketing suite.
<b>13</b>	<b>British Standards – Retaining Trees</b>
	<p>INFORMATIVE: The following British Standards should be referred to:</p> <ul style="list-style-type: none"> <li>a. BS: 3882:2015 Specification for topsoil</li> <li>b. BS: 3998:2010 Tree work - Recommendations</li> <li>c. BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs</li> <li>d. BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)</li> <li>e. BS: 4043:1989 Recommendations for Transplanting root-balled trees</li> <li>f. BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations</li> <li>g. BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).</li> <li>h. BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations</li> <li>i. BS: 8601:2013 Specification for subsoil and requirements for use</li> </ul>
<b>14</b>	<b>British Standards – Supervision of Trees</b>
	<p>INFORMATIVE: The following British Standards should be referred to:</p> <ul style="list-style-type: none"> <li>a. BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations.</li> </ul>
<b>15</b>	<b>British Standards – Tree Protection</b>
	<p>INFORMATIVE: The following British Standards should be referred to:</p> <ul style="list-style-type: none"> <li>a. BS: 3998:2010 Tree work – Recommendations</li> <li>b. BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations</li> </ul>
<b>16</b>	<b>Phasing</b>
	INFORMATIVE: Phasing - This development is a 'phased planning permission' for the purposes of the CIL Regulations (2010) as amended (Reg 2(1)). Each phase of the development is a separate chargeable development.

## APPENDIX 2: RELEVANT POLICIES

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

### 1 National Guidance

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

### 2. Development Plan

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

#### A) The London Plan 2021 - Spatial Development Strategy for Greater London

<u>Policy GG1 Building strong and inclusive communities</u>	Policy HC1 Heritage conservation and growth
<u>Policy GG2 Making the best use of land</u>	Policy HC3 Strategic and local views
<u>Policy GG3 Creating a healthy city</u>	Policy HC6 Supporting the night-time economy
<u>Policy GG4 Delivering the homes Londoners need</u>	Policy G1 Green infrastructure
<u>Policy GG5 Growing a good economy</u>	Policy G4 Open space
<u>Policy GG6 Increasing efficiency and resilience</u>	Policy G5 Urban greening
<u>Policy D1 London's form, character and capacity for growth</u>	Policy G6 Biodiversity and access to nature
<u>Policy D2 Infrastructure requirements for sustainable densities</u>	Policy G7 Trees and woodlands
<u>Policy D3 Optimising site capacity through the design-led approach</u>	Policy SI1 Improving air quality
<u>Policy D4 Delivering good design</u>	Policy SI2 Minimising greenhouse gas emissions
<u>Policy D5 Inclusive design</u>	Policy SI3 Energy infrastructure
<u>Policy D6 Housing quality and standards</u>	Policy SI4 Managing heat risk
<u>Policy D7 Accessible housing</u>	Policy SI5 Water infrastructure
<u>Policy D8 Public realm</u>	Policy SI7 Reducing waste and supporting the circular economy
<u>Policy D9 Tall Buildings</u>	Policy SI12 Flood risk management
<u>Policy D10 Basement Development</u>	Policy SI13 Sustainable drainage
<u>Policy D11 Safety, security and resilience to emergency</u>	Policy SI14 Waterways – strategic role
<u>Policy D12 Fire safety</u>	Policy SI16 Waterways – use and enjoyment
<u>Policy D13 Agent of Change</u>	Policy SI17 Protecting and enhancing London's waterways
<u>Policy D14 Noise</u>	Policy T1 Strategic approach to transport
<u>Policy H1 Increasing housing supply</u>	Policy T2 Healthy streets
<u>Policy H4 Delivering affordable housing</u>	Policy T3 Transport capacity, connectivity and safeguarding
<u>Policy H5 Threshold approach to applications</u>	Policy T4 Assessing and mitigating transport impacts
<u>Policy H6 Affordable housing tenure</u>	Policy T5 Cycling
<u>Policy H8 Loss of existing housing and</u>	Policy T6 Car parking

estate redevelopment  
Policy H9 Ensuring the best use of stock  
Policy H10 Housing size mix  
Policy S1 Development London's social infrastructure  
Policy S3 Education and childcare facilities  
Policy S4 Play and informal recreation  
Policy S5 Sports and recreation facilities  
Policy E2 Providing suitable business space  
Policy E9 Retail, markets and hot food takeaways

Policy T6.1 Residential parking  
Policy T6.3 Retail parking  
Policy T6.5 Non-residential disabled persons parking  
Policy T7 Deliveries, servicing and construction  
Policy T9 Funding transport infrastructure through planning  
Policy DF1 Delivery of the Plan and Planning Obligations

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

Spatial Strategy  
Policy CS6 (King's Cross)  
Policy CS8 (Enhancing Islington's Character)

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

Policy CS13 (Employment Spaces)  
Policy CS14 (Retail and Services)  
Policy CS15 (Open Space and Green Infrastructure)  
Policy CS16 (Play Space)  
Policy CS17 (Sports and Recreation Provision)

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

## C) Development Management Policies June 2013

### Design and Heritage

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

### Housing

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

### Shops, culture and services

- DM4.1 Maintaining and promoting small and independent shops
- DM4.2 Entertainment and the night-time economy
- DM4.3 Location and concentration of uses
- DM4.4 Promoting Islington's Town Centres
- DM4.6 Local shopping Areas
- DM4.7 Dispersed shops
- DM4.8 Shopfronts
- DM4.12 Social and strategic infrastructure and cultural facilities

### Employment

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

### Health and open space

- DM6.1 Healthy development
- DM6.2 New and improved public open space
- DM6.3 Protecting open space
- DM6.4 Sport and recreation
- DM6.5 Landscaping, trees and biodiversity
- DM6.6 Flood prevention

### Energy and Environmental Standards

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

### Transport

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

### Infrastructure

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

## D) Islington Draft Local Plan 2019

- Policy PLAN1: Site appraisal, design principles and process
- Policy SP2: King's Cross and Pentonville Road
- Policy H1: Thriving communities
- Policy H2: New and existing conventional housing
- Policy H3: Genuinely affordable housing
- Policy H4: Delivering high quality housing
- Policy H5: Private outdoor space
- Policy SC1: Social and community infrastructure use
- Policy SC2: Play space

- Policy S1: Delivering sustainable design
- Policy S2: Sustainable design and construction
- Policy S3: Sustainable design standards
- Policy S4: Minimising greenhouse gas emissions
- Policy S5: Energy infrastructure
- Policy S6: Managing heat risk
- Policy S7: Improving Air Quality
- Policy S8: Flood risk management
- Policy S9: Integrated water management and sustainable drainage

Policy SC3: Health Impact Assessment	Policy S10: Circular Economy and Adaptive design
Policy SC4: Promoting social value	Policy T1: Enhancing the public realm and sustainable transport
Policy B1: Delivering business floorspace	Policy T2: Sustainable Transport Choices
Policy B2: New business floorspace	Policy T3: Car-free development
Policy B3: Existing business floorspace	Policy T4: Public realm
Policy B5: Jobs and training opportunities	Policy T5: Delivering, servicing and Construction
Policy R1: Retail, leisure and services, culture and visitor accommodation	Policy DH1: Fostering innovation and conserving an enhancing the historic environment
Policy R4: Local Shopping Areas	Policy DH2: Heritage assets
Policy R6: Maintaining and enhancing Islington's unique retail character	Policy DH3: Building Heights
Policy R8: Location and concentration of uses	Policy DH: Basement Development
Policy R10: Culture and the night-time economy	Policy DH5: Agents -of-change, noise and vibration
Policy G1: Green Infrastructure	Policy DH7: Shopfronts
Policy G2: Protecting open space	Policy ST1: Infrastructure planning and smarter city approach
Policy G3: new public open space	Policy ST2: Waste
Policy G4: Biodiversity, landscape design and trees	Policy ST4: Water and wastewater infrastructure
Policy G5: Green roofs and vertical greening	

**E) Islington Draft Local Plan Site Allocation – Main Modifications for Consultation (June 2022)**

OIS27: Barnsbury Estate

**5. Designations**

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

Kings Cross & Pentonville Road Core Strategy Key Area  
 Local Shopping Area (Caledonian Road)  
 Local Cycle Route  
 Major Cycle Route  
 Local Flood Risk Zone  
 Local View from Archway Road  
 Local View from Archway Bridge  
 Thornhill Bridge Community Garden Open Space  
 Regent's Canal Open Space  
 Regent's Canal (West) SINC  
 Within 100m of Strategic Road Network  
 Tree Protection Order (Site Wide)

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

The following SPGs and/or SPDs are relevant:

#### Islington Local Development Plan

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

#### London Plan

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

## **APPENDIX 3 – COMMITTEE REPORT - 29 NOVEMBER 2022**

See separate attachments

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**PLANNING COMMITTEE REPORT**

 Development Management Service  
 Planning and Development Division  
 Community Wealth Building Department

<b>PLANNING COMMITTEE</b>		<b>AGENDA ITEM NO:</b>	<b>B1</b>
<b>Date:</b>	29 <sup>th</sup> November 2022	<b>NON-EXEMPT</b>	

Application number	P2022/1898/FUL
Application type	Hybrid Planning Application (Full and Outline)
Ward	Barnsbury
Listed building	Adjaent to Grade II Listed Building – 214 Caledonian Road and
Conservation area	Within 50m of Barnsbury Conservation Area Within 50m of Regent’s Canal Conservation Area
Development Plan Context	Kings Cross & Pentonville Road Core Strategy Key Area Local Shopping Area (Caledonian Road) Local Cycle Route Major Cycle Route Local Flood Risk Zone Local View from Archway Road Local View from Archway Bridge Thornhill Bridge Community Garden Open Space Regent’s Canal Open Space Regent’s Canal (West) SINC Within 100m of Strategic Road Network Tree Protection Order (Site Wide) Draft Islington Local Plan Site Alocations - Site Allocation OIS27
Licensing Implications	N/A
Site Address	Barnsbury Estate, London, N1
Proposal	<p>Hybrid planning application seeking detailed permission for Phase 1a, 1b and 3a and outline planning permission for all future phases 1c, 2a, 2b and 3b comprising:</p> <p>In full, demolition of existing buildings and undertaking of groundworks and the erection of 401 residential units (Use Class C3) within seven buildings of 3, 7, 9, and 11 storeys comprising 144 x 1 bed, 192 x 2 bed, 46 x 3 bed, 14 x 4 bed and 5 x 5 bed over 50672sq.m floorspace in phases 1a, 1b and 3a; hard and soft landscaping works including public open space and new public realm, access and highway formation and alterations, car and cycle provision with associated ancillary works.</p> <p>Outline planning permission (all matters reserved) for the demolition of all remaining buildings, undertaking of ground works and the construction of a phased redevelopment of new buildings of up to 9 storeys and incorporating up to 77525sq.m to include up to 513 residential units (Use Class C3), up to 1500sq.m of replacement retail and town centre floorspace (Use Class E), and 1275sq.m of replacement community use floorspace including community centre and nursery (Use Class F2), within phases 1c, 2a, 2b and 3b, hard and soft landscaping, new public open space, access and highway formation and alterations, new pedestrian means of access, car and cycle parking provision and ancillary works. <b>Page 97</b></p> <p>(EIA Application)</p>

(Departure from the Development Plan)

Case Officer	Nicholas Linford
Applicant	Newlon Housing Trust and Mount Anvil Limited
Agent	Lichfields

**1. RECOMMENDATION**

The Committee is asked to resolve to GRANT planning permission:

1. For the reasons for approval;
2. Subject to the conditions set out in Appendix 1 (Recommendation B);
3. Subject to the prior completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 (Recommendation A;
4. Subject to any direction by the Secretary of State (SoS) to call in the application for determination by the SoS; and/or
5. Subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

**2. SITE PLAN (site outlined in red)**

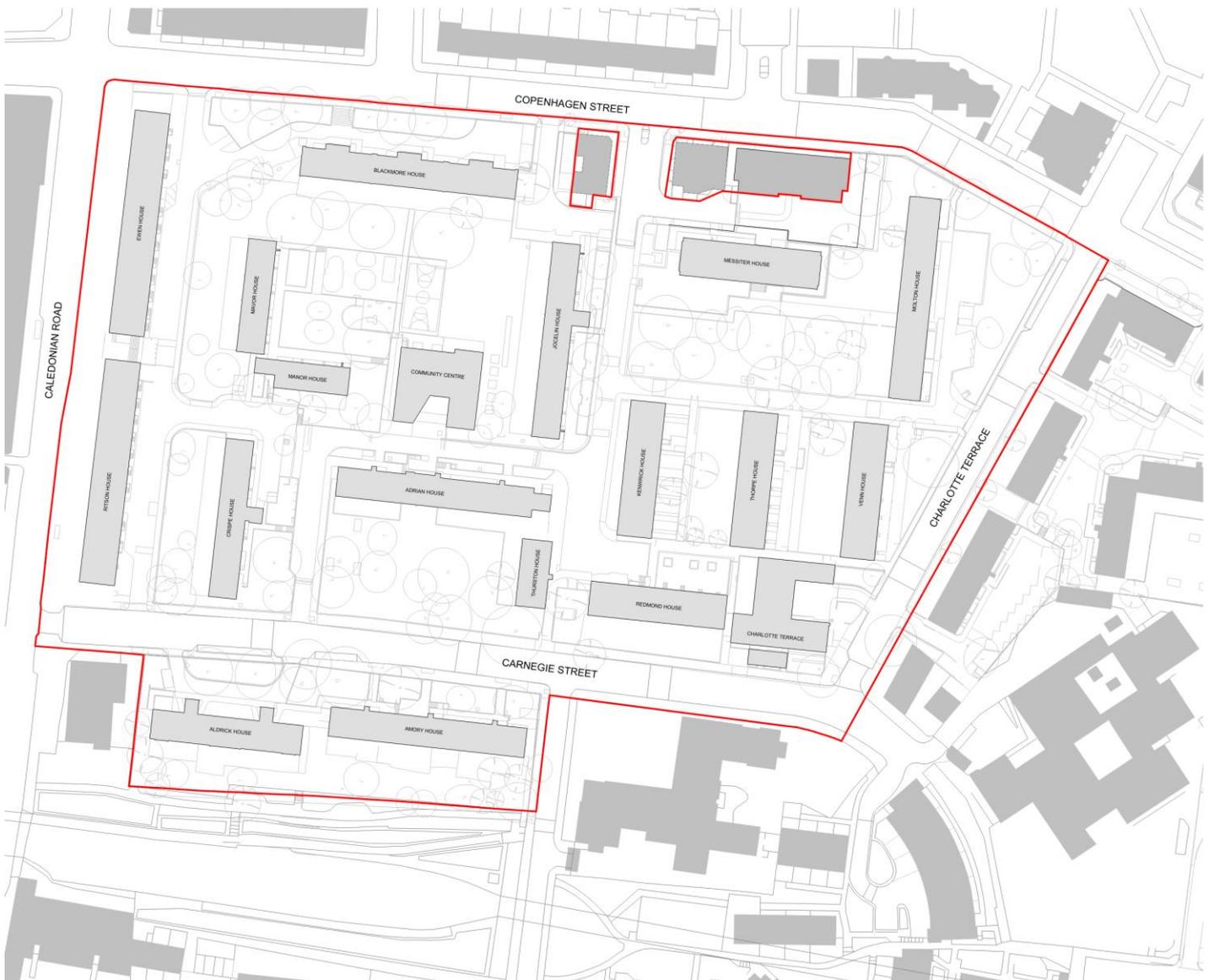


Image 1: Site location plan

### 3. PHOTOS OF SITE/STREET

*Insert photos*



*Photo 1: Aerial image of the Barnsbury Estate*



*Photo 2: Aerial image of the Barnsbury Estate*



Photo 3: Aerial image of the Barnsbury Estate



Photo 4: Junction of Caledonian Road (south) and Copenhagen Street (East)



Photo 5: Mid point of Caledonian Road frontage



*Photo 6: Caledonian Road looking north*



*Photo 7: Viewing looking east towards (listed) Regents Canal portal with Phase 3a to the left and Fife Terrace to the right of the canal with Muriel Street to the centre rear*



*Photo 8: Rear of Caledonian Road, looking north to Copenhagen Street along Bryan Street.*



*Photo 9: Abrupt change in levels towards Bryan Street, only accessible through steps.*



Photo 10: Barnsbury Community Centre (with nursery) in Jays Street.



Photo 11: Levels changes with land rising west to east to Leirum Lane.



Photo 12: Carnegie Street Park.



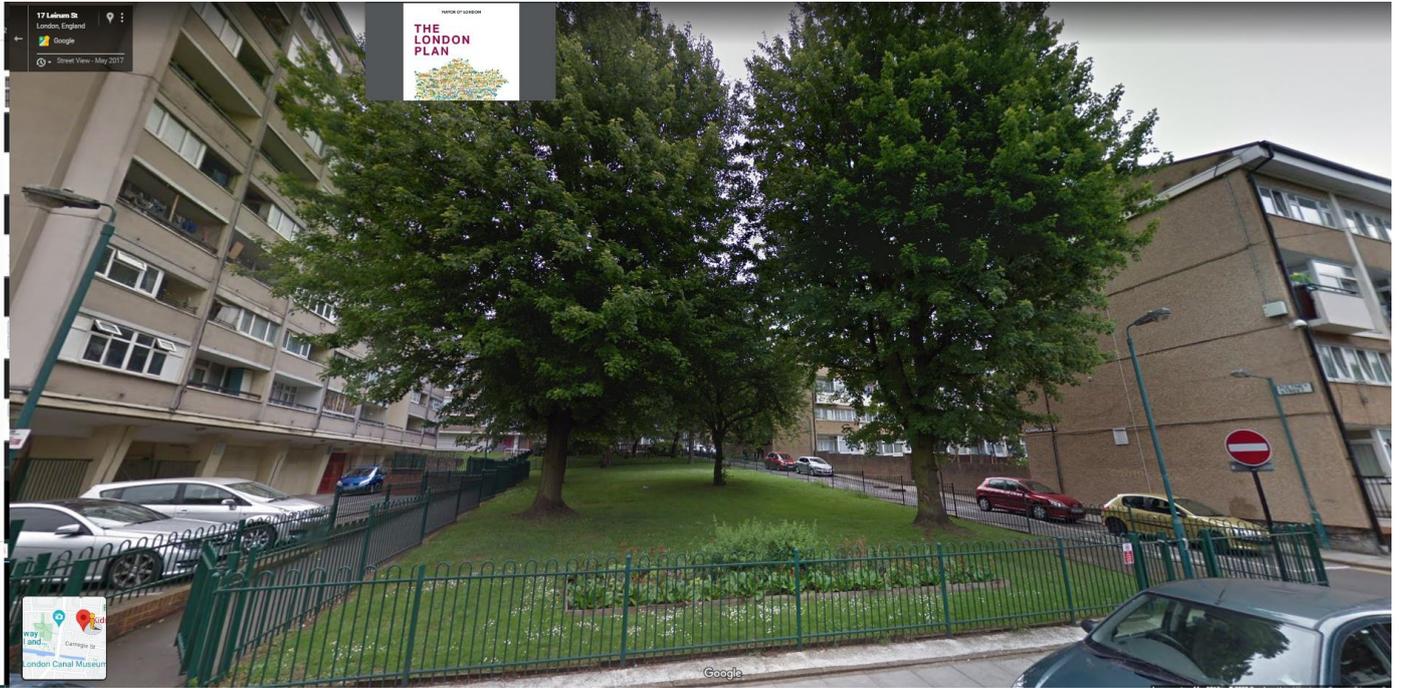
Photo 13: Existing Carnegie Street buildings forming the canalside area with Category A trees within TPO to frontage.



*Photo 14: View towards canalside location from Muriel Street.*



*Photo 15: View north along Leirum Street noting land level mediation between ground floor and street level.*



*Photo 16: Pultney Street Park.*



*Photo 17: Messiter House to the right and 101 & 103 Copenhagen Street to the left.*



Photo 18: Copenhagen Street looking west towards Caledonian Road with Barnsbury Estate to the left.



Photo 19: Junction of Leirum Street (left, looking south) and Copenhagen Street (right, looking west).



Photo 20: Charlotte Terrace looking south with New Barnsbury to the right and Old Barnsbury to the left



Photo 21: Charlotte Terrace looking north (towards Copenhagen Street).



*Photo 22: Junction of Charlotte Terrace (right) and Carnegie Street (left, towards Caledonian Road)*

## 4. SUMMARY

- 4.1 The proposal is a hybrid planning application involving detailed planning consent for part of the New Barnsbury Estate and outline planning consent (all matters reserved) for the remainder of the New Barnsbury Estate. A hybrid applicant consists of a detailed part of the proposals that include comprehensive submission details such as design, scale, layouts, dwelling numbers etc; while the outline element comprises parameters for development, with the level of detail expected in a full application to be submitted at a later date by way of planning applications known as 'Reserved Matters Applications'. The hybrid approach enables the entire masterplan to be considered with those aspects in detail able to be permitted in full and the parameters/principles of the outline element permitted, subject to further details being submitted at a later stage of the development.
- 4.2 Both elements of the application seek the phased demolition of all buildings within the red line site. The detailed element of the hybrid application seeks the erection of seven buildings of 3, 7, 9, 11, 12 and 13 storeys comprising of 427 residential units. These will provide 148 x 1 bed, 203 x 2 bed, 58 x 3 bed, 13 x 4 bed and 5 x 5 bed units, as well as new public open space, landscaping, access, parking and public realm.
- 4.3 The second part of the application consists of the outline application with all matters reserved for the remaining (up to) 523 units in buildings of up to 9 storeys in height and includes 1500sq. of replacement retail floorspace and 1275sq.m of replacement community floorspace. The scheme also delivers new open space, public open space, landscaping, new means of access and re-provision of reduced levels of parking. This is also a phased development and the current timeline for delivery envisages that development on the estate will be ongoing through to 2033.
- 4.4 A separate planning application has been submitted for the part of the Estate known here as Old Barnsbury (reference). For timing reasons, the applications for Old and New Barnsbury are not formally linked through the planning process and the Planning Committee will be asked to make a decision on the Old Barnsbury planning application a later date (currently scheduled for 6 December 2022).
- 4.5 The proposal as a whole seeks to provide a high quality new residential development that replaces circa 350 units in poor quality buildings with poor internal and external accessibility and permeability, large amounts of redundant and inaccessible open space and complicated levels changes. The development also seeks to address overcrowding, substandard residential accommodation and amenity as well as reducing the prominence of on street parking and vehicular routes through the estate. In considering options for redevelopment, the scheme proposes comprehensive redevelopment rather than infill or extension and in doing so, allows for the scheme to provide a range of new housing types and tenures, improve residential amenity and open space across the estate as a whole.
- 4.6 The application is based on a masterplan approach which follows the Mayor of London's desired pathway of estate 'regeneration' following a residents' ballot. The masterplan has been developed in consultation with residents, stakeholders and the Local Planning Authority.
- 4.7 The masterplan has been subject to a residents ballot in February 2021, which comprised residents of both Old and New Barnsbury. The ballot included a vision for the whole estate and a Landlord Offer to residents. The ballot returned an endorsement of 79% in favour of the proposals on a 72% turnout.
- 4.8 Officers have for the most part, pre-ballot, supported the masterplan approach insofar as it increased density and unit numbers, sought to enhance the quality of accommodation, provide high quality layout and townscape with improved landscaping while also providing an uplift in genuinely affordable housing.
- 4.9 Post ballot, the density of the masterplan has been intensively increased by the addition of nearly a hundred homes, and increases in building heights which compromise the quality of the initial masterplan especially in relation to its connection to the wider townscape and streetscene externally, and the quality of space and place internally. However, it should be noted that the proposal represents a considerable uplift in housing within the Borough.
- 4.10 The scheme commits to re-providing new housing to all existing rental tenants on the same terms. The scheme also seeks to provide an uplift of 25% of all housing as affordable housing within the net increase

with 100% of this deliverable as social rent homes. In unit numbers terms, the scheme would provide for 426 units of affordable housing comprising the total re-provision of the existing 291 social rent homes, which would maintain the current discounted rent rates, that are amongst some of the most affordable within the Borough, and deliver 135 new social rent. The financial viability appraisal indicates that this level of affordable housing is deliverable only if the scheme incurs a financial deficit (although there is disagreement between the Council and the applicants as to the level of deficit that will be incurred). The applicant shall however commit to deliver this level of affordable housing. The affordable housing offer may be given significant weight in the planning balance and will be secured through the 106 agreement. The applicants have demonstrated how they plan to overcome the deficit throughout the lifetime of the construction period. In addition, bespoke viability review mechanisms have been agreed. This will ensure that additional affordable housing will be delivered if this is financially achievable.

- 4.11 The hybrid application also proposes (within the outline) the demolition of the Caledonian Road blocks including the retail floorspace within the designated Local Shopping Area and the re-provision of approximately half of previously existing retail floorspace in modern units with the capacity for flexible layout and size. The community centre and private childrens' nursery will be replaced within the scheme with an enhanced quantum, quality and flexibility of floorspace. A temporary community centre will be made available through the construction period. Provision for a temporary nursery space is also recommended to be secured within a legal agreement.
- 4.12 The masterplan approach combines a number of different building typologies in order to provide architectural and townscape variety and diversity across the redeveloped estate. This comprises nine storey Caledonian Road mansion blocks with mansard roofs, six, seven and eight storey mansion blocks with mansard roofs in Copenhagen Street, Carnegie Street and Charlotte Terrace, flat roof apartment blocks in the lanes which are two new north south multi-modal low speed highways connecting Copenhagen Street and Carnegie Street and mews terraces which frame east to west pedestrian routes through the estate and are three to four storeys with private rooftop amenity space and a home zone outdoor play environment. Finally, the scheme also proposes a series of three standalone tower blocks on land to the south of Carnegie Street and bounded by the Regents Canal, which have a proposed height of 9, 11 and 9 storeys.
- 4.13 The canalside development consists of a single building, one of which would exceed a height of 30m which would therefore constitute a tall building as defined by the London Plan and Islington Planning Policy. Development Plan policy directs taller buildings to sites and areas defined as being suitable for taller buildings. While the Barnsbury Estate is an allocated site within the Draft Islington Local, it is not identified as being a site suitable for tall buildings. As such, there is a presumption against taller buildings on this site. The proposals deliver public benefits, including additional replacement housing of an improved quality, an uplift in social rent housing, enhanced social infrastructure, high quality design and enhanced energy efficiency and sustainability performance. The benefits of the proposal, together with the design of the building are such, that in this particular case, the departure from policy can be accepted.
- 4.14 The scheme significantly upgrades the quality and accessibility of open space within the estate. The masterplan recognises that much of the open space within the scheme is inaccessible amenity land, often on steep embankments or similar spaces. There are two defined areas of open space within the estate which are proposed to be upgraded and enhanced at Carnegie Street and Pultney Park. The masterplan layout proposes development enclosing landscaped courtyards which would be for residents only and would provide further opportunities for outdoor communal space. Roof terraces would be provided on some buildings, while the scheme also relies on Barnard Park for outdoor open space and play space which is mitigated by a substantial financial contribution towards the costs of upgrading Barnard Park and its associated facilities as a wider community benefit.
- 4.15 The scheme results in the demolition of all existing buildings within the red line area. Options for demolition and redevelopment, extension and/or infill and retention and refurbishment have been considered in the context of Circular Economy principles and Whole Life Cycle Carbon requirements. These are set out in the application submission and it was determined that due to the presence of existing residents and challenges pertaining to building quality, residential amenity and open space quantum, that options relating to retain and refurbish or extend and infill were not desirable. Nevertheless, the application commits to meeting the policy requirements within the London Plan pertaining to embodied carbon.

- 4.16 The scheme seeks to engage with the Mayoral Hierarchy on reducing and eliminating carbon emissions through sustainable construction and operation. The detailed element of the scheme makes a commitment to reducing emissions where the end specification is known with further commitments through the period of outline phases. The submitted Energy Strategy anticipates a reduction of almost 61% of the baseline carbon emissions meaning that 39% of the emissions will have to be offset through a contribution to ensure that the scheme is zero carbon, which in this case is £1.22m. Conditions are recommended requiring further improvements to be investigated and delivered wherever possible.
- 4.17 One of the challenges of this scheme is to ensure that through the intensification of the New Barnsbury Estate and the red line site area, that residential amenity is maintained and enhanced for existing residents who will move to new homes on the estate, for new residents moving to the estate and for residents in surrounding streets and properties. The essential requirements are for the units to meet and exceed internal unit size standards, to have access to appropriate private amenity space, access to appropriate daylight and sunlight and to have suitable outlook, aspect and privacy. All units with the exception of two private sale within the detailed element meet the requirements for internal unit size standards but a small number of units are deficient in private amenity space, particularly larger family sized units. 80% of units are dual aspect across the masterplan.
- 4.18 During the lifetime of the planning application, the BRE updated its guidance on site layout planning for sunlight and daylight. The guidance moves away from previous tests for proposed new residential units and introduces new tests as well as new thresholds for testing of sunlight. The applicant has provided result for both the previous tests, under which the scheme was developed and the new tests. Balancing this, officers consider that in the detailed element over 90% of habitable rooms with a kitchen element and over 92% of living/dining rooms are considered to have acceptable levels of sunlight. Discounting bedrooms, which are often recessed behind or beneath balconies, over 98% of living rooms across the detailed element would have acceptable levels of daylight. The outline element is less successful but would be subject to rigorous testing through the Reserved Matters Applications.
- 4.19 The submitted daylight and sunlight statement indicates that of the rooms orientated within 90 degrees of due south, exactly two thirds would receive compliant levels of sunlight. Of these, almost two thirds would be bedrooms rather than key habitable rooms where people would spend most of their waking time.
- 4.20 In respect of the existing buildings, beyond the red line site area which may be affected by the proposed development, the applicants have demonstrated that currently, 487 windows out of 1039 tested currently meet or exceed the BRE guidelines for Vertical Sky Component (VSC) targets. When the No Sky Line test is invoked, 508 rooms out of 573 (served by the aforementioned 1039 windows) pass the test. Furthermore, 279 windows out of 325 pass the Annual Probable Sunlight Hours (APSH) test. Once constructed, the worst case scenario is that 487 windows out of 1039 pass (a drop of 76) the VSC test and 409 windows pass the NSL test (a drop of 99). 261 windows out of 325 would pass the APSH test for sunlight, a drop of 18. The applicant has used a target VSC which is below the standard BRE Guidelines figures, but is noted within the guidance as appropriate within urban areas. The submission also demonstrates where harm to daylight is caused by the inherent structural attributes of buildings such as overhangs and balconies which serve to cast shadow to lower and adjacent openings.
- 4.21 With the exception of one space, a residents courtyard to the north of the proposed community centre and within the outline phase, the sun-on-ground levels in open spaces and courtyards achieve 50% sun on ground on 21 March, in compliance with the BRE guidelines. The remaining space achieves 40% sun-on-ground. This is considered to be an acceptable level of sunlight to activate, illuminate and warm the space, with tree canopies providing solar shading through summer time.
- 4.22 The Barnsbury Estate accommodates parking for existing residents as a ballot commitment This is operated on a parking permit basis with the permits issued by Newlon. There is also accessible car parking across the estate. The proposals do not increase the parking numbers on the estate, but based on parking surveys, provide replacement parking in two below ground level podium areas for existing residents. Accessible parking is provided at street level across the estate. New residents will not be provided with parking permits and where existing permit holders cease being residents or relinquish their permit, this will not be replaced, so over time, the on-site parking demand will reduce.

- 4.23 Two new streets are proposed within the estate running north to south, which are to be known as Jays Lane and Leirum Lane. These will be multi-modal but traffic calmed and landscaped so as to reduce the speed and dominance of traffic. They will allow for servicing and delivery management to take place, access for refuse and fire vehicles and for disabled driver parking.
- 4.24 Overall, the redevelopment of the New Barnsbury Estate would provide higher quality replacement homes to existing residents of the estate returning on the basis of discounted target rent which is amongst one of the most affordable in the Borough, with existing tenancies subject to protection. It would address issues with overcrowding across both the New and Old Barnsbury Estates and would introduce additional social rented units to address housing need. These aspects of the proposal are considered to represent significant benefits. The removal of shared ownership tenure from the scheme means that the affordable housing provision is entirely social rent which makes a meaningful intervention to meeting local need.
- 4.25 The masterplan and design approach are considered to largely be successful. While the proposals continue to include aspects, such as the Lane typology buildings, generally the architecture, townscape response and landscaping are considered to be of sufficiently high quality. Although the site is not identified as a site suitable for a tall building, the proposal would introduce a building that breaches the Council's 30m tall buildings policy (both in the current and emerging policies). The proposed height of the canalside building is therefore not in accordance with the Islington Core Strategy (2011) policy CS9, Development Management (2013) Policy DM2.1 nor London Plan (2021) Policy D9. This weighs against the proposal in the balance. However, the strategy employed in locating three distinct tower typologies together to form something of a landmark at this point of the site, together with the good quality design of these buildings is considered to provide some mitigation against height in design terms. As such, while officers maintain concerns regarding the heights of buildings within the masterplan, considering these to be at their absolute maximum limit, inclusive of the harmful Lane heights and departure from tall buildings policy, taking into account material considerations, the proposal is considered to be acceptable on balance.
- 4.26 With regard to impact to heritage assets, the proposed development would result in less than substantial harm to the setting of both conservation areas and listed buildings. However, in accordance with the NPPF, the public benefits of the proposal are assessed as outweighing this harm.
- 4.27 The proposed development is considered to have been designed to minimise harmful impacts on residential amenity, but would nonetheless result in some adverse impacts in terms of loss of daylight, sunlight and sun-on-ground to neighbouring residential properties. However, the adverse impacts are considered to be outweighed by the overall benefits of the proposal. Other impacts on neighbour amenity, such as overlooking, outlook, sense of enclosure and noise/disturbance are considered to have been successfully mitigated and minimised, subject to appropriate conditions and obligations within a S106 agreement.
- 4.28 The proposal includes a well-considered landscape strategy that would increase the site's Urban Greening Factor to over 0.5, as well as see an increase in tree canopy coverage at the site. There is also a significant increase in Biodiversity Net Gain and the existing adjoining SINC is protected.
- 4.29 The proposal would also include energy and sustainability measures that comply with the Development Plan's requirements to ensure that the proposal would maximise energy efficiency and sustainable design of the site where feasible. A significant benefit of the proposed development is the projected 40000 tons of carbon reduction over a 60 period when compared to not progressing the proposal
- 4.30 All other matters relating to highways impacts, transport infrastructure, sustainability, ecology, inclusive design, safety and security have been assessed and are considered to acceptable and in accordance with planning policy.
- 4.31 Finally, any permission would be subject to a Section 106 agreement to secure suitable planning obligations and financial contributions in order to mitigate the impacts of the development. As such, the application is considered, to be acceptable and with the exception of the departure from the tall buildings policy to largely accord with the relevant policies in the Development Plan. It is therefore recommended for approval subject to appropriate conditions and the planning obligations set out in Appendix 1 of this report.

## 5. SITE AND SURROUNDING

- 5.1 The application site relates to the New Barnsbury Estate which is contained within an area bounded principally by Caledonian Road to the west, Copenhagen Street to the north and Charlotte Terrace to the east. The southern boundary is formed of both Carnegie Street in part close to its junction with Caledonian Road and the Regents Canal between Thornhill Bridge Community Gardens and the Muriel Road Bridge.
- 5.2 To the east of Charlotte Terrace is Old Barnsbury which is a related area of the estate but does not fall within the scope of this planning application. Barnsbury Estate is approximately 500m from its closest point in Caledonian Road to Kings Cross Station, approximately 700m from its closest point at the junction of Caledonian Road and Copenhagen Street to Caledonian Road and Barnsbury Station, and approximately 500m from its closest point at the junction of Carnegie Street and the Charlotte Terrace to Angel Station.
- 5.3 The surrounding townscape is principally two to three storey height buildings to the north of the estate incorporating the eastern side of Caledonian Road, the northern side of Copenhagen Street and Matilda Street. which is also largely residential in character. The Old Barnsbury Estate to the east of Charlotte Terrace, is predominantly five storey flatted mansion blocks which face inwards rather than address the street. To the south of Old Barnsbury is the Half Moon housing estate which is arranged in a planned form over six storeys. The adjoining care home at the junction of Muriel Street and Carnegie Street is arranged over three storeys. Ad hoc development on the southern side of the canal, facing the site is predominantly two to four storeys and incorporates a range of styles including townhouse and modern flatted blocks. However, there is a 10 storey block of flats to the immediate south of the canal on Muriel Street and the Priory Green Housing Estate further south. Opposite the site on Caledonian Road, are three storey buildings with projecting ground floor shop units. At the northwestern corner of the site at the junction of Copenhagen Street with Caledonian Road is the South Bemerton Estate and 11 storey Orkney House at the corner location. With the exception of Wynford Road, Priory Green and Orkney House, the prevailing townscape height within the area is two to four storeys.
- 5.4 The estate forms a comprehensive and contained character area situated between Kings Cross, Angel and Barnsbury to the north. Both Caledonian Road and the canal are well defined edges that separate the estate from surrounding townscape and character areas within the London Borough of Islington. Caledonian Road to the west of the site forms part of the Caledonian Road local shopping area and is a thriving small unit shopping area with high levels of occupancy. To the north, Copenhagen Street is low rise residential which leads to Georgian street layout, much of which is listed and in a conservation area. To the northeast corner close to the junction of Copenhagen Street and Charlotte Terrace is a large area of open space known as Barnard Park. On the eastern side of Charlotte Terrace, is Old Barnsbury which consists of pre-war London County Council (LCC) five storey mansion blocks with prominent roofs set behind amenity open space which. To the south of Carnegie Street are blocks associated with New Barnsbury and beyond that is the Regents Canal which emerges from a listed tunnel portal below Muriel Road. This is at a significantly lower level than the estate as a whole and provides a separation to dense forms of development to the south of the canal. A towpath and other pedestrian/cycle links separate the site from the canal along with a Site of Importance for Nature Conservation (SINC).
- 5.5 Land levels across the estate change considerably from lower in the west to considerably higher in the east. Within the site there are localised man made land level differentials which complicates the layout and functionality of the estate. At the site's highest point at the junction of Copenhagen Street and Charlotte Terrace, the land has an AOD height of 36m. At the southern end of Charlotte Terrace at its junction with Carnegie Street, the land level is 31.75m AOD. At the front elevation of the Caledonian Road blocks, the land level is 23.70m AOD. This constitutes a 12m drop from the highest point at the northeast corner to the lowest point at the southwest corner.
- 5.6 The Barnsbury area developed significantly through the middle to latter parts of the 19<sup>th</sup> Century. In 1827, the estate and wider Barnsbury was undeveloped although the principal street plan began to emerge as can be shown in the image below.
- 5.7 However, by 1877, the Victorian street plan became established with an urbanised and densely developed grid. Bryan Street and Catherine Street ran north to south within the site as a continuation of Matilda Street and Hemingford Road. The land to the south of what is now Carnegie Street was also developed as terrace housing facing on to the canal. World War II bombing led to the near total destruction of the terraced

housing within the estate and site was subsequently cleared and from the mid 1950s over a period of 10 years, the estate was developed and fully formed into the layout and appearance it is now.

- 5.8 A description of the estate, its interior layout and internal appearance now follows, taking the estate in a section-by-section approach.
- 5.9 Caledonian Road forms the most distinctive and most trafficked edge. Caledonian Road forms a significant route through the borough connecting Kings Cross Station at its junction with Pentonville Road to Holloway Road at its junction with Tollington Road. As it passes the length of the western edge of the site, the highway widens at its greatest, with a separation of approximately 21m between elevations and a pavement on the eastern side of Caledonian Road of approximately 9m. Furthermore, the buildings on the western side of Caledonian Road feature a projection at ground floor beyond the first and second floor building line meaning that at first floor, the separation is almost 28m.
- 5.10 The existing buildings within the site consist of 2 x four storey buildings with Ritson House to the south and Ewen House to the north. Each building is approximately 62m long and has an inset/separation from Copenhagen Street and Caledonian Road of around 7m. Each building is separated by a pedestrian route at the centre of the Caledonian Road frontage. The ground floor consists of approximately 2000sq.m of retail floorspace at ground and basement within 22 separate units, which are largely in E Class use. The three floors above include two storeys of duplex units above one level of single storey flats. Access is gained through communal entrances within the front facing elevation. The blocks have external deck access to the rear and private amenity space to the front elevation. Bryan Street runs directly along the rear of Ritson and Ewen Houses with access to Carnegie Street to the south and Copenhagen Street to the north. On street residents' car parking is also provided within Bryan Street.
- 5.11 To the eastern side of Bryan Street and with access to blocks from Bryan Street are the detached buildings of Mavor House and Crispe House. These two buildings are set within large areas of amenity land. There is no evident access from either the buildings or from the street into these areas of amenity land with each having railings preventing access to these spaces. Ground floor units have private gardens which have been enclosed by fences. Mavor House has an L-shaped footprint and is situated to the north of Crispe House. Both of these buildings are approximately 25m apart from Ewen House and Ritson House to the west and due to changes in the land levels have the same height as the frontage buildings.
- 5.12 The land to the rear of Mavor House, provides the community heart of the estate, with a MUGA, a children's play area, allotments, open space and communal gardens and a single storey building accommodating the community centre and the Tiddy Tots Nursery. Access through to these spaces is provided through gates either side of this building.
- 5.13 To the north of the estate and situated on the southern side of Copenhagen Street is Blackmore House. This building is situated on land that is lower than the street level within Copenhagen Street and residents either access the building from steps down from Copenhagen Street or, along with drivers from the northern end of Bryan Street. An area of on street car parking separates the building from the embankment and retaining wall to Copenhagen Street. The building is 60m long and has a total depth of approximately 10m. The building is arranged over six storeys and the facade is divided into three distinct and identical bays. Each of the three bays have a stair core situated centrally in the northern elevation of each section. The building has a flat roof with chimney breasts and pop up roof top floorspace and access to roof level for maintenance purposes. The ground floor level to the north mainly features habitable room windows and residents' stores. On the southern elevation, some of the open space has been enclosed by fences to provide private gardens around some units. On the eastern end of the southern elevation, the land level steps up and as a result, the ground floor disappears on the southern elevation. Upper floor units within the building have inset balconies.
- 5.14 To the east of Mavor House, Crispe House and Blackmore House, the land levels change with a retaining wall separating the different land levels. At the eastern end of Blackmore House the retaining wall transitions the land level from 24.5m AOD to 27.3m AOD. At the rear of Mavor House, the land level changes from 22.8m AOD to 25m AOD. At the rear of Crispe House, the land level changes from 22.5m AOD to 25m AOD.

- 5.15 To the south of the community centre is Adrian House which is separated by Jay Street (formerly Charlotte Street) which connects with Carnegie Street to the rear of Crispe House and then joins Copenhagen Street to the north a short distance to the east of Blackmore House where it is known as Leirum Street. Adrian House runs east to west along the northern side of the existing Carnegie Street open space. At the western end, Adrian House is arranged over four storeys with a pitched ridged roofline. The ground floor to the south has seen the creation of private gardens. At the eastern end of the block, the land levels rise within Carnegie Street Park, meaning that on both the north and south elevations, the building takes on the appearance of a three storey building instead. Access to the building is provided through three communal entrances with projecting staircores on the northern elevation. An estate office is present and accessed from the northern elevation.
- 5.16 Carnegie Street Park is a publicly accessible area of open space within the development. Gated access is provided through the boundary in Jays Street. There is no formal function or provision within the open space although a few benches are provided. A number of mature trees are located within the open space which make a strong contribution to the landscape character of this location in their own right as well as when combined with the trees on the southern side of Carnegie Street. Electric Vehicle Charging points are provided on the northern side of Carnegie Street.
- 5.17 Framing the eastern end of Carnegie Street Park is the much smaller Thurston House. This has an external appearance and form very similar to Adrian House with a pitched ridged roof and the use of dark brick in the external elevations. There are balconies on the rear elevation and the ground floor units have enclosed private gardens. Generous car parking is provided to the eastern elevation due to its location at the southern end of Leirum Street which terminates a short distance away. A low rise, single storey building joins Adrian House to Thurston House and provides cycle storage and a substation.
- 5.18 At the western end of Adrian House, Jays Street has a land level of approximately 25m AOD and at its junction with Leirum Street, its land level is approximately 28m AOD. The consequence of this is that when Leirum Street runs north to join Copenhagen Street, past the front elevation of Jocelin House, the base of Jocelin House sits on a land level of 25.7m AOD and the access to the building from the street bridges over the lower level to a stair core that provides to front facing deck access walkways. The building is arranged over five storeys with a pitched ridged roof. The lower ground floor is accessed from the central stair core and also from a locked gate at the northern end. The front doors of the lower ground floor units are accessed at this level with habitable rooms overlooking the space below road level. The western elevation provides access to enclosed private gardens separate from the communal open space to the west behind the community centre. To the north of Jocelin House is the first building 'within' Barnsbury Estate but located outside of the red line site area. This is the former Lord Nelson Public House which was closed in 1988 and converted into flats by 2005. This has windows serving habitable room on the southern elevation and balconies within recesses on the east elevation facing Blackmore House.
- 5.19 On the eastern side of the junction with Leirum Street and Copenhagen Street is a continuation of buildings within the estate but outside of the application site. This includes the former Crown Public House at 103 Copenhagen Street which became Parkview Apartments, within a five storey building, and the 4 storey Phelps Lodge which was built at some point between 2008 and 2011 on amenity land within the Barnsbury Estate to the north of Messiter House.
- 5.20 On the eastern side of the estate is Charlotte Terrace which connects Carnegie Street to Copenhagen Street. At the northeastern corner of the estate is Molton House which is a substantial 8 storey building set back away from the estate edge. It is accessed from Pultney Street and Pultney Park sits to its rear. An area of parking is arranged in front of the eastern elevation which is subsequently separated from Charlotte Terrace by a substantial area of open space. Again this space appears to be largely inaccessible although it does accommodate a number of mature trees close to the northern boundary with Copenhagen Street.
- 5.21 The existing appears to have been constructed comprising of two identical sections with lift cores at each end of the building which are prominent through their blue colour and a less significant central lift core. Each has a roof top overrun on a flat roof with a number of 'chimney breasts' also at roof level. At the rear, ground floor units have enclosed private gardens which are separated from Pultney Park.

- 5.22 Between Leirum Lane and Charlotte Terrace are three separate four storey duplex/maisonette blocks which are aligned in a series from west to east but with a north to south orientation. These are Kenwick House, Thorpe House and Venn House. The ground floor units all have generous rear gardens (facing west). They are all accessed by through a communal entrance midway along the eastern elevation of each block from a path that connects them from Pultney Street.
- 5.23 At the southern end of Charlotte Terrace, at its junction with Carnegie Street is an unusual four storey brick building with a detached brick built staircase tower that provides access to the upper floor deck walkways which are located on the rear elevation facing north. A single storey wing projects from the northern elevation as well as a small garage block accessed from Charlotte Terrace. Land level changes are acute here with a 1.6m drop in levels from east to west across the 26m long frontage. Opposite the site to the east is a former public house known as the Duchess of Kent, behind which is a school and tied caretakers dwelling. To the southeast is the Half Moon Housing Estate.
- 5.24 Finally, on the northern side of Carnegie Street, to the west of 'Charlotte Terrace' is a final part four storey, part five storey block with ridged roof. The additional fifth storey is only present at its western end taking account of the drop in land levels to Leirum Lane. The lowest level at this point is used for building facilities at the rear. Access is provided to the block at the rear which also provides access to a hard landscaped courtyard with some seating.
- 5.25 To the south of Carnegie Street between the junction of Carnegie Street with Muriel Road the church hall at the junction of Carnegie Street with Caledonian Road is a final parcel of land. This is also bounded at the southern edge by the canal and associated towpaths. This area includes two blocks of flats with a ridge roof and brick built. The first of these, situated to the east is Amory House. This is situated 10m back from the pavement edge and approximately 16m from the southern boundary of the site. The building is arranged over three storeys at the eastern end but becomes four storeys after the land levels drop away at the western end. There are generous areas of open space around the buildings, albeit largely amenity land rather than functional open space. To the east of this is five storey Aldrick House which is of a similar appearance with the exception of two very prominent projecting staircase cores on the front elevation. A vehicular access road serves the building however, no parking is provided. This building is situated 15m from the back edge of pavement and approximately 12.5m to the southern boundary of the site. To the rear of each building, gardens for ground floor units have been enclosed. There is then a further area of communal open space beyond the garden fences that reaches to the boundary. Beyond the boundary is an upper towpath which provides pedestrian and cycle access from Muriel Road to Caledonian Road and is joined by the formal canal towpath which rises to meet it due to the commencement of the canal tunnel.
- 5.26 At the eastern of this part of the boundary is a SINC which is designated for the purpose of safeguarding a unique area of unmanaged woodland attributes. To the western end of these paths, the site opens up to the Thornhill Bridge Community Gardens. The formal towpath is accessed by a flight of steps at a point almost halfway along between the two bridges. It should be noted that the land levels at the canal edge are approximately 21.3m while the southern boundary of the site has a land level of 24.1m at the western end rising to 27.3m at the eastern end.
- 5.27 Both within and beyond the wider site, the area is subject to a range of designations to safeguard land use, heritage and biodiversity. The Caledonian Road frontage is subject to a Local Shopping Area designation to which policies seek to safeguard retail and service functions. The Barnsbury Conservation Area wraps around the north, east and west sides of the estate, while the Regents Canal (west) Conservation Area is located along the southern edge. The canal tunnel portal beneath Muriel Street is Grade II listed. 214 – 258 Caledonian Road which is situated to the immediate northern side of the junction of Copenhagen Street with Caledonian Road is a Grade II listed terrace. As is 11 – 59 Matilda Street which is situated to the north of Copenhagen Street. Finally, a blanket Tree Preservation Order covers the estate.

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

- 6.1 Planning permission is sought through a hybrid application for the demolition and redevelopment of the Barnsbury Estate. The application comprises a detailed element for part of the scheme, with the remainder of the scheme in outline, supported by a design code and a series of parameter plans. The proposed development is programmed to be phased over a period of 11 years with demolition and redevelopment occurring in each phase based on a decanting strategy. The overall scheme seeks to demolish the existing

371 units within the estate and provide for a total of up to 914 units, which constitutes a net uplift of 543 units in total. The scheme as a whole is proposed to be delivered through seven distinct phases set out as follows:

Phase no.	Period	Demolition	Construction	Detailed/outline
Phase 1a	2023-2025	Blackmore	A3, B1, B2, B4	Detailed
Phase 1b	2025-2027	Jocelin (pt), Messiter, Molton	B3, C6, C7, C8, C9	Detailed
Phase 1c	2027-2029	Thurston, Jocelin (pt), Adrian, Mavor (pt), Community Centre	B5, B6, B7, B8, B9 and Carnegie Street (pt)	Outline
Phase 2a	2027-2030	Ewen, Mavor (pt)	A1, A2, A4, A5	Outline
Phase 2b	2027-2031	Ritson, Crispe	A6, A7, A8, A9, A10	Outline
Phase 3a	2029-2032	Aldrick, Amory	D1, D2, D3	Detailed
Phase 3b	2029-2032	Kenwick, Thorpe, Venn, Redmond, 'Charlotte Terrace'*	C1, C2, C3, C4, C5	Outline
(pt) = part *the building is known as Charlotte Terrace				

Table 1 - Phasing and Delivery

- 6.2 Logistically, Phase 1b cannot start until Phase 1a is completed as it is intended that residents will be rehoused from the blocks currently occupying the Phase 1b land into the new homes in Phase 1a. Furthermore, logistically, Phases 1c, 2a and 2b cannot then start until Phase 1b is completed as it is intended residents will be rehoused from the blocks currently occupying the land in these phases into Phase 1b's new homes.
- 6.3 The detailed element of the scheme comprises Phases 1a, 1b and 3a and is wholly residential in nature. The earliest phase will accommodate existing residents and will be entirely social rented in nature.
- 6.4 Prior to describing the key aspects of the proposed development, it is necessary to consider the masterplan principles behind proposed estate transformation. The proposed masterplan involves the reconstitution of a planned layout that enhances permeability of movement through the estate and the enhancement, betterment and consolidation of open space accessible to residents and the wider public. The scheme aims to reconcile land levels throughout the estate and remove step changes which are marked by terminated roads and routes. While the proposed masterplan is based around two key north to south multi modal routes, the scheme is also based on removing both parking and road space from the estate to enhance the opportunities for open space throughout.
- 6.5 A masterplan has been developed between the application team, Council officers and the residents on a workshop basis for several years. Taking into account the north to south routes which are intended to be a reflection of the Victorian street pattern that existed before World War II, the masterplan proposes a range of courtyard blocks which enclose residents' open space and shared gardens. These form defined areas within the overall masterplan with each edge forming a different typology of built form depending on what part of the estate the block fronts on to. The masterplan layout ensures that there are frontages to the key roads around the estate: Caledonian Road, Copenhagen Street, Charlotte Terrace and Carnegie Street. Further blocks are defined by their relationship to the north/south lanes, another typology are defined by their relationship to pedestrian only routes within mews, another typology is defined by their relationship to the parks which are accessible to the wider public and therefore need to be strongly defined by their interrelationship to public areas. A final typology relates to land adjacent to the canal which is to be developed to a form that reflects its separate nature and location to the main body of the estate.

### **DETAILED ELEMENT**

- 6.6 Phases 1A, 1B, 1C and 3A are subject to a detailed application. The New Barnsbury Estate as a whole has a site area of 4.38ha. The detailed element has a site area of 2.01ha.

- 6.7 The detailed element proposes the demolition of Blackmore, Messiter, Molton and Jocelin (partial) Houses within the northern part of the estate and the demolition of Aldrick and Amory Houses within the area to the south of Carnegie Street bounded by the canal. Phase 1a proposes the construction of 105 homes across blocks A3, B1, B2 and B4. Phase 1b proposes the construction of 175 dwellings through blocks B3, C6, C7, C8 and C9. Phase 3a proposes the construction of 150 dwellings through blocks D1, D2 and D3. In total, the detailed application, aims to deliver approximately 401 units.

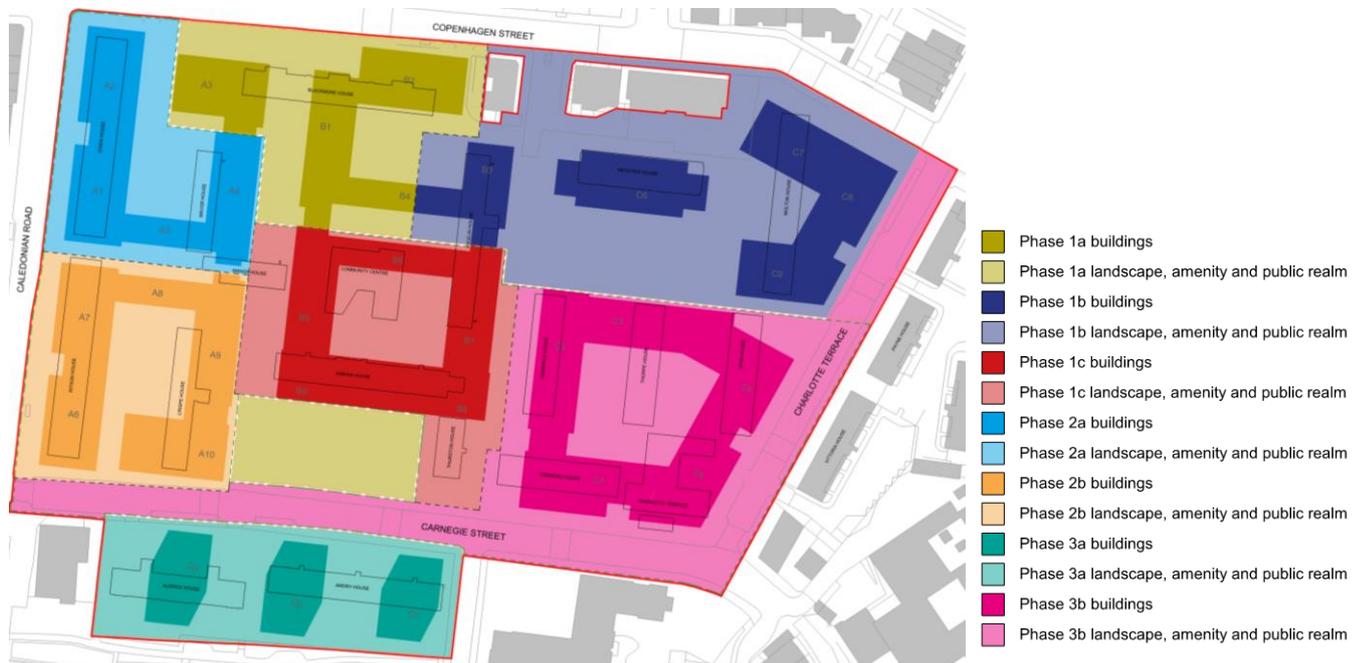


Image 2: Proposed phasing plan

- 6.8 The development is proposed to be delivered as follows:

PHASE 1A: BLOCKS A3, B1, B2 AND B4 (2023-2025)

- 6.9 **Block A3:** is a direct replacement for the demolition of Blackmore House. The proposed building is situated to the northeast of the estate and has a principal frontage to Copenhagen Street. The flank elevation faces the rear elevation of the current Ewen House which is situated facing Caledonian Road. Its eastern flank elevation forms the western elevation to Jays Lane at the northern end adjacent to its junction with Copenhagen Street. The building has five storeys to parapet with a two storey mansard above. The building is proposed to contain 30 social rent units (2 x 1bed, 17 x 2bed and 11 x 3bed). 9 of the flats are wheelchair homes. The proposed building has a height of 16.6m to the parapet and 23.8m to the top of the mansard. Access into the building is from a lobby at the northwest corner gained from the service routing behind the eventual proposed Caledonian Road properties and from Copenhagen Street. Two units are provided at ground floor level along with a substation and separate areas for cycle parking (accessed from Jays Lane) and a refuse storage area adjacent to the lobby. On the northern elevation, the proposed development would have a two storey high vertical edge which provides the functional clearance for the lift and stair core. Dormer balconies will be situated on all four elevations of the proposed mansard. The building is to be principally constructed from pink/peach brick in stretcher bond. The mansard is to be constructed from Zinc standing seam with a red or copper colour. The upper part of the mansard will obscure from view an array of PV panels.



Image 3: North Elevation of Block A3

- 6.10 **Block B1:** builds over part of the demolished Blackmore House and children's playground which forms part of the key residents' open space facilities to the rear of the community centre. Block B1 would also form a key part of Jays Lane. As already stated, Jays Lane would form one of the two new north to south mixed mode routes. Jays Lane currently exists at the southern end of the estate, but after running a short distance north from Carnegie Street, it turns east in front of the community centre to join Leirum Lane. Block B1 is arranged over six floors with a seventh floor pop up with a height 24m to a flat roof.. Six projecting elements make up the front elevation with a recessed element in between which also forms the façade of the seventh floor. At the mid point in the front façade is the entrance to the podium parking area. Above this is a raised planted and landscaped private residents' courtyard which is accessed from the rear of the building at the first floor level. The ground floor and the first floor level comprise of duplex maisonettes. At the right hand side of the façade is a connecting element to block B5. This structure has a two storey high entrance arch which forms a repeating motif through the estate and three storeys above. This arch provides access to the eastern mews area. The principal materiality is light/white brick in stretcher bond with elements of concrete minimised to the window columns on the connecting arch, platform balconies and the roof parapet detail. Recessed window panels support louvred panels for the air source heat pump accommodation.
- 6.11 At the rear elevation, deck access walkways are proposed to provide access to the 'front' doors of flats within the building. There will be four flats accessible from this walkway per floor with the staircore and lift located at the southern end adjacent to the arch. The upper floor of the duplex maisonettes which will be on the courtyard level will have defensible planting to ensure that the private amenity space and habitable room windows are secure. Where a deck access walkway runs along the length of the rear elevation, this will pass a bedroom window and a kitchen window. The building elevation line within the deck walkway will be set back a further distance in front of bedrooms to provide additional defensible space.
- 6.12 Cycle storage for Block B1 will be located at the ground floor within the podium parking area with access to it only gained through the podium parking area. The main entrance to the block (excluding the duplex maisonettes) is also located adjacent to the podium parking area entrance adjoining the refuse storage area.
- 6.13 Block B1 is proposed to contain 31 social rent units, one of which will be a Wheelchair dwellings arranged as 7 x 1bed, 15 x 2 bed, 4 x 3 bed and 5 x 4 bed.



Image 4: North elevation of blocks B1 and B2

- 6.14 **Block B2:** is situated facing north to Copenhagen Street and is a replacement for Blackmore House. The block would provide for a total of 41 units entirely in social rent with a composition of 7 x 1 bed, 17 x 2 bed, 12 x 3 bed and 2 x 4 bed.
- 6.15 The building is arranged over seven storeys with six storeys to a parapet and one storey of mansard above. Land level changes are acute here with the land rising from east to west which allows for the parking podium to be accommodated within the nominal basement area of this building.
- 6.16 At its western end adjacent to block B1, the building has a height of 21.1m to the parapet and 28.5m to the mansard roof top. At the western end of the frontage, the building has a height of 22.0m to the parapet and 25.8m to the mansard top. Rooftop plant will be provided within the mansard area. The block would be largely symmetrical with two forward projecting elements to the street either side of a central stair and access core which has been recessed behind these. This recess which accommodates the stair core rises above the parapet level to provide a vertical front facing element of the mansard roof that when taken from the ground floor level has a height of 6 storeys. The mansard has two dormers to the front elevation, one to each of the east and west elevations and four to the rear elevation. These are structural elements traversing over two storeys with a projecting balcony. The lower level of the mansard utilises a roof terrace.
- 6.17 The building would be constructed from stretcherbond brickwork, with concrete banding to match the brickwork colour. The base of the building would have the same brickwork colour but would have a textured finish to provide additional distinctiveness. The mansard would be constructed from bespoke zinc standing seam with red or copper colour. The main entrance to the building would be from the northern front elevation through ramped and stair access from street level. Access to refuse is also to be provided from the front (northern) elevation adjacent to the principal entrance. The cycle parking would be provided at basement level in conjunction with the podium car parking area. The proposed basement for this building would also accommodate the water tanks for commercial sprinkler systems and the heating, ventilation and air conditioning plant.
- 6.18 **Block B4:** forms the northern side of the eastern mews area. It connects block B1 in Jays Lane to the west and block B3 in Leirum Lane to the east. The Mews are an entirely pedestrianised area in the form of a home zone that encourages outdoor play in a family environment. This mews is accessed from the lanes by the motif arches within blocks B1 and B3. This half of the mews forms the southern perimeter of the podium parking area. The podium area would undercut part of the dwellings at the ground floor level. The residents' private shared courtyard would therefore be at the first floor level of the Mews dwellings (on its northern side). The courtyard level would be at the same land level as Leirum Lane with the outdoor area in the mews at the same land level as Jays Lane meaning that steps are required to reach Leirum Lane to the east.

- 6.19 The building is three storeys when viewed from within the mews and two storeys when viewed from the courtyard to the north. Five dwellings are contained within Block B4 which would all be five bedroom dwellings in social rent tenure. . The building would be flat roofed with mid/buff stretcher bond brickwork with dark coloured mortar in the recessed areas and the same style and colour brickwork in the projecting elements with light mortar colour.
- 6.20 The building would be approximately 10m high on the southern facing elevation and 7m high on the northern elevation. Refuse storage would be provided in the archway from Jays Lane into the mews area.
- 6.21 The shared residents private courtyard enclosed by blocks B1, B2, B3 and B4 has an approximate area of 540sq.m. The proposed courtyard is to be designed to serve a variety of open space needs including doorstep play and passive enjoyment of the open space. The land is to be shaped with varying land levels to ensure that there would be interest and diversity in the landscaped space which would also benefit from tree and shrub planting. Ground floor units would surrounding the courtyard would have a private garden with defensible planting barrier separating the garden from the courtyard.
- 6.22 The podium parking area falling within phase 1a is one of two sub-ground parking areas. Initially, the parking podium would have parking for 44 spaces including 5 accessible car parking spaces. There would also be spaces for 10 motorbikes pertaining to existing permit holders. A podium ventilation area would be provided to extract emissions on the eastern side of the podium to the north of block B3.
- 6.23 Phase 1A would also involve the redevelopment of the Carnegie Street Park to enhance the existing open space and would include the relocation of the open space, play space and ball games court. This area contained in the park would be replaced like for like with an addition of 205sq.m to come at a later phase in relation to phase 2. The open space would then interact with the new community centre and nursery when it comes on line. The space would be landscaped and land levels modulated to address topography and to provide visual interest. The layout would include callisthenics, active play, a boules area, lawn, SUDS and seating.

PHASE 1B: BLOCKS B3, C6, C7, C8 AND C9 (2025-2027)

- 6.24 Block B3: is situated on the eastern side of the aforementioned courtyard above the podium parking area. It has an east facing frontage on to Leirum Lane and forms the eastern termination to the mews block B4 in phase 1a. As per block B1 which is also a lane block, it is proposed to be a seven storey flat roofed block when viewed from Leirum Lane incorporating six substantive storeys and a set back upper storey. Due to the land levels change from Jays Lane up to Leirum Lane, part of the building would be viewed as an eight storey building from within the Lanes. The maximum height above Leirum Lane would be 20.4m to the top of the sixth floor and 24m to the top of the seventh. However, from Mews level, this would be 27m. As per block B1, the frontage is designed to include four forward facing projections with recessed areas that rise up to the pop up seventh storey. The two lower floors will be feature duplex maisonette units with the rear elevation opening up to private gardens and then the shared courtyard area.
- 6.25 The proposed building would have 18 units all in social rent tenure and would comprise 4 x 1 bed, 9 x 2 bed, 7 x 3 bed and 1 x 4 bed. The proposed building would generally have three flats per floor, one of which would be accessed through deck access travelling past one additional unit, with a further flat per floor in the three floors above the arch to Leirum Lane in the interconnecting element to block B7.
- 6.26 The principal materiality is light/white brick in stretcher bond with elements of concrete minimised to the window columns on the connecting arch, platform balconies and the roof parapet detail. Recessed window panels support louvred panels for the air source heat pump accommodation. Access is provided to the north of the arch to the mews adjoining the block's refuse storage area and the lift and stair core.



Image 5: Block B3 (western elevation)

- 6.27 Block C6: is situated to the north of the currently existing Pultney Park. It is proposed to be a replacement for Messiter House. The proposed replacement building is approximately 24m high at its highest point. The block is proposed to be built to the same building line as the northern elevation of Messiter House.
- 6.28 The building would be six storeys high at its western end. Due to land levels rising to the east, the building is five storeys at its eastern end. The building has 'wings' at each end which are recessed back from the frontage and rear elevation. A recessed upper floor is also located above.
- 6.29 The southern elevation would directly address Pultney Park while the western elevation would address Leirum Lane with residents' entrance lobby and concierge. Pultney Park rises from west to east and the general land levels would remain unchanged in the scheme, meaning that the ground floor level would cut through the ground floor level using a lightwell. Two residential units would have access to the lightwell and these would be protected by defensible planting. The rest of the ground floor would be utilised by refuse, recycling and cycle storage as well as building plant.
- 6.30 The proposed block would contain 52 units, comprising 27 x 1 bed and 25 x 2 bed all for private market sale.
- 6.31 On the southern elevation, the materiality would consist of pink brick in stretcher bond with light mortar. The rear elevation would be constructed from light or white brick with stretcher bond and light mortar. Balconies would be powder coated metal with green paint. The building would have a base using pink brick with soldier bond.



Image 6: Block C6

6.32 **Block C7:** forms part of a run of three blocks that turn the corner from Copenhagen Street into Charlotte Terrace. It has a height of 8 storeys comprising six storeys to a parapet, 20m above adjacent ground level at its highest point and with a further height to the top of a two level mansard with a height above ground level to approximately 27.5m. On the northern elevation, the building features two six storey projections with a central recess. The mansard features a vertical element to the northern elevation that accommodates the lift and stair core. There are two dormers over two storeys to the mansard on the northern elevation with a single similar dormer on the flank elevations of the mansard. There are four dormers on the rear elevation..



Image 7: Blocks C7 and C8

- 6.33 Block C7 has 33 units all in private market sale comprising of 10 x 1 bed, 19 x 2 bed, 4x 3 bed. Access would be gained directly from Copenhagen Street with the block situated 7m away from the back of pavement.
- 6.34 The external materials would consist of pink or peach brick within a stretcher bond and light mortar and corduroy texture at the base of the building. On upper levels, the building would have pink or peach brick with stretcher bond with dark mortar and standard brickwork finish. There would be concrete horizontal banding between each floor. The mansard would be constructed from Zinc standing seam roof in copper/red tone.
- 6.35 The rear of the building would overlook an area of open space that forms a continuation of the northeastern corner of Pultney Park. This area of open space would also wrap around the rear of Block C6 and to the south of Phelps Lodge and will also be accessible by the occupiers of Phelps Lodge.
- 6.36 Block C8: is adjoined to block C7 to the east. This block turns the corner into Charlotte Terrace and its front elevation and the principal access is gained from Charlotte Terrace. The building is arranged over eight storeys comprising 6 storeys to a parapet at a height of 19.5m above adjoining ground level at the northern end of the frontage rising to 20.4m above adjoining ground level at the southern end of the frontage. The building is approximately 26m above the adjoining ground level at its highest point. The building consists of a central projecting section on the front elevation with recessed wings that are characterised by corner balconies. The mansard consists of four dormers rising over two storeys to the front elevation, two each to the north and south elevations and one to the rear or east elevation. The mansard terminates with a flat roof which also caps the stair and lift core which situated adjacent to the shared wall with block C7. The block also has a basement level which has been facilitated by the change in land levels. This space accommodates cycle storage, plant for the ventilation and air conditioning and water storage.
- 6.37 Block C8 contains 34 units all in social rent, comprising 14 x 1 bed, 13 x 2 bed, 1 x 3 bed and 6 x 4 bed units. Five of these units are designed for wheelchair access and occupation. Refuse and further cycle storage is provided at the ground floor level. Direct access from Pultney Park is provided at the rear of the building.
- 6.38 The external materials would consist of pink or peach brick with stretcher bond and light mortar and corduroy texture at the base of the building. On upper levels, the building would have pink or peach brick with stretcher bond with dark mortar and standard brickwork finish. There would be concrete horizontal banding between each floor. The mansard would be constructed from Zinc standing seam roof in copper/red tone.
- 6.39 Block C9: is the last structure in Phase 1b and provides the third built edge to the east of Pultney Park. Its southern edge frames the exit from Pultney Park to Charlotte Terrace through a further use of the motif archway and a new small area of open space called Charlotte Square. Block C9 is unique in the sense that it also includes an angle dog-leg projecting into Pultney Park.
- 6.40 The principal pedestrian and residents' access to the building is to the southern elevation from Charlotte Square with level access from Charlotte Terrace but steps down to Pultney Park.
- 6.41 The proposed building has six storeys to a parapet with two storeys within a mansard. The building has a height of 21m to the parapet and approximately 28.5m to the highest point of the mansard at the rear of the site. At the front of the building on Charlotte Terrace, the building has a height of 19.5m to the parapet and 27m to the mansard.
- 6.42 The building has 38 flats in social rent tenure, consisting of 12 x 1 bed, 25 x 2 bed and 1 x 3 bed units with six wheelchair units. The upper floor also accommodates air source heat pumps.
- 6.43 The external materials would consist of pink or peach brick with stretcher bond and light mortar and corduroy texture at the base of the building. On upper levels, the building would have pink or peach brick with stretcher bond with dark mortar and standard brickwork finish. There would be concrete horizontal

banding between each floor. The mansard would be constructed from Zinc standing seam roof in copper/red tone.



Image 8: Blocks C8 and C9

***PHASE 3: BLOCKS D1, D2 AND D3 (2029-2032)***

- 6.44 While phase 3, which incorporates an area of land between Carnegie Street and the Regents Canal, is to be constructed towards the end of the development programme, the proposed buildings within this phase are to be considered within the detailed element as opposed to the outline element. This is due to the significance of these buildings derived from their height, location and likely significance of their impact. Phase 3 consists of three detached point blocks, one of which is proposed to exceed 30m above AOD.
- 6.45 Block D1: is situated adjacent to the junction between Carnegie Street and Muriel Road. The building is arranged over 9 storeys. The building has been redesigned following a series of collaborative workshops in July and August leading to the resubmission of the application drawings at the end of September. The amendments include a redesign to the ground and first floor, providing greater visual significance to the entrance, contextualising and the other three buildings within the streetscene. The ground and first floor have a largely rectangular appearance and layout while the upper 7 floors retain the lozenge or diamond floorplan. The building has a height of 29.5m to the highest point with a stepped down element to the rear with a height of 27.1m. The building has a depth of 27m and a width of just over 18m. The building is set 4.8m forward of the site boundary line and approximately 18m to the east of block D2.

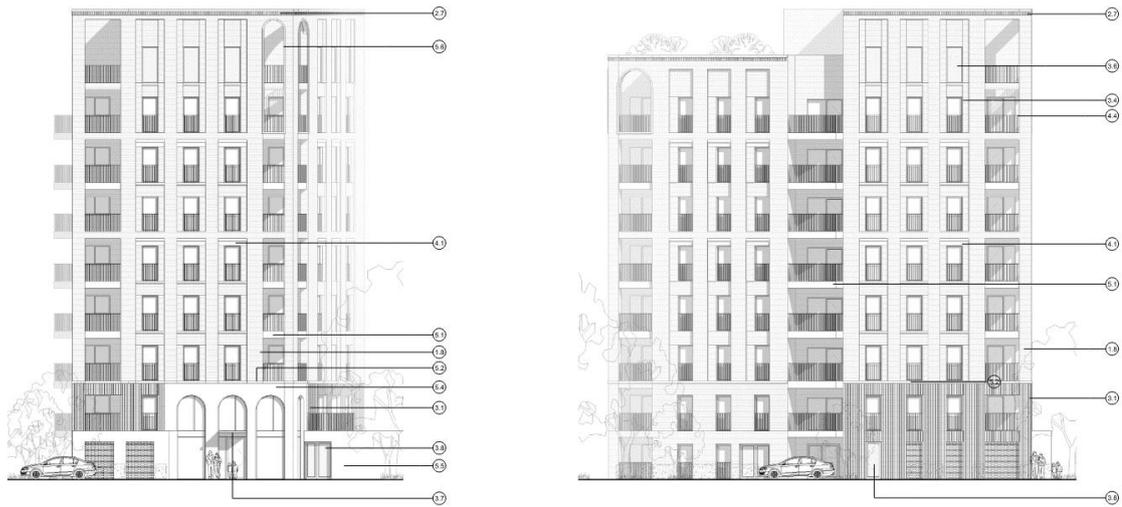


Image 9: Elevations to block D1

- 6.46 Block D1 has as a basement which accommodates plant for the building. At ground floor level the Carnegie Street facing elevation features two substations and a discreet building entrance. Behind these are large cycle and refuse storage areas. At the rear of the building on the ground floor are two flats. Block D1 has 30 flats which are all in social rent tenure comprising of 13 x 1 bed, 11 x 2 bed and 6 x 3 bed. The provision also includes 4 wheelchair flats.
- 6.47 In materiality terms, the building has a two storey base at the rear and three storeys to the front with pink/peach brick at 21 degrees with vertical sawtooth texture. For the main part of the building, the application proposes brown/red brick laid on stretcher bond with dark coloured mortar. Windows are recessed within brick panels. The entrance to the building is situated at the northwest corner and faces west and is tucked under the building superstructure. A secure fence line connects the two blocks and prevents movement from the canal towpath through to Carnegie Street.
- 6.48 Block D2: is of similar form, shape, footprint, materiality and design. However, block D2 which is the middle of the three blocks has a storey height of 11 storeys with a total height of approximately 36.2m with a step down to 33.1m above adjoining AOD. Block D2 has a depth of approximately 30.8m and a width of 18.1m. The internal layout at ground floor is very similar to that of block D1, with entrance located at the northwest corner with refuse storage and cycle storage forming much of the floorspace within the northern half of the floor plan. Two units are situated to the rear of the floor plan. The edge of block D2 is situated just 3.75m from the boundary of the site. Its separation distance to block D3 to the west is 18m.



Image 10: Block D2

- 6.49 Block D2 is proposed to accommodate 49 units in private market sale tenure, with 24 x 1 bed 24 x 2 bed and 1 x 3 bed. Four units of the 49 would be a wheelchair unit.
- 6.50 Block D3: which is situated to the west adjacent to the single storey church hall at the corner of Carnegie Street and Caledonian Road. This is a 9 storey block The building layout and footprint dimensions at ground floor are largely the same as those of block D2.. This building has a total height of 29.9m above adjoining ground level with a shorter rear section of 26.9m Block D3 is approximately 12m distant from block D2 at its nearest point and is 20m distant from the church hall at the corner of Carnegie Street and Caledonian Road. Block D3 is situated just 5.3m from the southern site boundary.
- 6.51 Block D3 provides for 40 units all in private market sale tenure comprising 21 x 1 bed and 19 x 2 bed and including 4 wheelchair units.

Other Aspects of the Detailed Application

- 6.52 Having considered the general arrangement of the proposed detailed element of the planning application, the report moves to address the various planning and land use aspects of the detailed scheme insofar as it relates to the land use and open space considerations.

*Proposed Housing Delivery, Affordable Housing, Tenure and Mix.*

- 6.53 The detailed element seeks to secure the provision of 401 residential units across 12 blocks through phases 1a, 1b and 3 as follows setting out a general breakdown by tenure. The detailed element includes a range of replacement social rent, replacement leasehold homes and new social rent and market sale uplift homes. All intermediate homes (shared ownership) previously proposed within the scheme were set out in the outline phase (2B and 3B) as one bed homes (see Table 2 below):

Detailed Element (401 Units)	Unit	Hab Room	Unit	Hab Room	Unit	Hab Room	Unit	Hab Room	Unit	Hab Room	Unit	Hab Room
Replacement Social Rent Homes	49	104	94	303	35	169	14	84	5	35	197	695
Net Additional Social Rent Homes	13	26	11	34	6	30	0	0	0	0	30	90
Net Additional Intermediate Homes	0	0	0	0	0	0	0	0	0	0	0	0
Replacement Leasehold Homes	6	12	18	54	1	4	0	0	0	0	25	70
Net Additional Market Homes	76	152	69	207	4	16	0	0	0	0	149	375
<b>Total</b>	<b>144</b>	<b>294</b>	<b>192</b>	<b>598</b>	<b>46</b>	<b>219</b>	<b>14</b>	<b>84</b>	<b>5</b>	<b>35</b>	<b>401</b>	<b>1,230</b>

Table 2: Dwelling/Tenure Mix

### **OUTLINE ELEMENT**

- 6.54 The outline element proposes the demolition of Ewen House and Ritson House in Caledonian Road; Mavor House in Bryan Street; Crispe House, Adrian House and Thurston House in Carnegie Street; the community centre in Jay Street; Redmond House and Charlotte Terrace in Carnegie Street; and Kenwrick, Thorpe and Venn House to the south of Pultney Park.
- 6.55 Phase 1C incorporates the southern side of the eastern mews (Block B6) which Would be commenced in phase 1A and the southern end of the lanes in Jays Lane (Block B5) and Leirum Lane (Block B7). Blocks B8 and B9 which incorporate the community centre forms the completion of this quadrant. The Mews in block B6 would be four storeys in height. Blocks B5 and B7 would both be six storeys with a seventh floor set back element as per the detailed phase. The southern side of the quadrant consists of block B8 and B9 incorporating the community centre at the ground floor level with flats above. These blocks have been reduced in height in order to try and improve the level of sunlight on ground to the courtyard garden to the north. The blocks have a height of 5 – 7 storeys.
- 6.56 Phase 2A involves the demolition of Mavor House to the west of the Community Centre and Ewen House which is the northern of the two Caledonian Road blocks. These are to be replaced by blocks A1 and A2 which are located on Caledonian Road and blocks A4 and A5 which form the western side of the redeveloped northern end of Jays Lane and the northern side of the western mews block. Blocks A1 and A2 are proposed to be a pair of symmetrical nine storey blocks that replace the existing four storey frontage blocks. It is proposed that the ground floor would be retail but there would not be a replacement basement level. The blocks would have seven storeys from street level to a parapet with a two storey mansard above that would in total not exceed 30m from the adjoining street level when roof top plant and equipment is included as prescribed by the parameter plans (building height). Each of blocks A1 and A2 would have their own mansard roof and when completed with blocks A6 and A7 to the south, would appear as two out of four mansards. The roofs of blocks A1 and A2 would be identical but would be of a different length to blocks A6 and A7 to the south which would form their own symmetrical pair.
- 6.57 Blocks A1 and A2 would sit further forward than the current building line by approximately 3m meaning that the pavement depth between the building line and the edge of highway would be approximately 6m. This would include a street furniture strip close to the edge of the pavement, a tables and chairs strip adjacent to the shopfronts and a pedestrian zone in the middle. A gap between blocks A6 and A7 to the south would facilitate access into the estate and the first mews. The ground floor would provide approximately half of the proposed retail provision within the estate. The outline application envisages that the scheme supports the vision that the retail layout can be flexible in its provision insofar as not every unit would be the same size and that units can be larger or smaller to meet specific needs.

- 6.58 Block A4 which would be within Jays Lane would be built to a height of 7 storeys incorporating the set back at the top floor. Its form, materiality, design and appearance would be very similar to block B1 described above. Block A5 would be three storeys and would provide family sized houses. It is anticipated that phase 2A would deliver approximately 97 units, consisting of 94 replacement social rent and 3 net additional social rent. There would be no market sale. It is proposed that this phase would be delivered between 2027 to 2030.
- 6.59 Phase 2b would be delivered in overlap and in parallel during the period of 2027-2031. Ritson House and Crispe House would be demolished which would unlock the construction of blocks A6 and A7 on Caledonian Road, block A8 forming the southern side of the western mews. Block A9 would also be constructed which would form the western side of Jays Lane at the southern end. Block A10 would be situated at the south of Jays Lane, and would have a southern frontage to Carnegie Street. The courtyard garden enclosed by this quadrant would also enclose a podium car parking area. This would be accessible from a ramped access from Carnegie Street immediately to the rear of block A6.
- 6.60 As per phase 2a, the Caledonian Road blocks (A6 and A7) would be designed in the same manner as blocks A1 and A2. They would be built to a height of 9 storeys including seven storeys to a parapet and a two storey mansard above. There would be a single storey level of retail floorspace.
- 6.61 Block A9 would have a height of six storeys with a set back seventh floor as per the rest of the lanes layout within the masterplan. Block A10 would also be arranged over seven storeys and would be detached from the rear of block A6. The ground floor would be ancillary residential use with an active frontage on its south side to Carnegie Street and to its eastern frontage to Jays Lane.
- 6.62 This phase had aimed to deliver up to 148 units including 120 private market sale units within the uplift, 20 shared ownership units and 8 social rent units (also within the uplift). While the specific phase units numbers are subject to further variation as the scheme develops beyond the mid stage review mechanism, the removal of shared ownership as a proposed tenure means that this phase could provide 132 private market sale and 16 social rent in lieu of shared ownership.
- 6.63 Phase 3b would delivered from 2029-2032 in parallel to phase 3a (the canalside blocks) which is to be considered within the detailed phase. This phase relates to the parcel of land in the southeastern corner of the estate at the junction of Carnegie Street and Charlotte Terrace. This phase would see the demolition of Kenwick House, Thorpe House, Venn House, Redmond House and Charlotte Terrace.
- 6.64 They would be replaced by block C3 which would be situated on the southern side of Pultney Park, blocks C4 and C5 on Charlotte Terrace, block C2 on the eastern side at the southern end of Leirum Lane and block C1 on Carnegie Street. Block C3 has a height of four storeys with the aim of maintaining a sense of openness to Pultney Park, optimising sunlight to the open space in this location. This is a flat roofed block and is intended to complement the lanes blocks to the west and the replacement for Messiter House to the north. Blocks C4 and C5 are a continuation of the mansard mansion block that commenced on Copenhagen Street to the northwest and continued along to the junction with Charlotte Terrace. These have been reduced in height to be seven storeys with six storeys to parapet and a single mansard storey. Given the height changes that are evident from north to south in Charlotte Terrace, these will step down as individual but conjoined buildings. As per the remainder of the Lanes blocks, block C2 will have six storeys with a single storey above set back. While the final block C1 will be a flat roofed block with seven storeys and no mansard. This will be the largest phase in the outline process with 168 units being delivered across three tenures: 76 social rent, 30 shared ownership and 62 private market sale units.

## **Revision 1**

- 6.65 The applicant submitted amended plans on 30th September 2022 that included changes in relation to both the detailed and outline elements of the hybrid application. Changes have been made to blocks A3 and B2 (entrance arrangements improved and mansard reduced), blocks C7, C8 and C9 would have their mansards refined with reduced roof level clutter and additions. Blocks D1, D2 and D3 have been reduced in height, re-orientated and redesigned to ensure that their impact is minimised in key views. These blocks have also been re-sited so that they better address Carnegie Street and optimise the provision of open space within the site. Block C6 has been amended to facilitate more logical access and circulation into the building and a revised treatment and interaction between ground floor and ground level. Open spaces and

parks within the detailed element have been revised so as to ensure that paths are removed from the space to make the space a more tangible functional open space rather than a transitory space.

6.66 Outside of the detailed element, the revised application proposes an alteration to blocks A1 and A2 so that their built forms comprise an equal pair in relation to their mansard length and footprint. Furthermore, all blocks A1, A2, A6 and A7 would all be constructed so that their overall height – including roof top plant and overruns – would not exceed 30m. Elsewhere in the outline phase, blocks C4 and C5 would be reduced in height through a reduction of the mansard height to one storey. There would be no change in the shoulder height. The purpose of this change is to reduce visual dominance at this spacious streetscene setting and to reduce the daylight and sunlight impact to existing blocks in Old Barnsbury.

6.67 The proposed revisions would result in a reduction in units from 950 to 914 and it is proposed that the new housing would be delivered in the following manner:

Phase ↓	Replacement		Net additional			Total	Build programme
	Social rent	Market housing leaseholder	Social rent	Shared ownership	Market Housing		
1a (detailed)	104					104	2023-2025
1b (detailed)	93	25			60	178	2025-2027
3a (detailed)			30		89	119	2029-2032
1c (outline)		55			45	100	2027-2029
2a (outline)	94		3			97	2027-2030
2b (outline)			8	20	120	148	2027-2031
3b (outline)			76	30	62	168	2029-2032
Total	291	80	117	50	376	914	

Table 3: Housing Delivery

## Revision 2

6.68 On 11<sup>th</sup> November 2022, the applicant submitted addendums and revisions to the Planning Statement, Design and Access Statement, Cover Letter and Development Financial Viability Assessment. These amendments reflected an updated affordable housing offer, which omitted the previously proposed 50 x One bed Shared Ownership Units to 18 One Bed Social Rented Units and 32 One Bed Market homes.

## 7. RELEVANT HISTORY:

### PLANNING APPLICATIONS:

7.1 This section sets out relevant planning applications that have been considered by the Council within and adjoining the Barnsbury Estate. Applications for advertisement consent, tree works in a conservation area and street furniture have not been included.

<b>Application Reference Number</b>	<b>Address</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
820416	Barnsbury Estate Tenants Clubroom	Erection of an extension to the existing clubrooms to provide new lounge, kitchen and ancillary facilities	Conditional Planning Permission	21/04/1982
831934	Barnsbury Estate	Carrying out of landscaping and other rehabilitation works to the open areas around the blocks and the alteration of the ground floor communal entrance refuse storage areas	Conditional Planning Permission	23/03/1984
850313	180 Caledonian Road	The retention of the existing extraction duct and related equipment at the rear of the shop unit and the change of use of the shop unit from hot food takeaway to full restaurant with takeaway service entailing new shopfront and basement kitchen	Conditional Planning Permission	01/08/1985
931531	Messiter House, Barnsbury Estate	The cladding of all elevations	Conditional Planning Permission	04/02/1994
940341	Lord Nelson Public House, 105 Copenhagen Street	The conversion of the upper floors into four, 2-bedroom flats and one, 1-bedroom flat including a rear extension at second floor level and formation of a roof terrace at third floor level.	Conditional Planning Permission	01/08/1994
940423	198 Caledonian Road	Change of use from optician to office (use class A2) for Barnsbury Estate Local Management Organisation	Conditional Planning Permission	05/08/1994
940978	204 Caledonian Road	Change of use from launderette to retail (class A1)	Conditional Planning Permission	24/11/1994
951824	Lord Nelson Public House, 105 Copenhagen Street	Change of use of 3 upper floors of existing public house to a 16-bed B & B hotel consisting of 1 x 1-bed, 3 x 2-bed, 3 x 3-bed rooms and a 1-bed manager's flat	Conditional Planning Permission	12/06/1996
960939	Ewen & Ritson Houses, Barnsbury Estate	Replacement of balcony balustrading to east and west elevations	Conditional Planning Permission	23/08/1996
970159	1A, Adrian House, Barnsbury Estate	Upgrading of existing office/workshop including alterations to front and rear ground floor elevations, to reinstate windows on rear and construct new glazed and brick front with canopy	Conditional Planning Permission	11/03/1997
972346	176 Caledonian Road	Change of use of shop unit from Class A1 (retail) to Class A2 use as a solicitors office.	Conditional Planning Permission	11/02/1998

981742	Crispe, Mavor, Blackmore, Jocelin, Molton and Charlotte Blocks, Barnsbury Estate	New secure entrances and entryphone systems and improved disabled access for various blocks on New Barnsbury Estate	Conditional Planning Permission	28/10/1998
982312	174 Caledonian Road	Change of use of ground floor and basement from shop (Class A1) use to solicitors' office (Class A2)	Conditional Planning Permission	26/01/1999
982453	172 Caledonian Road	Change of use from retail to real estate/professional office (use class A2)	Conditional Planning Permission	08/02/1999
992054	206 Caledonian Road	Change of use of ground floor to retail grocery shop with bakery use in basement	Conditional Planning Permission	17/11/1999
P000032	Barnsbury Estate	OLD BARNSBURY ESTATE: Creation of balconies at Berners House, Copenhagen House, Corbet House, Fisher House, Payne House, Roding House, Samford House & Vittoria House. NEW BARNSBURY ESTATE: Formation of pitched roofs at Adrian House, Aldrick House, Amory House, 1-19 Charlotte Terrace, Crispe House, Ewen House, Jocelin House, Kenwick House, Mavor House, Redmond House, Ritson House, Thorpe House, Thurston House & Venn House.	Conditional Planning Permission	22/08/2000
P000439	105 Copenhagen Street	Erection of extension at second floor level, formation of railed lightwell on eastern frontage and conversion of entire premises from pub/music venue with ancillary manager's flat and Bed and Breakfast accommodation above to two 3-bed maisonettes in the basement and ground floors, a 1-bed flat at rear first floor and four 2-bedroom flats	Conditional Planning Permission	20/06/2000
P001924	Adrian and Amory Houses, Barnsbury Estate	Erection of new lift towers	Conditional Planning Permission	06/03/2001
P011045	Barnsbury Health Centre, Charlotte Terrace (House) Barnsbury Estate	Refurbishment of health centre to provide a day centre for older people with dementia, including new access facilities, lobby area, landscaped rear courtyard and repositioning of screen to rear of building.	Conditional Planning Permission	13/07/2001

P022482	2 Hemingford Road & 80-82 Copenhagen Street	Redevelopment of 80-82 Copenhagen Street and adjoining land by erection of three storey building of one house and 12 flats and retention of 2 Hemingford Road as one house	Conditional Planning Permission	03/02/2003
P030160	Barnsbury Estate	Installation of a timber security fencing 1.6m high to estate boundary (Copenhagen Street, Charlotte Terrace, Barnsbury Road).	Conditional Planning Permission	17/04/2003
P042935	210-212 Caledonian Road	Change of use to A2 (financial and professional)	Conditional Planning Permission	05/01/2005
P080910	12 Carnegie Street, Barnsbury Estate	Demolition and rebuilding of community centre with external landscaping	Conditional Planning Permission	24/06/2008
P110300	103 Copenhagen Street	Demolition of existing derelict property (previously a Public House) and erection of a new five storey plus basement building to supply eight x 2-bed flats and a B1 office unit.	Conditional Planning Permission	17/05/2001
P112840	'Lark in the Park' 60 Copenhagen Street	Demolition of existing public house and replacement with 5 terraced houses. ALLOWED ON APPEAL	Refusal	04/10/2012
P2012/0289/FUL	Carriageway at Charlotte Terrace	Installation on the carriageway of a Barclays Cycle Hire docking station, containing a maximum of 58 docking points for scheme cycles plus a terminal outside Molton House	Conditional Planning Permission	28/01/2013
P2012/0291/FUL	Carriageway at Carnegie Street	Installation on the carriageway of a Barclays Cycle Hire docking station, containing a maximum of 40 docking points for scheme cycles plus a terminal outside Aldrick House and Amory House	Conditional Planning Permission	05/02/2013
P2014/0478/FUL	Barnsbury Welfare Clinic, 1 Carnegie Street	Change of use of 1 Carnegie Street from Adult Day Centre to Parking Attendant Operational Centre	Conditional Planning Permission	24/06/2014
P2016/1109/FUL	Barnard Park	Refurbishment of east side of Barnard Park including improvements to football pitch, planting, turfed areas and re-design and layout of pathways.	Conditional Planning Permission	09/05/2017
P2016/2778/FUL	190 Caledonian Road	Change of use of the basement and ground floor unit from hot food takeaway (A5) to restaurant (A3) with external alterations to the shopfront.	Conditional Planning Permission	15/12/2016

P2021/3658/FUL	Barnard Park	Refurbishment and improvement works to park to include: replacement of existing Redgra pitch with 9-a-side pitch and associated retaining walls; creation of new grass area for amenity recreation and sports use; removal of existing park buildings and erection of new community hub building; new and reconfigured entrances and footpaths; installation of adult gym equipment; park furniture; removal and replacement of trees; and landscaping throughout.	Conditional Planning Permission	15/03/2022
P2022/2454/FUL	Old Barnsbury Estate	Full planning application for external alterations to all existing buildings (including replacement windows, doors and communal entrances) and landscaping, environmental and wayfinding works (including new bin and cycle stores, new railings to ramps, stepped access to existing buildings, play facilities, lighting, signage and gates).	Pending Consideration	

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

- 7.2 Pre-application enquiry Q2019/1407/MJR was received in May 2019, submitted by Lichfields on behalf of Newlon Housing Trust along with the consultancy team comprising of Farrar Huxley (Landscape) and Pollard Thomas Edwards (masterplan, architecture and urban design). In conjunction with the Council and the GLA, a series of workshops took place through 2019 and 2020 prior to the Residents' Ballot which took place in February – March 2021. Through these workshops, the applicants and their representatives sought to incorporate residents' feedback into masterplan proposals that were centred on principles of maximising permeability, restoring the Georgian street pattern, enhancing and improving open space function and quantum, and designing a variety of building types.
- 7.3 The initial pre-application/pre-ballot proposals comprised approx. 860 units and a number of building typologies set within a wider masterplan. Officers were generally supportive of the proposals in principle subject to further details of affordable housing provision, neighbour amenity and housing need.
- 7.4 After the Residents' Ballot in 2021, Newlon Housing Trust entered into a Joint Venture Partnership with Mount Anvil to develop the masterplan principles into a planning application supplemented by scheme details pertaining to unit numbers and tenure. At this point, the projected numbers of units proposed to be delivered by the scheme rose from circa 860 to circa 950 with reduced affordable housing delivery. The masterplan layout remained largely as indicated in the ballot offer, however the additional hundred units were largely accommodated by increasing the height of the proposed buildings rather than through a more considered approach set out by the London Plan in its 'good growth' policies which seek to achieve capacity through a design led process. More recent amendments to the proposals have sought to address these concerns in part. See below for further details

GREATER LONDON AUTHORITY (GLA) – Stage 1 Response

- 7.5 The GLA has advised the London Borough of Islington that they strongly support the scheme in strategic terms. However, the scheme needs to be updated to overcome concerns expressed in the GLA Stage 1 Letter (dated 18 July 2022). Further advice was provided as follows:
- The proposed application would comply with the Mayor's key principles for estate redevelopment set out in the London Plan and the Mayor's *Good Practice Guidance for Estate Regeneration* (GPGER: 2018). The re-provision of social infrastructure and commercial units is strongly supported.
  - The scheme provides 52% affordable housing and needs to be subjected to the viability tested route. Early, mid and late stage reviews will be required. Details on housing mix and off site child playspace provision will be required at Stage II.
  - GLA officers are broadly supportive of the design. The proposal includes tall buildings outside of a plan led location however the impacts of the buildings must be assessed in determining their suitability.
  - A revised fire statement is required. At Stage II, the applicants will be required to demonstrate that public benefits outweigh the less than substantial harm that would be caused to heritage assets. Furthermore, other issues on transport, sustainable development and the environment would require resolution prior to the Mayor's decision making stage.

### DESIGN REVIEW PANEL

- 7.6 The pre-application and the submitted application have been subjected to review by the Council's Design Review Panel, who are an independent peer to peer advisory group. The proposals have attended six panels. Key Points from the latest Chairs Review, which took place on 13<sup>th</sup> September 2022 are detailed below and a copy of the letter is attached at Appendix 3:
- The key issues that arise to determine quality relate to scale and massing. Reiterating what was said at the last review, there remain several key areas where the case has not been convincingly made. Caledonian Road is the public frontage of the scheme and is where it is announcing itself. Architecture and scale have yet to be resolved and more work to this edge is required.
  - On the canal side towers, The Panel appreciates that there has been a revisit resulting in substantial improvements from the last time. The changes to this part of the site work with the geometry of the masterplan and help with its permeability. The realigned courtyards are good and the change in orientation is positive. The 'straight on' views are better, but the oblique views may still be difficult. The entrances and the spaces between have been improved. Some reservation was expressed about the use of the arches including how they reinforce the scheme. The blocks could appear as though they are sitting on stilts being too thin at the ground floor.
  - However, the interweaving of the front boundary wall and the entrance elements does create a strong sculptural element.
  - The changes from double to single storey mansards to Copenhagen Street and Charlotte Terrace is welcomed. Changes to Block B2 entrance is better but still consider that more could be done with the communal circulation and that more inviting entrances are an important consideration.
  - The more organic design changes to the residents' communal courtyard gardens are welcomed as a big improvement.
  - The Panel reiterated that it is primarily the issues relating to scale and massing that remain of concern. The scale of the Caledonian Road frontage and the Lanes remain of concern, and it was noted that no reductions have been made to these two key locations. The reduction in height of the canal blocks is useful and welcomed and there was some support for having different heights to this edge. While acknowledging the existing residents do not support a new connection to the canal edge through this part of the site, future proofing the southern boundary to respond to greater activity in the canal area is advised.
  - There will be a lot of pressure in the form of additional residents and multiple concurrent uses, on the two small parks which don't materially increase in size relative to the increase in population density. The Panel had previously mentioned the benefits of roof terraces to meet open space and play demand and is disappointed that this too has not been further explored. The reliance on Barnard Park to address need generated by the scheme remains a concern.
  - The Panel acknowledge that there have certainly been some improvements made around some of the details including buffers, edges, and the canal side. But there remains a lot of concern about the impact on the canal side in relation to their height.

- The creation of canyons through the proposed Lane heights and the imposing heights on the Caledonian Road are also of significant concern to the panel.
- The mansion block with mansard roof typology has constrained the scheme design and has exacerbated the situation around bulk and massing. It doesn't allow a finer grain to be achieved nor does it allow the buildings to step with the landscape and level changes. Mansion block doesn't incorporate the traditional mansion block characteristics as they relate to entrancing and journeys home and the communal spaces aren't yet working as well as they could be.

### Secretary of State

7.7 The application is referable to the Secretary of State and therefore the Secretary of State has been notified of the application. No representations have been received at this time.

## **8. CONSULTATION**

### **Public Consultation**

8.1 Letters were sent to occupants of 3763 adjoining and nearby properties within the Barnsbury Estate as well as on surrounding streets including Barnsbury Road, Muriel Street, Hemingford Road and Matilda Street on 6 June 2022. A site notice and press advert were displayed on 23 June 2022. The public consultation of the application therefore expired on 17 July 2022.

8.2 Following the receipt of amended plans the application was re-consulted upon with letters sent on 4 October 2022, and a Site Notice and Press advert displayed on 6 October 2022. The public consultation of the application therefore expires on 31 October 2022, however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.3 At the time of the writing of this report a total of 343 responses (77 objections, 204 supports and 52 comments) 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 the issues indicated within brackets*):

### Objections

#### 8.4 Design, Height and Character

- The proposed development is too ugly and too tall. Would have a lasting negative impact on the neighbourhood.
- The plan makes for a dense oppressive environment including high rise blocks towering over the canal.
- Concerned about the height of the development, it will destroy the area, the view and be out of proportion.
- The tripling of the density of the estate will create an unacceptably dense environment unsuited to the character of Barnsbury, increasing the height of buildings on all frontages, especially the canal.
- The scheme would degrade the canalside and views of it as a major Islington asset.
- Several 13 storey buildings looming over the canal and blocking light would be a psychological travesty.
- The development would significantly alter the fabric of the area and cause serious cramming in a low density area.
- Development breaks the 30m height rule.
- The buildings are too high and ugly and the proposed material colour is out of character with local London yellow brick predominance.
- The narrowing of Caledonian Road and the building height increase would be overbearing.
- The building heights seem ambitiously high.
- The diagonal roofline is overscaled and would be better broken into a series of steps.
- The development increases the size, scale and density while also reducing the amount of free space.
- Height and massing of blocks near the canal would destroy the character of this pleasant almost rural part of the towpath.
- Many of the proposed buildings will have **Page 137** many storeys.

- The buildings' garish colours would be out of keeping with the wider area.
  - The D-blocks (D1, D2 and D3) would be excessively tall. The rare natural surroundings would be lost.
  - This would be an overdevelopment and an unpleasant place to live.
  - The tower blocks are crass and hideous creating a massive wall of development.
  - The masterplan proposes a random footprint which doesn't address streets or geographical features.
  - The buildings would be a very vivid shade of red which would stand out in the wider area.
- (Paras 14.24 to 14.179 and 14.202 – 14.221)*

## 8.5 Heritage and Townscape

- The proposed development has not been supported by views from the south of the canal in Fife Terrace.
- By building such tall buildings so close to the tunnel portal would affect the setting of this monument and would harm the setting of Conservation Areas.
- The visualisation from Thornhill Bridge would demonstrate that the tunnel would be undermined and overshadowed by the huge tower blocks.

*(Paras 14.222 to 14.278)*

## 8.6 Canal Environment

- This stretch of the canal is unique in that its largely traffic free in a tranquil public space with mature trees. Such spaces are vital for preserving well being and mental health. The tower blocks would eliminate this character.

*(Para 14.165 to 14.181 and 16.5 to 16.28)*

## 8.7 Open Space

- There is so much greenery on the estate, and this development will build all over this, just to benefit Newlon.
- There would be no proportionate increase in open space within the estate keeping pace with the increase in the number of units.
- The development will result in the open spaces being insufficiently sunlit.
- The tranquil open space behind the community centre would be lost.
- Many private gardens will be lost.
- Too many trees felled.
- There should be dedicated dogwalking areas.

*(Paras 16.1 to 16.35)*

## 8.8 Amenity

- The work will be disruptive and dirty for many years,
- The development would result in living conditions for residents substantially less agreeable than the existing.
- Tall buildings perpetuate inequalities
- Any building higher than the existing Ewen House would detrimentally affect neighbouring residents access to light, privacy and sunlight.
- The tower blocks will cast shadow over the wider estate.
- There may be overlooking from roof terraces.
- Concerns as to where the proposed hard rubbish storage area would be located post development.
- Detrimental reduction in daylight, sunlight and privacy.
- The towers would cast a permanent shadow.
- New flats could be smaller and would be intolerable for families with children.
- Flats are becoming smaller.
- Doubled capacity would have impact on privacy, noise, light etc.
- Flats on upper floors will overlook Bridge Wharf.

*(Paras 17.1 to 17.16 and 18.1 to 18.126)*

## 8.9 Construction

- Concerns about steps to be taken to minimise construction disruption.
- The phased programme of development would have a significant and prolonged impact on residential amenity and working from home residents.  
(Paras 17.11 and 26.32)

#### 8.10 Energy and Sustainability

- The development will be responsible for unnecessary Co2 release and there are cheaper more environmentally friendly ways of improving this estate.
- This development will create a high carbon footprint.
- Demolition will expend a huge amount of energy with larger amounts of demolition spoil going to landfill. The assumption should be repair, restore and refurbish.
- The Whole Life Carbon Assessment is not very ambitious and ignores embodied carbon. Performance should be better.
- Not much attention to sustainability in the Design and Access Statement.  
(Paras 19.1 to 19.52)

#### 8.11 Social Infrastructure

- The Killick Health Centre would not be able to cope with 427 units.
- The pressure on local services would be unacceptable.
- There are not enough medical facilities or shops left for people.  
(Paras 12.48 to 12.75 and 12.76 to 12.82)

#### 8.12 Environment and Biodiversity

- The proposed development will have an impact on biodiversity and waterfowl including geese, ducks and moorhen.  
(Paras 19.49 to 19.51)

#### 8.13 Transport

- The development should be car free.
- The development should adhere to car free policies.
- Tenants are losing their parking rights.
- Negative impact on local traffic.
- Bike parking is welcomed but further traffic reduction is needed.
- Can the Muriel Street, Charlotte Terrace, Carnegie Street rat run be reduced and the school run to Vittoria reduced. An accident is likely.
- No obvious provision for vehicle charging stations.  
(Paras 20.1 to 19.21)

#### General Comments

- The decant period of 5 years is too long and no confidence that the period will be just 5 years.
- The estate has become neglected and Newlon are cynically offering this development rather than carry out proper maintenance which tenants would prefer.
- Plans to triple the number of residents would hugely affect the community with a reduction in outdoor space, green space, blue space and sunlight and daylight impact.
- The development would have a negative impact on the microclimate.
- The proposed development would result in the loss of a demographically, ethnically and economically diverse estate.
- Would support providing more shops and open spaces without obtrusive fences.
- The current community centre was only built 12 years ago. To rebuild it again would be a waste.
- It is not proven that dwellings would need to be demolished to be improved.
- Not enough dwellings at council house rents and nothing done to help the low paid or key workers.

- It is objectionable for a housing association to provide housing overlooking the canal for rich people only.
- Objection to private blocks. People were told that they can move back to a block, but many of them are solely private.
- The estate has been purposefully run down by Newlon. Completed blocks will then be insufficiently maintained by Newlon.
- The estate will provide much needed new high quality homes in the area.
- More housing is needed
- The development is welcome but the canalside buildings are too high and the materials need to be tasteful.
- Welcome proposal to demolish the unsafe and unsightly estate and improve poor quality of housing.
- Leirum Street should be renamed. It is a pointless reversal of Muriel Street.
- While the scheme isn't perfect, more housing is needed.

Letters of Support:

- The scheme will provide larger homes for family members
- There will be better quality homes
- The area needs an uplift
- Children will get safer and more areas to play outside.
- New Barnsbury needs to be redeveloped
- There has been great direct working with the school to engage children
- The makers and mentors scheme is a great opportunity for local people.
- More flats are needed
- Support the energy efficiency measures
- Will improve the Cally and Barnsbury

External Consultees

8.14 **Historic England:** provided comments advising that the scheme would cause less than substantial harm to designated heritage assets within close proximity to the development.

Further advice is provided as follows:

- The proposed size of the block on Caledonian Road (outline phase) would impact the townscape of the southwest corner of the Barnsbury CA. Notwithstanding Orkney House, the proposed development would bring a marked change of scale east of the road.
- Because of their height and collective massing, the three tower blocks would have a considerable impact on the character and appearance of the Regents' Canal West CA and to some degree in other Conservation Areas. Tower blocks of the sort proposed are a new typology that would change the character and appearance of the CA.
- Notwithstanding the mitigation, they (canalside towers) would considerably change the character and appearance of the Regents Canal West CA and would be conspicuous forms in views across to the west. In the Keystone Crescent CA, the tops of the canal blocks would appear as a complex modern roofscape above the 19<sup>th</sup> century townscape and with the rest of the development would considerably reduce the historic sense of openness on the approach to the canal.
- Historic England has no objection to the application on heritage grounds but it is considered that the issues and safeguards outlined in our advice need to be addressed in accordance with the requirements of paragraphs 197-202 of the NPPF.

8.15 **Historic England (Greater London Archaeology Advisory Service):** raised no objection to the proposal. Advice is provided as follows:

- Having considered the proposals with reference to the information held in Greater London Historic Environment Record and made available in this application, it is concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No conditions or further assessment is necessary.

- 8.16 **Metropolitan Police (Crime Prevention):** Have raised no objection to the scheme. The Met Police CPO has worked with the scheme architects in parallel to develop a range of strategies in relation to lighting, boundaries between private, semi-private and public space. Control measures in relation for access to car parks and communal reception areas within blocks. It is recommended that Secured by Design scheme compliance can be secured on a phase by phase basis.
- 8.17 **Thames Water:** has raised an objection to the proposal. While there are no objections to waste water disposal as a result of the development, Thames Water have identified an issue with surface water management insofar as that the existing infrastructure is unable to accommodate the full surface water needs of the scheme. Thames Water is working with the applicant to create a workable solution. Thames Water has suggested a planning condition which requires either a surface water network upgrade to occur or the completion of an agreed development and infrastructure phasing plan to be agreed. Furthermore, Thames Water has identified that any development over and above 99 homes would result in a water network capacity issue. It has proposed a condition that limits occupation to until the upgrades have been completed or agreement on a phasing plan has been introduced.
- 8.18 **Transport for London (Underground and DLR):** No objections
- 8.19 **London Fire Brigade:** No objections
- 8.20 **Health and Safety Executive (HSE):** In relation to fire risk, the HSE raises no objections to the scheme, however, given the hybrid composition, it requests that a planning condition is imposed that requires the submission of a satisfactory fire statement with every Reserved Matters application and that the HSE (Planning Gateway One) is consulted with every aforesaid Reserved Matters Application. In relation to hazardous installations, the HSE raises no objections.
- 8.21 **Council's Independent Fire Consultant:** Requested further clarification regarding construction methods and control measures to reduce impact of fire on surrounding area; open plan flat arrangements for evacuation, details of fire spread calculations and temporary access arrangements for fire and rescue services during construction.
- 8.22 **Sports England:** Sports England welcomes the fact that the existing MUGA would be replaced on site since it would provide the opportunity for the residents to still access a sports facility close to their homes. The proposal would accord with paragraph 99 of the NPPF as a result. Sports England also encourage the developers to construct their development in accordance with Active Design Principles which ensure that developments help people to get more active, more often in the interests of health and wellbeing.
- 8.23 **Islington Society:** As the application is a hybrid application, the submitted scheme is missing the majority of the detail. The outline elements incorporate some of the more controversial aspects of the development. For example, the Caledonian Road development moves the frontage forward replacing a four storey building with a nine storey building and as no detail is provided within this application, there is no true sense of their massive bulk which would change the character of the street. This would be the same concern for the parallel street behind where a space would be created which is likely to be oppressive because of the height to width ratio. These parts are integral to the scheme as a whole and it would be inappropriate to assess the scheme as a whole without this detail. Buildings up to 13 storeys on the canal will transform the character of the area and the existing 10 storey building in Muriel Street should not be seen as precedent as it is not an enclosure to the canal. The new blocks in Charlotte Terrace would impact upon the blocks in Old Barnsbury.
- 8.24 While it may be considered that Old Barnsbury is an unusually low density development for Central London, however the higher density proposed would be excessive with forcible impacts on daylight and open space. There would be a significant impact on daylight and when combined with an increase in footprint from 20% to 40% with a doubling of height there would be significant harm.
- 8.25 While it is claimed that there is an increase in open space, the fact that dwelling numbers increase by 260%, the amount of green space per dwelling will reduce to a third pro-rata. Even Pultney Park will reduce the Messiter House replacement projects further south and another encroachment from a building to the east. 148 trees would be removed.

- 8.26 Overall, this Society considers the proposed density to be excessive in terms of resulting conditions for residents of the Estate. It further considers the bulk of the proposed buildings damaging in terms of their impact on surrounding properties, including the 'Old' Barnsbury Estate blocks to the east of Charlotte Terrace, the existing buildings on the west side of Caledonian Road, and on Fife Terrace to the south of the Canal. The siting of a wall of thirteen-storey towers closely along the north bank of the Canal will seriously detract from the value of this critical local amenity and the setting of the Regents Canal West Conservation Area.

### **Internal Consultees**

- 8.27 **Housing Office:** Officers have been in discussions with the Council's Housing Nominations Team to ensure that the nominations secured as part of the development are acceptable and address relevant housing need.
- 8.28 **Access Officer:** The officer was supportive of the scheme in principle however there were some issues raised in the detailed phase regarding layout, materiality, access and circulation to blocks with further information requested in relation to ramps, access to and through units as well as connectivity between front door, parking and transport. The Access Officer continues to be involved in the development of the S106 agreement to ensure access is appropriately addressed.
- 8.29 **Urban Design Officer:** The Urban Design Officer has provided extensive input throughout the pre-application and application process. Leading up to the ballot, the Urban Design Officer supported the masterplan subject to the resolution of building design and height for the canalside areas. Subsequent to the ballot, as the scheme further evolved and unit numbers were increased, with associated design changes, significant concerns to aspects of the submitted masterplan were raised as follows:
- The layering of an additional 100 units across the master plans has not been successfully accommodated. This has resulted in a boosted footprint and boosted building heights leading to an over-intensification of density limiting the extent of open space within the estate.
  - Objection to the height of the canalside buildings when these were up to 13 storeys and in excess of 30m.
  - Objection to the height of the 'Lanes' buildings which are disproportionate to the widths of the street and would lead to an oppressive and overscaled form of development detrimental to amenity.
  - Objection to the interfaces between buildings and streets at the ground floor levels
  - Objection to the layout of parks and open spaces on the basis that they were laid out to facilitate movements through spaces or to cycle and refuse stores and not recreation, leisure or sitting out for enjoyment.
  - Objection to the height and form of mansard blocks at the edge of the masterplan area and their relation to the masterplan area as a whole and the existing streetscene.

The Urban Design Officer has continued to provide extensive input into the proposal and amendments throughout the life of the application. Whilst the above notes the key areas of objection, as detailed in the assessment of the development below, which incorporates the Urban Design Officer's comments, the overall masterplan approach is supported and there are elements to the proposal that are considered to be highly successful.

- 8.30 **Conservation Officer:** The Conservation Officer has provided extensive input throughout the pre-application and application process. Significant concerns to the original and amended proposals have been raised as follows:
- The proposed building height on the canalside phase would harm the setting of the canal portal which is listed. In addition, the proposed building height, scale and massing would fail to preserve the character and appearance of the Regents Canal (West) Conservation area, the boundary of which incorporates much of the embankment between the site boundary and the canal, as well as the towpath.
  - The height of the Caledonian Road buildings in the context of the three/four storey buildings on the west side of Caledonian Road would fail to preserve or enhance the character and appearance of the Barnsbury Conservation Area. The building height here would give rise to visually dominant buildings that harm this character.

- These buildings would also be visible from within the Barnsbury Conservation Area, sitting above the roofline of the listed Matilda Street terrace.

The Conservation Officer's comments have been incorporated into the assessment of the proposal.

**8.31 Planning Policy Team:** A range of principal objections have been raised in relation to the scheme:

- A tall building has been proposed, this is a significant departure from policy.
- The applicant has failed to specify how many WCH homes are replacement homes and how many are to be provided to ensure policy compliance and subsequently the 10% requirement.
- A lack of step free access from the east mews to Leirum Lane is a concern.
- Emerging local plan policy suggests that land previously in public ownership should be able to generate 50% on site net additional affordable housing.
- All new residential units should be dual aspect but 20% are single aspect.
- The reduction in retail floorspace is a concern. Mechanisms should be put in place to address this deficit in the outline phase.
- Insufficient detail on numbers and locations of disabled parking and whether any disabled parking will be electric vehicle charging point equipped. Two tier racks for ambulant disabled is not policy compliant and there is no provision for mobility scooter storage.
- Social infrastructure should be replaced including the dentist in Caledonian Road.

Additional comments have been received advising that tall buildings still remain contrary to policy. There are concerns about playable space and the conflict with open space, playspace and land used to improve the Urban Greening Factor. Playspace for some ages is very good. There are some concerns that some of the guiding documents relating to Circular Economy, Whole Life Cycle Carbon and Green Performance Plan do not have sufficient scope and require updating on a phase by phase basis.

**8.32 Energy Conservation Officer:** The Council has commissioned Etude to provide assessment and appraisal of the application's energy and sustainability assessments, in relation to ventilation and cooling, Whole Life Carbon, Circular Economy and energy/emissions minimisation. The commissioned consultant has raised concerns in regards the energy and sustainability performance of the application as follows:

- The Circular Economy Statement requires further updates to ensure that it fully commits to the requirements that are necessary.
- The Whole Life Carbon Assessment is acceptable but phase by phase reconsideration as well as post development audits are requested.
- The Green Performance Plan is insufficient and will require further updates.

It should be noted that planning conditions will be imposed to secure the requisite improvements and obligations.

**8.33 Tree Preservation Officer:** No objection raised.

There are currently 202 trees on site and the proposed redevelopment would result in the removal of 150 of these trees, with 52 being retained. Many of these existing trees are subject to a Tree Preservation Order, although some due to their condition, perhaps should not be.

However, the tree removals, although appearing extreme will allow for a significant and greatly improved site layout and design which would allow for an improved landscape scheme for the site including the re-provision of 202 trees resulting in a net gain of 52 trees. Predominantly the best trees are being retained which will be able to be appropriately protected during the phased development.

The proposed landscaping and tree planting includes modern tree pit design and planting methodologies, incorporating SUDs features and other biodiversity improvements, allowing for a greatly improved quality of tree stock on site in the future and therefore improved associated Eco-system service benefits.

The calculated Urban Greening Factor for the scheme, incorporating all Green Infrastructure improvements, including the tree planting is UGF 0.45 which exceeds the required minimum of 0.4.

Canopy cover will initially be depleted due to the tree removals but it is projected to meet the existing levels of canopy cover (prior to any tree removal) at year 15 and will continue to increase thereafter. Canopy cover has been projected to 30 years where it will significantly exceed the current level at an almost 40% canopy cover increase on what currently exists. This is a significant improvement, exceeding the Council's aspirations of up to a 30% canopy cover increase in the borough as per the Vision 2030 strategy to help mitigate climate change.

In simple terms there will eventually be better tree cover on site, providing improved canopy cover and associated eco-systems service provision benefits. There will be better trees, growing in better locations together with better growing conditions, resulting in a healthier tree stock with significant long-term viability and sustainability more able to help mitigate the effects of climate change and provide better amenity, street scene and environmental benefits to the locality.

So although there will initially be significant tree removals, eventually the scheme/site will be a significant improvement on the current situation. As such, I consider the proposed scheme meets with planning policy with regard to trees, subject to conditions for tree protection and landscaping/tree measures.

Recommended conditions for tree protection and landscaping/tree are attached.

- 8.34 **Public Protection Division (Air Quality):** No objections received. Noted that the applicant seeks to achieve air quality (positive) standard and a condition should be imposed to secure this.
- 8.35 **Public Protection Division (Noise Team):** No general objections provided, however, conditions should be imposed to protect residential amenity from plant, from ground floor non-domestic uses and from noise from r
- 8.36 **Public Protection Division (Land Contamination):** No general objections have been raised. A ground conditions statement has been provided. The officer has advised that a condition should be imposed which requires a further assessment with sequential remediation and verification if necessary.
- 8.37 **Transport Officer:** The Council has commissioned Steer Davies Gleave to provide assessment and appraisal of the application's transport assessment and travel plan. The commissioned consultant is generally supportive of the proposal but raised questions regarding the level of accessible cycle parking to be provided. These details have now been provided and are secured through planning conditions.
- 8.38 **Street Environment Division:** No comments received
- 8.39 **Sustainability Officer:** has raised objections in relation to missing detail on whole life cycle carbon and the impact of lighting on biodiversity. Swift boxes should be provided as opposed to sparrow boxes. Further detail should be provided as to whether opportunities for green roof with substrate greater than 150mm can be maximised. Further comments have been received which suggests that the WLCA is acceptable. Commitments have been made by the applicant in relation to green roofs, bird and bat boxes which can be secured by condition.
- 8.40 **Public Health:** The applicant has presented a comprehensive Health Impact Assessment (HIA) of the redevelopment, which has been reviewed along with relevant documents submitted as part of the application. It has been updated with a statement of conformity following changes to the original proposals.

The HIA has had a positive impact on the proposals, and actions have been identified to mitigate any negative impacts. In particular, the applicant has engaged well with the local community, an important aspect given that this is a redevelopment of an existing estate rather than a new development.

The HIA was undertaken at an early stage in the process, which together with a meeting with the HIA consultant, the case officer for the proposal, and the Parks and Open Spaces manager, has ensured that health aspects have been identified at an early stage and taken into account in the proposal.

As such, no further comments on the health impacts of the development.

## 9. ASSESSMENT PROCESS

- 9.1 Schedule 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 require the local planning authority must inform the Secretary of State of the decision in writing.
- 9.2 Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 provides descriptions of development and applicable thresholds where submission of an Environmental Impact Assessment (EIA) is required. The proposal falls within Category 10: Infrastructure projects (urban development projects), (ii) more than 150 dwellings.
- 9.3 With respect to the process involved with assessing this type of application, the Mayor is consulted on all planning applications that are of Potential Strategic Importance (PSI) to London. These are commonly described as 'referred' applications. The proposal at the site would meet the criteria for a referable application as set out in the Mayor of London Order (2008), because it is development of 150 units or more and also because it includes development over 30 metres in height (outside the City of London)
- 9.4 Once an application has been submitted, LB Islington is required to refer it to the Mayor who then has six weeks to provide comments on the application, assessing whether it complies with the London plan policies. This is a consultation response known as Stage One. LBI officers would then make a recommendation on the application according to its Terms of Reference (in this case at Planning Committee). The resolution is then referred to the Mayor for a final decision through a Stage 2 referral. The Mayor has 14 days to make a decision to allow the Local Planning Authority resolution to stand, to direct refusal, or to take over the application, thus becoming the Local Planning Authority. Should a direction be issued that the Mayor is to be the Local Planning Authority (effectively call in the application), three policy tests must be met, these are:

- i. The development would have a significant impact on the implementation of the London Plan;
- ii. The development would have significant effects that are likely to affect more than one London borough; and
- iii. There are sound planning reasons for intervention.

## 10. RELEVANT POLICIES

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

### National Guidance

- 10.2 Islington Council (Planning Committee), in determining the planning application has the main following statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
  - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
  - As the development is within or adjacent to a conservation area(s), the Council has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area (s72(1)).
- 10.3 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 10.4 The National Planning Policy Framework 2021 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

- 10.5 Since March 2014 Planning Practice Guidance for England has been published online.
- 10.6 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 10.7 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
  - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 10.8 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 10.9 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 10.10 In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Conservation Area, its setting and any of its features of special architectural or historic interest.
- 10.11 In line with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard has been given to the desirability of preserving the adjoining listed buildings, their setting and any of their features of special architectural or historic interest.

### **Development Plan**

- 10.12 The Development Plan is comprised of the London Plan (March 2021), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

### **Emerging Policy: draft Islington Local Plan**

- 10.13 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation, with consultation on the Regulation 19 draft taking place from 5 September 2019 to 18 October 2019. The Draft Local Plan was subsequently submitted to the Secretary of State for Independent Examination in February 2020. The Examination Hearings took place between 13 September and 1 October 2021, with consultation on Main Modifications running from 24 June to 30 October.

- 10.14 In line with the NPPF, Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 10.15 Given the advance stage of the draft plan and the conformity of the emerging policies with the Framework it is considered that policies can be afforded moderate to significant weight depending on the significance of objections to main modifications.
- 10.16 Emerging policies that are relevant to this application are set out in Appendix 2. The emerging policies are considered to be consistent with the current policies.

### **Designations**

- 10.17 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:
- Caledonian Road local shopping area
  - Site of importance for nature conservation
  - Within 50m of Regents Canal Conservation Area

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

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

## **11. ENVIRONMENTAL IMPACT ASSESSMENT**

- 11.1 The applicant submitted an Environmental Impact Assessment Scoping Opinion request. The local planning authority provided a detailed response to this request. Subsequently a Environmental Statement was submitted with the application and is assessed below.

## **12. ASSESSMENT**

The main issues arising from this proposal relate to:

- Land use
- Affordable Housing and financial viability
- Design, Conservation and Heritage Considerations
- Accessibility and Inclusive Design
- Open Space, Landscape, Trees and Urban Greening
- Neighbour Amenities
- Quality of Residential Accommodation
- Energy Conservation and Sustainability
- Highways and Transportation
- Fire Safety
- Environmental Quality
- Planning Obligations/Mitigations
- Equalities and Health Impact
- Environmental Impact Assessment

### **Land-Use**

- 12.1 Planning permission is sought for the redevelopment of the Barnsbury Estate. The application comprises a detailed component and an outline component and forms a hybrid planning application. The proposed development is for a phased demolition and redevelopment of the estate within a construction programme of over 10 years starting in March 2023. The detailed element seeks to deliver 401 units over a range of tenures with up to 513 units within the outline element.
- 12.2 The application site is the New Barnsbury Estate which is located partially within the Kings Cross Special Policy Area identified within the Islington Core Strategy. Given its location and nature of the proposal, the following planning policies are of particular importance in assessing the principle of the planning application: London Plan Policy 2.14 (Areas for Regeneration), Policy 3.3 (Increasing Housing Supply), Policy 3.9 (Mixed & Balanced Communities); Islington Core Strategy Policy CS2 (Finsbury Park) and Policy CS12 (Meeting the housing challenge).
- 12.3 The London Plan supports the building of more homes through Policy GG4, which promotes the delivery of genuinely affordable homes and the creation of mixed and inclusive communities, with good quality homes that meet high standards. Policy GG2 requires development proposals to make the best use of land by enabling development on brownfield land well-connected by public transport and by applying a design-led approach to determine the optimum development capacity of sites.
- 12.4 The London Plan also supports increasing housing supply and optimising housing potential through Policy H1, which states that the potential for housing delivery on all suitable and available brownfield sites should be optimised.
- 12.5 Islington's Core Strategy (adopted 2011) supports the provision of high quality, inclusive and affordable homes, seeking to meet and exceed the borough housing targets. Whilst this policy (CS12) refers to following and not exceeding the densities level set in the London Plan, these measures have since been deleted from the current London Plan. Additionally, policy CS15 seeks to provide inclusive spaces for residents and visitors and create a greener borough by creating new open spaces particularly in those areas that currently have little or no open space locally.
- 12.6 Islington's Development Management Policies (2013) has a number of policies which are relevant to housing, community uses and open and green spaces. Housing policies seek to ensure that new housing is of good quality, with residential space and design standard so that Islington can deliver an appropriate mix of housing sizes that meet an identified need, at high density whilst also delivering sustainable development.
- 12.7 In terms of the draft Islington Local Plan, policy H1 supports the delivery of genuinely affordable housing that is integrated and inclusive providing places where people of different incomes, tenures and backgrounds can live in mixed and balanced communities, which are economically, environmentally and socially healthy and resilient. Policy H1 also supports high density housing development and requires that proposals which include housing must make the most efficient use of land to ensure that the optimal amount of housing is delivered, while having regard to other Development Plan policies and the specific site context.
- 12.8 The draft Local Plan Policy H2 states that Islington aims to meet and exceed the borough's housing target. Further, development proposals involving new housing must demonstrate that use of the building/site is optimised. Particular consideration must be given to the contribution a proposal makes to meeting need for particular types of housing; the contribution to meeting the borough's housing targets, the level of housing density; and social and strategic infrastructure requirements and impacts on existing and/or planned infrastructure. The quantum of housing which would be delivered through this proposal would make a significant contribution to the achievement of the borough's housing target.
- 12.9 London Plan policy H8 states that the loss of existing housing should be replaced by new housing at existing or higher densities. The demolition of affordable housing should not be permitted unless it is replaced by an equivalent amount of new affordable housing floorspace. Social rent must replace social rent where this tenure is being demolished.
- 12.10 Policy DM3.2 states that the loss of existing self contained housing including affordable housing will be resisted unless the housing is self replaced with at least equivalent housing and floorpace. Emerging policy

H2 of the Local Plan states that the loss of existing self-contained housing will be resisted unless the housing is replaced by at least equivalent floorspace and does not involve the net loss of more than one unit. The net loss of existing affordable housing units – overall and in terms of social rented housing – will not be permitted. Conversion of two or more units into a single dwelling is considered material and would require planning permission.

- 12.11 The London-wide Strategic Housing Market Assessment (SHMA) 2017 sets out an overall housing need figure for London - some 66,000 additional homes per annum. The Islington SHMA identifies a borough-level housing need of 23,000 dwellings over the period 2015 to 2035, or 1,150 dwellings per annum; the majority of this need is for genuinely affordable housing.
- 12.12 The Barnsbury Estate is a site allocation (OIS27) in the draft Local Plan and has been subject to consideration as part of the Local Plan Examination in Public following its inclusion in 2021. The site allocation is for Refurbishment of Old Barnsbury Estate and redevelopment of New Barnsbury Estate for residential use, including the provision of additional new homes and genuinely affordable housing alongside improvements to the estate.
- 12.13 The Emerging Local Plan, has an annualised housing target of 775 units per year, reflecting the London Plan. The overall housing target for the plan period has been set out at 13,175 homes. Over a 10-year construction period to 2032, the scheme as a whole makes a significant contribution with a net provision of 513 units.
- 12.14 The most recent housing trajectory (March 2021) identifies a robust five year housing supply and a surplus in housing delivery over the next 15 years. The trajectory includes assumptions for the Barnsbury Estate.
- 12.15 Due to its phased delivery, the proposals will contribute to housing delivery at different points over the next 10 years.
- 12.16 The emerging local plan (policy H1) states that Islington supports high density development which should be delivered in accordance with meeting the prescribed targets. The site has been designated for housing and coming forward as a residential led scheme providing; (a) a range of tenures; (b) a re-provision of existing affordable housing; and (c) a broad dwelling mix across tenures, the proposal lends itself to meeting these objectives. It is considered that the scheme optimises the available land within the site to provide an escalated housing provision that significantly contributes to housing delivery projections.
- 12.17 The proposed scheme through its entirety, aims to provide for a range of unit sizes. It seeks to provide no studio units, would provide a mix that includes one bedroom units through to five bedroom units. In addition, the completed scheme would result in a total affordable housing provision of 426 units with 25% of the total scheme coming forward as social rent. All the affordable housing units will be social rent.
- 12.18 Policy H2 requires new housing to meet established need in relation to particular types of housing, meeting Borough housing targets, density limitations, the provision of social infrastructure and also able to provide for other local plan policy priorities. It is considered that the proposed development would optimise the provision in affordable tenure, alleviates overcrowding and meets housing mix needs particularly in relation to affordable housing tenures. The same policy also seeks to prevent the loss of existing self-contained housing. However, the proposed development would constitute a net uplift in floorspace and a net uplift in the number of units. Furthermore, there would also be a net uplift in the number of affordable units in response to dwelling mix priorities, particularly in relation to social rent. The proposed development is therefore consistent with broad policy principles that seek to optimise housing development and delivery.

### Dwelling Mix

- 12.19 The draft Islington Local Plan updates the dwelling mix matrix set out in the adopted plan, which was highly prescriptive in relation to the anticipated dwelling mix within a development. This is replaced by dwelling mix/tenure type priorities. The housing size mix priorities have been derived from local evidence and engagement with the Council's Housing Team. Units of two-bedrooms or more are considered to be family homes for the purposes of policy H2.

12.20 The existing estate contains 371 dwellings incorporating 291 social rent units and 80 leaseholder units which are treated as market tenure for the purpose of this application. The breakdown of units per size and tenure is set out below showing a robust number of three bedroom social rent units within the New Barnsbury Estate.

Dwellings Size	Social Rent	Leasehold	Total	Total No. Dwellings
<i>Existing</i>				
1bed	63	18	81	371
2bed	119	31	151	
3bed	83	24	107	
4bed	23	6	28	
5bed	3	1	4	

Table 4: Existing Dwelling/Tenure mix

12.21 The anticipated dwelling mix for residential development in Islington is set out in table 3.2 of policy H2 and is detailed below:

Tenure	Studio/bedsit	1-bed	2-bed	3-bed	4-bed
Social rented	None	Low/Medium	High	Medium	Low
Intermediate rent – at London Living Rent levels (or rents akin to social rent)	None	Medium	High	Medium	Low
Intermediate rent – other Discounted Market Rent products	None	High	Medium	None	None
Intermediate – shared ownership	None	High	Medium	None	None
Market	None	Low	High	Medium	Low

Table 4: Housing Size mix priorities for each housing tenure

12.22 The table above indicates that the proposed dwelling mix priorities include a high priority for two bed social rented accommodation, a high priority for one bed shared ownership accommodation and a high priority for two bed market housing. Medium level priority is expressed for three bed social rent, 2 bed shared ownership and three bed market housing.

12.23 The detailed element of the scheme (401 new homes) is to be constructed on the following dwelling mix breakdown:

Tenure	1 bed	2 bed	3 bed	4 bed	5 bed	Total
Replacement social rent	49	94	35	14	5	197
Replacement leasehold	6	18	1	0	0	25
Uplift social rent	13	11	6	0	0	30
Uplift market housing	76	69	4	0	0	149
Shared ownership	0	0	0	0	0	0

<b>TOTAL</b>	<b>144</b>	<b>192</b>	<b>46</b>	<b>14</b>	<b>5</b>	<b>401</b>
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Table 5: Detailed Dwelling Mix

12.24 No studios or bedsits – for which there is a policy presumption against – are to be provided within the scheme. The replacement social rent units are intended to respond to the specific housing needs of the existing residents, resolving either overcrowding or downsizing where the different household needs apply. In respect of the replacement social rent, the re-provision largely meets the emerging local plan dwelling mix priorities in respect of 2 bedroom priorities and the medium level priority for one beds and two bed. The uplifted social rent – the net additional new social rent – is balanced between one beds and two beds within the detailed element. Market housing coming forward in the first detailed element, principally within blocks C6 and C7 in phase 1c and D2 and D3 in phase 3a is provided mainly as 1 bed and 2 bed with a marginal emphasis on 1 bed units which is low priority as set out in the emerging local plan and would be somewhat contrary to the local plan policy H2. The scheme also provides for replacement leaseholders on the estate. Existing leaseholders are either being acquired by Newlon or the leaseholder can acquire a property within the redeveloped estate. These units are developed as market housing and purchasers can acquire a leasehold interest. The provision of this within the detailed element amounts to 25 units for people moving back into the estate as opposed to uplifted units. On this basis, the 18 (out of 25) units being provided as 2 bed constitutes alignment with the dwelling mix priorities.

12.25 In respect of the outline element to the scheme, the dwelling mix specification has not been established and on this basis the applicant has provided ranges per tenure and size Their data is presented as follows:

Dwelling Mix & Tenure	1Bed	2Bed	3Bed	4Bed	5Bed
Replacement Social Rent Homes	12-16%	36-40%	29-33%	13-17%	0-4%
Net Additional Social Rent Homes	23-28%	40-46%	19-23%	3-8%	5%
Replacement Leasehold Homes	22%	24%	42%	11%	2%
Net Additional Market Homes	38-44%	43-49%	11-16%	0%	0%

Table 5: Outline Dwelling Mix

12.26 Replacement social rent continues to reflect both the dwelling mix priorities matrix and the fact that replacement will have to reflect existing tenants' needs. The net new additional market homes also reflect the dwelling mix priorities.

12.27 The information provided in the table above can be manipulated and extrapolated to provide a proposed housing figure using the mid-point in each range and establishing the outstanding number of dwellings per tenure to be provided in the outline phase. In carrying out this exercise, it is considered that the table below is a possible (but not necessarily the implemented) scenario:

Tenure	1 bed	2 bed	3 bed	4 bed	5 bed	Total
Replacement social rent	13	36	29	14	2	94
Replacement leasehold	12	13	23	6	1	55
Uplift social rent	27	46	22	5	5	105
Uplift market housing	107	118	34	0	0	259
<b>TOTAL</b>	<b>159</b>	<b>213</b>	<b>108</b>	<b>25</b>	<b>8</b>	<b>513</b>

Table 6: Outline Tenure Mix

- 12.28 The table shows a large bias to two bedroom properties across all tenures with reasonable regard to three bedroom properties.
- 12.29 As a whole, through to completion, the scheme could reasonably provide the following dwelling mix, subject to variations at each RMA stage, the following dwelling mix.

Tenure	1 bed	2 bed	3 bed	4 bed	5 bed	Total
Replacement social rent	62	130	64	28	7	291
Replacement leasehold	18	31	24	6	1	80
Uplift social rent	40	57	28	5	5	135
Uplift market housing	183	187	38	0	0	408
<b>TOTAL</b>	<b>303</b>	<b>405</b>	<b>154</b>	<b>39</b>	<b>13</b>	<b>914</b>

Table 7: Outline Tenure Mix subject to Variations

- 12.30 Social rent provision is strongly aligned to the dwelling mix priorities given in the table especially in the replacement social rent. A small number of four bed and five bed dwellings is also supported. Nevertheless the preponderance of one bedroom market sale units (151 out of 376 in the outline and 76 out of 149 in the detailed) is disappointing and is contrary to part E of policy H2 of the emerging local plan. Nevertheless, the strong contribution of three bed units across all tenures is considered to provide a balance to the concentration of one beds.
- 12.31 The Planning Policy Team have raised concern regarding the over-provision of one-bedroom flats for the private market tenure, and the lack of two bedroom shared ownership units. The Housing Options Team also provided commentary, particularly on the proposed dwelling mix for the replacement social rent provision. There was specific concern that the re-provision of the social rent homes also concentrated itself on the 1 bed and 2 bed units and suggested that instead there should be 50 x 1 bed, 110 x 2 bed, 75 x 3 bed and 48 x 4 bed with 8 x 5 bed. Three and four beds are generally in demand through the Borough and the Ward in general and the scheme provides 92 of these rather than 123 that the Housing Team are seeking. It is clear therefore that there is an under-provision from the Housing Team's perspective in larger units.
- 12.32 As already stated above, the outline element permits the identification of a range of unit numbers per tenure type and unit size and as a result there is scope to ensure that a larger number of larger units are provided within the scheme and details of such tenure type and size can be brought forward within each Reserved Matters Application (RMA). Furthermore, larger units that are under occupied would be incentivised to downsize and free up larger units across the New and Old Barnsbury Estate.

### Estate Redevelopment

- 12.33 From July 2018, the Mayor requires any residential social landlord seeking GLA funding for estate regeneration projections which involve the demolition of social homes to show that residents have supported their proposals through a ballot. This is to make sure that GLA funding only supports estate regeneration projects if residents have had a clear input into plans for estate redevelopment and support them going ahead.
- 12.34 The requirements apply to projects that involve the demolition of any social homes and the construction of 150 homes or more of any tenure. In the case of The Barnsbury Estate, Newlon Housing Trust began engaging with the residents of the estate in 2018 in a formal manner to secure feedback as to how the estate could be redeveloped and to set the key tenancy and development principles for the masterplan approach to the scheme.
- 12.35 The London Borough of Islington and the GLA were clear that the scheme should include (a) a right of return for decanted residents (b) a fair deal for tenants in relation to rents and (c) a fair deal for leaseholders. Noting that the applicant considers that the existing buildings on New Barnsbury have come

to the end of their functional lifetime, it was essential to determine whether there was public support to overhaul or redevelop the estate and following a consideration of living conditions to address quality of stock and prevent overcrowding.

- 12.36 The applicants have agreed to the principles noted above in respect of existing tenants and leaseholders. The ballot took place on the basis of an offer document prepared by Newlon and provided to the eligible voters which ensured that residents could make an informed decision about the future of the estate. As a minimum, the landlord offer must include the following (as required by the GLAs Estate Regeneration Guidance: The Mayor's Good Practice Guide to Estate Regeneration):
- A broad vision, with priorities and objectives for estate redevelopment including detail on:
    - o Design principles of the proposed estate redevelopment
    - o Estimated overall number of new homes
    - o Future tenure mix
    - o Proposed associated social infrastructure
  - Details of the full right to return or remain for social housing tenants living in homes that are to be demolished.
  - Details of the offer for leaseholders and freeholders of homes that are to be demolished.
  - Commitments relating to ongoing open and transparent consultation and engagement.
- 12.37 An offer document was provided to residents of both New and Old Barnsbury and a ballot took place during a period between mid-February and mid-March 2021. The result of the ballot was declared in mid-March 2021 which found in favour of development to go ahead with 72% voting for the development on a turn-out of 79%.
- 12.38 The ballot offer sought to secure the delivery of 50% affordable homes across the estate including social rent and intermediate housing across a range of sizes including one and two beds, family sized homes and wheelchair adaptable homes. The offer document also sought to deliver the commitment for a newly designed larger, modern and flexible use community centre around a newly redesigned open space. The redeveloped estate is designed to address problems such as the durability of materials, development lifetime, and energy efficiency as well as address open space deficits and permeability.
- 12.39 In their offer document, Newlon promised not to increase rent for existing residents moving to a home of the same size; not to rehouse residents permanently off the estate unless they want to; and to maintain as much as possible, a single-move decant. If residents have more bedrooms than needed then a new home on the basis of housing need plus one (bedroom) formed part of the offer and Newlon will continue to engage on layout, location, and internal fit out. While Newlon may be able to offer the choice of more than one property, existing tenants may not always retain the opportunity to determine where in the redeveloped estate their new home will be.
- 12.40 Estate transformation involves a like for like replacement (full right to return with the same security of tenure) of existing low cost (social) rented homes and a right to return for resident leaseholders. Existing social rents on New Barnsbury are (on average) 32% less than the rents that would be chargeable for new social rent homes with the equivalent number of bedrooms in the London Borough of Islington. Newlon Housing Trust has committed to honour the existing rent on the estate for existing tenants if they return to a home of equivalent size (bedroom numbers) whilst the replacement homes will generally be larger and of significantly higher quality than existing homes. A returning tenant may pay a higher rent or a lower rent if they go to a larger or smaller unit respectively, but the rent will be at the same rate as the current rent for an equivalent sized unit at target rent.
- 12.41 Further details surrounding the practicalities of the re-provision and replacement of social rent accommodation will be addressed in the affordable housing and viability section of this report.
- 12.42 In respect of leaseholders, they have been offered a market valuation buy back of their home as well as statutory home loss payments and relocation disturbance costs. As well as this, the resident leaseholders will be offered the opportunity to remain on the estate by transferring their equity to a new build home with the same or lesser number of bedrooms.

- 12.43 On this basis, the Council is satisfied, that the applicant have fulfilled the principles of a fair deal for leaseholders, a right of return for tenants and a fair deal on rents. These principles will be secured in the S106 agreement.

### Addressing Overcrowding

- 12.44 Overcrowding of existing units within New Barnsbury is a significant issue and a key driver for the redevelopment of the estate including demolition of housing that is deemed not fit for purpose. Newlon have advised that there are several multi-generational householders within flats that would be better served by being split into additional separate households. The housing needs survey carried out within the estate in 2019/2020 established that there were 31 households in Old Barnsbury that could be deemed as being overcrowded and split up with some moving to a new (social rent) unit in New Barnsbury. It is noted that should tenants of an overcrowded Old Barnsbury dwelling vacate the unit and relocate to New Barnsbury, the vacant unit within Old Barnsbury would then be available for nomination.
- 12.45 Households are classified as overcrowded if there is at least one room fewer than needed for household requirements using standard definitions. The standard used to measure overcrowding is called the 'occupancy rating' which relates to the actual number of rooms in a dwelling in relation to the number of rooms required by the household, taking account of their ages and relationships. The room requirement states that every household needs a minimum of two common rooms, excluding bathrooms, with bedroom requirements that reflect the composition of the household. The occupancy rating of a dwelling is expressed as a positive or negative figure, reflecting the number of rooms in a dwelling that exceed the household's requirements, or by which the home falls short of its occupants' needs.
- 12.46 Overcrowding is experienced in 26% (1455) of Barnsbury Ward homes, which is below the Borough average of 29%, but the number vacant dwellings in the Ward is greater than that in the Borough (6% as opposed to 4%). Both the Ward and the Borough overcrowding rates are significantly greater than the average for London. While the alleviation of overcrowding in 31 homes in Old Barnsbury makes only a small intervention into the wider problem, it is nonetheless a benefit of the proposal.
- 12.47 While figures for overcrowding within the New Barnsbury Estate have not been provided by the applicant, it is understood that there continue to be a number of such units. The applicant is currently seeking to address this and the recommended terms of S106 agreement would ensure that overcrowded units within New Barnsbury are addressed, based on housing need.

### Retail

- 12.48 London Plan policies dealing with town centre uses include Policy SD6 which places emphasis on the importance of town centres and high streets, noting that the vitality and viability of centres should be promoted and enhanced by encouraging a diverse range of uses, strengthening the role of town centres as a main focus for Londoner's sense of place and local identity and ensuring town centres are the primary locations for commercial activity and important contributors to the local and London wide economy.
- 12.49 Policy SD7 relates to how boroughs should take a town centre first approach and discourage out of centre development by applying the sequential test to applications for main town centre uses. Also required are impact assessments for proposals for new, or extensions to existing, edge or out of centre development for retail, leisure and office uses that are not in accordance with the Development Plan.
- 12.50 Policy E9 is clear that development proposals should support convenience retail in all town centres but also identify areas under served in local convenience shopping and related services and support additional facilities that serve existing or new residential communities in line with the town centre policies described above.
- 12.51 Islington Core Strategy Policy CS14 confirms that any major new retail development should be located within its defined network of town centres in accordance with the sequential assessment set out in PPS4.
- 12.52 Development Management Policy DM4.4 confirms that the Council will seek to maintain and enhance the retail and service function of Islington's town centres. It confirms that applications for more than 80sqm of

main town centre uses should be located within identified centres. Where suitable locations within centres are not available, Local Shopping Areas or edge of centre sites should be chosen. Where this is not possible, out of centre sites may be acceptable where it is confirmed that sequentially preferable sites have been thoroughly investigated; where the development would not individually or cumulatively have a detrimental impact on the vitality and viability of designated centres or prejudice the prospect of future development; and where the development would be accessible by a sustainable choice of means of transport.

- 12.53 Development Management Policy DM4.4 also confirms that an impact assessment is required for applications for main town centre uses exceeding 80sqm.
- 12.54 The emerging Local Plan identifies eight Spatial Strategy areas and sets out spatial policy for each of the areas. Part of the Barnsbury Estate site is covered by Policy SP2 – Kings Cross and Pentonville Road. The designation currently covers the frontage to Caledonian Road incorporating the Local Shopping Area at the ground floor level. The special policy area identifies the local shopping area designation in Caledonian Road which should continue to provide important services for local communities, particularly retail and leisure while the supporting text seeks to enhance the Local Shopping Area.
- 12.55 Policy R4 (local shopping areas) of the emerging local plan states that all proposals must maintain and enhance the retail and service function of the local shopping area. Proposals involving the change of use of such facilities away from E to non-E main town centre uses will not be supported unless marketing evidence can be provided to demonstrate an existing vacant unit cannot be brought back into use, that there would not be any impact on amenity and there would not be any impact on the vibrancy and function of the LSA. Paragraph 4.106 of the supporting text states that proposals must not cause a harmful break in the continuity of retail frontage. This can refer to a use or action that does not complement the LSA or to create larger units which would not complement an LSA. Paragraph 4.107 permits residential on the upper floor. Development of the upper floors for residential should not prejudice the continued operation of any (former) town centre use class unit, affect the streetscene or active frontage.
- 12.56 Policy R6 (Maintaining and enhancing Islington's unique retail character) is more important in the context of this application as it states that the Council views the retention of small shops as a baseline and places great weight on the need to retain any shops which currently or potentially could be utilised by small retailers. In order to encourage new provision, the Council will seek to secure small shops (80sq.m or less). In this context the policy requires proposals for redevelopment of small shop units to incorporate adequate re-provision of small units to compensate for any loss particularly for essential services. Conditions should be attached that prevent future amalgamation or specifying certain uses. This policy also notes that development of main town centre uses over 200sqm must meet the sequential test and actively investigate and consider preferable locations in line with the Council's retail hierarchy.
- 12.57 The Caledonian Road frontage is located within the Caledonian Road (Copenhagen) Local Shopping Area which forms part of a larger LSA designation that starts at the junction of Carnegie Street and extends northwards to Frederica Street with its focus between Richmond Avenue and the railway bridge at Caledonian Road and Barnsbury Station. The shopping parade in Ewen House and Ritson House in Caledonian Road currently contains 22 units with 2000sq.m arranged over ground floor and basement. The units are serviced principally from the rear in Bryan Street. As befits a designated Local Shopping Area, no unit is greater than 200sq.m. Two separate units have amalgamated within each of the two blocks. The current occupancy within the parade consists principally of town centre uses within Use Class E (based on the 2020 modification to the Use Classes Order). There is one sui generis use (car hire and insurance) and one social infrastructure use, currently a dentist. Basements are used for storage and other ancillary retail facilities.
- 12.58 In terms of closures and vacancies, the electronic shop at 168 Caledonian Road is permanently closed as has the delicatessen at 170 Caledonian Road. The diner at 190 Caledonian Road and the car hire (Sui Generis) use at 198 Caledonian Road are temporarily closed.
- 12.59 A table of the existing uses are set out as follows:

Address	Tenant	Use	Use Class	Floorspace (GIA)
166 Caledonian Road	A France & Son	Funeral Directors	Class E	125.1 sqm
168 Caledonian Road	Vacant (Since 2010)	Electronic Shop	Class E	81.2 sqm
170 Caledonian Road	Cole & Sons Deli	Deli	Class E	79.7 sqm
172 Caledonian Road	Andu & Co.	Solicitors	Class E	83.1 sqm
174 Caledonian Road	South East Site Engineers	Surveyors	Class E	93.9 sqm
176 Caledonian Road	Andu & Co.	Solicitors	Class E	82.1 sqm
178 Caledonian Road	G2	Property Services	Class E	81.8 sqm
180 Caledonian Road	Chicken Spot	Restaurant	Class E	80.9 sqm
182 Caledonian Road	Cosmo	Barbers	Class E	81.5 sqm
184 Caledonian Road	ZAC	Dry Cleaners	Class E	80.9 sqm
186-188 Caledonian Road	Nisa Local	Convenience Store	Class E	166.5 sqm
190 Caledonian Road	CU Diner	Restaurant	Class E	81.1 sqm
192 Caledonian Road	Dentalmark	Dentist	Class E	81.8 sqm
194 Caledonian Road	Delina Hair & Beauty Salon	Salon	Class E	80.5 sqm
196 Caledonian Road	Merkato	Restaurant	Class E	81.8 sqm
198 Caledonian Road	Simple Vehicle Hires	Car Hire	Sui Generis	81.8 sqm
200 Caledonian Road	Smartline	Dry Cleaners	Class E	81.5sqm
202 Caledonian Road	Alibaba Pound Saver	Convenience Store	Class E	80.5 sqm
204 Caledonian Road	The Laundry Room	Dry Cleaners	Class E	83.6 sqm
206 Caledonian Road	Avni Internet Café	Internet Café	Class E	80.7 sqm

208 Caledonian Road	Caledonian Road Television	Video Repair	Class E	80.5 sqm
210-212 Caledonian Road	Healthyish/Restore	Health Food Store	Class E	184.8 sqm
Carnegie Street	Barnsbury Parking Office	Office	Class E	367.5 sqm
<b>Total</b>				2,402.8 sqm
<b>Total Class E</b>				2,321 sqm
<b>Total Sui Generis</b>				81.8 sqm

Table 8: Local Shopping Area Uses

12.60 Proposed new blocks A1, A2, A6 and A7 are to be constructed within the outline phase under phases 2a and 2b. Block A2 (northern block of the northern pair adjacent to Copenhagen Street) will commence construction in August 2028 and complete in November 2029, while block A1 to the immediate south will commence in October 2028 and complete for occupation in January 2030. In phase 2b, block A7 will commence construction in April 2029 and complete July 2030 and block A6 to the immediate south at the junction of Carnegie Street will commence in May 2029 and complete in October 2030.

12.61 The proposed commercial floorspace fronting onto Caledonian Road is proposed to be in Class E use. Class E uses include the following:

- E (a) Display or retail sale of goods, other than hot food
- E (b) Sale of food and drink for consumption (mostly) on the premises
- E(c) Provision of:
  - i. Financial services,
  - ii. Professional services (other than health or medical services), or
  - iii. Other appropriate services in a commercial, business or service locality
- E (d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms)
- E (e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- E (f) Creche, day nursery or day centre (not including a residential use)
- E (g) Uses which can be carried out in a residential area without detriment to its amenity:
  - i. Offices to carry out any operational or administrative functions,
  - ii. Research and development of products or processes
  - iii. Industrial processes.

12.62 While the majority of the existing units are currently in Class E use, this part of the site forms a Local Shopping Area, where adopted and emerging policy seeks to protect and promote retail and local service uses. As such, an assessment of each potential use is set out below:

Retail, Food and Drink

12.63 Retail and food and drink uses are considered to be main town centre uses that provide local services to residents. Furthermore, in accordance with DM4.3, given the location of the units fronting onto this busy and commercial part of Caledonian Road, together with the current provisions of food and drink uses within Class E at the site, it is considered that the provision of food and drink uses would not result in a negative cumulative impact to the area, nor would it result in unacceptable disturbance or detrimentally affect the amenity, character and function of the area. These uses are therefore considered to be acceptable in this location. Delivery and Servicing measures are proposed to be secured by condition.

Financial, Professional and Other Services

12.64 This can include banks, building societies and estate agents. Paragraph 4.6 of the Development Management Policies (2013) confirms that these types of non-retail businesses can help to support shopping areas and provide services and jobs for local residents and other businesses. These uses are therefore considered to be acceptable within this location.

### Indoor Sport, Recreation or Fitness

- 12.65 Sport/recreation or fitness uses have potential noise and disturbance issues associated with the frequency of visits to such uses, the amount of patrons, trading hours, the nature of use with potential noisy equipment and/or events. Without the submission of appropriate documentation to submit and assess these potential noise issues the Local Planning Authority is not able to fully assess the potential impact upon neighbour amenity. As such, they are not supported in this location in the absence of such detail.

### Medical or Health services

- 12.66 Part C of policy DM4.12 states that new social infrastructure and cultural facilities must be located in areas convenient for the communities they serve and accessible by a range of sustainable transport modes; provide buildings that are inclusive, accessible and flexible; be sited to maximise shared use of the facilities; and complement existing uses and the character of the area and avoid adverse impacts on the amenity of surrounding uses.
- 12.67 Noting the existing medical use within this Local Shopping Area frontage, the highly accessible location of the site in close proximity to high density residential uses and that the replacement commercial floorspace would need to meet relevant accessibility standards, it is considered that such uses would be acceptable in this location and would provide valuable local services.

### Creche, day nursery or day centre

- 12.68 Crèche, nursery and day centre facilities have potential noise and disturbance issues associated with the frequency of visits to such uses, the amount of site users and the nature of use with potential noisy equipment and/or events. At this stage, no specific design measures have been detailed to protect residents located above this frontage nor has an assessment been provided on the transport impacts of such uses. Without the submission of appropriate documentation to assess these potential noise issues and the potential impacts to the highway associated with drop-off and pick-up, the Local Planning Authority is not able to fully assess the potential impact upon neighbour amenity and the highway. As such, these uses are not considered to be appropriate at this location.
- 12.69 Notwithstanding this, the proposed development includes the provision of an enhanced private nursery and community centre use, with a greater quantum and quality of space to be delivered. These spaces are located so as to serve the local community and would be specifically designed for the intended use as part of the reserved matters applications. As such, notwithstanding the restriction of such uses within the Local Shopping Area, the proposal would provide an appropriate level of such uses for residents.

### Employment

- 12.70 Policy CS13 and DM5.1 state that new employment floorspace should be located in the CAZ, town centres and employment growth areas and that these spaces should be flexible to meet future business needs and should provide a range of unit types and sizes.
- 12.71 It is considered that the nature of (g)(i) 'offices', (g)(ii) 'research and development' and (g)(iii) 'industrial processes' within Class E would not be appropriate within a Local Shopping Area, as they would not provide a local service nor a typical town centre use and would be likely to result in inactive frontages. As such, these uses are not considered appropriate in this location.
- 12.72 As such, a condition is recommended to ensure that only those uses noted as appropriate above would be delivered within this location, unless otherwise approved in writing by the Local Planning Authority.
- 12.73 Due to its location within the outline element of the scheme, the proposed retail development within Phase 2 has not been arranged in detail in respect of the unit layouts. Further collaboration between the applicants, and the Council's Inclusive Economy and Community Wealth Building departments will occur to ensure that the most appropriate strategy to maintain and pursue retail vitality and viability in the local shopping area in the longer term. Nevertheless, the re-provided units will be delivered on the ground floor only as opposed to the previous arrangement of ground floor and basement. The flexible commercial floorspace will replace the existing 22 commercial units on the Caledonian Road frontage. The proposed development will result in a reduction of the Class E floorspace by approximately 970sq.m. There will be no re-provision of an existing circa 1000sq.m of basement floorspace which the applicants say is not

attractive to consumers or occupiers. The flexible floorspace has been designed to respond to the market conditions that would be prevalent at the time that these blocks will be phased for construction at the end of the 2020s.

- 12.74 The redevelopment retail provision at ground floor level would incorporate on present indications, 14 units, each with a floor area of circa 80sq.m each. The subdivision of the space is fluid in the sense that some units could be larger at around 160sq.m as amalgamated units as they are now including the Nisa convenience store. In accordance with draft Local Plan Policy R4, a condition is recommended ensuring that no individual unit would exceed 200sqm. The design of the shopfronts and front elevations will influence the extent of units with shopfronts and the units themselves contained within structural pilasters. The loss of the retail floorspace, currently provided through basement accommodation, would be contrary to the aims of policies set out above which exist to maintain and protect existing retail floorspace with a specific emphasis on the protection of and support for small independent traders. While this is contrary to policy, the delivery of this floorspace would be required to meeting modern standards, be flexible and attractive to potential occupiers. While the loss of the basement areas is regrettable, the proposal, albeit in outline, would maintain the retail frontage in full. Subject to recommended conditions to ensure the delivery of appropriate uses, the proposal would complement the existing Local Shopping Area and ensure the delivery of local services.
- 12.75 The applicant has identified through the outline application parameters plan that further floorspace elsewhere in the estate could also be used as retail floorspace. This includes the ground floor of block C1. However, this is a tentative proposition with the outline application also potentially identifying the use of these ground floor areas as residents' facilities.

#### Community Centre and Nursery

- 12.76 Policy SC1 of the emerging local plan states that the Council will support proposals to provide new and/or extended social and community infrastructure facilities. In addition, new and/or extended on site provision of social and community infrastructure facilities may be required as part of the supporting infrastructure for significant new housing and mixed-use development proposals. The Council will not permit any loss of social or community infrastructure uses unless a replacement facility is provided on site that is at least the equivalent in quality, quantity and accessibility. New provision should meet requirements for accessibility within the building and should also meet specification requirements particularly in relation to disabled access.
- 12.77 The elements of emerging policy SC1 largely replicate adopted policy DM4.12 in respect of the presumption against loss, the requirement to provide facilities in major mixed use development and to secure replacement facilities that are equivalent or better in respect of quality, quantity and accessibility.
- 12.78 The community centre within the Barnsbury Estate is well used and considered by Newlon to be an intrinsic common public benefit that is essential to community cohesion within the estate. The current community centre is a recent construction having been built following the grant of planning permission of P080910 in 2008. The existing single storey building had an internal floor area of 276sq.m before being demolished and rebuilt as a larger single storey building with 379sq.m. The proposed replacement community centre will be delivered within block B8 and B9 as a modern two storey building within flexible use and internal division to allow for a wide range of uses. The proposed new community centre is proposed to have a floorspace area of 1275sq.m comprising 970sq.m dedicated to a community centre and 305sq.m dedicated to a nursery. This will constitute a significant uplift in the quality and quantity of community infrastructure space. The proposed development would also replace the existing nursery of 123sq.m with a new space of 305sq.m
- 12.79 The proposed flexible community floorspace will replace and exceed the existing provision and will genuinely serve the local community. The development will deliver a quantitative increase in community floorspace and will significantly enhance the quality of community infrastructure at the estate; replacing low grade accommodation with high quality, flexible space for the community centre and nursery. This quantitative and qualitative enhancement of community infrastructure serving the estate and neighbouring parts of Barnsbury is a significant benefit arising from the proposed development. The finalised detailed layout and function of the community centre will be delivered through the Reserved Matters applications when the community centre is delivered in the summer of 2029.

- 12.80 The existing community centre would be demolished between January and April 2027. There would be a period of approximately two years where there would be a need to operate a temporary community centre. During the course of redevelopment, a temporary community centre would be secured through the legal agreement and is currently proposed to be located in the parking office in the building known as Charlotte Terrace at the corner of Charlotte Terrace and Carnegie Street.
- 12.81 The precise location of the nursery isn't fixed given the necessity to provide this facility with an area of outdoor space. So far this has been identified as being to the rear of blocks B8 and B9.
- 12.82 It is considered that the re-provision of these facilities as modern upgraded social infrastructure with greater capacity and a more coherent linkage to Carnegie Street Park would provide a substantial planning benefit. While re-provision of facilities is merely policy compliant, the comparative floorspace increase would be a planning benefit.

### **13. AFFORDABLE HOUSING AND FINANCIAL VIABILITY**

- 13.1 A Financial Viability Appraisal (FVIA) was submitted with the planning application at the outset and was made publicly available through open book status. The FVIA made assumptions that underpinned the original affordable housing offer and has been revised as the application has been subject to amendments and the affordable housing offer updated. The FVIA was also shared with the GLA's Viability Team.
- 13.2 The Council's review, carried out by BPS, identified a significant difference of views about the deficit of the proposal. The applicants initial position set out figures of -£36.97m for a residual land value and a benchmark land value of £60.86m. Combined, this brought forward a scheme deficit of £97.83m. The applicant concluded at the point of the application being made that the proposal was unviable and therefore the affordable housing officer could not be increased.
- 13.3 The GLA's Affordable Housing and Development Viability SPG (2017) requires an applicant to demonstrate that a scheme is deliverable when a significant deficit is presented at application stage. Noting the extent of deficit, officers raised concerns as to whether the development could be delivered. The applicant has sought to demonstrate that the 11 year post permission construction phase permits and builds in growth projections for sales revenues and efficiencies for costs. Essentially, if private sales increase and costs decrease, the scheme would break even. The applicants confirmed their position that they considered that the scheme would break even by the relevant time point or that they would have to forgo all or part of their profit. They are therefore accepting the risk that the scheme may not prove to be viable in the long run.
- 13.4 Initial assessments by BPS determined that the Benchmark Land Value should be £39.56m (compared to the applicants' £60m). The Benchmark Land Value (BLV) differs from the applicants in several ways. From the outset, the appraisal comprised two financial values, relating to the leaseholder units and to the commercial units, attributing zero value to the social housing and the landowner premium. Another substantial quantum of assessment related to the consideration of the cost of the separate Old Barnsbury planning application which is addressed shortly.
- 13.5 In respect of social housing value (EUV- SH), BPS attributed zero value to this part of the BLV. The applicants are committed to a value of £18.1m or £62,000 per dwelling. This valuation includes both cyclical maintenance work and capital expenditure work in a no development scenario. However, given the viability exercise is associated with a planning application for the demolition and subsequent redevelopment of these homes, this figure (£18.1m) is not accepted. The Council has not been provided with a stock condition survey, and the applicants have not provided any detail of the nature of the occupancy or overcrowding conditions therein which would again provide some compelling evidence to the value of these properties (or otherwise). As such, a nil value has been attributed to the existing social rented units.
- 13.6 The applicants have also added a resident leaseholder buyback cost. There are 80 resident leaseholders who have bought out their tenancy and own the leasehold for the property. As stated above, the GLA's guidance on estate regeneration and a scheme principle for the Council and the ballot is a fair deal for

leaseholders. The cost provided is £35.56m and is the cost for the purchase of the leaseholds. The value was derived by Savills and was a desktop survey rather than a detailed on site valuation. BPS note the lack of evidence and the fact that the Savills' conclusions were reached through a comparison with units in Huntingdon Street (N1). They have concluded that while the prices presented by Savills are optimistic, they are broadly within the range of estimated acceptability as a value to feed into the BLV.

- 13.7 The next aspect is the concept of the retail or commercial leasehold buybacks. These amount to 22 retail units within the frontage to Caledonian Road and the private sector nursery, with the rest of the non-residential floorspace being either not-for-profit community floorspace or Islington managed floorspace. The Council has recognised that a value needs to be attributed to these uses. The applicants have identified a figure of approximately £4m which is agreed by BPS. No survey has been provided of the internal condition of these 22 units although the applicant has confirmed that they are in poor condition. BPS have assumed that the units are lettable and would be offered with vacant possession and have agreed that the figure of £4m is acceptable. Finally, BPS have assumed no landowner's premium. Taking guidance from the RICS guidance, NPPG and GLA SPG, BPS have concluded that where a site must be redeveloped to maximise site value or to eliminate a liability, then no premium should be sought. This figure is not substantial at £1.2m. As such, BPS indicate that the BLV is just £39.56m taking into account leaseholder and commercial lease buybacks.
- 13.8 External to the BLV but forming a very large and incongruous cost, is the concept of Old Barnsbury. The workshops leading to the ballot as well as the pre-application approaches to the Council, were predicated on an estate-wide ballot and an estate-wide transformation. Residents of Old Barnsbury as tenants of Newlon were a fundamental part of the ballot and the transformation.
- 13.9 However, the works to Old Barnsbury have been submitted as a separate planning application (ref: P2022/2454/FUL), which sets out proposals for windows and door replacement, upgrades to communal entrances, improvements to landscaping, repairs to fabric and internal alterations to layouts (the latter of which do not require planning permission). These works are considered to represent cyclical upgrades in the main which are occurring in order to sustain the lifetime and useability of a building.
- 13.10 The works to Old Barnsbury are to be carried out by Newlon as the site operator. The costs to transform Old Barnsbury are proposed by the applicant to be captured as a development cost for New Barnsbury and the cost is approximately £19m. There is no reasonable planning link between the schemes as they are set out in separate applications. Any inclusion of the Old Barnsbury costs would also reduce the ability of the proposal to deliver further affordable housing through a review mechanism (see below).
- 13.11 The applicants also differ from the GLA and the London Borough of Islington in respect of debt financing with the applicants proposing a figure of 7%, the council 6% and the GLA 4.5%.
- 13.12 Officers acknowledge that the scheme addresses significant constraints through the site and scheme circumstances and the principles that are inherent in the phased delivery of the masterplan which drives up costs and constrains the delivery of scheme value. Some of the restrictions involved include the significant lead in times to secure residents agreement for the substantial change that estate redevelopment brings about. In addition, there is significant option testing to determine whether total redevelopment is the appropriate option. In adhering to GLA and LBI principles about a fair offer to residents and complying with policy, the scheme needs to provide a like-for-like replacement for housing loss and social rent housing loss and must also provide a full right of return with security of tenure for social rent tenants on the same rent which in this case are well below target rents in many cases. Site assembly and site preparation, including appropriately managed demolition and decanting can also take time to achieve. The process of decanting and identifying household moves, void filling and approaches to residents have taken many months. Home loss payments and leasehold compensation must also take place which is an added financial consideration and time cost.
- 13.13 The most fundamental challenge however, is that transformation projects can involve the delivery of a disproportionately high number of affordable homes relative to market homes in the early phase. This may be required to deliver the phasing strategy, provide new homes for residents to be rehoused into as soon as possible, which allows for vacant possession. 100% of all homes being delivered in phase 1a which targets a start in March 2023 and 69% of all homes (which at the time of the original submission would have been 277 or 30% of the overall total) within phases 1a and 1b are replacement social rent homes.

13.14 Taking into account the flexibility of delivery required by the outline application process, this is the proposed tenure delivery established following the September design interventions.

Phase	REPLACEMENT		NET ADDITIONAL			Total
	Social Rent	Market Housing (leaseholder)	Social Rent	Shared Ownership	Market Housing	
1a	104	-	-	-	-	104
1b	93	25	-	-	60	178
1c	-	55	-	-	45	100
2a	94	-	3	-	-	97
2b	-	-	8	20	120	148
3a	-	-	30	-	89	119
3b	-	-	76	30	62	168
Total	291	80	117	50	376	914

Table 9: Tenure delivery proposal (note this includes former Shared Ownership, which is now proposed as Social Rented and Market Units)

- 13.15 It is clear that the development frontloads replacement social rent homes with all 291 being provided by the end of phase 2a. While net new market homes start to come forward in phase 1b and 1c, the bulk of this delivery in terms of completion and occupation does not occur until phase 2b and 3a which will complete 2030-2031/2.
- 13.16 Following the design interventions which resulted in the unit numbers in tables 6 and 7 above, the applicants FVIA was re-appraised by BPS who were of the view that the applicants' deficit position based on the applicants FVIA would be -£71m but would deliver a residual profit of £3.3m as the profit target would exceed the deficit. The net profit would be 0.7% on GDV as opposed to a target profit of 15.74%. The deficit for the applicant has reduced primarily on the basis of an agreed reduction of the social housing EUV from £18.1m to £8.67m.
- 13.17 The BPS benchmark land value position is reduced to £40million and with the continuation of a removal of the Old Barnsbury costs, the residual land value is £52.6m. With a profit target of £74.5m, the deficit at this stage is considered by officers to be £21.9m as opposed to £71.2m as proposed by the applicant.
- 13.18 The applicants advised at this stage that a sales value increase of 5% overall and a growth rate of 2.5% per phase would allow break even even if their position on the scheme deficit is accepted.
- 13.19 According to the applicants the recent update to the proposals to remove the shared ownership dwellings and their re-allocation to social rent and private sales units results in an additional deficit of circa £500,000. BPS have established a negative change to the deficit of circa £400,000. As a result, the tenure change is largely neutral in deficit or surplus position.
- 13.20 The applicant has sought to demonstrate and provide assurances that while the scheme may present a significant deficit at this stage, sales values will increase sufficiently to deliver the committed replacement social rent housing, the net additional social rent housing which has been modified to 135 units and the other obligations set out within the recommendation to the extent that the scheme will be able to demonstrate both a 'profit' and scheme completion adhering to the masterplan principles and the commitments made in the Design Code. The applicants' sensitivity matrix which illustrates how a movement in values affects profit, also includes scenarios where there is a reduction in costs.
- 13.21 The use of viability reviews at an early stage, mid stage and late stage of the construction will evaluate the changes to cost. However, the review mechanisms will not enable the reduction in the overall level of affordable housing provision, their purpose is to seek an uplift in onsite affordable housing provision and financial contributions towards delivery of affordable housing within the borough where this is demonstrated to be viable.
- 13.22 Despite the viability examination process that has lasted for several months, the applicant and the Council (and the GLA) are in disagreement over the level of deficit. Officers are clear that the BPS review is the most appropriate approach, albeit this still indicates a significant deficit. However, it is noted that

the applicant has sought to demonstrate that the scheme can break even and therefore would be deliverable.

- 13.23 The latest BPS review statement of the scheme viability is set out in Appendix 5 and takes account of the latest scheme amendment which removes the shared ownership homes from the proposal.

#### Viability Review Mechanisms

- 13.24 The National Planning Policy Guidance states that plans should set out circumstances where review mechanisms may be appropriate as well as clear processes and terms of engagement regarding how and when viability will be reassessed over the lifetime of the development to ensure policy compliance and optimal public benefits through economic cycles. Where contributions are reduced below requirements set out in policies there should be a clear agreement of how policy compliance can be achieved over time. As the potential risk to developers is already accounted for in the assumptions for developer return in viability assessment, a realisation of risk does not in itself necessitate further viability assessment or trigger a review mechanism. A review mechanism is not a tool to protect a return to the developer but to reinforce local authorities attempts to seek compliance with affordable housing policies over the lifetime of the scheme.
- 13.25 The proposed S106 agreement secures a number of review mechanisms that will seek to ensure that wherever possible, through detailed reviews and further viability assessment at relevant points as set out below, the proposal would deliver further affordable housing either through on-site provision in the first instance or a financial contribution. These mechanisms are bespoke to the specific circumstances of this planning application.
- 13.26 The purpose of the viability review mechanism will be to assess whether, at various stages of the development, any surplus profit is generated which can be applied to increasing the level of affordable housing to be provided on site, with the aim of achieving a policy-compliant level of affordable housing, should the viability of the scheme improve. A policy-compliant level of affordable housing would be a minimum of 50% on site, but potentially up to 100% for the purposes of LBI policy. Consequently, the cap on affordable housing to be provided by the development will be the provision of 100% of the additional or uplift dwellings (i.e. excluding any re-provided dwellings). There will be a requirement for any surplus profit arising from reviews to be applied to provide additional affordable housing on site, in order to increase the baseline provision from 30% to 50%. But thereafter there will be flexibility as to whether any further surplus arising from the reviews should be applied to more on-site affordable housing, having regard to the practicality of achieving this at the time the relevant review is carried out, and/or can be paid to LBI as a contribution. This will be at LBI's discretion and subject to LBI approval.
- 13.27 The early stage review will take place if the developer has not achieved Substantial Implementation by a prescribed date set out within the Section 106. This is proposed to be 18 months from the grant of planning permission. It is likely that given the urgency presented by the expiry of the grant funding that this early stage review will not be triggered.
- 13.28 In the event that the early stage review mechanism is triggered, any surplus that may arise would be allocated towards the provision of additional on - site affordable housing subject to a ceiling or .
- 13.29 As a phased scheme, the development lends itself to the identification of suitable points in the development programme for the initiation of the mid stage review and the late stage review. The mid stage review is proposed to take place on occupation of 50% of the market housing units within Phase 2b of the development. This would represent a point in time when a meaningful quantum of market units have been sold and so is an opportune moment at which to re-appraise the scheme's overall viability. No more than 90% of the market housing units in Phase 2b may be occupied and no market housing units in Phase 3 may be occupied until such time as the viability review has been resolved and the approach to surplus allocation has been agreed. Given that a substantial number of units will need to be developed in phase 3 after the mid stage review, any surplus will be sought ideally and primarily though on site provision.
- 13.30 The late-stage review will take place upon occupation of 75% of the market housing units in Phase 3 of the development. This represents a typical late-stage review trigger. No more than 90% of the market

housing units in Phase 3 may be occupied until such time as the viability review has been settled. Any surplus arising from the scheme subject to a cap will be split 60/40 in favour of affordable housing delivery and will be paid as a contribution on the basis, that it would be too late to accommodate any surplus dwellings within the floor plan of the respective RMA.

- 13.31 A break clause is proposed that triggers a further review mechanism stage in the event that development and construction works cease for an extensive period of time to be defined within the legal agreement. Any surplus is provided as on site affordable housing or a financial contribution depending on when the review and the break occurs.
- 13.32 As noted in the case of the early-stage review (if triggered) and the mid-stage review, any surplus arising is to be allocated towards the provision of additional on-site affordable housing. The means of providing additional on-site affordable housing will be set out in an “Additional Affordable Housing Scheme” to be submitted for the council’s approval. The provision of additional on-site affordable housing should, as a priority, be achieved through the conversion of market housing units in order to secure a policy-compliant level of affordable housing (namely, a minimum of 50% of net additional housing at the specified tenure mix). It is proposed that, the Section 106 Agreement will restrict the occupation of specified market housing units in Phase 3 in order to cater for their being provided as affordable housing units. The applicant will need make a proposal as to which units should be restricted in this way and this will be incorporated into the legal agreement.
- 13.33 Each viability review will take the form of an ‘open book - whole scheme appraisal’, by which it is meant that the entire scheme will be reviewed at each review stage, taking into account receipted/certified costs and values incurred up until that review stage and estimating costs incurred and values achievable for the remainder of the scheme.
- 13.34 The only fixed inputs into the viability review mechanism (and which will be specified in the Section 106 Agreement) will be the Benchmark Land Value (which will relate to the commercial elements only) and the developer profit rate which will be 17.5% profit on GDV for the market sale dwellings, 4% on the affordable dwellings and 15% on the commercial floorspace). The Old Barnsbury Costs noted above will not form part of the reviews. Otherwise, all costs and revenues will be reviewed and the financial appraisal effectively re-run at each review stage.
- 13.35 As a result of adopting a ‘whole scheme appraisal’, the viability review will not utilise the GLA’s standard viability review formulae. The GLA is supportive of the Council’s approach to the benchmark land value and the proposed Review Mechanism Process.

#### Nominations, Decant and Re provision.

- 13.36 Given the requirement to re-accommodate existing residents within the estate and to alleviate overcrowding within the wider Barnsbury Estate, it is essential that the decant and future rehoming strategy is effective. The applicants have sought to demonstrate that there is a needs based approach to delivering the rehoming programme.
- 13.37 Whilst planning officers have not been party to any housing needs survey associated with the Barnsbury Estate Newlon has sought to establish the critical needs within the estate which comprise overcrowded units (where two or more adult generations are co-located within homes where there are insufficient bedroom numbers) and also to address residents with established medical needs.
- 13.38 As stated above, a key principle for the GLA and for the Council is a fair deal for existing tenants who will be rehoused an retain protected rents. It is recommended – and the legal agreement will account for this – that Newlon take accountability for the re-allocation of 291 households within the wider portfolio. While it is proposed that 291 homes for social rent will be constructed within the development, it is not necessarily the case that 291 homes and the households therein will be decanted into the 291 homes that are reprovided. It is highly possible that: (a) a number of tenants will choose to leave the estate altogether, perhaps taking up residency in another Newlon property in their portfolio; (b) that a number of residents will take up residency in Old Barnsbury. In addition, a number of residents from Old Barnsbury will have an option to relocate into New Barnsbury, because they have specific needs. These priority moves will be for people who are overcrowded, medical needs (reflecting the fact that inclusive

access within Old Barnsbury is currently not possible) as well as those with oversized units who are seeking to downsize and therefore free up larger units for those who require these.

- 13.39 Where overcrowded households are split up, the existing tenant retains the discounted rent. The tenant forming the new household will rent their home at a target rent.
- 13.40 All allocations for the 291 homes will be based on existing need and will be carried out by Newlon, in accordance with the Council's Housing Allocations (local lettings) scheme. This will be secured through the proposed legal agreement. These allocations, carried out by Newlon would be in accordance with the Council's normal lettings policies. Subsequent to this, the Council will be able to utilise its normal nominations and allocations policies on a 100% first round and 95% second round for those on the Council's waiting list. Ultimately, it means that Newlon is able to identify homes for all 291 existing households in New Barnsbury and households in Old Barnsbury who meet the criteria, while the Council will be able to allocate the remaining newly constructed 135 units of social rent and any second nominations from the re-provided homes, although it is likely to take until 2030 for any substantial ability to allocate homes to the Council's own waiting lists. There is likely to be some inconsistencies within allocations that reflect everyday life that will not wait for site wide completions, such as births, deaths and other family circumstances that may lead to changes in the future for household size and composition that may have implications on the nature of rehoming.

#### Conclusions on Affordable Housing

- 13.41 The principal objective of the application and the proposed redevelopment of the Estate is to secure an improvement of existing social rent homes and to use the opportunity of estate redevelopment to secure a further uplift of affordable housing to make a much needed contribution to alleviate poor housing conditions, overcrowding and inadequate accommodation. This is supplemented by the range of benefits associated with the re-provision of better quality homes with protected rents, enhanced and enlarged social infrastructure, modernised retail, good quality architecture and enhanced open space.
- 13.42 The application is an estate 'regeneration' scheme and is subject to a ballot in order for the scheme to benefit from GLA support in financial terms. Mount Anvil and Newlon have formed a joint venture partnership to deliver the scheme. The scheme is subject to an identified level of grant that is supposed to support the replacement of demolished homes within the 2016-21 funding round. As former public sector land the council's emerging planning policies require 50% of any uplift in affordable housing to be affordable. The scheme re-provides 291 social rent homes and seeks to provide a further 135 new homes as social rent. On unit terms alone, the scheme would provide 426 social rent homes which is 46% of the overall scheme dwellings total. The uplift would provide 135 social rent homes which is approximately 25% of the uplift. However, all 426 new homes would be genuinely affordable and for social rent with the majority of existing tenants paying rents significantly below target rent levels.
- 13.43 The expectation in policy terms is for the scheme to provide at least 50% affordable homes. In failing to do so, the scheme must be subject to review mechanisms. It is proposed that three are written into the legal agreement at early, mid and late stage (based on defined triggers of completion and occupation). The parties have approached viability with different profit and deficit assumptions as well as cost assumptions which have informed the BLV and the costs profile. The deficit is much higher from the applicants' perspective on the basis that they have estimated higher figures for the existing social rent homes, have included the cost of works to Old Barnsbury and the cost of leaseholder buy-outs.
- 13.44 While officers have been concerned about the delivery of the proposal, the applicants have sought to demonstrate that even a relatively small movement in sales values and/or cost reductions will generate profit on completion on the basis that it will take some time for the scheme to deliver returns on new private market sales. An early stage review is proposed although it is unlikely to be triggered and a break clause is also proposed to reflect difficulties in the construction industry and to capture the implications of a hiatus in construction.
- 13.45 Newlon will manage the rehoming of its existing 291 households across t New Barnsbury. The scheme will alleviate overcrowding and accommodate the medical needs of people living in Old Barnsbury., The Council will then utilise its updated lettings policy through the section 106 to secure placements within the remainder of the 135 units.

- 13.46 While the scheme does not meet the 50% target set out in the Development Plan, the Council has sought to optimise the provision of genuinely affordable housing through securing only the social rented tenure, and a review mechanism process has been put in place that has the potential to deliver additional affordable housing. The scheme allows for 291 households to retain discounted rents below target rent levels and 135 more will pay target rents. The accommodation is being improved in quality to meet modern housing standards and with improved open space. While the scheme doesn't meet the targets set out in policy, the scheme has demonstrated its ability to optimise the provision of genuinely affordable housing.
- 13.47 The delivery of the affordable housing will be secured in the S106 agreement together with the above noted review mechanisms that seek to deliver further affordable housing at the site if this is proved to be viable. The delivery of additional affordable housing and the re-provision of improved homes at protected rents that represent some of the most affordable in the borough, is critical to the planning balance in outweighing the harm identified elsewhere in this report.
- 13.48 Given the finely balanced nature of the recommendation in respect of this application it should be noted that any proposals to reduce affordable housing on the site is highly likely to require a new assessment of the planning balance and a new planning application.

#### **14. DESIGN, CONSERVATION AND HERITAGE CONSIDERATIONS**

- 14.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'
- 14.2 Section 70(2) of the Town and Country Planning Act 1990 states that in dealing with a planning application 'the authority shall have regard to the provisions of the development plan, so far as material to the application... and to any other material consideration.'
- 14.3 There are the following additional requirements when considering planning applications which affect the setting of a listed building or the character and appearance of a conservation area.
- 14.4 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.
- 14.5 Section 72(1) of the Act states: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.
- 14.6 The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of in listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 14.7 The National Planning Policy Framework (NPPF) sets out the Government's policies for decision making on development proposals. At the heart of the framework is a presumption in favour of 'sustainable development'. Conserving heritage assets in a manner appropriate to their significance forms one of the 12 core principles that define sustainable development. NPPF policy advises that for new development to be sustainable it needs to encompass an economic, social and environmental role, with the latter including the protection and enhancement of the built and historic environment. Paragraph 8 notes that these roles are mutually dependent and should not be taken in isolation; and that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Paragraph 7 of the NPPF states that the environmental role of a development includes

protection and enhancement of the historic environment, while section 12 sets out how the historic environment should be conserved and enhanced.

- 14.8 The NPPF addresses consideration of potential impacts to designated and non-designated heritage assets at paragraphs 199 – 203 which state, inter alia, that: ‘In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary... Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal...’
- 14.9 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 14.10 Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- the nature of the heritage asset prevents all reasonable uses of the site; and
  - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
  - the harm or loss is outweighed by the benefit of bringing the site back into use.
- 14.11 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 14.12 The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’
- 14.13 Significance is defined in the NPPF as: ‘The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.’
- 14.14 The setting of a heritage asset is defined in the NPPF as: ‘The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.’
- 14.15 Paragraph 9 of the NPPG notes that ‘Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance

of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals

- 14.16 Paragraph 17 of the NPPG provides guidance on assessing whether a proposal results in substantial harm to a heritage asset and states that: 'What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting. Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance (emphasis added) rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.'
- 14.17 Paragraph 20 of the NPPG defines public benefits as: 'Anything that delivers economic, social or environmental progress...Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.'
- 14.18 The Historic England (formerly English Heritage) guidance document Conservation Principles (2008) sets out a framework for assessing the significance of historic buildings and places. It defines significance as the 'sum of the cultural and natural heritage values of a place, often set out in a statement of significance.' It is commonly agreed that Grade I and II\* buildings are of "exceptional" and "particularly important" interest; therefore these are generally considered of greater significance.
- 14.19 Historic England's Advice Note No. 4 Tall Buildings December 2016 states at paragraph 5.5 that: 'When considering any proposal that has an adverse impact on a designated heritage asset through development within its setting, great weight should be given to the asset's conservation', with any harm requiring a 'clear and convincing justification' (NPPF paragraph 132). In assessing this justification, and in weighing any public benefits offered by a tall building proposal, local planning authorities will need to pay particular regard to the policies in paragraphs 8 and 9 of the NPPF that state that economic, social and environmental gains are to be sought jointly and simultaneously in order to deliver positive improvements in the quality of the built, natural and historic environment. This may involve the examination of alternative designs or schemes that might be more sustainable because they can deliver public benefits alongside positive improvement in the local environment. If a tall building is harmful to the historic environment, then without a careful examination of the worth of any public benefits that the proposed tall building is said to deliver and of the alternative means of delivering them, the planning authority is unlikely to be able to find a clear and convincing justification for the cumulative harm'
- 14.20 London Plan policy HC1 is concerned with heritage assets and states, at Part C: 'Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.'
- 14.21 Policy CS9 of the Core Strategy is concerned with 'Protecting and Enhancing Islington's Built and Historic Environment' and states, inter alia, that: 'High quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive.' The policy then goes further to state that the historic significance of Islington's unique heritage assets and historic environment will be conserved and enhanced whether designated or not. These assets in Islington include individual buildings and monuments, parks and gardens, conservation areas, views, public spaces and archaeology.'
- 14.22 Policy DM2.3 of the Council's Development Management Policies document is concerned with Heritage and states, inter alia, that:
- A. Conserving and enhancing the historic environment Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced

in a manner appropriate to their significance. Development that makes a positive contribution to Islington's local character and distinctiveness will be encouraged.

- B. Conservation Areas i) new developments within Islington's conservation areas and their settings are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. Harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Substantial harm to the significance of a conservation area will be strongly resisted.
  - C. Listed buildings iii) New developments within the setting of a listed building are required to be of good quality contextual design. New development within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.'
- 14.23 Policy DM2.5 'Landmarks' of the Council's Development Management Policies document states that (A) views of well-known local landmarks will be protected and stringent controls over the height, location and design of any building which blocks or detracts from important or potentially important views.

### Urban Design

- 14.24 In terms of design of the built environment, the National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. London Plan Policy D3 (Optimising site capacity through the design-led approach) is concerned with good quality and contextual design and states, inter alia, that developments should: 'enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.'
- 14.25 The London Plan Policy D3 also states developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well. Furthermore, London Plan Policy D4 (Delivering Good Design) expects the design of development proposals to be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising local evidence, and expert advice where appropriate. In addition, boroughs and applicants should make use of the design review process to assess and inform design options early in the planning process. These policies are supported emerging guidance on Good Quality Homes for All Londoners, module A – Assessing Site Capacity and C – Housing Design Standards, are relevant to the assessment of this application. These standards are discussed further within the report.
- 14.26 Islington's Core Strategy Policy CS8 (Enhancing Islington's character) states that the scale of new development will reflect the character of a surrounding area. Policy CS9 (Protecting and enhancing Islington's built and historic environment) states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. Moreover, where areas of Islington suffer from poor layout, opportunities will be taken to redesign them by integrating new buildings into surviving fragments of historic fabric. All development will need to be based on coherent street frontages. Part E of this policy states that 'Tall buildings (above 30m high) are generally inappropriate to Islington's predominantly medium to low level character, therefore proposals for new tall buildings will not be supported. Parts of the Bunhill and Clerkenwell key area may contain some sites that could be suitable for tall buildings, this will be explored in more detail as part of the Bunhill and Clerkenwell Area Action Plan'.
- 14.27 Development Management Policy DM2.1 (Design) requires all forms of development to be of a high quality, incorporating inclusive design principles while making positive contributions to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. All new developments are required to improve the quality, clarity and sense of space around or between buildings, reinforce and complement local distinctiveness and create a positive sense of place. Point vii

specifically states that buildings should respect and respond positively to existing buildings, the streetscape and the wider context.

- 14.28 Islington's Urban Design Guide SPD states that good development should demonstrate qualities of contextual appropriateness, have good connections, exhibit sustainable properties, with the built and natural environment being designed in an inclusive manner. It states in para 4.2 that: 'These principles are definitive and vital to the creation of successful places, and proposals will need to demonstrate commitment to creating an environment of the highest quality through assimilation of these principles'.
- 14.29 Draft Policy DH1 states that tall buildings can help make the best use of land by optimising the amount of development on the site, but they do have the potential to generate adverse impacts. Sites for tall buildings should be identified through the local plan process. Policy DH3 sets out the Council's updated positions on tall buildings. Buildings taller than 30m are only acceptable in principle on sites allocated in the Local Plan where height is identified as being suitable or in the various spatial strategy areas. As per the London Plan policy D9, the Local Plan sets out a range of criteria which respond to visual, functional and environmental impacts.
- 14.30 Further to the above qualitative analysis on building heights, the Planning Officer has undertaken a quantitative analysis of the building scale relative to planning policy to understand where breaches of the Council's Tall Buildings policy occur, and to what extent.
- 14.31 London Plan Policy D9 seeks to ensure that there is a plan-led and design-led approach to the development of tall buildings across London and that the visual, functional, environmental and cumulative impacts of tall buildings are addressed to avoid adverse or detrimental impacts.
- 14.32 Part B of Policy D9 states that boroughs should determine which locations are appropriate for tall buildings (subject to meeting the other requirements of the Plan) and states that tall buildings should only be developed in these suitable locations. 10.4.16. Part C of Policy D9 sets out the qualitative criteria for assessing the impact of tall buildings where tall building developments are proposed.
- 14.33 These are divided into;
- 1) visual impacts; A variety of long range, mid-range and immediate views should be assessed to ensure tall buildings contribute positively to the character of the area and avoid harm to heritage assets. Tall buildings should make positive contribution to the existing and emerging skyline and not adversely affect local or strategic view
  - 2) functional impacts ;The architectural and materials quality of tall buildings should be of an exemplary standard. Tall buildings should aid legibility and wayfinding and have a positive impact on the public realm.
  - 3) The environmental impacts including wind, microclimate, daylight/sunlight, glare impacts should be assessed. Cumulative visual, function and environmental impacts should also be assessed, taking into account other permitted developments.
- 14.34 Of relevance here is the section within the London Plan D9 c(1) d which states 'proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. '
- 14.35 As is explored further within the report, the public benefits of the development as a whole, are weighed against the less than substantial harm that results from the development in line with the policy.
- 14.36 Officers have reviewed the site and surrounding context, the proposed height and massing and layout and have considered the conclusions and recommendations of the applicant's Environmental Statement in relation to functional, environmental and cumulative impacts, including daylight, sunlight and overshadowing and wind microclimate. (These are considered in more detail elsewhere within the report).

- 14.37 This has concluded that the environmental and cumulative impact of the scheme is acceptable and would not give rise to any unacceptable impacts and this view is supported by the Councils independent reviewer Waterman. As such, officers consider that the scheme does therefore comply with the qualitative criteria for tall buildings set out in Part C of London Plan Policy D9.
- 14.38 The Council's policy for tall buildings is Core Strategy CS9E which states that tall buildings (those in excess of 30m) are generally inappropriate to the medium and low rise character of Islington and that tall buildings will not be supported. It states that the only locations where tall buildings may be developed are specific identified locations within the Finsbury Local Plan area. The Barnsbury Estate is not one of these areas and tall buildings are deemed inappropriate under the current policy, including DM2.1.
- 14.39 Under the emerging Local Plan which is currently in Examination and will replace the Islington Core Strategy and the Development Management Policies 2013, tall buildings are, as with the current plan not acceptable within the site allocation for the Barnsbury Estate. The emerging Local Plan contains a comprehensively updated planning policy on tall buildings – Policy DH3. The policy is based on extensive and detailed work undertaken by Urban Initiatives and set out in the Islington Tall Buildings Study. Local Plan Policy DH3 identifies locations which are potentially suitable for tall buildings. No such locations were identified within the Estate.

#### Character of the Area – Site and Context

- 14.40 New Barnsbury Estate comprises 16 blocks ranging in height from 4 – 9 storeys. (Phelps Lodge, plus the two adjoining buildings at 103 and 105 - 7 Copenhagen Street do not form part of the redevelopment plans). It is disparate in its composition and form, with a mis-match of fronts, flanks and rears creating legibility and townscape challenges. The buildings are of little architectural merit and were developed during the 1960s.
- 14.41 There is a popular community centre, a children's playground, a MUGA, and an active community garden all positioned in the centre of this part of the estate. While there is a relatively large amount of existing open space in the New Barnsbury site boundary, 12,345sqm (including playspace but excluding private gardens), a considerable proportion of this, just over 50%, (some 6,629sqm) is of a very poor quality, acting as a buffer and/or configured so as to be unusable and/or inaccessible. Many of the open spaces suffer from low levels of overlooking, lack of animated edges, lack of passive or active recreational facilities, and a paucity of natural beauty. The majority are utilitarian and fail to meet contemporary standards or expectations of what open space can and should be providing.
- 14.42 The site is subject to significant level changes with steeply sloped green spaces that function as 'buffer zones' prevalent across the site and full storey stepped level changes between both highways and buildings. The 202 trees across (and adjacent to) the site are largely protected under a single TPO. They vary considerably in terms of quality, age, and species.
- 14.43 The site abuts the Barnsbury Conservation Area to its northern and western edges and is framed to its southern edge by the Regents Canal West Conservation Area. Regents Canal is also a designated Open Space and, in this location, it immediately abuts a Site of Importance for Nature Conservation (SINC) to its northern edge. To this effect the site has particularly sensitive edges, positioned within an historic context and adjacent to designated Open Space and a SINC.
- 14.44 Caledonian Road is a primary TfL route. Much of its western edge, directly opposite the site, is lined with an early Victorian terrace with deep ground floor commercial units and 2 – 3 storeys of residential floors above. The eastern edge of Caledonian Road that lies within the application site is a designated Local Shopping Area. This existing 4 storey terrace comprises a ground and basement commercial uses with residential flats above. The buildings are of no architectural merit and present a rather austere frontage to this important street edge. The street culminates with the white rendered, end of terrace, Georgian former public house. This Grade II listed building is the end of a long listed residential Georgian terrace of considerable merit. The pavement is particularly deep to this edge.
- 14.45 Copenhagen Street forms the site's northern boundary. It is varied in its architectural form, age, and quality, and provides a key link in the area towards the major hub of Kings Cross to the west and the main entrance into Barnard Park to the east. The built form varies from recent residential development towards

the park with older post war brick terraces towards Caledonian Road with heights ranging between 2 – 4 storeys.

- 14.46 The southern edge of the street is characterised by a significant change in level between the pavement edge and the site with resulting poor edging characteristics including considerable severance. Of note however are a number of fine mature trees that line this edge helping to mitigate the otherwise poor edge conditions.
- 14.47 Charlotte Terrace forms the site's eastern boundary. Its eastern edge comprises the 5 storey brick blocks of the Old Barnsbury Estate, developed in the early part of the 20<sup>th</sup> Century. While they have been considerably altered including the addition of projecting balconies, these blocks make a positive contribution to the urban form and streetscape in general with their clearly defined building lines and rhythmic architecture including the series of tall and pronounced chimney stacks within the roofscape.
- 14.48 The existing buildings to the eastern edge lie within the application site. They comprise an 8 and a four-storey block both of which are recessed and angled from the street edge. These buildings are not of architectural merit and, coupled with their disregard to a more urban building line, they detract from the character and quality of the streetscape and the urban form.
- 14.49 The site's southern boundary is formed by Carnegie Street and, in part, includes both sides of the street. This is lined with four storey blocks and one of the site's two public 'pocket' parks – Carnegie Park. The park itself is framed by 4 and 5 storey blocks. The south side of the street, to the corner of Muriel Street and outside of the site, comprises a modern 3 storey residential complex for older person housing. To the western edge of Muriel Street, on the south side of Carnegie Street, the site boundary then extends to the edge of the SINC with the Regents Canal positioned to its rear. It comprises two linear shaped residential blocks of 3 – 5 storeys.
- 14.50 South of the Regents Canal comprises a varied form from the 10-storey modernist residential block to the corner with Wynford Road, to the three small scale Georgian terraced houses, 16, 17 and 18 Fife Terrace, located on the south side of the canal facing across the canal towards the southern boundary of the site. These are locally listed buildings of merit. Also of merit is the former public house at 125 Caledonian Road.
- 14.51 There are proposals for a 'Major' cycle route to run along Copenhagen Street and a 'Local' cycle route along Charlotte, Carnegie, and Muriel Streets.

#### Masterplan Approach

- 14.52 The scheme for ballot and the scheme for planning permission are based on a masterplan approach for the redevelopment of the whole estate following phased demolition. The estate wide redevelopment was adopted as the preferred option for the principal development party at the time following the recommended procedure set out in the Mayor's Good Practice Guide for Estate Regeneration (2018).
- 14.53 The guidance states that the range of physical interventions available to support the delivery of estate regeneration projects includes: repairs to, and refurbishment of, existing homes; building new homes on 'infill' sites; and demolition and rebuilding. Different schemes will require different interventions, or a combination of some or all of the above: there is no 'one size fits all' approach. However, when considering the option of demolishing and rebuilding homes, councils, housing associations and their partners should always consider alternative options to demolition first. They should balance the potential benefits of demolishing and rebuilding homes against the wider social and environmental impacts of this option.
- 14.54 The key transformation drivers for New Barnsbury are as follows:
- Address overcrowding;
  - Address cramped living conditions that do not meet modern requirements for internal or external space;
  - Address energy efficiency;
  - Meaningfully address the open space deficiency with 40% of the open space in the estate inaccessible;

- Provide a significant number of affordable homes and
- Meaningfully improve the quality of the estate.

14.55 These objectives have informed the appraisal of the options below.

#### Option 1: Repair and refurbish

14.56 The existing blocks within New Barnsbury were constructed from the 1950s onwards with substantive estate wide completion in the 1960s. The buildings have aged quickly and show signs of disrepair and have been subject to periodic repairs. Communal open space is poorly accessed and laid out, the estate is subject to complicated topography that makes travelling through it difficult with mobility restrictions and the estate is car dominated.

14.57 In addition, Newlon have noted that there are issues around overcrowding. Very few of the blocks have lift access excluding disabled people from accommodation in large parts of the estate.

14.58 The estate requires an approach that is greater than simply repair, but a refurbishment instead that brings the quality of existing homes to a state of nearly new as much as possible in the context of current planning and building regulations standards. The repairs could not address the objectives listed above.

#### Option 2: Infill and refurbishment

14.59 Infill is a common approach to transforming estates and cross subsidising estate refurbishment with areas of underused site suitable for new homes to be built including on garages, hardstanding, storage sheds and in close to proximity to blank gable ends where amenity may be less of a problem. This option was reviewed for the Barnsbury Estate, however, the site constraints exclude this as a suitable option to pursue as it would have implications for trees and open space as well as the proximity to the existing buildings and the implications for residential amenity. While there would be a cross subsidisation benefit, this would not outweigh the harm listed above, even if there would be a positive energy efficiency outcome in the absence of demolition.

#### Option 3: Redevelopment

14.60 As stated above, the scheme redevelopment allows for the objectives to be realised, provide a meaningful quantum of affordable housing, protect and enhance open space, provide new homes that satisfy the housing quality requirements set out in the Development Plan, engineer an energy efficiency outcome and provide a high quality architectural response that is not constrained by existing building forms, structures and layouts.

14.61 In masterplan terms, its evolution and design was based on principles that respond to the historical use of the area and its environs and the realisation of the objectives above by promoting the following actions.

- Maximise key connections to the wider area
- Create a new community heart
- Reinststate an interpretation of historic street patterns from before the WW2 damage.
- Preserve and enhance existing open spaces
- Create tertiary pedestrian uses
- Address existing non-residential uses.

14.62 In respect of landscape, at the pre-application stage officers sought a range of open spaces throughout the estate with various functions and serving different types of user. The existing space needed to be re-provided and additional green space was required for the uplift in residents. Given the likely significant numbers of new units, designing the size, apportion and potential use of such spaces was critical to informing the quality of the master plan approach. Strategically, it was considered imperative to create better function for Carnegie Street and Pultney Parks, a better connection with the canal and to create green routes through Charlotte Terrace and the estate to connect the canal with Barnard Park to the north east.



Image 11: Earlier Masterplan

- 14.63 The masterplan is based on an understanding of a network of streets and routes and then incorporating an appropriate architectural, scale and massing response to those routes. Caledonian Road is the principle highway in the context of the street which are then supplemented by Carnegie Street and Copenhagen Street which connect the site with Upper Street to the east and York Way to the west. The canal towpath and Charlotte Terrace were then proposed to be worked up to provide a uniquely green and enjoyable space with the new internal streets replicating the original pattern of development and the east west route providing a low key linkage.
- 14.64 Based on the hierarchy of routes, a range of typologies evolved with robust forms of development of up to 8 or 9 storeys along Caledonian Road supported by buildings of smaller scale and footprint on the secondary routes. The Lanes and Mews as internal streets and domestic scale environments were proposed to be addressed by town houses around a homezone setting and larger lanes blocks which would provide the internal structure on which the overall development pattern would emerge from.
- 14.65 Out of this structure, emerged a strategy around building heights, semi-private open spaces, landscape, parking and land uses including community uses and residential that sought to preserve and maintain an acceptable level of amenity both inside and outside of the estate and a contextual relationship with the townscape around the estate and the heritage assets therein.
- 14.66 The masterplan therefore incorporated six types of buildings including mansion blocks to Caledonian Road and mansion blocks to the secondary streets. A further building typology addresses parks and another to the lanes. Smallscale mews would create a family focussed environment internally. Finally, large format tower blocks are proposed to the canal side area. Utilising these forms of buildings was seen as a way of securing the obligations to re-provide sufficient replacement homes to the existing tenants and leaseholders as well as the site capacity to secure the quantum of new housing stock within the estate to cross fund the redevelopment of existing and new social housing.

- 14.67 The masterplan was also required to incorporate three additional priorities preserving and enhancing the existing trees while providing space to accommodate more, provide a method to accommodate the extent of on street car parking which is abundant across the estate and finally to make a substantial contribution to children's playspace within the estate, taking into account the uplift in on site population.
- 14.68 The masterplan that was discussed at the pre-application stage with the Council was for a scheme of approximately 860 units which had been shaped to ensure that the scale, proportions and development patterns could be appropriately accommodated without giving rise to excessive densification and concerns about quality of amenity. Following the ballot, the masterplan was amended to include a greater number of homes (approximately 950 units). Unfortunately, the additional massing required was not considered in accordance with the London Plan approach espoused by the 'Good Growth' policies, where site capacity should be informed by good design. Policy G2 of the London Plan states that to create a successful mixed use place that makes the best use of land, those involved in planning and development should apply a design led approach to determine the optimum development capacity of sites.
- 14.69 In determining the most appropriate response to the applicant's stated need to accommodate an additional 90 units, the masterplan design needed to be reconceptualised. In essence, the masterplan needed to demonstrate a way of accommodating 950 units, not 860 with an additional 90. In the absence of a reconceptualised masterplan, the additional 90 units were layered on to existing proposals without a design led approach. As a result, existing buildings increased between 1 and 3 storeys. This delivered a masterplan with enlarged footprints and greater heights impacting on quality of space, amenity and structural integrity in respect of scale, proportion, separation and layout and an ability for green infrastructure for example to react.



Image 12: Masterplan as submitted with the application.

### Assessment of the Proposals

- 14.70 The principle of the redevelopment of the New Barnsbury Estate is accepted from a design perspective. This is because of multiple factors including the poor quality of many of the buildings, many of the homes, much of the open space network and the urban form as configured within the estate itself and in relation to its incongruous relationship with its more immediate context.

14.71 The scheme has come forward following 6 DRP reviews and extensive planning and design meetings and workshops. While it has design failings relating to heights and their resulting impacts on residential quality in respect of daylight and sunlight, insufficient levels of open and play space, disruption to the urban structure, and identified heritage harm, these are, to some extent, counteracted by positive design attributes.

14.72 These positive attributes and design failings are addressed below.

### Design Attributes – Urban Structure

14.73 The proposed urban structure is one such positive attribute and is supported. It has been designed to respond to the nature of the adjacent street network and hierarchy and to stitch the estate back into the surrounding context. This is evident in the primary street, Caledonian Road, that accommodates the largest and tallest of the proposed structures (save for an 11 storey canalside tower) with two x 9 storey mansion type blocks, with ground floor replacement shopping parades, and recessed double height mansards. Their heights are however at the absolute upper limits of acceptability given the established considerably lower storey height ambient of the adjacent streets and the sensitivity of the setting of adjacent heritage assets.



Image 13: Current masterplan.

14.74 Lower (7 and 8 storey) mansion type blocks then wrap around the perimeter of the site fronting the 'secondary' streets of Copenhagen Street, Charlotte Terrace, and a segment of Carnegie Street. A higher 8 storey element is positioned to the prominent corner of Copenhagen Street and Charlotte Terrace with the 7 storey buildings lining the remainder of these edges. The buildings are positioned so as to reinforce strong and coherent building lines to the street edges.

14.75 Coupled with animated facades, they result in a significant improvement to the existing streetscape conditions reinforcing their role in the broader urban structure. However, heights to these edges are also considered to be at the absolute upper limits of acceptability given the established 4 and 5 storey height ambient of the adjacent streets.

14.76 The site is intersected from north to south by two new 'tertiary' streets. These follow/reinstate the lines of the original Georgian street pattern. They will markedly improve permeability and legibility and add a further richness of grain to the overarching street pattern. They are proposed to be lined by 7 storey terraces and are intersected by pedestrian archways leading to pedestrian mews streets. These mews

streets form an integral part of the east/west pedestrian route. However, at 7 storeys high with a street of only 14m wide, the height of the buildings that line such relatively narrow lanes is considered to be disproportionate and thus harmfully tall. These tertiary routes should have a lower storey height than those framing and fronting the wider and more prominent secondary routes, not matching or exceeding them. As a result, the heights of the two lanes somewhat disrupt the logic and harmony of the emerging and existing urban structure.

- 14.77 The 'lowest order' route within the urban structure and movement hierarchy is that of the pedestrian only east west route. This is an important route that connects Caledonian Road to the west with Charlotte Terrace to the east. It weaves its way through the two pedestrian only low rise Mews streets, and via Pultney Park.
- 14.78 This structure creates improved levels of visual and physical permeability in relation to the context and the site itself and results in a highly legible urban structure. It reinforces the status of the existing streets, and strengthens building lines, street frontages, and functions.
- 14.79 Aside from the excessive height of the 7 storey buildings framing the two Lanes, the urban structure as proposed within the overarching masterplan is successful in creating a legible and permeable environment and as such is considered to be a positive attribute of the scheme.
- 14.80 The Design Review Panel response to the current proposal (see Appendix 4) also considered the hierarchy of spaces and routes to be successful, providing good levels of permeability and responding to the topographical challenges.

#### Design Attributes – Architectural Typologies

- 14.81 A further beneficial design attribute is the proposal to include 6 distinct architectural typologies. These have been designed to help reinforce the proposed and existing urban structure with the larger mansion type blocks to the outer periphery to primary and secondary routes, smaller scale Parkside and Lanes buildings, and the smallest-scale mews typology to the pedestrian route. Such variety also adds a visual richness to this large site, and to the broader context, which is supported. The structured and varied building typologies were supported by the DRP.



Image 14: Mansion blocks Copenhagen Street

- 14.82 Mansion blocks: Large mansion type blocks are positioned to the site's outer perimeter, lining the secondary roads of Copenhagen, Charlotte and part of Carnegie Street and the primary route of Caledonian Road. The tallest mansion blocks front onto the primary route of Caledonian Road.



Image 15: Caledonian Road Frontage

- 14.83 These are solid buildings with integrity and a legible base that include the prominently designed and positioned communal front entrances, an animated 'body' with a combination of recessed and projecting balconies, and a distinctive roof form of either a single storey or double height mansard roof structure.
- 14.84 They create strong and legible street edges with animation and overlooking to help activate the adjoining public realm.
- 14.85 The Lanes: - A finer grain of development of largely smaller terraces, punctuated with arched undercrofts, and creatively designed facades, line the two narrow north/south Lanes. These have been designed with a richly embellished 'base' comprising the ground and first floors (accommodating duplex homes) with animated upper floors incorporating cleverly designed 'part in - part out' balconies to the flats above. The top storey is then recessed from the street edge. A sizeable number of flats to upper floors are accessed via a rear deck access system.



Image 16 : The Lanes

- 14.86 A number of the flats to the upper floors are accessed via a rear deck access system. There are some concerns relating to safety and amenity over the positioning of bedrooms onto this communal deck access, but mitigation has been proposed. The primary concern of this typology is that it is a full storey too high given the narrowness of the Lanes and their tertiary role and position within the proposed urban structure.
- 14.87 The Mews: - Two small scale east west Mews streets intersect the Lanes. The architecture is simple echoing historical characteristics associated with typical London mews architecture. They comprise sizeable family homes to the northern edges with private patio gardens to the rear, with duplex homes positioned to the mews southern edges that include patio gardens and roof terraces. These will result in high quality new homes.



Image 17: The Lanes

14.88 Parkside buildings: - Fronting the northern edges of both Pultney and Carnegie Park are linear blocks are well animated linear blocks. The architectural form and language have been designed to celebrate an open Parkside context with a playful façade treatment including staggered balcony positioning and generous void to solid ratios. The resulting residential amenity achieved within these Parkside buildings is of a high quality.

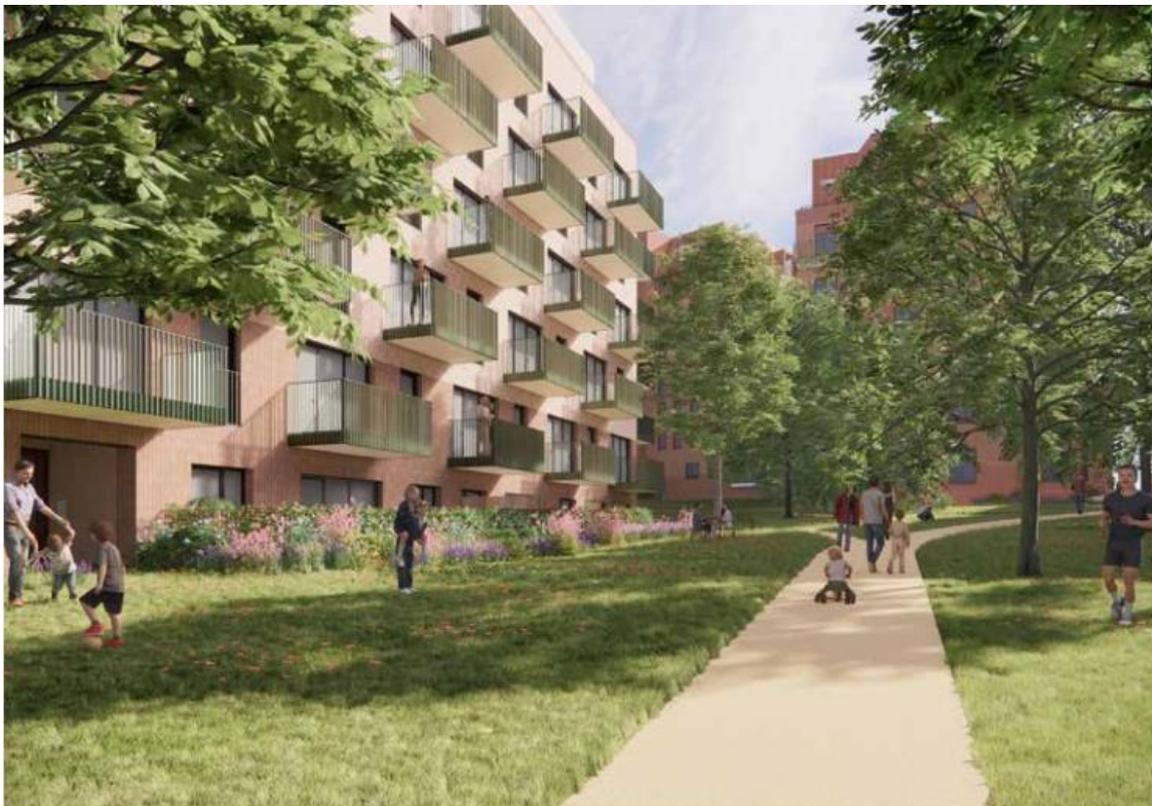


Image 18: The park block

14.89 The ground floor of the building facing onto Carnegie Park has a highly animated base and contains the re-provided community centre and the Playcentre nursery creating an appropriately lively interface and

reflecting this park's role as the heart of the community. The scale, architectural expression, and materiality have achieved the right balance of framing the spaces without overwhelming them and therefore adhere to the guidance within the Islington Urban Design Guide

- 14.90 The Canalside Towers: - The Canalside site, to the south side of Carnegie Street, also has its own proposed bespoke typology. This is in recognition of the uniqueness of this part of the estate including the qualities and characteristics of the nearby Regents Canal and the SINC that it abuts.



**Image 19: The tower block**

- 14.91 A tower typology has been crafted in a manner that seeks to pay homage to the working history of the broader Regent Canal context as reflected in a brick based industrial referencing with strong, simple architectural forms and detailing. The typology is applied uniformly across a trio of red brick towers, of varying heights, set within a richly landscaped setting. The base of the towers has been creatively designed with strongly pronounced and well celebrated entrances, and a successful boundary treatment that unites the towers at their base, one with the other, as well as with the landscape. The tops of towers include an arched form that echoes the arched features used to further animate the base. Balconies are recessed and read successfully as quiet and rhythmic voids to the facades. There is an exception to this - to the flank of each tower where the buildings 'crank'. This crank is exploited by positioning a single run of protruding balconies rising like an expressed seam adding an element of visual intrigue. The central tower rises above 30m and is therefore classified as a tall building. The building heights are considered to be at the absolute maximum from a design perspective, given the heritage sensitivities of the Regents Canal environs and the ecological sensitivities of the SINC.

Design Attributes – Open Space and Landscaping, Parks and Residents Courtyards.

- 14.92 A further beneficial attribute is the significant qualitative improvement to the landscape and outdoor amenity space throughout the site including improved accessibility, functional diversification, and ecological enrichment.
- 14.93 The open spaces have been designed as an integral part of an overarching masterplan structure. They are clearly defined spaces that are actively overlooked and attractively 'framed' by the surrounding built form.

- 14.94 Each open space contains a mix of active and passive recreational facilities, of differing proportions, and all have enriched ecological and aesthetic properties.
- 14.95 The two existing public pocket parks, Carnegie and Pultney Park, are redesigned to provide for more accessible, useable, and attractive spaces. Carnegie Park is designed to accommodate the more active recreational pursuits and Pultney Park more passive pursuits. Carnegie Park is also designed to function as the heart of the new Barnsbury Estate. It is framed by appropriately scaled buildings of 5 and 7 storeys and lined to its edges by a range of community and resident based uses to ground floor. These uses include a new and enlarged community centre, a children's nurse, an estate office, and ancillary residential uses. The location of these at the base of the edge buildings will also help to activate the park.
- 14.96 The boundary of Carnegie Park is similar to the existing boundary albeit elongated and therefore slightly enlarged. It contains active uses including a sunken MUGA for outdoor sports uses, fitness equipment for all ages, a boules court, as well as spaces and facilities for more social and passive recreational outlets.
- 14.97 Pultney Park is also well framed by buildings of 3, 7 and 8 storeys, with multiple homes overlooking the park. It has been designed to accommodate a more passive recreational offer than Carnegie Park, a quieter space within the estate. It is traversed by the site's east/west pedestrian route and is of a sufficient size to accommodate this important route while providing distinct and discrete pockets of open space to effectively serve a variety of people and amenity functions.
- 14.98 Many of both parks existing trees are being retained ensuring a dense tree canopy cover and a fine green setting from the outset. The levels of sun on ground of the scheme's parks vary significantly from 50% to Pultney Park to 100% to Carnegie Park.
- 14.99 The six perimeter blocks within the scheme each have their own communal resident garden accessible only to those residents living in the buildings surrounding each garden. Each garden contains an element of dedicated children's play but is otherwise designed as a passive recreational garden.
- 14.100 The levels of sun on ground of the communal gardens meet or exceed the minimum sunlight standards of 2 hours sun on ground to at least 50% of their area at the spring/autumn equinox, save for the one resident garden to the rear of Blocks B8 and 9. This achieves only 40%.
- 14.101 The three Canalside towers are set within an expanse of landscape. This has been informally divided into three resident gardens – with the residents of each tower having access to a dedicated garden. Each contains a mix of hard and soft landscape and an element of children's play.
- 14.102 An ecologically rich zone of 'buffer' planting is proposed to the long southern boundary where it abuts the SINC, with fingers of this biodiverse planting stretching into parts of the resident gardens. This will help promote biodiversity on the site and protect the ecological properties of the adjacent SINC. Levels of sun on ground are high at 98% of the open space to this part of the site.

#### Design Attributes – Architecture and Materiality

- 14.103 The quality of much of the architecture is a further positive design attribute of the proposal. It is innovative and attractive and the use of materials, with a strong emphasis on the traditional brick, is contextually sympathetic.
- 14.104 The scheme will have its own specific architectural identity but contextual referencing, including the use of a mansion block typology that echoes the block forms of the Old Barnsbury Estate, the predominance of brick, and the reinforcing of the existing urban structure, help to create a sufficiently compatible contextual fit.
- 14.105 The variety of typologies is celebrated within the architecture from the more intimate mews streets to the trio of towers to the south. The strength of the urban structure gives a rationale to these different architectural typologies, while the topologies similarly reinforce the urban structure in a compatible manner.
- 14.106 The facades have strong and expressive rhythms with generous void to solid proportions, and a range of balcony types and designs, that all add to the richness of the architecture.

- 14.107 The roofscape too is varied adding interest and intrigue from the use of single and double height mansard roofs to the periphery, the recessed tops of the lanes and Parkside buildings, to the crenulated roof form of the mews.
- 14.108 The important ground floor interface with the public realm has been addressed with the base of the buildings suitably celebrated and active with, for example, duplexes introduced to the narrow lanes to both activate it with sociable entrances and kitchens, and interspersing service entrances with more active ground floor uses.
- 14.109 The proposed materials vary in accordance with the different typologies although brick is the primary material. The exact bricks including bond patterns and mortar colours are recommended to be secured by condition, alongside the full palette of materials for each typology.

#### Design Failings

- 14.110 Against these positive design attributes are a number of concerns, the most fundamental of which is the general storey height ambient.

#### Design Failings – Building Heights

- 14.111 The proposed storey heights across the site are at the absolute upper limits of acceptability. While there has been some mitigation achieved by the architectural form and language, including for example the double height mansard roof forms to the Caledonian Road edge, and the configuration and architecture of the Canalside towers, the heights remain of some concern throughout the scheme.
- 14.112 The Lanes: The heights within the two north/south Lanes are considered to exceed an acceptable upper limit being 7 storeys. While the 7<sup>th</sup> floor is set back from the front of the terraces, the proportions of these routes, at 14m wide, with front facing balconies and multiple habitable rooms, mean that such tall edge conditions threaten to create a canyonised effect, adversely impacting on the public realm, private residential amenity, and communal open spaces.
- 14.113 The heights also conflict with the overarching urban structure that was originally crafted to make a legible and permeable high quality environment. This is because the Lanes are minor, tertiary, routes within the urban structure. As such, they would generally be expected to accommodate buildings that are lower than those fronting secondary and primary routes. But, at 7 storeys, the buildings of the Lanes are taller than some of those buildings fronting Copenhagen Street, Carnegie Street and Charlotte Terrace – secondary routes. In this manner, their height disrupts the logic of the urban structure and confuses its legibility
- 14.114 The DRP Panel, at its final review, reiterated that it is primarily the issues relating to scale and massing that remain of concern.
- 14.115 While the need to develop sustainably is recognised, this must be balanced against the requirement to achieve a high-quality scheme. The UDG stresses, as a key Streetscape Objective, the importance of achieving an appropriate height to width ratio between buildings and the street they flank.
- 14.116 The Canalside Towers: The storey heights proposed to the Regent Canal edge, at 9, 11 and 9 storeys, are also of some concern given the central tower rises to some 36m. Local Plan policies CS9 and BC9 classify any building that rises above 30m as a tall building. These are likely to only be acceptable on a site designated within the plan as being suitable for a high building. The Canalside site has not been allocated as a tall building site and therefore the central tower is in conflict with plan policy.
- 14.117 However, given the relative spaciousness of these buildings as they are configured on the site, and in relation to their form and expansive landscaped setting, unlike the situation within the narrow Lanes, the heights as proposed are not considered to harm the quality of the adjacent private or public realms within the site boundary, or indeed the quality of the homes within the three towers. The resulting residential amenity as provided by the towers will be high. This however needs to be weighed against any harm to heritage assets, notably the setting of the Regents Canal to the south of the site, and the conflict with the Council's heights policy.

14.118 The DRP Panel, at its final review, acknowledged that substantial improvements had been made to the Canalside buildings them stating:

*“The Panel appreciates that there has been a revisit resulting in substantial improvements from the last time. The changes to this part of the site work with the geometry of the masterplan and help with its permeability. The realigned courtyards are good and the change in orientation is positive. The ‘straight on’ views are better, but the oblique views may still be difficult. The entrances and the spaces between have been improved”.*

14.119 However, there remained some concern amongst the panel regarding the height of these towers given their impact on the setting of the Regent Canal environs.

14.120 Caledonian Road blocks: The blocks to this primary frontage rise to 9 storeys although no parts will rise above 30m. While this edge is within the outline element of the application, the parameter heights of these buildings are considered to be at the very limit of acceptability given the sensitivities of the adjacent Barnsbury Conservation Area with its predominance of 3 storey terraces. There have been objections to the heights to this edge from the DRP and from the Council’s Conservation Officer. Objections have also been raised by Historic England which reflect the comments made by the Conservation Officer.

14.121 The impact of their proposed height, bulk and massing will require significant mitigation at the detailed design stage in order to reduce heritage harm. Means of mitigation are however indicated within the Design and Access Statement and the Design Code. They include a roof form whereby the two blocks will ‘read’ as four buildings; recessed double height mansards; the main 7 storey ‘body’ of the buildings will be the most visually prominent given the upper two floors – the mansard – reading as a recessive element; and the creation of an attractive and lively ground floor retail ‘base’ to the street edge.

14.122 However the DRP Panel , stressed that the scale of the Caledonian Road frontage remained a concern.

#### Design Failings – Quality of Internal Layouts

14.123 There are design concerns about the quality of some of the internal layouts. These include:

14.124 Poorly configured ‘arrival home’ – the ‘arrival home’ in some of the blocks is overly circuitous, for example to blocks C6 and C7, and insufficiently spacious, for example A3 and B2. These failings adversely impact on the daily wellbeing of residents given they do not sufficiently acknowledge the importance of the journey home or sufficiently respond to the residential density each entrance is accommodating. While there are no spatial standards established for this important element, it is regrettable that these entrances are of a relatively poor design quality.

14.125 Poor access including spatial and design configurations, to the entrances to the resident only communal courtyard gardens. These routes are narrow and circuitous. The doorways themselves are narrow and uninviting. These entrances should be better celebrated including being highly legible from within the buildings, and as viewed and accessed from the gardens themselves. They should be more generously proportioned and richly designed to reflect their significance and function.

14.126 Some of the internal layouts to the two bedroom flats in blocks D2 and D3 are poor, particularly where kitchen/living/dining rooms are also required to function as a corridor to a bedroom, provide access to a balcony, and access to a bathroom.

14.127 There are privacy and amenity challenges associated with those flats that are accessed via rear communal decks. This is as result of the arrangements with habitable rooms, in this instance bedrooms, being positioned directly onto the deck. While it is considered acceptable for kitchens and bathrooms to face onto the communal decks, the positioning of bedrooms and their windows is a concern. Outlook, privacy, and indeed personal safety are considered to be challenged as they relate to the amenity of these impacted bedrooms.

14.128 There has been some attempt to mitigate this significant failing through the design of the windows to the affected bedrooms whereby fixed and openable panels ensure both sufficient light to the bedroom but with openable windows small enough to protect against intruders. And a shallow 4400mm recess from the public edge of the deck has also been proposed to this bedroom façade to create a slim privacy buffer.

- 14.129 The outlook from these bedrooms is challenged as is their privacy given in some instances there are four separate homes accessing these decks. It is not an ideal arrangement and further detracts from the quality of the homes affected and therefore the quality of the scheme overall.

#### Design Failings – Landscape Materiality

- 14.130 There is concern regarding the quality of the proposed materials and some design aspects of the landscape. Concrete block pavers are proposed throughout, with pressed gravel to the main east west pedestrian route. These materials are not considered to be of a sufficiently high quality to be so extensively used within the scheme, nor does such a limited palette reflect the importance of the important pedestrian route's function.
- 14.131 There is an under provision of open space throughout the development and as a result its quality and durability becomes even more critical. Therefore, it is recommended the materials palette as proposed to the landscape throughout the development be reconsidered and significantly upgraded.
- 14.132 In particular, the pavement to Caledonian Road should be York Stone to respect its heritage setting and retain and reuse that element of existing York Stone already in situ, and the surface treatment and indeed detailed design of the important east west pedestrian route should include better quality and highly durable materials such as brick and granite setts. Conditions are recommended requiring the appropriate materials to be submitted to and approved in writing by the Local Planning Authority,

#### Consideration of the Detailed Phase

- 14.133 The application comprises a detailed phase and an outline phase. The latter is to be governed by a series of Parameter Plans with a Design Code providing more detailed and specific guidance and controls. Reserved Matters Applications will be required to be submitted for all outstanding matters.
- 14.134 An assessment of the detailed phase is followed by an assessment of the outline phase although it is noted that there is considerable overlap between the two. This is because the detailed phase contains elements of all 5 typologies proposed throughout the scheme – mansion blocks, lanes, mews, Parkside and Canalside. (Only the Canalside typology is solely located within the detailed element of the site).
- 14.135 The Design Code and Parameter Plans have been produced to reflect the qualities and characteristics of these detailed elements – both in terms of built form, architectural language, relationship to the streets, and the various open spaces.

#### Height Bulk and Mass

- 14.136 In general, the storey heights represent the very maximum that can be achieved on the site without causing unacceptable levels of harm.
- 14.137 The two north south routes, the Lanes are tertiary routes within the movement hierarchy and proposed new urban structure being 14m wide streets. Within Islington's urban context, a street of this scale would generally be lined with buildings of 4 to 5 storeys. As a result, the height of the Lanes at 7 storeys is a concern. Such height related to the Lanes position within the urban structure and their narrow dimensions is considered to create a canyonised public realm, visually impaired outlooks from within the new homes and a somewhat overbearing outlook from within the residential courtyards to their rears. 5 of the 6 proposed courtyard gardens are adversely impacted upon, by this excessive height given they have a minimum of one edge bounded by a Lane.
- 14.138 The DRP considered the lanes to be too tall and these would feel claustrophobic.
- 14.139 Officers consider that the removal of an entire floor from the Lanes, , reducing them to 5 full storeys plus a single storey set back, would address this concern.
- 14.140 The Canalside buildings are proposed to be 9, 11 and 9 storeys at their tallest (29.9m, 36.3m and 29.9m) and step down a single storey to the rear. The 9 storey buildings are therefore 9 storeys to the front and 8 to the rear and the 11 storey building drops from 11 to the front to 10 to the rear.

- 14.141 At 11 storeys, the middle building breaches the Council's tall buildings policies whereby buildings should only be considered acceptable in excess of 30m within identified areas of the Finsbury Local Plan or where they are identified in the Local Plan as being on a site allocated as suitable for a high building. The height is therefore contrary to planning policy. A view which was expressed by the DRP.

*“There is a real problem about having tall buildings however you orientate them. This is in part because this is a very unusual part of the canal, the section between the portal and Caledonian Road, mirrored at the eastern Portal to Duncan Terrace. These are sylvan enclaves where buildings are largely invisible. The introduction of strong urban elements breaches this characteristic.*

*There appears to be a misunderstanding of this part of the canal – it did not have an industrial character and it was a relief from it. The minor reduction and re-orientation of the three blocks doesn't change anything. There should be low rise development only to this edge”.*

- 14.142 The buildings have however been more successfully reconfigured on the site than earlier iterations with the spacing between the blocks increased from an unacceptable 8m to 12 m to a minimum distance of 18m. They sit in a richly landscaped setting with the SINC and Regents Canal to the south and Carnegie Park to the north. These characteristics combined to provide a fine residential setting for these buildings. Thus the residential amenity for future occupiers of these buildings will be of a high standard with regard to the levels of sunlight and daylight, privacy, outlook and setting. It is the impact on the setting of the canal and its portal as a result of the proposed height that remains a concern.
- 14.143 The buildings to Copenhagen Street and the return on to Charlotte Terrace range between 7 and 8 storeys. The 8 storey buildings wrapping the prominent corner of Copenhagen Street with Charlotte Terrace and drop to 7 storeys to the remainder of each street. These heights will at the maximum considered acceptable do not overwhelm the Old Barnsbury buildings to the east given these buildings rise to 5 storeys with a steeply pitched roof form.
- 14.144 There is already some 'mis-match' between the existing buildings to the northern edge of Copenhagen Street, which are generally between 3 and 4 storeys high, and the existing buildings on the site that are proposed for redevelopment. The existing buildings comprise an 8-storey block at the junction with Charlotte Terrace and 6 storey blocks to Copenhagen Street. As a result, the proposed heights to these mansion blocks, lining the secondary routes, are considered acceptable.
- 14.145 Pultney Parkside Building – this building sits on the current site of the 9 storey Messiter House. Its replacement with the proposed 6 -7 storey building, of a significantly higher design quality, is considered a significant improvement. While this building too is at the maximum height deemed acceptable given its 'ancillary' position within the urban structure without the benefit of a street frontage, it is mitigated by a highly animated façade to the park and indeed by the beauty of the park setting itself.

#### Elevational Treatment

- 14.146 Lanes (B1 and B3): The front elevational treatment to the Lanes is considered to be of a good quality of design. It will provide a highly urban streetscape that is well animated and activated with plenty of visual intrigue.
- 14.147 The front facades are richly detailed with a rusticated duplex base and off centred apertures that give a special character to the terraces while creating a well animated interface with the street. The 'middle' portion of the terraces comprises flats. These are reflected with a strong vertical rhythm that includes the vertical stacks of well-crafted semi recessed/semi protruding balconies. The setback top floors are 'quiet' with an ancillary elevational treatment helping give this floor the required recessive presence.
- 14.148 The rear elevations are less elaborate as is appropriate. They are nevertheless well ordered and well-mannered with pronounced rhythms and sufficient detailing, including bespoke metal railings to the decks, to create a good visual backdrop for neighbouring outlooks and as viewed from within the communal courtyard gardens.
- 14.149 Mews (B4): the architecture of the Mews is quiet yet suitably urbane and charming. There is a successful informality and intimacy that has been achieved in part through the placing and sizing of the apertures and in part through the overall scale of the mews. The use of brick throughout, with some rendered trim, is

supported and while the language is appropriately contemporary, the architecture of the mews captures some of the positive qualities of London's historical mews typology. The rear elevation of the mews, while simple, is sufficiently rhythmic and is therefore also acceptable.

- 14.150 Mansion Blocks (A3, B2, B7, B8 & B9): – These are large buildings. Their bulk and mass have, to a degree, been mitigated by the detailed architectural treatment, particularly to the base and the roof forms.
- 14.151 The rusticated base is treated with a corduroy textured brick detailing that helps ground the buildings together with visually prominent entrance lobbies that aid wayfinding and legibility.
- 14.152 Balconies are recessed to the Copenhagen Street edge while protruding to Charlotte Terrace in response to the characteristics and sensitivities of the adjacencies.
- 14.153 The buildings have a balance of horizontal and vertical elements with a formal and uniform rhythm throughout. The corner blocks, C7, C8 and C9, have a double height mansard roof signifying the relative primacy of this corner location within the urban structure, while the mansion blocks of A3 and B2, toward the middle of Copenhagen Street, have a more visually recessive single storey mansard.
- 14.154 The architectural quality of the mansion blocks is quiet and unassuming. Yet they contain sufficient visual richness and intrigue to result in a positive contribution to the local streetscape. They are a marked improvement compared to the existing buildings that they will replace.
- 14.155 Canalside (D1, D2 & D3):- This trio of towers, with their varying heights, create a coherent composition as viewed from multiple vantage points. The narrower frontages to the blocks, facing both Carnegie Street to the front and the canal side to the rear, emphasise the landscaped gaps between the towers and allows views and sunlight through this part of the site.
- 14.156 A sculpted 'garden wall' links the three towers to the front boundary and provides a fine and characterful street edge to Carnegie Street. The wall folds into the site, wrapping around generous entrances that flow from outside in. It successfully changes from solid (a green glazed brick) to open (metal railings) between the buildings, enhancing the visual connection to the landscaped gardens, while maintaining a legible street edge.
- 14.157 The double height entrances of the towers suitably reflect their large scale and the residential function and density. They incorporate an arched form that signifies the importance of the arrival home while connecting to other key moments elsewhere in the masterplan that are also signified and celebrated with arched forms.
- 14.158 With a simple, calm design to the typical floors, architectural embellishment is focused to the base and the tops of the buildings. This includes the use of vertical sawtooth brickwork that gives texture to the lower two floors, extending the double-height base of the entrance, and patina to the top floors together with the use of arches at both top and bottom.
- 14.159 Each elevation is set up as a regular grid of window and balcony openings, and voids to solids, with windows set within recessed brick panels. Vertical windows emphasise the building proportions with Juliet railings allowing these to open fully. The proportion of top floor openings is elongated, with opposite corners featuring an arched corner balcony, lined with a coloured concrete surround. A concrete parapet capping tops each building with a sawtooth profile reflecting the brick texture of lower levels.
- 14.160 This is a unique part of the regent canal environs, between the listed Portal and Caledonian Road. It is mirrored in the eastern Portal to Duncan Terrace. As relatively sheltered enclaves, former buildings were largely invisible to these parts. The introduction of strong urban elements does counter this characteristic given this specific part of the canal did not have an industrial character and indeed such openness was a relief from it.
- 14.161 However, there exist two linear 4 – 5 storey blocks on the site and thus the precedent of a significant amount of built form has been long established. And immediately to the south of the Portal lies a 10-storey residential tower block to the corner of Muriel Street and Wynford Road. This is positioned relatively close to the Portal and is viewed from multiple vantage points from the canal environs.

- 14.162 The proposed architecture differs significantly from a linear form that currently occupies this part of the site. It has taken its cue from the industrial characteristics of water-side architecture in the broader Canalside environs. This industrial character is expressed in the strong forms and in the simple detailing to quite utilitarian façades, together with the vertical brick piers setting window module widths with recessed panels of brickwork and concrete lintels.
- 14.163 The primary facing material has also been selected in reference to Canalside industrial architecture being a light red brick with a matching coloured mortar. While it is acknowledged that there are heritage concerns with buildings of this scale and height to this sensitive part of the site, the proposed architecture is considered to be suitably quiet yet urbane. It will create a minor landmark element to the estate and local context as well as providing for a high quality residential environment for future residents.
- 14.164 Pultney Parkside (Building C6): this is a rectilinear building with recessed 6 storey wings, and a set back 7th (top) storey. This building is of a simple architectural form and expression. However, it is brought to life by its deeply protruding, staggered balconies that extend up the front façade creating a lively frame to the public park onto which it faces. The ground floor to the recesses contains a mixture of concierge to the west and cycle storage to the east while to the dominant protruding edge are ground floor flats set behind private patio gardens. These characteristics combine to ensure a lively interface with the public park whilst introducing extensive levels of passive surveillance. The rear elevation of this building backs onto the rear of Phelps Lodge. This is a quieter elevation design with no balconies and it therefore appropriately reads, and functions, as the rear of the building. The material is proposed to be brick with coloured metal balcony railings and fenestration. The architecture of this block is considered to be successful for its context and presents a significant enhancement compared to the design attributes of the existing 8 storey Messiter House that it will replace.

#### Acceptability of Tall Buildings

- 14.165 Policy D9 of the London Plan states that Development Plans should define what is considered a tall building for specific localities. Beyond this, the local planning authority should determine if there are suitable locations where such buildings may be appropriate provided that locations and proposals meet plan requirements. Such locations should be defined on the proposals map and tall buildings should only be developed in locations identified as suitable in development plans. The remainder of policy D9 sets out a range of visual, environmental and functional impacts of tall buildings that must be considered by decision makers to determine whether such buildings are appropriate.
- 14.166 Policy CS9 of the Core Strategy is restricted in its scope for permitting tall buildings. It states at section E that tall buildings are generally inappropriate to Islington's predominantly medium to low level character therefore proposals for new tall buildings will not be supported.
- 14.167 The Local Plan makes brief reference for buildings to reflect local context in respect of height in policy DM2.1 but is clear in noting that the only locations in Islington where tall buildings may be suitable are set out in the Finsbury Local Plan, which this site does not fall within.
- 14.168 The draft Local Plan sets out at policy DH3 a form of wording that largely reflects the content and scope of the London Plan policy D9 in respect of defining a tall building height, a definition of appropriate locations. Part B of the policy states that buildings of more than 30m are only acceptable in principle on sites allocated in the Local Plan where a site allocation expressly supports the principle of a taller building or where a taller building is identified for a site within a spatial strategic area. All proposals for taller buildings irrespective of location should adhere to a range of criteria similar to those set out in the London Plan.
- 14.169 The review of the Local Plan involved the preparation of a Borough wide Tall Buildings Strategy which appraised a variety of locations in the Borough for tall buildings including the Kings Cross and Pentonville Road area which includes the Barnsbury Estate. The study outlines a series of constraints and townscape and urban grain typologies that preclude an appropriate tall building response. The application site does not sit within an area/site identified as appropriate for a tall building and therefore represents a departure from policy.
- 14.170 The scheme as originally submitted proposed the erection of three tall buildings within the canalside area being delivered through phase 3a. These buildings were developed contrary to the prevailing advice and

guidance of officers. Following reviews and further collaborative work with officers, the heights of the buildings have been reduced to two blocks of nine storeys and one block of 11 storeys, meaning that only one of the three now represents a tall building.

- 14.171 In benefits terms, the scheme delivers the replacement of the existing social rent units and a further additional provision (albeit below policy expectations and subject to viability testing), a substantial contribution to housing delivery over a ten to eleven year period, substantial improvements to the townscape, character and appearance of the area, replacement community centre, nursery and retail floorspace, and a substantial contribution to energy efficiency.
- 14.172 Much of this section of the report, including paragraphs 14.222 onwards addresses the townscape harm of the proposed development and the heritage harm that would result. The height of the canalside buildings has also been raised through many of the public objections to the scheme and the comments of the Islington Society and the Canal and Waterways Trust. Both of the organisations referred are of the belief that 11 storeys is excessive in townscape, urban design and heritage terms.
- 14.173 Policy D9 of the London Plan sets out relevant factors for consideration. These include visual impacts, functional impacts and environmental impacts. The visual impacts have been addressed in this section and raise concern.
- 14.174 Policy D9 of the London Plan and DH3 of the emerging local plan require a consideration of the impact of a tall building on local and strategic views. While the towers do not encroach into strategic views, they are present in local views and they are visible from sensitive locations such as the Conservation Area. The impact is deemed to be harmful and there would be an adverse impact which has not been mitigated.
- 14.175 In respect of functional impacts, taller buildings are required to demonstrate acceptable servicing, access, egress, economic activity as well as being a 'good neighbour' to adjoining buildings off site and on site.
- 14.176 The proposed tall building (block D2) has been redesigned to ensure that it forms a better architectural presence within the townscape. However, of equal importance was a redesign to form a better interface with the street and the space within which it sits. The proposed development now creates a more formal and appropriate entrance from the street that is larger and more visually evident. The Fire Strategy submitted with the application considers that emergency egress is acceptable and finds no flaws with access to buildings for emergency services. Materials to be used in the building will be considered for their likely impact and compliance with the appropriate building regulations.
- 14.177 In terms of standard servicing requirements to the building, this is likely to take place directly from Carnegie Street. Refuse storage is easily accessible from Carnegie Street. There are cycle docking stations on the street in Carnegie Street and adequate cycle parking within the development. There are no servicing implications in relation to a tall building. The transport assessment demonstrates that the development will generate adverse impacts on the highway in terms of the capacity of the highway and its capability to provide support for walking and cycling within the immediate locality. While the building is categorised as a tall building, it is adequately separate to adjoining buildings so as to not to affect the functionality of renewables and will not affect strategic communications infrastructure and safety.
- 14.178 The final section of the policy addresses environmental impacts such as wind, daylight, sunlight, temperature and wind comfort. These are addressed by the application through the Environmental Statement. In respect of daylight and sunlight, the ES identifies six potential sensitive receptors beyond the site outline, principally to the south, southeast and southwest of the site and include the care home on the corner of Muriel Street and Carnegie Street and a number of buildings to the south of the canal. One of these six sites also includes the existing eco moorings on the canal. The comparison between baseline and the post development (amended scheme) for VSC (Visual Sky Component) and APSH (Annual Probable Sunlight Hours) suggests that the scheme demonstrates actual improvements to the sensitive receptors.
- 14.179 The sensitive receptors are set out in the following image. The key locations associated with potential impacts attributed to the tall building in phase 3a are as follows:

Sensitive receptor	Windows assessed	Windows exceeding BRE (VSC) baseline	Windows exceeding BRE (VSC) proposed	Windows exceeding BRE (APSH) baseline	Windows exceeding BRE (APSH) proposed
(12) 37 Muriel Street	129	60	52	12	17
(13) 50-132 Muriel Street	40	9	40	6	8
(14) 1 – 12 Fife Terrace	72	0	25	n/a	n/a
(15) 16-18 Fife Terrace	9	9	9	n/a	n/a
(22) 156 Caledonian Road	34	28	28	4	4
(23) Eco Moorings	14	14	4	n/a	n/a
<b>Total</b>	<b>296</b>	<b>120</b>	<b>158</b>	<b>22</b>	<b>29</b>

Table 10: Sensitive Receptors. (Note: Baseline is the current pre-development scenario (the existing arrangements at the estate))



Image 20 Sensitive Receptors Plan

14.180 It should be noted that due to the BRE guidelines advising that only those windows within 90 degrees of due south should be assessed, there is a difference in the numbers of windows that are applicable for assessment. Nevertheless, in both categories of testing, there is an increase in the level of compliance associated with the key receptors that could otherwise have been affected by the proposed development.

14.181 In respect of wind and micro climate, the proposed development gives rise to wide scale negligible impacts on ground level microclimate, roof level microclimate and balcony microclimate. Some instances of minor adverse wind and micro climate impacts are projected to occur within seating areas of blocks D1, D2 and D3 as well as along Caledonian Road and in Carnegie Street Park (southwest facing). To the south of the estate, careful regard to planting and landscaping including new tree planting will assist in creating a

negligible impact through wind. In respect of the locations situated in Caledonian Road, these will be shaped by further work associated with the first RMA. No impact to the natural environment including water courses and biodiversity is projected as a result of the specific height of these buildings. Noting the above, the application represents a departure from existing and emerging policy. With regard to the relevant assessment criteria, the proposed tall building is considered acceptable with regard to its functional and environmental impacts. It would, however, not be entirely acceptable with regard to its visual impact. Further assessment of this impact is provided in this report.

#### Open space, Landscaping, Routes and Public Realm

- 14.182 Parks: There are significant improvements to the two existing public parks including ease of physical access, improved visual legibility, a diversification of their functions, an ecological enrichment, and an overarching qualitative uplift. Both parks have also been marginally increased in size.
- 14.183 They have been designed to be inclusive spaces with legible routes into and around them, and with sufficient spatial variety to facilitate both passive and active recreational use. They have also been designed to be attractive spaces to look out onto creating a fine urban outlook for the homes that surround and overlook them. They will also benefit from extensive levels of passive surveillance reducing the opportunity for antisocial behaviour.
- 14.184 There is some concern about the extent of the hard surfacing edge to Carnegie Park's northern boundary. It appears to be designed to accommodate a vehicular carriageway given its excessive width and hard surface materiality. This hard surfacing should be considerably reduced in width a corresponding increase to soft landscaping. Vehicular access is not acceptable to this edge given the importance of safety and amenity to the park and the community uses fronting it.
- 14.185 Residential courtyards: The designs of these semi private gardens have been improved by removing access to bin and bike stores (as earlier proposed) – functions and characteristics that are harmful to their primary function of passive recreation within a high quality landscape.
- 14.186 Both courtyards contain an element of children's play and new tree planting. The courtyard to the rear of blocks B1- B4 is positioned above a parking podium creating constraints to vegetation. As a result, a fully detailed management plan is required to ensure that trees and other planting will be well maintained and so thrive in perpetuity.
- 14.187 The design of these two spaces within the detailed element of the scheme is considered acceptable.
- 14.188 Canalside areas: The landscape surrounding the three towers contains a suitable mix of hard and soft elements with the emphasis on the soft. Each contains a small play element together with pockets of seating. A notable feature is the proposed buffer planting to the long southern edge adjacent to the SINC, as well as to the ground floor units.
- 14.189 The proposal to extend the vegetation of the SINC into a new buffer zone and up towards the towers is advantageous, strengthening wildlife corridors and increasing important habitat and biodiversity. The landscape design to this area is supported.
- 14.190 East/West Pedestrian Route: This is an important movement route and urban structuring device within the overarching masterplan. The majority of this route lies with the detailed phase of the application. Its design, primarily its materiality, is not of a sufficiently high standard required to reflect the importance of the route.
- 14.191 There is also an excessive amount of 'weaving' within the designs. This too fails to respond to the route's primary function which is for movement. Such weaving could force pedestrians towards more direct routes, to those paths lining the front edges of the Mews buildings, which are designed for a more private use. While some 'meandering' is likely to be acceptable, the current proposal is considered excessively so and should be redesigned to better reflect the main function of this pedestrian route.
- 14.192 This route is also considered to be an important wayfinding element and as such its design and materiality needs to reflect and respond to this requirement as well.

- 14.193 In order to ensure that the east west pedestrian route is of a sufficiently high quality of design, its course, aesthetics, and its durability, detailing is recommended to be conditioned.
- 14.194 Lanes: The lanes have been creatively landscaped. They have been comprehensively designed to successfully accommodate a broad range of functions including two-way traffic, traffic calming measures, rain gardens, delivery bays, blue badge parking, resident privacy buffers, and trees.
- 14.195 Where the design falls short is in its failure to better demarcate the important east/west pedestrian route that traverses both these north/south lanes. Again, this will be addressed through recommended conditions.
- 14.196 Boundary treatments: These are not by and large supported where they face the streets. They fail to suitably distinguish between the public facing street edges and the more private communal garden edges. The boundary treatments to those edges facing onto the street and other public realm elements are required to be of a significantly enhanced materiality, such as brick plinth with metal railings above, and should not exceed a height of 1.2m. This is a typical urban edge condition that helps create safe and attractive streets.
- 14.197 For safety and privacy reasons a residential buffer zone, of a minimum depth of 1.5m, is required between homes and their habitable rooms and the pavement edges. The parameter plans and the recommended landscaping conditions will ensure provision of an appropriate buffer zone.
- 14.198 To the rear gardens, the heights could increase as proposed, and the materiality be acceptably less formal although a sturdiness is always recommended even for these more protected edges.
- 14.199 Conditions are recommended for details of boundary treatment, inclusive of their height and materiality, and including the minimum buffer dimension.
- 14.200 Balconies and terraces: Each home has its own private balcony, patio or roof terrace designed to meet minimum space standards. The applicant is advised to provide an outdoor tap to each balcony/patio in order to facilitate gardening and other activities that assist with wellbeing.
- 14.201 While there are indicative plans, including prototypes, with regard to the materiality, lighting and furnishings, these are critically important elements that will need to be carefully controlled via planning conditions in order to secure appropriately designed, high quality, features and fixings.

#### Consideration of the Outline Scheme

- 14.202 The outline element comprises 8 parameter plans that seek to establish key principles and parameters of the development. There are however objections to elements within four of the parameter plans as they relate to heights, land use, open space, and movement and access plans.
- 14.203 Officers have no objections to the demolition plan and the hybrid (detailed and outline) scheme insofar as the fact that these matters are factual and not contested. However, the building heights, building plots and land use parameter plans are fundamental to informing the scale, size and proportions of the proposed development.

#### Building Heights – Caledonian Road

- 14.204 The two blocks to the Caledonian Road are proposed to rise to a maximum of 29.9m, including all plant and overruns.. The more visually dominant shoulder height, the parapet, rises to a more compatible 23.9m.
- 14.205 While contextually these heights significantly exceed the small-scale historic terraces to the west and north of this part of the site, they do also front onto a busy primary route. Caledonian Road is a primary north/south street within the borough. It runs between Camden Road to the north and Pentonville Road to the south.
- 14.206 It is heavily trafficked and contains multiple bus routes. It is also an important retail street for much of its length including to this part of the site. As such, there is a logic, in terms of urban structuring, in placing the tallest buildings within the scheme to this primary edge.

- 14.207 There has however been concern expressed, including by Islington's Design Review Panel, about the impact of height to this edge as it relates to and impacts on the quality of the Barnsbury Conservation Area with objections seeking a reduction in heights to mitigate harm to the setting of heritage assets.
- 14.208 There is evidence of intensification occurring to other parts of the Caledonian Road including in the vicinity of the Caledonian Road Tube Station to the north with buildings of a similar storey height ambient. Diagonally opposite lies the Bemerton Estate. This too has buildings of a similar storey height ambient.
- 14.209 And as such buildings to the height proposed, subject to the quality of the detailed design, and not withstanding heritage concerns, are considered acceptable from an urban structuring perspective in relation to the overarching New Barnsbury Masterplan as well as having regard to the broader urban structure. The indicative design of the blocks, while forming part of the outline phase, are illustrated within the submission documents as being of a mansion block typology with a double height mansard roof and commercial units to the ground floor. As illustrated within the Design and Access Statement, and reflected in the parameter plan, the indicative roof form blocks will be designed and read as 'two pairs' of buildings i.e. four buildings within the 2 blocks. This is a successful device to help mitigate both height and mass and its reflection in the parameter plan is supported. While the DRP objects to the height of the Caledonian Road blocks, on balance, and subject to achieving a high quality of architecture at detailed design stage, they are at the upper most limit of acceptability and from an urban design perspective are considered acceptable.

#### Building Heights – The Lanes and Mews

- 14.210 The heights of the Lanes, at 6 storeys plus a seventh set back storey, are considered harmfully tall given the ancillary position and function within structure of the masterplan and the immediate context, and the narrowness of the proposed new roads that this typology flanks. The Lanes, excluding balcony projections, are 14m wide. Including the proposed 1m balcony projections, this dimension is further reduced to a mere 12m.
- 14.211 The primary route is Caledonian Road followed by Copenhagen as a secondary route and Carnegie Street and Charlotte Terrace as tertiary routes. The north/south lanes are even lower in their position within the movement structure and hierarchy, followed lastly by the east west pedestrian paths.
- 14.212 The buildings are considered to be proportionally too tall in relation to the small scale nature of the road, and including their position within the movement hierarchy, and within the masterplan structure. This is coupled with a further proposed zone, in effect to 8 storeys, for plant and lift over runs. Given the incongruity of the heights relative to the structure of the masterplan and the function and scale of the lanes, the heights are not supported from a design perspective.
- 14.213 The heights to the mews are considered acceptable within the parameter plans indicating a three storey form to the northern edge and a four storey form to the southern edge. This adheres to the principles and structuring of the overarching masterplan and is acceptable.

#### Building Heights - Park Buildings

##### Carnegie Street Park

- 14.214 The heights as proposed represent 7 storey 'book end' buildings with a 5 storey element linking Blocks B8 and B9 as they front the park, with a progressive storey height reduction to their rear toward the residential courtyard edge.
- 14.215 Buildings A10 and C1 read as 6 storey buildings with a 7th floor setback. They too reduce in height as they step away from the park edge and front onto Carnegie Street. This adheres to the storey height structure within the masterplan and is considered an acceptable height given the location on the site and in relation to the streets and spaces the blocks address.
- 14.216 A small, centralised zone for plant up to an additional 1100mm is proposed to the corner elements of each of these blocks. These are clearly ancillary given their relatively small scale, and neither their positioning on each block nor their height, is considered harmful.

- 14.217 The heights of these 4 blocks as indicated on the plan are therefore considered to be acceptable given the position of the buildings framing the public park and facing onto the public highway, and thus in relation to the structure of the overarching masterplan.

#### Pultney Street Park

- 14.218 The height of this block, at 3 storeys, is considerably lower than its predominantly 7 storey neighbours that also frame Putney Park. At three storeys to this edge, this helps more sunlight and daylight penetrate the Park and helps to ensure that this relatively small park is not physically or functionally overwhelmed by surrounding height and massing. There is no zone for lift or plant overrun which is also beneficial. The height as indicated is therefore acceptable.

#### Building Heights – Charlotte Terrace Mansion Blocks

- 14.219 At 23m high, these mansion blocks rise to the equivalent of a 7 storey building comprising 6 storeys with a single mansard roof. They have a centralised zone which rises to an additional 1100mm in order to accommodate ancillary plant. These heights are considered acceptable given the location of the blocks to the secondary street edge and opposite the 5 storey blocks of Old Barnsbury.

#### Design Code

- 14.220 The Design Code is accompanied by a series of illustrative masterplan drawings as well as 8 Parameter Plans governing different topics. It provides specific, detailed parameters produced in order to assist in achieving a high quality of design for the physical development of the Outline element of the planning application. It comprises two sections – the ‘Site Wide Codes’ and the ‘Area Specific Codes’. Some of the Codes are recommended as ‘Mandatory’ and others ‘Interpretative’.
- 14.221 Officers have expressed various concerns about the likely implications of the Design Code insofar as it exists to inform the outline development including character, appearance, landscape, boundaries and materiality. For example, bedrooms should not face onto communal access deck walkways, materiality should reflect the specific block it relates to and not be uniform across the development. The Design Code also makes explicit reference to dual aspect units, defensible space, sunlight to communal open spaces, boundaries and the landscape materials.

#### Heritage, Townscape and Views

- 14.222 In accordance with s66 of the Planning (Listed buildings and Conservation Areas) Act 1990, special regard is to be had to the desirability of preserving the listed building or its setting when considering whether to grant planning permission for development which affects a listed building or its setting. In line with s72 special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 14.223 The NPPF says at 195 that the Local Planning Authority (LPA) should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). The definition of a heritage asset would encompass a conservation area. In paragraph 197 it says that when determining applications, the LPA should take account of the desirability of new development making a positive contribution to local character and distinctiveness (amongst other things). Great weight should be given to the conservation of a designated heritage asset when considering the impact of a proposed development on the significance of a designated heritage asset (199). Any harm to or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification (200). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 14.224 In paragraph 206 it says that Local Planning Authorities should look for opportunities for new development within Conservation Areas....and within the setting of heritage assets, to enhance or better reveal their significance.

- 14.225 In the Adopted Local Plan policy DM2.3 it says that new developments within Islington's conservation areas and their settings are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. It 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. New developments within the setting of a listed building are required to be of good quality contextual design and new development which harms its significance will not be permitted unless there is a clear and convincing justification.
- 14.226 In policy DM2.1 it says that all forms of development are required to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics. One of the items listed is that for a development proposal to be acceptable it is required to respect and respond positively to existing buildings, the streetscape and wider context, including local architectural language and character, surrounding heritage assets, and locally distinctive patterns of development and landscape.
- 14.227 Islington Urban Design Guide SPD has guidance on contextual responses of new development. At 4.7 it says that in terms of built form, understanding the cumulative effect of an area's architecture is more important than a single building. At 4.8 it says that the design of new development must therefore clearly relate and respond to its setting to ensure that the proposed density and uses are suited to the site and its wider context'. At 5.20 new development should have an appropriate height to width relationship between the building frontage and the street. At 5.69, new development should complement and relate to the prevailing townscape.
- 14.228 At 5.84 it says that where uniform building heights form a distinctive character, major variations to this will not normally be appropriate as such locations are generally sensitive to alteration. At 5.112 the choice of materials in any new development must take account of its context. Care needs to be taken to ensure that the new material is sympathetic with the local vernacular. Any new building should have a harmonious visual relationship with its neighbours, consistency and continuity are important. The proposed palette of materials should not jar, inappropriately draw the eye, or otherwise undermine the local character or distinctiveness of the area.
- 14.229 'The Cally SPD' has a goal to 'enhance the Cally's historic buildings which are a major asset for the Cally'.
- 14.230 Historic England has guidance, The Setting of Heritage Assets, in which it advocates a 5 stage approach to proportionate decision-taking of development within the setting of heritage assets. Step 1: identify which heritage assets and their settings are affected; Step 2: assess the degree to which these settings and views make a contribution to the significance of the heritage asset or allow significance to be appreciated; Step 3: assess the effects of the proposed development, whether beneficial or harmful on the significance or on the ability to appreciate it; Step 4: explore ways to maximise enhancement and avoid or minimise harm; Step 5: make and document the decision and monitor outcomes.
- 14.231 Historic England in its guidance on Tall Buildings says that to avoid or minimise impacts upon the significance of heritage assets there are some principles to consider that will help, and this includes a planned approach to tall buildings to determine their location; decision making informed by understanding of place, character and historic significance and tall buildings proposals which take account of local context and historic character.

#### Relevant Local Heritage Assets

- 14.232 To the west and north of the site is the Barnsbury Conservation Area and to the south is the Regents Canal West Conservation Area. The Keystone Crescent Conservation Area, in turn, abuts the Regents Canal West Conservation Area to the south.
- 14.233 Adjacent to the development site is the grade II listed canal tunnel and tunnel portal, designed by John Nash and dating from about 1820. Unfortunately, the Portal is currently disfigured with graffiti but this could be addressed and removed and the Portal is of heritage significance. Directly opposite the site on the south side of the canal are 16, 17 and 18 Fife Terrace, a group of early-mid 19th century terraced houses, noted to be the last remaining canal side houses in Islington. They are locally listed at grade B and are described as having good group and canal character value. Also locally listed (B) with good canal value is

125 Caledonian Road on the west side of Thornhill Bridge. These are within the Regents Canal West Conservation Area.

- 14.234 To the north of the development site, 214 Caledonian Road and the terrace houses, 216-246 (even) Caledonian Road are listed at grade II, the houses in Matilda Street are listed at grade II. 157 Caledonian Road and 12-42 Hemingford Road are locally listed B. These are within the Barnsbury Conservation Area.
- 14.235 To the south of the development site, 154 Caledonian Road, a Georgian house, is listed at grade II, and the 3 terraces encompassing 106-146 (even) Caledonian Road (Georgian terrace houses) are also listed at grade II. 148 Caledonian Road is a locally listed public house at grade B. These are within the Keystone Crescent Conservation Area. As set out in the HTVIA there are many heritage assets surrounding the development site including the most immediate ones above.

### Significance

- 14.236 The Regents Canal West conservation area is centred on the Regent's Canal which was completed in 1820 and forms part of the first industrial transport network to serve wide areas of the country. The towpath is on the north side of the canal and on the south side warehouses and industrial buildings reached the water's edge for the most part, facilitating the hoisting of goods and materials directly into or out of the canal boats. The conservation area design guidelines confirm that "it is these characteristics – the wharf buildings rising sheer from the canal's edge and the canal towpath clearly separated from adjoining development – that still mark out the special character of the canal...today".
- 14.237 The canal Portal and tunnel is listed at grade II and the canal remains underground until it emerges at Noel Road with an eastern Portal. On the approaches to the Portal, the canal is banked. The CADG say: "The steep banks, densely planted with trees, either side of the canal east of Caledonian Road should be maintained. These borders help to provide a sense of enclosure to the canal". The conservation area's significance flows from its place in the history of transport and the industrial revolution, from its character and appearance of an enclosed entity with a towpath. Its significance includes the architectural and historic importance of the canal Portal leading to the tunnel and its primacy in its context (notwithstanding the large block to the south) and from the survival of historic canal side brick terrace houses at Fife Terrace as well as its transport infrastructure history. The significance of the tunnel and Portal encompasses its architectural design by an important architect, its place as the focal point of the canal in its largely sylvan setting and its role as a portal to the engineering feat of the long tunnel.
- 14.238 The Barnsbury Conservation Area is the largest in Islington and was declared to be of outstanding importance. It contains many of the best examples of formal late-Georgian/early-Victorian residential developments in London and overall the area has a rare quality of consistency and completeness. The predominant building materials are yellow London stock brick, stucco, timber joinery and Welsh slate. There is tree cover and there are open spaces such as Barnsbury Square, Thornhill Square gardens and several streets such as Belitha Villas, Hemingford Road and Richmond Avenue have a spacious and distinctive character derived from the gaps between the detached and semi-detached villas. The predominant character is residential but there are shopping frontages on Liverpool Road and Caledonian Road which provide local services and are an important contribution to the character of the area. The conservation area abuts the development site with a 19th century three storey terrace with ground floor shops (and some with an additional mansard storey) on the west side of Caledonian Road. To the north is a listed building, formerly a pub and now residential (214 mid 19th century) which adjoins a grade II listed terrace of early 19th century houses (216-246 even). There are further listed buildings on Caledonian Road. To the north of Copenhagen Street is Matilda Street which retains a listed terrace of 19th century houses (11-63 odd grade II, 1820s – 1830s) on its west side, whilst to the east the conservation area largely comprises open space including Barnard Park, and some later housing forming the southern boundary of the conservation area. Its significance comes from its townscape of low-rise Georgian and Victorian housing, its spacious setting with treed gardens and open space and its provision of local services in the commercial frontages to Caledonian Road and Liverpool Road. 214-246 Caledonian Road have significance coming from their historic position lining a new thoroughfare out of London created at a time of transport industrialisation, from their setting as a strong architecturally coherent ribbon of townscape and from their materials and architectural design.

14.239 The Keystone Crescent Conservation Area was developed with terraces of housing between about 1830 and 1850, partly in response to the new link (Caledonian Road) between Euston and Pentonville Roads and the Holloway area. Much of the development is contemporary with this and also with the coming of the Regent's Canal in 1820 (and also King's Cross Railway Station in 1852). There are good surviving sequences of terraced housing along Caledonian Road (grade II listed) leading up towards Thornhill Bridge where, on its south side, the conservation area adjoins the Regent's Canal West Conservation Area. The predominant building materials are yellow London stock brick, stucco, and timber joinery. The conservation area design guidelines caution against roof extensions in the area saying that the roofline of a street, particularly on a terrace, is a major component of its character. Alterations which are not in keeping with the existing roofs have a harmful effect upon the character and appearance of the conservation area. Although there is a variety of roof forms in this area, the most common on the historic terraces is the hidden valley roof behind a parapet. There are commercial frontages in part of the conservation area. The Conservation Area's significance emanates from its Georgian and Victorian townscape of housing and commercial activity prompted by the area's development around new transport infrastructure, of road, canal and railway.

#### Implications Arising from the Detailed Element

- 14.240 The proposal is for detailed planning permission for three residential tower blocks on the canalside and new residential blocks, essentially on the north and north east corner of the site. All existing buildings within the red line would be demolished.
- 14.241 The three canalside buildings would be on the south side of the site next to the canal and the SINC. The existing blocks are linear and range in height from about 3 to about 5 storeys and are set back from the ownership line with small amenity areas next to the ground floor units which then lead into communal amenity space. Although there is some visibility of these blocks from the Regents Canal West Conservation Area they are set back, are perceived as low rise and have little impact on the character or appearance of the conservation area and significance of the listed building.
- 14.242 The canalside buildings would be placed closer to the southern boundary edge thereby closer to the canal and conservation area than the current lower blocks. It is noted that in terms of the Historic England Tall Buildings guidance that this is not a plan-led location for a tall building. The materiality proposed is red in colour both for bricks, metal work and detailing and would have corner balconies and a stepped top. Although the proposed buildings have been reduced in height, reoriented and remodelled in recent revisions to the submission they remain tall and dominant. The height, scale and form would tower over the canal and be prominently visible in views of the Portal.
- 14.243 Brickwork for the principle elevations of buildings is acceptable and a contextual approach to the surrounding areas and to the components of the scheme is required and will be secured by condition. The design approach of a uniform colour palette for all the finishes on the towers intensifies the impact of the red colour. The predominant building materials in the surrounding historic townscape are the London stock brick and some of the more modern buildings tend also to use a lighter and more yellow brick or concrete. The UDG at 5.112 says that materials must respond contextually and DM2.1 and DM2.3 also stipulate a contextual response. The dominance of the canal-side development on the setting is intensified by the unrelieved intensity of the red colour.
- 14.244 Red brick and dressings are proposed for some blocks in the rest of the site (the mansion block typologies). This is not opposed in heritage terms for the blocks facing Old Barnsbury and the north side of Copenhagen Street because some of the later surrounding development such as on Copenhagen Street and at the Half Moon Estate uses brown or a reddish colour of brick. In the case of the other later development the red is relieved with the use of other materials, such as white timber for windows. For instance, the Half Moon estate uses a red brick but the 'dressings' and features/fenestration use different colours and the visible roofs use slate which is a traditional material in tune with the historic environment.
- 14.245 The significance of the conservation area includes the enclosed nature of the canal adjacent to the Portal with development on the north side being low-rise and not particularly noticeable. The proposed towers, by their height, bulk, materials, location and positioning and looming presence in the setting of the conservation area would adversely affect its setting, encroaching on the enclosure, causing harm to significance.

- 14.246 The enclosed and green setting of the tunnel and Portal entrance is part of the listed building's significance and the intrusion of the blocks dominating the setting next to the tunnel and Portal would reduce the prominence of the listed building and adversely affect its setting causing harm to significance.
- 14.247 In the terms of the NPPF the harm to significance of these designated heritage assets would be less than substantial.
- 14.248 The HTVIA shows impacts within scoped views. The harmful impact on the setting and the character and appearance of the Regents Canal West conservation area and listed building described above is demonstrated in view 3. There is a mid to late 20th century housing block set at right angles to the canal on the south side of the canal. This too has a harmful impact on the setting and the character and appearance of the canal, but it is less bulky, having a simpler massing than the proposed towers. Views 4, 18, 19, 23 and 24 also show the height and bulk next to the canal.
- 14.249 View 22 shows how the canal side tall buildings would be visible above the roofscape on the Caledonian Road, landing above the listed terrace. As noted above in the Keystone Crescent CA section, roof extensions are not supported because it is considered that the roofscape is part of the significance of the conservation area. Part of the significance of the listed terrace houses is their absent roof formed as a hidden butterfly roof. The towers would break this strong roofline, placing the towers across the strong terminating parapet line. This would adversely affect their setting and diminish the townscape of the conservation area and cause less than substantial harm to significance to these designated heritage assets.
- 14.250 The other blocks in the detailed application are mainly of a 'mansion-block' typology and face onto Copenhagen Street and around into Charlotte Terrace. They would be 8 storeys (6 plus a double mansard) or 7 storeys (6 plus a single mansard), in red brick and with a mansard roof form in complementary coloured metal. The detailed application also includes a block of the 'Lanes' typology (a lighter brick is proposed), a 'Park' block and part of a 'mews' typology.
- 14.251 The height and bulk and increase in scale of these blocks in comparison to the current situation and the impact of this intensity is shown particularly in views 11, 12, 13, 14, 16 and 20. The existing view of view 14 shows that the termination of the view along Hemingford Road within the Barnsbury Conservation Area, is already marked by the height of the existing Messiter House and the proposed view is not objected to. However, it is considered that there would be a worse impact in the view south from Thornhill Square along Matilda Street (view 13). The view shows the proposal would introduce greater height in the view and would visually position bulk above historic buildings such as the side pavilion of a Richmond Avenue grade II listed house. The massing of the proposed mansard roof forms, the core and lift positions and the varying heights and materials in the view marks a pronounced change in scale to the detriment of the setting of the listed buildings (Richmond Avenue and Matilda Street) and the setting of the Barnsbury Conservation Area.

#### Implications of the Outline Element

- 14.252 Within the outline part of the application is a proposal to have 9 storey blocks along the length of the Caledonian Road frontage (7 storeys to parapet shoulder and then two storeys of mansard roof). The mass is articulated in four parts with a break giving access into a pedestrian only east / west mews, which in turn leads into a 'Lane' of six storey plus set back storey plus plant zone above, blocks. Concluding the typologies is 'Park Blocks' which are arranged around two pocket parks.
- 14.253 The parameter plans and design code govern these outline blocks, and the height of the Caledonian Road blocks would be just under 30 metres. The building line would be moved further forward towards the road. The HTVIA views 5, 6, 7, 9, 10, 12 are particular ones that show the relationship of these proposed blocks to the surrounding townscape and heritage assets.
- 14.254 The Caledonian Road retains a large number of the historic buildings along its route, or where some plots have been rebuilt, the replacement buildings are generally of the same height as the original buildings. The historic buildings on the Caledonian Road are predominantly three and four storey terrace buildings, some with an additional roof storey.

- 14.255 Orkney House is a later 20th century housing block to the north west of the development site. It is a fracture in the street line as it is considerably taller than its surroundings and set back from the pavement line on both Caledonian Road and Copenhagen Street. This section of Caledonian Road which contains the filling station and the swimming pool as well as Orkney House are excluded from the Barnsbury Conservation Area. With these exceptions and the development site itself, the rest of the Caledonian Road's buildings until the railway bridge to the north are within the Barnsbury Conservation Area.
- 14.256 The scale of the proposed Caledonian Road blocks is shown in view 7, view 9 and view 10. The 7 storey shoulder height and the 2 storeys of roof taking it to 9 storeys is of profoundly different scale to the surrounding townscape in the conservation area. The 9 storey blocks proposed for the Caledonian Road sit on the pavement edge and are being brought forward from the current building line (unlike Orkney House which is set back). The use of a mansion block typology with a double mansard storey is not contextual to the typologies found within the historic surroundings to this site but has been deemed to be an acceptable manner to secure volume, massing and dwelling numbers while using strong parapet forms to reinforce building lines. By reason of typology, height, scale and materials and detailed design of recessed balconies, this would cause harm to the setting of the Barnsbury Conservation Area and listed Caledonian Road buildings and would not be the contextual townscape response that is advocated in the Urban Design Guide nor as set out in DM2.1 and 2.3.
- 14.257 The revised design code for the Caledonian Road blocks shows recessed balconies on the north-west and south-west corners of the blocks which would therefore be visible at prominent corners of the building from within the conservation areas. These would appear as voids at the corners which would be a markedly different form to those characterising development in the conservation areas which have solid corners. This lack of containment to the building corners would not be a contextual response and in addition could add clutter in the form of items on balconies within the formal streetscape of the Caledonian Road. Officers have advised that revisions to the Design Code are made to remove this possibility of 'void' corners. Notwithstanding this, the details of these blocks would form part of a Reserved Matters Application.
- 14.258 The revised Design Code now gives the Caledonian Road blocks their own tailored section which is an improvement on the previous version where they were placed in the same category as Charlotte Terrace. The shopfront design code, , does not defer to the Islington Shopfront Design Guide (within the UDG). Problematic areas include the lack of a prohibition on internally illuminated signage, advice that awnings can be considered without providing that they must be retractable, lack of guidance on security shutters and lighting generally. The Design Code also encourages chamfered corners to the Caledonian Road blocks referring to the historic surroundings. However, historically chamfered corners accommodated and announced the shop entrance and were not overhung as proposed here. It would be preferable to remove reference to chamfered corners. Again, the details of these blocks and the shopfronts would form part of a Reserved Matters Application.
- 14.259 Although the Caledonian Road blocks are outside the conservation area, the NPPF talks of a heritage asset having a setting and in its guidance, The Setting of Heritage Assets, Historic England says that '*a conservation area is likely..... [to] have its own setting....*' p3. Part of the significance of the Barnsbury Conservation Area is its low-rise consistent Georgian and Victorian townscape. There are occasional tall buildings in the setting, such as Orkney House, (and Messiter House which like Orkney House is set back from the street edge). By contrast, the Caledonian Road blocks are linear blocks which are on the back edge of the pavement providing enclosure to the street. It unbalances the townscape experience of the Caledonian Road, having profoundly different heights as against the existing townscape to the west and north which are 3-4 storeys. Whilst not creating a canyon effect because the existing western townscape remains at 3 – 4 storeys, and the generous highway width, the 9 storeys of the proposed Caledonian road blocks would be a significantly taller form of development that in heritage terms would introduce an inappropriate height adjacent to the context of the Caledonian Road. They would be significantly taller than the built form within the Barnsbury Conservation Area adjacent and by dominating the setting would adversely affect the character and appearance of the conservation area which is typified by low rise townscape.
- 14.260 The Caledonian Road blocks would also adversely impact the setting of the grade II listed buildings to the north on Caledonian Road. The setting has already been compromised by Orkney House and this should not be further undermined by the proposed new development. In its guidance on Managing Significance in Decision-Taking in the Historic Environment, Historic England advises that "...Where the significance

*of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with NPPF policies".* One of the NPPF paragraphs (206) is that the LPA should look for opportunities for new development within Conservation Areas...., and within the setting of heritage assets, to enhance or better reveal their significance. The blocks proposed for Caledonian Road would not enhance or better reveal the significance of the listed building and terrace to the north.

- 14.261 The overall height of the development is shown in the HTVIA from Islington's designated view LV5 from Archway Bridge and it is noted that there is an increase in height which would be visible in the view of St Paul's which is a detrimental change.
- 14.262 The HTVIA contains lists of heritage assets surrounding the site more widely and further away. The impact of the proposed development on these is considered to be lesser than the considerable impacts on the significance of the heritage assets referred to in these observations which are closer to the development site.

#### Design, Heritage, Townscape Character and Appearance Conclusion

- 14.263 There is much to be commended about the scheme design in particular the well-structured and highly legible urban form that is the basis for all other design elements. This responds to and reinforces the established movement hierarchy while reinstating the former Georgian north/south streets. It improves the visual and physical permeability of the estate including through the introduction of a pedestrian only east/west route that connects Caledonian Road in the west to Charlotte Terrace in the east.
- 14.264 There is a good range of typologies for a site of this size which reflects such a richly varied urban context. This range adds interest and intrigue to the built environment as well as offering a variety of housing types. The typologies display a good quality of architecture with active frontages, animating balconies, strong rhythms, and a traditional brick-based palette. They have also been designed in a manner that reinforces and responds to the urban structure.
- 14.265 The quality of the open space and landscaping in general is dramatically improved compared to the existing landscape conditions and characteristics.
- 14.266 Access to the two existing public parks is transformed. The range of functions is broadened accompanying a significant qualitative uplift. Carnegie Park is to facilitate more active play and sports activities, with Pultney Park catering more for passive recreation. Each contains elements of dedicated children's play facilities. Both are also marginally increased in size which is beneficial given the significant uplift in population density.
- 14.267 Resident courtyard gardens are located to the rear of the buildings. They are to comprise a range of passive facilities and spaces together with elements of children's play. All but one of these 6 new spaces meets or exceeds the minimum sun on ground requirement.
- 14.268 Care has been taken during the masterplan evolution to protect the highest quality trees, and while 150 trees are to be removed as part of the development, 202 new trees are proposed to be planted. This results in a net gain of 52 trees, which is addressed elsewhere in the report.
- 14.269 Car parking is being re-provided for existing car owning residents but will not be offered to new residents or those returning residents who chose to give up permits. It has been accommodated in semi basement podiums upon which resident courtyards have been created. They are therefore discrete elements within the scheme with plans to convert them to accessible parking spaces, cycle storage and other storage uses as car ownership diminishes. In this manner the overarching masterplan has been designed to restrict car movement and ownership and promote walking and cycling.
- 14.270 Where the scheme is challenged is in respect of its heights. The proposal has taken heights to the absolute maximum that is acceptable with some identified resulting harm where it goes beyond this. The heights to the Caledonian Road frontage have resulted in less than substantial harm to heritage assets due to the resulting change in scale between the Victorian and Georgian Terraces of the adjacent Barnsbury

Conservation Area and their impact on the setting of heritage assets. The middle tower to the Canalside site exceeds 30m which is a departure from the Council's planning policy relating to building heights.

- 14.271 However, the most harmful element of the proposal from an urban design perspective, and that results in the most challenged residential environment for future residents, is the heights to the two north/south Lanes. At 7 storeys, within a narrow 'tertiary' street, such heights create confusion in the urban structure and result in less than satisfactory distances between buildings and balconies, albeit across a highway.
- 14.272 It is understood that this is a highly complex project given it is a 'live' housing estate and that a phased redevelopment is needed that also matches existing and future housing need. This has also informed the extent of the outline and detailed phases.
- 14.273 The outline scheme is therefore proposed to be governed by principles within the Design and Access Statement together with a series of Parameter Plans and a detailed Design Code.
- 14.274 While the demolition, phasing, basement, and plot layout plans are considered acceptable, there remain concerns with regard to the heights, open space parameter plans.
- 14.275 The Design Code is considered to have appropriately balanced those essential design requirements needed to effectively govern the later phases of the development with sufficient flexibility to allow for new innovations and unforeseen circumstances. However, officers have advised of further amendments that are desirable to reflect the required changes to the Parameter Plans in order to be considered acceptable.
- 14.276 The process of stages 1-3 in Historic England's 'The Setting of Heritage Assets' are considered to have been addressed above. Stage 4 concerns exploring ways to maximise enhancement and avoid or minimise harm. Through the pre-application process and throughout the application process there have been additional workshop engagement with the design team which has led to the reduction in height of the canal-side towers and their remodelling and reorientation and the Caledonian Road blocks' height has been restricted to just under 30 metres which has lessened some of the harm. Suggestions have also been made above for the Design Code for the Caledonian Road blocks to try and minimise harm. However, in heritage terms it is considered that there is still a high level of less than substantial harm to the significance of designated heritage assets as set out above.
- 14.277 Great weight should be given to the conservation of designated heritage assets. S66 of the Planning (Listed Buildings and Conservation Areas) Act requires special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it has. s72 requires special attention to be paid to preserving or enhancing the character or appearance of a conservation area when considering proposals within a conservation area. The NPPF refers to the setting of designated heritage assets which encompasses conservation areas and the Historic England guidance says that conservation areas are likely to have settings. The assessment has had due regard to these provisions and it is considered as above that less than substantial harm would be caused to the significance of designated heritage assets.
- 14.278 In accordance with paragraph 202 of the NPPF this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. A consideration of the range of public benefits within the proposal, which can be environmental, economic and social, is provided later in the report.

#### Crime and Secured by Design

- 14.279 In accordance with London Plan policy D11 (Safety, security and resilience to emergency), at pre-application and application stages, the proposed development has been reviewed by the Metropolitan Police, Health and Safety Executive and LB Islington's Building Control service. Further measures to reduce and mitigate the risks set out within the London Risk Register and Designing Out Crime standards will be secured by condition.
- 14.280 London Plan Policy 7.3 Designing out Crime requires development proposals to take account of the principles set out in national guidance and Secured by Design best practice. Buildings and spaces should deter criminal opportunism and provide residents with an increased sense of security, without being intimidating or reliant on excessive management, for example they should not create a fortress like

environment. Passive surveillance (or eyes on the street) is encouraged, including through active frontages (ground floor uses with a visually permeable elevation and a generous distribution of entrances). The proposal should demonstrate that it is safe and secure, meeting the relevant objectives within policy D11 of the London Plan (2021).

- 14.281 The applicant has developed a Secured by Design Strategy and has consulted the Metropolitan Police in parallel with the Council's own consultations.
- 14.282 This estate is located within an area that has over the last 12 months been subject to a high number of crime and anti-social behaviour instances reported to the police. From proven academic research, Secured by Design residential developments can experience up to 87% less burglary, 25% less vehicle crime and 25% less criminal damage. The Metropolitan Police have advised that Secured By Design accreditation would be achievable for the site.
- 14.283 Public realm and play space is incorporated within the proposal. There is a need for defensible space i.e. private terraces/demarcation for ground floor units and sufficient boundary treatments to help to prevent loitering and to hand some control back to residents to manage. There will be an access control strategy for places such as the basketball court with sufficient boundaries. This is important to help to prevent this type of area from being misused, especially in hours of darkness.
- 14.284 The Metropolitan Police are satisfied that a Secured by Design Strategy will ensure security compartmentation across the various components of block common areas. The parking is located underneath the podium level with entry from ground floor, ending on first floor due to the gradient. This car park/cycle storage is secured by access control with a separate gate for vehicles and for residents/cycles. The wide spatial distribution of cycle storage is also helpful to resolve minimise theft.
- 14.285 The lighting strategy is important and proposed public realm lighting will be sufficient so as not to cause dark spots and areas of concealment. Compliance with BS 5489-1:2020 in respect of the public lighting standard and that lighting should be provided via column or bulkhead lights, as bollard lighting is easily damaged and will only illuminate a person from the waist down. Sufficient uniformity to allow for wayfinding etc would form a part of the lighting strategy. Soft landscaping must be carefully considered so as to allow for clear and unobstructed lines of sight for residents and to help to reduce areas of potential concealment.
- 14.286 Subject to these key aspects being covered within a Secured by Design Strategy to be secured through planning condition, the Metropolitan Police are satisfied that there would not be any undue harmful impacts to resident and public safety.

## **15. ACCESSIBILITY AND INCLUSIVE DESIGN**

- 15.1 London Plan Policy D7: Accessible housing requires that proposals provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that: 1) at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings' 2) all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.
- 15.2 Policy DM2.2 of the Islington Development Management Policies requires all development to demonstrate that they produce places and spaces that are convenient and enjoyable to use for everyone and bring together the design and management of development from the outset and over its lifetime.
- 15.3 To achieve this the proposal should be designed in accordance with Islington's Inclusive Design in Islington (2014) SPD
- 15.4 The application proposes 41 Wheelchair dwellings across the 401 homes within the detailed phase across all blocks and tenures. 13 of these are 1 bed homes, 27 of these are 2 bed homes and a three bed home is to be provided. The applicant has advised that due to the detailed element principally delivering replacement homes, where it is likely that the projected need or potential occupier is known, this is not speculative and needs are being met in order to meet requirements across the estate with regard to 90%

of homes accessible and adaptable and 10% of homes being Wheelchair dwellings. 40 car parking spaces for disabled drivers will be provided.

- 15.5 The scheme proposals have been assessed by the Council's Inclusive Design Officer, who largely supports the scheme design in general and considers that the layout including the landscaping, circulation spaces and units are largely successful. However, further enhancements should be secured including more direct access from reception lobbies to cycle parking, reconsideration of some dwelling layouts and circulation space and verification to demonstrate that the scheme layout principles adhere to the Building Regulations in relation to widths, gradients and turning space.
- 15.6 Details of accessibility within the public realm and semi-private spaces are to be resolved through landscaping condition. Confirmation of building and unit layouts can be resolved to condition.
- 15.7 The legal agreement will secure a quantum of wheelchair dwellings within the development as a whole securing a mechanism that will make sure that 10% are deliverable across the development,. In addition, the legal agreement will also secure the provision of wheelchair accessible spaces through the return or relinquishing of existing parking permits. Where this is not achieved a penalty will be incurred with £2000 per space not provided delivered as a contribution to the Council to deliver wheelchair parking and/or contribution to sustainable/accessible transport initiatives.
- 15.8 While the exit from the eastern mews area to Leirum Lane is not accessible making access to the parks in the estate and beyond slightly more torturous to access, there are appropriate alternatives. Finally, it is noted that the proposed development intends to concentrate the bulk of the principal disabled car parking allocation into podiums with further concentration as parking permits are surrendered. The applicants recognise that there will longer distances for residents in eastern end of the estate to the podium parking, however the applicants have identified journey distances to front door and where they exceed 50m, a stopping place will be provided for break of journey.
- 15.9 Subject compliance with these requirements, it is considered that the proposed redevelopment of the estate provides a significant betterment for future residents with regards to permeability throughout the public realm and circulation around buildings and individual flats.

## **16. OPEN SPACE, LANDSCAPE, TREES AND URBAN GREENING**

- 16.1 Emerging Local Plan Policy G1 requires developers to consider green infrastructure at an early stage of the design process as part of an integrated design approach and incorporate the provision of green infrastructure into the design rather than as an 'add on' at the end of the design process.
- 16.2 The Urban Greening Factor was introduced in the London Plan 2021 under policy G5. Islington have adopted a policy for the Urban Greening Factor in the emerging Local Plan under policy G1 part E. The policy states that major developments are required to conduct an Urban Greening Factor assessment in accordance with the methodology in the London Plan, and that schemes must achieve an UGF score of 0.4 for developments that are predominately residential.

### **OPEN SPACE**

- 16.3 Development proposals should address deficiencies in the provision of publicly accessible open space and make available a sufficient amount of play and recreation space that is designed to meet the qualitative standards identified in London Plan (2021) policy T6. In doing so, the proposal should be able to demonstrate that it meets the objectives and standards contained within London Plan policies GG3, D5, D6, S4, G1, G4, G5, G6, G7, G8, SI 1 and SI 13; standards 4 and 5 of the Housing SPG (2016); Policy DM6.2 of the Islington Development Management Policies (2013); and SC2 of the Draft Islington Local Plan (2019).
- 16.4 Policy DM6.2 of the Development Management Policies (2013) details that developments in excess of 200 residential units or 10,000sqm gross external floor space are required to provide on-site publicly accessible open space. Public open space provision must also maximise biodiversity benefits, supporting the Council's Biodiversity Action Plan. Paragraph 6.20 of the Development Management Policies DPD (2013) sets a requirement of 5.21sqm of public open space per resident and 2.6sqm per employee for new developments. Policy G4 of the draft Islington Local Plan (2019) also emphasises the importance of

developments protecting, enhancing and contributing to the landscape and biodiversity value of the borough.

16.5 A key objective of the masterplan approach to the redevelopment of the Barnsbury Estate is to enhance, maximise and optimise the provision and quality of open space taking into account the proposed population uplift in the estate. In appraising the open space attributes of the estate, it is clear that the open space opportunities for the existing 371 dwellings, are unacceptable. The estate is afflicted by a topography that is mediated through embankments and abrupt land level changes, an over provision of hard standing for car parking and vehicular access and areas of open space that are enclosed and inaccessible or are uninviting for access, activity and use by the general public. Carnegie Street Park and Pultney Street Park are enclosed with railings with gated access providing a hostile environment that discourages access and use. The spaces do not encourage a diversity of use and activity throughout the estate. The proximity of Barnard Park including the open space, sporting facilities and the adjoining Adventure Playground provides the principle open space and open air recreational resources for residents within the Barnsbury Estate. The canal towpath to the south of the estate provides an altogether different type of outdoors leisure and recreational resource. At the western end of the estate close to the junction with Caledonian Road are two small pocket parks comprising Thornhill Bridge Community Gardens on both sides of Caledonian Road.

16.6 The existing open space within the estate is provided in the following ways:

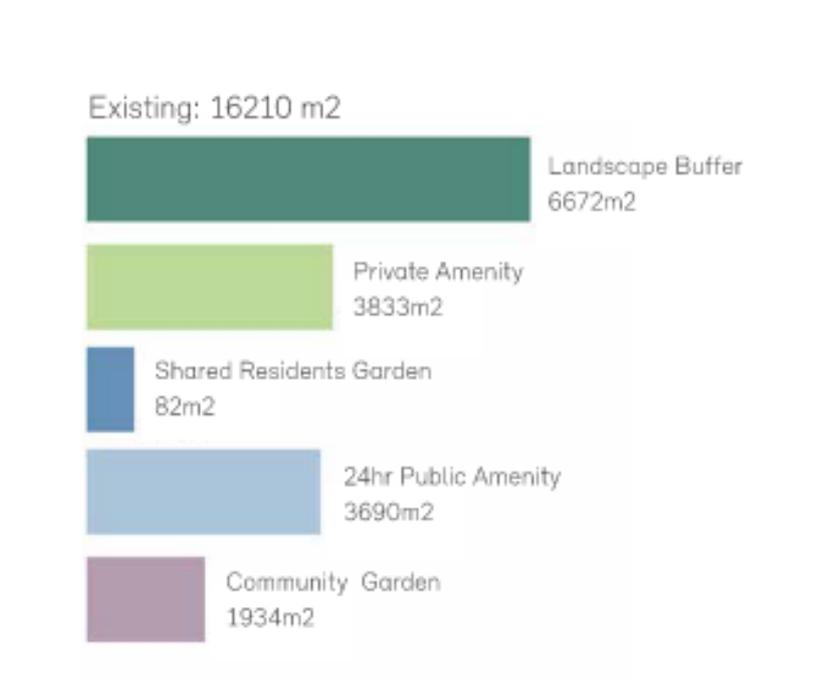


Image 21 Open Space Types

16.7 Landscape buffer forms the biggest open space category within the development and is often amenity land, grassed embankments and other areas of open space which are generally not accessible. Most ground floor units across all the blocks (apart from Caledonian Road) have private gardens enclosed by fence or railings. This takes up 3833sq.m of space. The two parks in Carnegie Street and Pultney Street combined provide for 3690sq.m of open space for both residents and the wider general public. To the rear of the community centre is a shared community garden which incorporates turfed areas, a pre-existing MUGA and allotments. The combined area for these categories is 2016sq.m.

16.8 The proposed estate development seeks to put open space provision into the heart of the scheme. The masterplan has been designed to rationalise the way that open space is provided, so that it becomes less about inaccessible open space and more about optimising opportunities for outdoor activity, public health and townscape. This is demonstrated in the table below which shows the way that the quantities of open space within each category have changed including the proposed provision that was envisaged within the first iteration of the application in May 2022.

Open space type	Prior development to (sqm)	Original submission (sqm)	Amendment submission (sqm)
Private amenity	3833	1317	1141
Shared resident garden	2016	5809	6565
Community Garden	0	486	486
24 Hour open space	3690	4157	4157
Landscape buffer non-accessible	6672	3975	3672
Rooftop space	0	477	381
<b>Total</b>	<b>16211</b>	<b>16221</b>	<b>16402</b>

Table 12: Open Space Quantum

- 16.9 It is clear from the information set out above, that there has been only a small proportional increase of total open space. Nevertheless, it is clear that there has been a significant reduction in private amenity space constituting the reduction in the numbers of units which are provided with private gardens at the ground floor level. However, this is counterbalanced by a significant increase of over 4000sq.m in shared residents' gardens and a 500sq.m increase in park space and nearly 400sq.m increase through the provision of rooftop space.
- 16.10 The application creates a big change in the balance between accessible space and inaccessible space within the estate which is demonstrated as follows:

Open space type	Prior development to (sqm)	Original submission (sqm)	Amendment submission (sqm)
Publicly accessible space	5706	10929	11589
Landscape buffer non-accessible	6672	3975	3672
<b>Total</b>	<b>16211</b>	<b>16221</b>	<b>16402</b>

Table 13: Accessible and Inaccessible Space

- 16.11 Just under 6000sq.m of additional publicly accessible open space is provided while there is a loss of 3000sq.m in landscape buffer and inaccessible space.
- 16.12 The GLA child yield calculator demonstrates that based on the dwelling mix already present on the site – and not taking into account overcrowding – the existing estate population is approximately 1085 persons. This population has access to 5.25sq.m per person public open space. Again, using the GLA child yield calculator, it is assumed that the new population of the estate would be circa 2250. Taking into account the figure of 11,589sq.m of publicly accessible open space, each person living on the estate would have access to 5.15sq.m of public open space. This is a reduction from the figure currently enjoyed of 5.25 and as a result there is a minor short fall of 150sq.m. It is accepted that the nearby Barnard Park provides opportunities to enhance access to open space for leisure, enjoyment and recreation.
- 16.13 In respect of children's playspace, the existing estate generates a child yield of 410 children based on assumed unit mix. Children's playspace is currently reserved to a small area behind the community centre with a MUJA and some play equipment. Both of the parks within the estate provide no formal play areas or equipment. The child yield within the proposed redevelopment obviously increases as does the space provided and the playspace required as shown below:

ORIGINALLY SUBMITTED SCHEME		PROPOSED SCHEME		GLA REQUIREMENT	
AGE	PROPOSED PLAY SPACE	AGE	PROPOSED PLAY SPACE	AGE	PROPOSED PLAYSPACE

Ages 0 – 4	1790	Ages 0 – 4	2460	Ages 0 – 4	2600
Ages 5 – 11	728	Ages 5 – 11	2020	Ages 5 – 11	2090
Ages 12+	533	Ages 12+	1670	Ages 12+	1650
<b>TOTAL</b>	<b>3051</b>	<b>TOTAL</b>	<b>6150</b>	<b>TOTAL</b>	<b>6346</b>

Table 14: Children and Young People Playspace

- 16.14 The amount of dedicated play space within the scheme has risen considerably from the first iteration of the scheme by nearly 3000sq.m from 3051sq.m to 6150sq.m. However, there is a shortfall of just under 200sq.m. The proposed childrens playspace is to be located in each of the public parks and each of the residents courtyards. The Carnegie Street park provides the greatest concentration of play space with a MUGA, a boules pit and other play equipment. The actual provision of play equipment including its precise location and specification is not yet known and this will be secured through a planning condition attached to this permission.
- 16.15 The shortfall that exists will, as per the shortfall in open space within the development be largely made up through a reliance on Barnard Park which will be undertaking extensive upgrades, consented through P20221/3658/FUL. The upgrade works are expected to commence in 2023 and will therefore be available to residents during construction and at completion.
- 16.16 The Councils Greenspace Team have identified Given the shortfall in playspace within the proposal, the reduction in open space per person and that each of the spaces has to serve multiple and sometimes competing functions it is considered that a financial contribution secured through the Section 106 to support the upgrade works to Barnard Park would mitigate the additional demand from the estate that cannot be met through the provision of replacement open space within the estate. A contribution of **£550,000** has therefore been identified for Barnard Park and is recommended to be secured in the legal agreement.

#### Urban Greening Factor and Landscape

- 16.17 The landscaping approach to the development has been established through consultation with the residents in the estate in the pre-application workshop process. They have divided the estate up into character areas which will respond to the architecture around the spaces and the proposed functions of these spaces. These areas consist of the semi private courtyards, the 'Community Heart' which is Carnegie Street Park, Pultney Park, Charlotte Terrace and the Regents' Canal environment.
- 16.18 Carnegie Street Park is proposed to be principally an active space, with a MUGA forming the key unique element. Either side of this are active elements including callisthenics equipment and the active play. The rest of the space will be completed with further play equipment, boules and lawn. The MUGA itself will be sunk into the ground with excavation. The resulting spoil and waste will be recycled to form landscaped topographical areas within other parts of the park.
- 16.19 The Design and access statement indicates that at the ground level, the hard landscaping will feature concrete brick pavers and bound gravel with opportunities for artificial mulch around trees and suitable surfaces to support safe play around equipment. Essentially, Carnegie Street Park is aimed at providing a resource for all ages including the youngest of children up to elderly age groups, accessible and inclusive for all needs.
- 16.20 Pultney park situated between blocks C6 (detailed element) to the north and C3 (outline element) to the south is an existing park that is dominated by trees. While the park is accessible via gates it does not currently present as an open space and has two vehicular roadways on its southern side and its western side, with parking also available in the former. The reconstructed park which will start from the eastern edge of the lane before terminating into Charlotte Square and Charlotte Terrace will be designed to provide a safe, sunny seating area, incorporating a small area of play. This park is designed to be a much quieter environment than Carnegie Street

#### Urban Greening Factor

- 16.21 The Urban Greening Factor was introduced in the London Plan 2021 under policy G5. Islington have adopted a policy for the Urban Greening Factor in the emerging Local Plan under policy G1 part E. The policy states that major developments are required to conduct an Urban Greening Factor assessment in accordance with the methodology in the London Plan, and that schemes must achieve an UGF score of 0.4 for developments that are predominately residential.
- 16.22 The urban greening factor assessment is set out on pages 96 and 97 of the Design and Access Statement of Open Space and Recreation Assessment and Landscape Design Strategy. It states that the Urban Greening Factor for the existing estate is 0.3. The site at present, generally comprises mown grass and scattered trees and although the existing trees have a high greening value, the monospecies of lawn, although green is of lesser value. The existing estate Urban Greening Factor scoring is set out below:

	Surface Cover Type	Factor	Surface Area (m <sup>2</sup> )	Surface area x Factor
	Semi-natural vegetation (eg woodland, flower-rich grassland) created on site	1.0	1041.0	1041.00
	Intensive green roof or vegetation over structure. Vegetated sections only. Substrate minimum depth of 150mm.	0.8	0	0.00
	Standard trees planted in natural soils or in connected tree pits with a minimum soil volume equivalent to at least two thirds of the projected canopy area of the mature tree	0.8	7902.5	6322.00
	Rain gardens and other vegetated sustainable drainage elements	0.7	0	0.00
	Hedges (line of mature shrubs one or two shrubs wide)	0.6	860.8	516.48
	Standard trees planted in pits with soil volumes less than two thirds of the projected canopy area of the mature tree	0.6	797.8	478.68
	Groundcover planting	0.5	182.9	91.45
	Amenity grassland (species poor regularly mown lawn)	0.4	11801.7	4720.68
	Extensive green roof or sedum mat or other lightweight systems	0.3	0	0.00
	Permeable paving	0.1	0	0.00
	TOTAL SURFACE AREA OF PROJECT (ALL WITHIN RED LINE BOUNDARY)		43829.8	13170.29
	URBAN GREENING FACTOR			0.30

Image 22: Existing UGF

- 16.23 The resulting Urban Greening Factor generated by the redevelopment of the estate is a much improved 0.45. The applicant has worked with the scheme ecologist (Greengage) and London Wildlife Trust to provide a much enhanced and more verdant natural environment within the estate to provide a setting of diverse planting and greening types supporting biodiversity which is also adaptable to climate change. In completing the masterplan in 2032, the estate will be supported by wild flower meadow, native and non-native hedgerow and scrub, rain gardens, the use of green roofs and permeable surfaces that contribute to Sustainable urban drainage.
- 16.24 The urban greening factor score has increased significantly as the masterplan landscape strategy has enhanced provision in the higher scoring categories. For example, semi natural vegetation has increased from 1041sq.m to 7673sq.m. Green roofs have been introduced to the estate for the first time as have rain gardens, hedgerows and trees planted in soil pits with lesser soil volumes. Ultimately, it is the ability to introduce more diverse planting under semi natural vegetation category.
- 16.25 In achieving a score of 0.45, the proposed development not only significantly improves upon the quality expressed through the existing estate and also exceeds the minimum policy requirement expressed by policy G1 of the London Plan. This counts as a benefit of the scheme.

	Surface Cover Type	Factor	Surface Area (m <sup>2</sup> )	Surface area x Factor
	Semi-natural vegetation (eg woodland, flower-rich grassland) created on site	1.0	7673	7673.00
	Intensive green roof or vegetation over structure. Vegetated sections only. Substrate minimum depth of 150mm.	0.8	268	214.4000
	Standard trees planted in natural soils or in connected tree pits with a minimum soil volume equivalent to at least two thirds of the projected canopy area of the mature tree	0.8	7464	5971.20
	Rain gardens and other vegetated sustainable drainage elements	0.7	827	578.90
	Hedges (line of mature shrubs one or two shrubs wide)	0.6	2168	1300.80
	Standard trees planted in pits with soil volumes less than two thirds of the projected canopy area of the mature tree	0.6	3270	1962.00
	Amenity grassland (species poor regularly mown lawn)	0.4	811.6	324.64
	Extensive green roof or sedum mat or other lightweight systems	0.3	4280	1284.00
	Permeable paving	0.1	3673	367.30
	TOTAL SURFACE AREA OF PROJECT (ALL WITHIN RED LINE BOUNDARY)		43829.8	19676.24
	URBAN GREENING FACTOR			0.45

Image 23: Proposed UGF

- 16.26 Given the hybrid nature of the planning application, which includes a detailed element and an outline element which will come forward as Reserved Matters applications in 2025 and 2028, the applicants have been able to provide an Urban Greening Factor score for the detailed element which includes Phases 1a, 1b and 3a, noting that the last phase adjoins the canalside environment and the SINC. In assessing the pre-existing situation, the current Urban Greening Factor score for the areas of the estate falling within the detailed application is 0.44, already in excess of the policy requirement. A key contributor to this score is the extent of existing open space in the detailed area comprising the Carnegie Street Park, Pultney Street Park and the area behind the Community Centre which is the existing community garden. This has been converted largely into the semi natural vegetation category which has a higher conversion factor. Hedges, rain gardens and roof gardens and planting also contribute to the urban greening factor score in the detailed element increasing from 0.44 to an exceptional 0.58.
- 16.27 While the tables presented above indicate a significantly positive Urban Greening Factor score for the development above and beyond its pre-existing state, officers have had consideration as to the spatial layout of these categories of green infrastructure within the site. As stated above, the positive result is as a consequence of the monocultural mown lawn is replaced with semi natural vegetation that comprises woodland and flower rich grassland. This is distributed widely throughout the masterplan area, in each semi residents courtyard, Pultney Street Park and the areas between the canalside blocks. However, these areas coincide directly with the scheme open space and play space within the scheme meaning that there is a high likelihood that the green infrastructure value attributed to this space could be easily lost. Furthermore, the layout plans (within the Design and Access Statement) indicate that a large part of Pultney Park for example is dedicated to lawn.
- 16.28 Given the marginal provision of childrens playspace and open space within the scheme, neither those functions or the quality of green infrastructure should be compromised; both are key components to a successful natural environment to offset the intensification of the Barnsbury Estate. It is therefore proposed that the recommendation should reserve final details of estate wide landscaping strategies mediating the requirements for successful functional open space and play space and the requirements for positively enhancing the quality of green infrastructure. Such a condition will benchmark the achievement of the Urban Greening Factor scores set out in the Design and Access Statement.

## Landscaping

16.29 For the whole duration of collaboration between the Council and the developers, the landscape architects have played a substantial role in landscape design emphasising the fact that the unbuilt spaces are just as important as the built forms. The applicants have sought to develop an intensively designed landscape which is long lasting and durable and attractive. This has extended into the various concepts presented to the Council about hard and soft materials, planting and structural elements for boundaries, topographical changes and areas of differing access and ownership. While a large part of the open spaces will be lawn or grass, mown and unmown, the landscaping strategy envisages various amounts of planting. Indications have been given to substantial tree planting which includes street tree in the Lanes, Carnegie Street and Charlotte Terrace as well as courtyards. At the micro level, design principles have also been given to the nature of flower planting. The landscape strategy set out briefly in the Design and Access Statement indicates a wildflower bias which is contributory to the sustainability of birds, bees and insects. Quantities, species, heights and exact locations have not been provided. A landscape strategy along with maintenance principles will be sought through the Section 106 or by condition.

## Trees

- 16.30 The application site currently includes 202 trees of varying quality and maturity. The majority of the trees at the site are subject to a blanket Tree Preservation Order (TPO), that was likely to have been introduced following the transfer of the land from Islington Council to Newlon.
- 16.31 The proposed development would involve the loss of 150 trees at the site, inclusive of higher quality Category A trees. 52 existing trees are proposed to be retained. While the loss of existing trees is regrettable and notably those subject to a TPO, the Council's Tree Preservation Officer has noted that a number of the trees at this stage would be unlikely to constitute trees of a value relevant to a TPO.
- 16.32 Notwithstanding this, the tree removal is required to deliver the redevelopment of the site, inclusive of much improved landscaped areas and crucially the delivery of 202 replacement trees. This would result in a net gain of 52 trees as part of the development with predominantly the best trees being retained.
- 16.33 The proposed landscaping and tree planting includes modern tree pit design and planting methodologies, incorporating SUDs features and other biodiversity improvements, allowing for a greatly improved quality of tree stock on the site. This subsequently improves the associated eco-system service benefits.
- 16.34 Although the development will initially result in a canopy cover reduction, crucially, and in accordance with the adopted and emerging local plan, the proposal projects a replacement canopy cover in 15 years and this will continue to increase thereafter. This is considered a reasonable time period but noting that at 30 years time the canopy cover would increase to 40% more than existing, which is a significant improvement and exceeds the Council's aspirations for up to 30% canopy cover increase within the borough, which will further help to mitigate climate change.
- 16.35 Noting this, and subject to conditions requiring details of the proposed tree planting, tree protection measures and monitoring of protection measures throughout construction, the proposal is considered to be acceptable with regard to trees.

## **17. NEIGHBOUR AMENITY**

- 17.1 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy, and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise, and disturbance is also assessed. In this regard, the proposal is subject to London Plan Policy D4, as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 17.2 Policy DH5 of the draft Islington Local Plan outlines that any potential adverse impacts which may arise due to new development being located close to sensitive uses must be fully prevented via the design/layout of a scheme and/or the incorporation of other appropriate measures to limit the impact.

- 17.3 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration should be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 17.4 The starting point must be an assessment against the BRE guidelines and from there a real understanding of impacts can be understood. Knowing very clearly what the actual impacts are in the first instance is consistent with the judgement made in '*Rainbird vs Tower Hamlets [2018]*'.
- 17.5 Once the transgressions against the BRE guidelines are highlighted, consideration of other matters can take place.
- 17.6 The 'Effective Use of Land' section in the Government's Planning Practice Guidance (PPG), confirms that consideration is to be given as to whether a proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, setting out that all development should maintain acceptable living standards, although what will be appropriate will depend to some extent on the context. The Guidance cites city centre locations where tall modern buildings predominate as an area where lower daylight levels at some windows may be appropriate if new development is to be in keeping with the general form of its surroundings.
- 17.7 Whilst BRE guidelines are intended for use in adjoining dwellings, paragraph 2.2.2 (of the BRE guidelines) confirms that they may also be applied to existing non-domestic buildings where occupants have a reasonable expectation of daylight.

#### Daylight Guidance

- 17.8 The BRE Guidelines (2022) stipulate that... "the diffuse daylighting of the existing building may be adversely affected if either:
- The VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27% and less than 0.8 times its former value.
  - The area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value (no sky line/daylight distribution)
- 17.9 At paragraph 2.2.7 of the BRE Guidelines it states: "*If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building... Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.*"
- 17.10 At paragraph 2.2.10 the BRE Guidelines state: "*Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the 'no sky line' in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside*".
- 17.11 Paragraph 2.2.13 states: "*Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.*" The BRE Guidance goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself is causing the most significant impact.
- 17.12 The BRE Guidelines at Appendix F gives provisions to set alternative target values for access to skylight and sunlight. It sets out that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location.

- 17.13 The BRE Guidelines (2022) state in relation to sunlight at paragraph 3.2.11: *“If a living room of an existing dwelling has a main window facing within 90degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window*
- *Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and;*
  - *Receives less than 0.8 times its former sunlight hours during either period and;*
  - *Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours”*
- 17.14 The BRE Guidelines state at paragraph 3.1.6 in relation to orientation: *“A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit.”*
- 17.15 The guidelines go on to state (paragraph 3.2.3): *“...it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun”.*
- 17.16 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.

#### Overshadowing Guidance

- 17.17 The BRE Guidelines state that it is good practice to check the sunlighting of open spaces where it will be required and would normally include: ‘gardens to existing buildings (usually the back garden of a house), parks and playing fields and children’s playgrounds, outdoor swimming pools and paddling pools, sitting out areas such as those between non-domestic buildings and in public squares, focal points for views such as a group of monuments or fountains’.
- 17.18 At paragraph 3.3.17 it states: *“It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable. If a detailed calculation cannot be carried out, it is recommended that the centre of the area should receive at least two hours of sunlight on 21 March.”*
- 17.19 It should be noted that while the BRE guidelines were updated in relation to the future occupiers of a development, the assessment of the impact of development on the daylight and sunlight for example remains unchanged and as a result will be subject to VSC and no sky line tests only and not a luminance test.

#### Target VSC as a Contextual Approach

- 17.20 The relevant planning policies and guidance suggest that the BRE guidelines should also be applied sensitively to higher density developments. This approach is also in line with the NPPF.
- 17.21 The BRE guidelines suggest that it may not be appropriate to apply the general guidance to all development locations but set alternative target values based on the locality of the Proposed Development. Therefore whether the likely reductions are beyond the general BRE guidelines criteria the applicants have considered whether the likely retained levels of daylight and sunlight are commensurate with the urban context of the proposed development and proposed density of the scheme.

17.22 The applicant has carried out a comprehensive daylight, sunlight and overshadowing assessment of the surrounding areas to the estate on Copenhagen Street, Carnegie Street, Charlotte Terrace and Caledonian Road. This assessment also includes land and buildings to the south of the canal and to the buildings to the south of Copenhagen Street but outside of the red line site.

17.23 The applicant has considered recently constructed similar schemes and the levels of daylight retained to the existing surrounding residential properties that have been considered as part of the contextual justification. The aim is to consider what would be acceptable levels of retained daylight. The results of these comparable studies draw the conclusion from the applicant that a retained VSC of at least 15% when ignoring the effect of any obstructions such as balconies rather than 27% as set out in the BRE guidelines. It is considered by the applicant that a VSC of 27% being used as a baseline serves to constrain development restricts the ability of a development to optimise site density and housing delivery without being excessively egregious in its appearance, impact and contextual relationship. As a result, the applicants have sought to justify standard BRE transgressions through a reconsideration using the contextual VSC relationship. In some circumstances, where adjoining buildings have balconies or structural overhangs/recesses, the impact on neighbouring buildings have been considered in the context of whether the balcony as a structural element is the principal contributory element of a building's poor daylight performance.

Daylight

17.24 Below is a summary of the blocks to be tested within the external neighbours daylight assessment. A further column of information sets out the likely impact of the proposed development based on the sliding scale of no impact, minor adverse impact and major adverse impact:

Address	Use	Nature of impact
10- 15 Thornhill Bridge Wharf	Residential	Minor adverse (insignificant)
105-107 Copenhagen Street & 6 Leirum Street	Residential	Major adverse impact
Copenhagen House, Charlotte Terrace (Old Barnsbury)	Residential	Major adverse impact
Payne House, Charlotte Terrace (Old Barnsbury)	Residential	Major Adverse impact
Vittoria House, Charlotte Terrace (Old Barnsbury)	Residential	Major Adverse Impact
40 Half Moon Crescent	Residential	Major Adverse Impact
38 Half Moon Crescent	Residential	No impact
1 – 4 Half Moon Crescent	Residential	Minor adverse (insignificant)
50-132 Muriel Street	Residential	No impact
37 Muriel Street	Care home	Major Adverse Impact
16 – 18 Fife Terrace	Residential	No impact
1 – 12 Fife Terrace	Residential	Major Adverse Impact
156 Caledonian Road	Church Hall	No impact
159 - 193 Caledonian Road	Mixed retail and residential	Major Adverse Impact
214 Caledonian Road	Residential	Major Adverse Impact
80 – 130 Copenhagen Street	Residential	Major Adverse Impact
103 Copenhagen Street	Residential	Major Adverse Impact
2 Hemingford Road	Residential	No impact
51 – 59 Charlotte Terrace	Residential	Major Adverse Impact
Phelps Lodge, 101 Copenhagen Street	Residential	Major Adverse Impact

17.25 The table below is a summary of the performance per identified receptor:

Address	Total that Meet BRE Guidelines	Below BRE Guidelines				Total No. of Windows
		20-29% Loss	30-39.9% Loss	>=40% Loss	Total	
1. 214 Caledonian Road	2	2	2	0	4	6
2. 112-130a Copenhagen Street	6	14	45	35	94	100
3. 84-102 Copenhagen Street	37	9	13	25	47	84
4. 2 Hemingford Road	6	0	0	0	0	6
5. 80-82 Copenhagen Street	21	7	0	0	7	28
6. 51 -59 Charlotte Terrace	43	4	1	0	5	48
7. Copenhagen House, Charlotte Terrace	11	14	12	8	34	45
8. Payne House, Copenhagen Street	9	18	9	9	36	45
9. Vittoria House, Copenhagen Street	0	1	25	29	55	55
10. 40 Half Moon Crescent	8	3	1	0	4	12
11. 1-4 Half Moon Crescent	12	4	0	0	4	16
12. 37 Muriel Street	52	44	22	11	77	129
13. 50-132 Muriel Street	40	0	0	0	0	40
14. 1-12 Fife Terrace	25	12	30	5	47	72
15. Dev 16-18 Fife Terrace	9	0	0	0	0	9
16. 10-15 Thornhill Bridge Wharf	28	0	0	0	0	28
17. 159-193 Caledonian Road	28	7	61	16	84	112
18. 105-107 Copenhagen & 6 Leirum Street	38	0	3	16	19	57
19. 103 Copenhagen Street	37	5	2	0	7	44
20. Phelps Lodge, 101 Copenhagen Street	40	4	8	0	12	52
21. 38 Half Moon Crescent, Caretaker House	3	0	0	0	0	3
22. 156 Caledonian Road	28	6	0	0	6	34
23. Canal boats along the Regents canal	4	5	5	0	10	14
<b>Total</b>	<b>487</b>	<b>159</b>	<b>239</b>	<b>154</b>	<b>552</b>	<b>1039</b>

Image 14:

17.26 The report will consider the buildings where there is a major adverse or significant impact on the surrounding buildings as shown in the table above.

105-107 Copenhagen Street and 6 Leirum Street.

17.27 This building is a converted former public house which is situated to the east of block B2 and to the north of block B4. The relationship between this building and these aforementioned blocks have been assessed for privacy, overlooking and sunlight and daylight in earlier sections of the report. There are 57 windows within this building, of which 38 are unaffected by the proposed development leaving 19 others which suffer some impact.

17.28 The analysis shows that 16 of these windows face a loss of more than 40% of VSC. On a room by room basis, 25 rooms were assessed. Of the 25 rooms affected, 16 will experience VSC and NSL alterations which are negligible. 9 rooms will experience reductions that constitute a major adverse effect. 6 of these rooms are likely to be LKDs, 2 are kitchens and 1 is a bedroom. Of the six LKDs, five are dual aspect and will receive a VSC of at least 15%. However, it is also located under a balcony and it is considered that the presence of the balcony reduces the VSC to a level below 15%. The remaining LKD is situated at a lower level and suffers from poor levels of light and it is considered that its lower level situation is circumstantial to the poor lighting conditions in that block.

#### Copenhagen House, Charlotte Terrace

- 17.29 This is one of three detached blocks that are located on Charlotte Terrace facing on to New Barnsbury. This block turns the corner onto Copenhagen Street and therefore would only endure impacts on one elevation. At the pre-application stage, the daylight impact was evaluated in the context of its mirror massing with balconies added and was deemed to be largely acceptable in this context. The building consists of 1 or 2 bed flats with the kitchen and bathroom on the eastern elevation. Bedrooms and living rooms are facing the development.
- 17.30 The assessment has considered 45 site facing windows serving 40 rooms. Of these rooms, 5 will experience negligible impacts on VSC and NSL. 11 rooms will experience minor adverse effect impacts. 8 rooms will experience moderate adverse impacts, but 16 rooms will endure major adverse impacts. Of the 24 rooms, all but 11 windows will retain a VSC of at least 15% and will generally have an NSL of more than 50%. All remaining rooms would be situated below balconies and if the balconies were discounted, the VSC would be at least 19.6% which exceeds target VSC values.

#### Payne House, Charlotte Terrace

- 17.31 This building is situated immediately to the south/south west of Copenhagen House and is the middle one of three buildings facing onto New Barnsbury. This building largely contains 1 and 2 bed flats with a kitchen and bathroom on the eastern elevation. Bedrooms and living rooms are on the western elevation facing the site. The living rooms are situated behind balconies.
- 17.32 45 site facing windows serving 35 rooms have been assessed. Of these 35, 19 rooms will experience VSC and NSL reductions up to a minor adverse effect. 16 will suffer a moderate or major adverse impact. All but 8 rooms retain a VSC of at least 15% and will generally also retain an NSL score of more than 50. The rest of the windows are behind balconies which if removed would elevate the VSC to these rooms to almost 20%.
- 17.33 The retained daylight levels when taking into account the balconies show that the building can be considered to retain adequate daylight for an urban area.

#### Vittoria House, Charlotte Terrace

- 17.34 This building is situated immediately to the south/south west of Payne House and is the middle one of three buildings facing onto New Barnsbury. This building largely contains 1 and 2 bed flats with a kitchen and bathroom on the eastern elevation. Bedrooms and living rooms are on the western elevation facing the site. The living rooms are situated behind balconies.
- 17.35 55 site facing windows serving 55 rooms have been assessed. Of these 55, 1 room will experience VSC and NSL reductions that are minor in nature only, 19 will face a moderate effect and 35 will suffer a major adverse effect. However, 22 of these will retain a VSC of at least 15% and an NSL of at least 50%. The remaining 23 rooms would be located behind balconies and in the absence of these balconies, the rooms would have a VSC of more than 16.5%. The windows have been tested against a worst case massing scenario and the applicants suggest that the actual scheme coming forward would result in VSCs to this elevation of 18.3%.

#### 40 Half Moon Crescent

- 17.36 This building is a former public house with storage on the ground floor and residential accommodation on the upper floors. This building is situated to the south of Vittoria House, with an elevation facing Charlotte Terrace and an elevation facing Half Moon Crescent. A school is situated to its east. There are 12 site facing windows serving 6 rooms including a kitchen, a living room, a bedroom on the first floor and 2 bedrooms and a living room on the second floor. Of these six rooms, 4 rooms would experience a moderate adverse effect. The VSC would be largely above 23% and the NSL would generally exceed 60%. This impact is therefore considered acceptable.

#### 37 Muriel Street

17.37 This building is a care home with multiple elevations situated on a street corner with Muriel Street and Carnegie Street. There are 82 windows serving 45 rooms, a number of which are dual aspect. 22 of these rooms would have minor or no impacts. 23 rooms would have moderate or major adverse effects in relation to daylight. All but 4 rooms would have a target VSC value of more than 15% but most rooms would have a VSC that exceeds target by being greater than 20%. Rooms not under an overhang will have a VSC of more than 20% and this is similar following the removal of balconies from consideration of the VSC.

1 – 12 Fife Terrace

17.38 These are residential properties directly to the south of the site and abut the canal directly. This building is residential and it has been estimated that there are 72 north facing windows serving 24 LKDs. 22 rooms would see VSC reductions which are considered to be moderate or major adverse in their impact on this building. The reason for the reduced daylight values is likely due to the presence of the access walkways above the windows. If the walkways are removed from the scheme, the actual development itself would result in a VSC reduction from existing of less than 20% which would in any case be compliant with the BRE guidelines. As such, the impact is considered to be acceptable.

159 Caledonian Road.

17.39 This building is situated at the corner of Edward Square and Caledonian Road and is in residential use having been converted from retail at the ground floor. There are 21 windows serving 9 rooms. The rooms located at the lower ground floor are a LKD, supplemented by 2 bedrooms and a kitchen. The ground floor includes two LKDs, with a further LKD and a bedroom at the first floor. A roof level skylight window serves a bedroom. Three rooms would suffer impacts which are moderate or major adverse impact. The greatest impact will be felt with the lower ground floor windows which are at pavement level and would ultimately suffer more intensely from light reductions in urban settings, especially in the case of this property where these windows are high level in the context of the floor to ceiling height. This is reflected in the fact that the VSC is 11%. However the NSL is 71% which is far more respectable. The ground floor LKD has six windows, three of which face the development and three face another direction, the three windows that are perpendicular to the site have a VSC of nearly 19% while the NSL is very good with 100% of the room receiving direct daylight. The first floor level habitable room windows have a VSC of 19.6% which is considered acceptable.

161 – 193 Caledonian Road

17.40 These properties are the recessed residential upper floors above the ground floor retail. It should be noted that there are significant separation distances between elevations at the first floor level and above which ameliorates some of the likely impact. The terrace features 91 windows serving 45 rooms that have been assessed. 37 rooms however will experience moderate or major impacts. However, in relation to the NSL test, 26 of the 45 would see a reduction that is less than 20% of the former value and as such pass. However all remaining rooms which would have an adverse impact would endure a VSC that exceeds 19%. Noting this, the impact is considered to be acceptable.

214 Caledonian Road

17.41 This property is a town house situated directly to the north of the northern flank elevation facing Copenhagen Street. There are six site facing windows serving three rooms which have been assessed. Just two rooms would suffer a moderate adverse impact. However, the VSC to these rooms would exceed 23% which is considered acceptable in this urban context.

112 – 130 Copenhagen Street

17.42 This is a purpose built block of duplex flats. The windows that face on to Copenhagen Street serve stairwells, bathrooms or kitchens at the ground floor and first floor levels. At the second floor level the windows serve bedrooms. The living rooms face north and do not become affected by the proposed development. There are 100 windows serving 60 rooms which have been assessed. 25 rooms will experience VSC and NSL alterations which are considered to be Moderate adverse and 22 rooms will experience a daylight distribution reduction which is considered to be a major adverse effect. All but 20 windows will retain a VSC of more than 21.5%. Rooms that do not meet this criterion are at ground floor

level and are set back recessed beneath overhangs. These rooms endure a VSC ranging between 7.6 % and 11.6% because of the overhang. Once this is removed, it is demonstrated that every window would retain a VSC of at least 15%. Noting this, the impact is considered to be acceptable.

84 – 102 Copenhagen Street

- 17.43 This block is a purpose built terrace of 2 or 3 storey townhouses. It is understood that at the ground floor level, the windows are secondary windows serving the kitchen and living rooms. The main windows to the kitchen and living room are on the opposite side of the building and will not be affected by the proposed development. At the first and second floor level, the rooms are dual aspect bedrooms with south and north facing windows. 25 rooms would experience a daylight distribution reduction that would be a major adverse impact. Where there is no overhang, the VSC would be 16% and where the overhang has been removed and the windows re-assessed, the VSC would be 17%. Noting the retained levels and the dual aspect, the impact is considered to be acceptable.

103 Copenhagen Street

- 17.44 The building is a block of flats on the southern side of Copenhagen Street at its junction with Leirum Lane. Messiter House is situated to the immediate south. This building would be replaced by block C6 which is of an equal height but slightly wider and built to the same footprint. This block has 44 windows serving 27 rooms which have been assessed. 24 of the 27 rooms have been considered to only be negligibly affected. The three rooms affected are bedrooms which the BRE offers less protection to. The VSC to these rooms are poor ranging from 7.6% to 12.2% and given the nature of the impact on this building, it is considered that on balance this is acceptable.

Phelps Lodge, 101 Copenhagen Street.

- 17.45 This building is situated directly to the north of Messiter House and suffers the same situational circumstances as 103 Copenhagen Street. Overall 52 windows serving 28 rooms have been assessed. These windows serve bedrooms, kitchens or secondary windows to Lounge/Diners. 24 rooms have a negligible impact and because of the difference between Messiter House and block C6 would endure an improvement in lighting conditions. The remaining four rooms experience a moderate adverse impact for VSC but a minor adverse impact for NSL. As such, the impact is considered to be acceptable.

51 – 59 Charlotte Terrace

- 17.46 This terrace of homes is situated on the cul-de-sac of Charlotte Terrace to the north of Copenhagen Street adjacent to Barnard Park. The southern flank elevation faces on to the site. Despite the small footprint of this development 48 windows serving 20 rooms have been assessed serving bedrooms, a study, kitchens and a living room. Only 1 room would suffer a moderate adverse impact. However, this room is served by five windows, of which four would have no adverse effect. As such, the impact is considered to be acceptable.

Regents Canal Boat Moorings

- 17.47 14 VSC assessments have been undertaken along the northern edge of the canal. The points have been located 1m above the water line and angle back by 10 degrees to replicate a typical narrowboat. The results show that 14 points have been assessed of which 5 would experience VSC reductions that are of a moderate adverse effect. The temporary nature of the moorings and the presence of deep foliage reduce the severity of the impact to a level considered acceptable.

Sunlight

- 17.48 Of the 553 residential rooms assessed for daylight, 325 rooms have at least one window that is orientated within 90 degrees of due south and have therefore been assessed for sunlight. Of the 325, 261 meet BRE guidelines.

105 Copenhagen Street

17.49 Five of the rooms have been assessed as having a major adverse effect through sunlight loss. All rooms apart from one will receive APSH of at least 15%, however, this room is situated in a half lightwell and will suffer loss due to its low level.

159 Caledonian Road

17.50 This property is located on the corner of Caledonian Road and Edward Square. There are 21 windows serving 9 rooms with 8 rooms requiring assessment for sunlight. Five of these rooms will endure reductions which are acceptable within BRE Guidelines. One room will suffer a moderate adverse effect. This is a bedroom and will enjoy 17% APSH which is considered acceptable, in this case.

163 and 183 Caledonian Road

17.51 These two properties are situated within the terrace on the western side of Caledonian Road. Each property contains two rooms for appraisal with one room suffering no impact and one suffering a major impact. The proposed development would give rise to a sunlight level marginally below the recommended level within the BRE guidelines of 25%. Noting the marginal extent of transgression this is considered acceptable.

112 – 130 Copenhagen Street

17.52 60 rooms have been assessed and 39 rooms will experience APSH reductions which are negligible. The remaining 21 rooms will suffer major impacts given that they are south facing towards the development. However, all rooms will retain at least 16% APSH which exceeds the target of 15%.

84 – 102 Copenhagen Street

17.53 The block consists of purpose built townhouses. It is understood that at the ground floor level, the windows are secondary windows serving the kitchen and living room. The main windows to the kitchen and living room are on the opposite side of the building and will not be affected by the proposed development. At first and second floor levels the windows serve dual aspect bedrooms so would not be affected. 48 rooms have been assessed. 31 rooms have negligible impact. Of the 17 remaining rooms, 11 have an APSH above 15%. It is the ground floor rooms within recessed elevations beneath an overhang which if absent would result in a BRE compliant 25% APSH. As such, the impact is considered to be acceptable.

103 Copenhagen Street

17.54 24 rooms out of 27 require assessment, and these rooms are served by 44 windows. 18 of these rooms would experience negligible reductions. The six remaining rooms experience a major adverse impact. The APSH exceeds 25% however, the impact is derived from failing the winter hours which should exceed 5%. However, of the six rooms, five are bedrooms which would not normally expect to be well lit in summer time. The failure in one other room is not considered to give rise to material harm.

Phelps Lodge.

17.55 52 windows serving 28 rooms have been assessed. 21 rooms experience negligible APSH alterations. The remaining 7 rooms endure moderate or major adverse reductions, however, these exceed 15% and are therefore considered to be acceptable in this respect.

51 – 59 Charlotte Terrace

17.56 The final dwellings for consideration for sunlight are the terrace of recently constructed purpose built townhouses facing towards Barnard Park. Out of 10 rooms assessed for sunlight, 8 are considered to suffer a negligible impact. The two remaining rooms benefit from 36% APSH but fail the winter sunlight hours and as a result unacceptable harm would not be considered to occur.

Overshadowing

- 17.57 With the exception of the front gardens along Charlotte Terrace to Copenhagen House, Payne House and Vittoria House, the sun on ground assessments show that each amenity space assessed will continue to enjoy good levels of sunlight above those suggested by the BRE guidelines or experience a small reduction within a 20% reduction so would be classified as negligible and not significant.
- 17.58 11 front gardens were requested for assessment by officers in Charlotte Terrace. These gardens were laid out to be open visually permeable spaces. However, it has been noted that some residents have constructed higher more solid fences inside the metal fence boundary to create more privacy. The results to Charlotte Terrace have demonstrated that six of these gardens retain good levels of sunlight on 21 March. The remaining five spaces will receive major reductions. It will take until 1 April for these five spaces to receive at least 2 hours in 50% of the space with 35% receiving two hours on the equinox. As a result, it is likely that unacceptable levels of sunlight will occur for 18 days per year. This gives rise to a degree of harm, however, it is considered that the margin of error of just over a week at either end of the year is not considered to be materially harmful to the scheme as a whole.

### Light Pollution

- 17.1 The commercial elements of the proposed development are located along Caledonian Road, the resident facilities within Block A10 and the proposed playgroup/nursery space within Block B9.
- 17.2 It is anticipated that the commercial uses along Caledonian Road are not going to operate in late use. The amount of light pollution that is likely to occur is therefore going to be limited. Whilst some additional light pollution is likely to occur if one of the units is regularly open after 11pm, the significance of any effect is considered low. This is because the Caledonian Road already has a number of retail/commercial spaces along its length and akin to a high street where higher levels of light pollution are expected. Any additional light pollution from a few additional commercial units that do open after 11pm will not therefore be significant.
- 17.3 The residential facilities within Block A10 are unlikely to be in constant use, but it is recognised that if used for meetings, or events that these could carry on after 11pm and therefore cause some light pollution. The frequency that the space is used after 11pm is however anticipated to be low. Any light pollution that does occur is only likely to affect Block D3 which does not have any residential uses at ground floor facing A10. The likely effect on any of the flats above, being further away in distance from the source of light pollution, is likely to be lower and unlikely to be significant. If notable levels of light pollution did occur, the use of blinds or curtains within the resident's facility space will mitigate this issue. This is therefore a matter than can be further considered when this part of the Proposed Development comes forward within a reserved matters application.
- 17.4 The playgroup/nursery proposed within the ground floor of Block B9 is very unlikely to be in use after 11pm. The likely significance of any effect is therefore considered to be negligible. If the space has another use, which is in operation after 11pm, it has the potential to cause some light pollution into the courtyard area to the north. However, how much light pollution will depend on the number of windows (if any) and light fittings used within the space which is currently unknown. If the detailed design does show that notable levels of light pollution could occur, the use of blinds or curtains will mitigate this issue. This is therefore a matter than can be further considered when this part of the proposed development comes forward within a reserved matters application.
- 17.5 Overall, the significance of any potential light pollution occurring from the commercial elements of the Proposed Development is considered negligible. If adverse effects did occur, they will be able to be mitigated to a negligible level through the detailed design of these spaces.
- 17.6 With regard to general lighting throughout the estate, this will be subject to a recommended conditions requiring details of light column/fixing layouts and lux levels associated.

### Noise and Disturbance

- 17.7 London Plan policy D14 (A) says that in order to reduce, manage and mitigate noise to improve health and quality of life, residential development proposals should manage noise by: 'mitigating and minimising

the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses’.

- 17.8 During construction works, existing residents surrounding the site and those living within completed phases of the development are likely to experience elevated noise levels. The implementation of noise and vibration control and management measures through a Construction Environmental Management Plan and compliance with the Code of Construction Practice will help to reduce the likelihood of noise disturbance to occupants of these properties. LBI’s Code of Practice for Construction Sites (CoPCS) advises that sites will be allowed to carry out noisy work between:
- 08:00 to 18:00 - Monday-Friday.
  - 08:00 to 13:00 – Saturdays.
- 17.9 No noisy works are to take place outside of these hours without prior permission (including Sundays and Bank Holidays). The CoPCS further states that if noise levels from a site are more than 10 dB(A) above the ‘background levels’ (LAeq,T), there will be significant effects and measures must be taken to reduce the noise. The development is largely residential, with some commercial floorspace proposed and non-residential elements have been designed to limit the impact on existing and future residents, though standard conditions will be applied to restrict noise emissions at operational phase.
- 17.10 The development will avoid significant adverse noise impacts on health and quality of life, whilst existing noise generating uses will not place unreasonable restrictions or impacts upon the development. Overall, the proposal is considered to meet London Plan policy D14; Islington Development Management policies DM3.7 & DM2.1
- 17.11 While construction impacts arising from a development are not on the whole a material planning consideration, a number of residential occupiers residing in properties neighbouring the site have raised concerns about the impacts on their lives from demolition and construction. Construction will result in noise, disturbance, dust and vibration impacts, all of which can be minimised if managed properly. The Construction and Environmental Management Plan (CEMP) and Environmental Statement submitted with the application explain the extent of these potential impacts and how they will be mitigated. Conditions will be required to provide further details of construction logistics and management.
- 17.12 With regard to commercial operations across the site, these are proposed to be limited to appropriate times by way of the conditions recommended in Appendix 1.
- 17.13 The proposed plant machinery at the site is also proposed to be subject to limitations on noise and usage. Conditions are recommended to secure this.
- 17.14 Finally, conditions are recommended regarding sound insulation within residential units to ensure these are at appropriate levels.

### Outlook

- 17.15 Outlook, sense of enclosure and over-dominance of buildings is often referred to and is cited within Policy DM2.1 as a material consideration. Given the relatively spacious layout and openness of estate edges and the fact some buildings are pulled in from the site boundary, the development of new buildings will undoubtedly affect the outlook for some neighbouring residents. However, the introduction of the proposed buildings is not considered to create an unusual or unreasonable relationship to surrounding properties in the estate or in the surrounding area.
- 17.16 With regard to the existing buildings on the site, an assessment of the relationship between these buildings is set out in the ‘Residential Quality’ section of this report. But it should be noted the proposed development is not considered to detrimentally impact the outlook or sense of enclosure experienced by occupiers of these properties.

## **18. QUALITY OF RESIDENTIAL ACCOMMODATION**

- 18.1 London Plan Policy D6 requires housing development to be of high-quality design and provide adequately-sized rooms (in accordance with Table 3.1 in the London Plan) with comfortable and functional layouts,

which are fit for purpose and meet the needs of Londoners without differentiating between tenures. The policy also requires qualitative aspects of a development to be addressed to ensure successful sustainable housing. Moreover, housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings.

- 18.2 Finally, the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 18.3 Islington's Core Strategy policy CS12 advises that to help achieve a good quality of life for Islington residents, residential space and design standards will be significantly increased and enhanced from their current levels. Development Management Policy DM3.4 sets out the detail of these housing standards. Policy DM3.4 (part D (i)) states that 'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated.
- 18.4 Emerging policy H4 (Delivering High Quality Housing) states that all new C3 housing developments must be designed and built to a high quality for the duration of its lifetime. A high quality dwelling is one which meets the criteria of local policy and the London Plan.

#### Unit Sizes and Internal Space Standards

- 18.5 Policy H1 of the London Plan states that housing development should be of high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose.
- 18.6 Policy DM3.4(B)(i) states that all new residential developments, conversions and extensions are required to meet or exceed the minimum space standards set out in the supporting text of the policy.
- 18.7 Emerging policy H4(c) states that residential development must meet or exceed the minimum space standards and address other requirements for private internal space as set out in the London Plan and the relevant Supplementary Planning Guidance.
- 18.8 The most up to date adopted standard for internal unit size standards are as follows as taken from table 3.1 of the London Plan (2021).
- 18.9 Of the 401 proposed new dwellings within the detailed element, with the exception of one, all units exceed the floor area standards. A proposed unit on the first floor of block D1 (Phase 3a, canalside) would have a floor area of 48.5sqm. This is a proposed social rent tenure unit arranged as a 1-bed, 2 person unit. This is the only unit within the detailed phase of this size and while this is regrettable, this is an isolated occurrence in the detailed phase and represents a very marginal area below the required floor area. Furthermore, in further developing detailed designs it is often the case that rationalisation of floorplates results in additional floorspace for units. The London Plan also advised that schemes which come forward for development should not be excessively oversized in order for developments to optimise the number of units. Taking into account the unit sizes within the detailed element, there is no overprovision of oversized units that would otherwise result in a delivery of further units. All units have a defined and acceptable level of storage.
- 18.10 The London Plan (2021) requires a minimum ceiling height of 2.5m for at least 75% of the gross internal area. The submitted cross sections for the application indicate that the proposed floor to ceiling height would be at least 2.5m generally across the detailed element. There is some variation with some buildings where this floor to ceiling heights are greater, at least 2.6m, in accordance with Local Plan requirements.
- 18.11 Due to the hybrid nature of the proposed development the applicant has not provided detail within the proposal of the likely unit sizes of any of the 513 units that would come forward as part of the outline element but has advised through the Design Code that units will meet or exceed the relevant standards at the time.

#### Aspect

- 18.12 London Plan policy D6(C) states that housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered that a more appropriate design solution to meet the requirements of Policy D3 than a dual aspect dwelling and it (a) has adequate passive ventilation, (b) adequate daylight and privacy and (c) avoids overheating.
- 18.13 Policy DM3.4 of the adopted local plan states that new residential units are required to provide dual aspect accommodation unless exceptional circumstances can be demonstrated. Where it is not possible, the design must demonstrate a good level of ventilation and daylight will be provided for each habitable room.
- 18.14 Emerging Policy H4 re-states policy DM3.4 but adds any single aspect units should not be predominantly north facing and should not face onto main roads or principal air, noise and vibration pollution sources.
- 18.15 The submission details that at least 80% of all units within the masterplan achieve dual aspect. The following is a consideration of the dual aspect distribution throughout the detailed element.

Block no	Total units	Dual aspect no.	Single aspect no.	Direction of single aspect units	Tenure
<b>A3</b>	30	28	2	South	Social rent
<b>B1</b>	31	27	4	West	Social rent
<b>B2</b>	38	27	11	South	Social rent
<b>B3</b>	22	18	4	East	Social rent
<b>B4</b>	5	5	0	N/A	Social rent
<b>C6</b>	52	34	18	South	Private sale
<b>C7</b>	33	22	11	South	Private sale
<b>C8</b>	34	23	11	East	Social rent
<b>C9</b>	38	33	5	South	Social rent
<b>D1</b>	30	29	1	Northwest	Social rent
<b>D2</b>	49	40	9	East	Private sale
<b>D3</b>	40	32	8	East	Private sale
<b>TOTALS</b>	402	318	84		

Table 15: Dual Aspect Units

- 18.16 The detailed element of the application provides for 318 (79%) dual aspect units. Some of these units also benefit from triple aspect. 84 (21%) of these units are single aspect, however, none of these are solely north facing. One unit in block D1, would face north west with the remainder principally orientated towards south, east and west. 190 social rent units would be dual aspect or better with 38 single aspect, while private sale units would be composed of 128 dual aspect units or better with 46 single aspect. The proposed development would have a better proportion of dual aspect to single aspect units.
- 18.17 None of the single aspect units in the detailed element would face onto key roads or significant sources of noise or air pollution. The applicant's detailed daylight and sunlight assessment indicates that the proposed development would not be undermined by the small proportion of its units being single aspect. In respect of overheating, the applicant has tested 51 apartments within the detailed element. All windows are manually openable; and utilising smaller areas of glazing the proposed development would (on the basis of 51 units, including south facing single aspect units) be sufficiently ventilated. However, in the event that there are elevated temperatures for a prolonged period, the scheme would have to rely on mechanical cooling.

#### Private Outdoor Space

- 18.18 London Plan policy D6 (Housing quality standards) underlines a minimum requirement for private open space for new units. Where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sq.m. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq.m. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.

- 18.19 Policy DM3.5 (Private outdoor space) states that all new development should provide good quality private outdoor space. The minimum requirement for private outdoor space is 5sq.m on upper floors and 15sq.m on ground floors for 1-2 person dwelling with 30sq.m for three to four person occupancy.
- 18.20 Policy H5 (Private outdoor space) of the emerging plan states that the minimum requirement for private outdoor space is 5sqm on upper floors and 15sqm on ground floors, for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required on upper floors and an extra 5sqm on ground floors.
- 18.21 Private amenity space within the development is provided through various means. These include projecting balconies and semi recessed balconies, defensive demarcated gardens at courtyard level and roof terraces. All units have an area of private open space. Where the 30sq.m ground floor guideline for larger units is applied, a large number of units fail this requirement. This is not required by the London Plan which is the most recent development plan document and in the context of a densely developed urban location with a flatted development, a pragmatic approach is required. Where ground floor gardens for courtyard level flats are provided, there would be a substantial reduction in the quantity of semi private courtyard open space. Where the 30sq.m guideline is not applied, it is considered that the proposed units within the development would be provided with sufficient external private amenity space.

### Privacy and Overlooking

- 18.22 Policy D3 (Optimising site capacity through the design-led approach) states at section 7 that development proposals should deliver appropriate outlook, privacy and amenity. Policy D6 (Housing quality and standards) states at Section C that development should demonstrate adequate privacy.
- 18.23 The Housing SPG (2016) sets out a number of housing design and quality standards linked to policies in the London Plan. Standard 28 states that design proposals should demonstrate how habitable rooms within each dwelling were provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces.
- 18.24 Policy DM2.1 (Design) of the adopted plan states that development proposals should provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 18.25 Emerging policy H4 (Delivering high quality housing) at Section H states that the future occupiers of proposed development should enjoy a good level of privacy and do not experience adverse impacts from overlooking.
- 18.26 Taking into account the masterplan layout and the ability of the scheme to maintain acceptable distances to existing townscape and fabric beyond the perimeter of the estate, the principal privacy and overlooking relationships will be expressed between proposed new blocks. Given the way that the layout, footprint and built envelope of the masterplan has been increased between the pre-ballot/pre-application and the submission, the ability to ensure privacy between new blocks once complete, and between new and yet-to-be-demolished blocks during construction will be challenging. With a phased construction programme and phased decant plan, it is essential, the amenity impacts are suitably managed.
- 18.27 Within Phase 1a of the proposed development programme, blocks A3, B1, B2 and B4 will be constructed. In order to facilitate the construction of this phase, Blackmore House, Mavor House and Jocelin House will need to be demolished. However, with the construction of the blocks listed above, the development will need to consider both the amenity impact generated by Ewen House and 105 Copenhagen Street.
- 18.28 With respect to block A3 and its relationship with Ewen House, the current built forms at Blackmore House and Mavor House are 38.5m and 26.5m distant from the rear of Ewen House. The latter faces on to the rear of Ewen House while Blackmore House lies perpendicular to Ewen House with a single column of windows in the flank elevation, presumably serving habitable room windows. Block A3 however will be approximately 16m distant from the rear of Ewen House. Following the redevelopment of phase 2, block A3 will be 11m away from the rear of block A2. With the exception of the ground floor and the mansard floor level, there are five windows on the western elevation facing the rear of Ewen House/Block A2. Two of these windows serve a kitchen and a combined lounge, kitchen and diner in two different flats. These

rooms each have more than one window orientated north and south respectively, meaning that there is scope for obscured glazing for the relevant windows on the west facing elevation. The remaining three windows in the elevation serve bedrooms. The rear of Ewen House currently includes three storeys of residential accommodation including a single storey beneath a duplex level of apartments served by deck access. The windows at the upper level currently serve habitable rooms. In the current configuration of buildings, prior to the implementation of phase 2, it is considered that the proposed development would not have any impact on future occupiers.

- 18.29 However, in the absence of detailed floorplans such as room uses and layouts for blocks in phase 2, it is not possible to make an entirely complete assessment of the overlooking and privacy conditions that would exist. Nevertheless, the proposed masterplan drawings indicate that block A3 would on its western elevation would principally face the lift and stair core within block A2. This would limit the extent and scale of the 11m separation conflict with the opportunity to obscure glaze the living room and kitchen windows on this elevation. However, the masterplan drawing for phase 2 indicates the presence of a single aspect balcony on the eastern elevation facing block A3, which means that external and accessible private amenity space would be situated 9m away from the elevation and window wall. This separation of 9m is unacceptable and would need an impact mitigation including obscure glazing windows on the west elevation of block A3.
- 18.30 At the front of block A3, the stair and lift core is recessed slightly behind the front elevation of the substantive building. On the middle floors, the bedrooms immediately adjacent to this core have facing opposing secondary windows to bedrooms with north facing windows. The opposing windows are 7.2m apart and would need to be obscure glazed. On the southern elevation of this block, the middle floors involve a projection with habitable room windows facing west and overlooking balconies. Balconies should be feature privacy screens to protect overlooking between balconies and from balconies to bedroom windows facing the balconies 10.5m away.
- 18.31 Jays Lane separates block A3 from the proposed new block B1. Window wall to window wall distances are generally 14m. There are some projecting balconies which reduce the distance from balcony to window or balcony to balcony to around 13m. While these facing windows would be across a highway, where the 18m facing window distances noted in the supporting text to Development Management Policy DM2.1 do not apply, the distances are considered to be marginally acceptable in the context of a densely developed residential area with no further room for tolerance.
- 18.32 Block B2 is also situated in Phase 1a and will be constructed adjacent to a building outside the site outline boundary which is known as 105 Copenhagen Street. This building was formerly a public house but has been converted into a block of flats. It's west facing elevations do not feature any windows below parapet level, although it does have small windows within a recess which are likely to serve non habitable rooms. The uppermost part of the building within the roofspace has also been converted into residential accommodation with larger windows serving habitable rooms. Block B2 is situated just over 6m from the flank of 105 Copenhagen Street. The dormer windows of concern at 105 Copenhagen Street are situated at the rear of the building and are at 4<sup>th</sup> storey level and as a result could have an impact for the southeast corner flat on the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors of block B2. There are two vulnerable windows serving a lounge, kitchen and dining room which are secondary openings to a south facing principle opening. There is also a single aspect, east facing bedroom window which would be affected by potential overlooking with loss of privacy. As a result, these windows will require either obscure glazing or high level opening.



Image 24: Relationship Between Block B2 and 105 Copenhagen Street

- 18.33 Block B2 forms the northern enclosure to semi private residents' courtyard. Appropriate distances are maintained across the courtyard with over 40m between B1 and B3 (east to west) and 23.5m from B4 to B2 (north to south). Within the quadrant, the principal overlooking conflict would be between the deck access walkways to blocks B1 and B3 at each end where the user of any deck would have the ability to have an angled view into the bedroom of the nearest adjoining flat. Any mitigation would need to involve screening along the edge of the deck access, which would be undesirable in so far as it might affect outlook and or daylight. All four blocks enclosing the quadrant accommodate social rent units.
- 18.34 Block B3 replaces Jocelin House and forms the western side of Leirum Lane. Just like Block B2, this building has the potential to have a privacy and overlooking conflict with the building at 105 Copenhagen Street as a result of the rear (southern) elevation windows. As a result of the proposed development, block B3 would be closer to the rear of B3 than the existing Jocelin House, with the separation reducing from 14.3m to 10.5m. Alterations were proposed to the layout arrangements for the northern end of block B3 facing 105 Copenhagen Street with the bedrooms and the living area (LKD) being relocated so that each of these rooms have primary outlook facing either east and west meaning that the north facing windows towards 105 Copenhagen Street can be obscure glazed.
- 18.35 Block C6 replaces Messiter House and while it is to be wider, the building will be no closer to 107 Copenhagen Street and Phelps Lodge than the current building and it will be shorter in height than the current building. And as per the current Messiter House siting, block C6 will remain 14.5m distant from the rear of Phelps Lodge which is situated to the north.

The current Messiter House features four layers of what appears to be duplex units with a rear facing deck access walkway and layers above of what appears to be habitable room windows, likely to be bedrooms. The windows in the southern elevation of Phelps Lodge serve bedrooms with one each for two bedrooms for two flats on each level. This elevation also features a further two secondary windows for kitchens which also face south. Two facing bathroom windows are obscure glazed.

- 18.36 The proposed layout of the building results in four flats per floor with windows (and balconies) that afford a view towards the rear of Phelps Lodge. The two nearest units are dual aspect in relation to the living spaces and open up on to balconies. The living spaces each have two north facing secondary windows while each unit has two bedrooms with a single window facing north. The balconies project sideways. Each end of the building features a single triple aspect unit with a north facing secondary bedroom window which can be obscure glazed. The relevant balcony for each of these units will face south.

- 18.37 103 Copenhagen Street, known as Parkview Apartments is situated at the junction of Leirum Street and Copenhagen Street. Like Phelps Lodge, this has windows facing south on to Messiter House which principally serve bedrooms at all levels with the exception of the uppermost floor which has windows serving a kitchen. As mentioned above, block C6 replaces Messiter House to the same northern extent in respect of its footprint, however, its width is proposed to extend further so that its western elevation aligns with the flank of 103 Copenhagen Street meaning that the unit on the southwest corner of 103 Copenhagen Street is now facing directly on the rear of a building which it did not previously do so. However, the 'wings' of block C6 are recessed from the principal building lines which means that there is a separation of over 16m from window wall to window wall which is considered to be acceptable. The ground floor however has private residents garden and a deeper projection for a bedroom at the rear. The boundary wall to this garden is now 14.5m to the rear of block C6. However, the separation distance is considered acceptable and no further mitigation is required.
- 18.38 While the proposed building relationship is not desirable given the separation distance, and the other noted concerns about outlook and sunlight, daylight and over shadowing, it is considered that in relation to Phelps Lodge at 101 Copenhagen Street and Parkview Apartments at 103 that there would be no material change in the level of harm that would be experienced by the occupiers of these buildings.
- 18.39 At the front (south side) of block C6 the apartment at each end of the block has a south facing balcony. However the elevation that this projects from is recessed from the principal southern elevation of this building. The floor plans indicate a window in the flank of the substantive building serving living space within the adjoining flats facing on to that balcony. These two windows should be obscure glazed.
- 18.40 Block C7 is proposed to be situated adjacent to Phelps Lodge and to the northeast of block C6. The western elevation of block C7 features windows to two flats, with one each being a bedroom and a kitchen. There are also two corner balconies. The balcony column at the southwest corner would be just 11m from the balcony at the northeastern corner of block C6. These balconies are vulnerable to cross overlooking between them and will require physical mitigation measures to prevent the impact reducing the quality of amenity that would otherwise be enjoyed through the use of the balcony.
- 18.41 The windows in the east elevation of Phelps Lodge are not obscure glazed. There is a habitable room window to habitable room window relationship that varies between 10m to 12.5m due to the buildings' orientations. As such, the spatial relationship between buildings would lead to a material shared harmful impact on privacy through overlooking, albeit some of the angles are somewhat oblique. While a group of mature trees is currently situated within the space that would be maintained between the two buildings, these cannot be considered as a mitigating measure in planning terms. While it is noted that these are both buildings for private sale units, a high quality amenity should be expected. A condition has been imposed which secures screening or the use of obscure glazing intends to mitigate this potential impact.
- 18.42 Within the outline element of the masterplan area, the proposed development would also give rise to a number of other privacy and overlooking pinchpoints. These include the relationships between C4 (outline) and detailed (C9) particularly in relation to balcony relationships. Of greater concern is the temporary relationship between blocks B7 and B8 in phase 1c and the retained Kenwick House in phase 3b where the distance between buildings will be approximately 11.5m. The prescribed schedule for the construction programme indicates that there would be approximately a period of a year where this relationship would exist noting that the decant programme would have begun in advance of this demolition process for Kenwick House. However, the views would be over a highway where the application of 18m separation distance is not considered to represent overlooking.
- 18.43 Finally, officers have concerns pertaining to the relationship between the rear of block A6 (replacing Ritson House on Caledonian Road) and the rear (or western) elevation of block A10 replacing Crispe House. This relationship is less than 7m and the indicative masterplan demonstrates that the orientation of units within these blocks would give rise to a cross overlooking impact between buildings. Officers will continue to work with the developers to ensure that the internal dwelling layouts do not give rise to overlooking concerns prior to the submission of each Reserved Matters Application.

#### Air Quality

- 18.44 All of the Borough is an Air Quality Management Area (AQMA). This designation has been applied due to the high traffic flows which give rise to concentrations of pollutants nitrogen dioxide (NO<sub>2</sub>) and fine particulates (PM<sub>10</sub>) that exceed the national, health based targets. The ES examines the likely impact of the development on air quality during construction and in its finished form.
- 18.45 Policy S11 (Improving air quality) of the 2021 London Plan states that development proposals should not lead to further deterioration of existing poor air quality, create new areas that exceed air quality limits or delay the date for local compliance, create unacceptable risk of high levels of exposure to poor air quality. In addition, developments should be at least air quality neutral. Air quality should be addressed through the scheme design and not through post design or retro fit measures. Masterplans for large scale development proposals accompanied by an Environmental Impact Assessment should consider an air quality positive approach. Air quality impact during construction should be reduced through demonstration of compliance with the non-road mobile machinery low emissions zone and follow best practice guidance.
- 18.46 Adopted Policy DM6.1 (Healthy Development) states that Developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits. Where adequate mitigation is not provided and/or is not practical planning permission may be refused. Developments should not cause significant harm to air quality, cumulatively or individually. Where modelling indicates significant harm would be caused this shall be fully addressed through appropriate mitigation.
- 18.47 Policy S7 (Improving Air Quality) of the emerging local plan states that all development proposals must mitigate or prevent adverse impacts on air quality and implement reasonable opportunities to improve air quality. Development that harms air quality will be refused. Developments in excess of 200 net additional residential units or 10,000sqm net additional gross external floorspace must be Air Quality Positive and implement measures on-site to actively reduce air pollution as far as possible.
- 18.48 Islington's Air Quality Strategy outlines the proposed actions in Islington to reduce air pollution and lower exposure to the main pollutants between 2019 and 2023. New developments must be designed, constructed and operated to limit their contribution to air pollution and improve local air quality as far as possible, and reduce the extent to which the public are exposed to poor air quality, including vulnerable people. Major developments, minor new build developments, and larger minor extensions must be at least Air Quality Neutral; this means that new development must not contribute to air pollution, or, if this is not possible, that any air polluting emissions are mitigated onsite. This will ensure that development does not worsen the air quality in the area in which it is located.
- 18.49 The GLA has identified specific AQFAs to assist boroughs with targeting air pollution hotspots as part of action planning. AQFAs are locations of high human exposure where national air quality objectives are exceeded and where currently planned measures to reduce air pollution may not fully resolve poor air quality issues. Several AQFAs are located in Islington, as identified in the London Plan (or in other published updated documentation). Developments proposed in areas that no longer exceed air quality limits due to improvements to air quality must not harm air quality and cause the area to return to poor air quality levels.
- 18.50 Emissions associated with the operation of developments are mainly caused by the use of natural gas in the form of gas boilers and gas engine CHP as the main heat source for space and water heating, which results in NO<sub>x</sub> emissions, with NO<sub>2</sub> in particular having a major impact on air pollution. Improvements to air quality can be achieved through the adoption of an integrated approach to energy supply which maximises both air quality and climate change benefits and ensures heating systems do not have a significant impact on local air quality. This will be achieved through the selection of heat sources that result in low or zero emissions of both carbon dioxide and NO<sub>x</sub>, in accordance with the heating hierarchy set out in Policy S5. In relation to air quality, low or zero emission heating and energy refers to the level of NO<sub>x</sub> emissions produced by a heating or energy system. Low-emission systems are those which inherently emit very low levels of NO<sub>x</sub>.
- 18.51 The air quality assessment is contained within the submitted and accompany Environmental Impact Assessment. Air quality issues associated with the construction phase and post development are set out in the Environmental Impact Statement.

- 18.52 A desktop study has been undertaken to define the baseline air quality conditions at and within the vicinity of the site. The baseline year corresponds with the most recent year that monitoring data is available from the LBI monitoring stations (2019). 2020 and 2021 data is not suitably representative due to COVID suppressed air pollution generating activity. The scheme documentation presents two future baseline years of 2030 to correspond to the completion of phases 1A, 1B, 1C, 2A and 2B and a second year of 2032 to correspond to the completion of the proposed development. Construction phase baselines are proposed to be captured for 2024 and 2030.
- 18.53 As detailed in the assessment of the Environmental Statement section of the report, mitigation during construction will be secured by way of recommended conditions. Furthermore, through the detailed design of the development and the recommended conditions, which relate to the detailed and outline phases, the development will be air quality positive.

#### Daylight, Sunlight and Overshadowing for Future Residents

- 18.54 London Plan Policy D6 states that the design of development should provide for sufficient daylight and sunlight to new housing that is appropriate for its context, while avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 18.55 Development Management policy DM3.4 requires all residential development to maximise natural light into rooms (subject to passive heating and cooling considerations). All dwelling should provide for direct sunlight to enter the main habitable rooms for a reasonable period of the day. Living areas, kitchen and dining space should preferably receive direct sunlight. The supporting text to this policy refers to the relevant BRE Guidance on this matter. Details of the relevant assessments within the BRE Guidelines are set out in the 'Neighbour Amenity' section of this report.

#### Updated BRE Guidance (June 2022)

- 18.56 In June 2022, the BRE published updated guidelines relating to daylight and sunlight. As such, the applicant submitted an updated report in October 2022 that is based on the updated BRE guidelines (2022) and captures the new Climate Based Daylight Modelling (CBDM) methodology and sunlight assessment that have been recently introduced. The design development of the scheme was undertaken over a number of years to seek compliance with the previous BRE guidelines (2011) and based on the ADF and APSH methodology which were relevant at the time of the submission. As the original scheme and the BRE guidelines have changed, an updated report has been prepared to cover the amendments.
- 18.57 The CBDM methodology replaces the Average Daylight Factor (ADF) methodology. The new methodology is a more complex simulation of actual daylight levels but has targets that are generally more difficult to achieve in an urban context. Whilst ADF has been superseded by the new CBDM methodology, the provision of ADF information is still an important tool for decision makers as a comparison and a benchmark.
- 18.58 The new CBDM methodology is based on the British Standard 'Daylight in Buildings' (BS EN17037). This contains advice and guidance on interior daylighting for all buildings across Europe but also has a UK National Annex which provides suggested targets for dwellings in the UK.
- 18.59 The CBDM methodology is based on target illuminances from daylight. This is the daylight illuminance (DI) to be achieved over half the area of the room (measured on a reference plane at table top level) for at least half of the daylight hours in a typical year. The calculations are based on weather data files which cover different regions of the UK. The calculations are done for each hour of the day for every day of the year. There are 8760 hours in the year of which 4380 are daylight hours and therefore the targets should be achieved for 2190 hours in the year. The methodology uses a more accurate sky model which simulates the movement of the sun throughout the day and accounts for the weather conditions at the time. As a result, CBDM accounts for the presence of sunlight and therefore the orientation of the rooms/windows is accounted for. A south facing room is likely to have access to higher levels of natural light than a north facing room and as a result in order to comply a north facing would typically need larger windows.
- 18.60 The UK National Annex gives illuminance recommendations of 100 Lux in bedrooms, 150 Lux in living rooms and 200 Lux in kitchens. These are media illuminances to be achieved over 50% of the assessment grid for at least half of the daylight hours.

- 18.61 Where the internal arrangements of the proposed habitable room are known, the Average Daylight Factor calculation can be undertaken. This calculation takes into account the size and shape of the room and window, the reflectance of the room's surfaces and diffuse transmittance of the glazing as well as the amount of blue sky calculated in the Vertical Sky Component calculation.
- 18.62 The previous BRE guidelines suggest that the following ADF values should be achieved for the following room types:
- Bedrooms - 1%
  - Living rooms – 1.5%
  - Kitchens and any room including a kitchen element – 2%
- 18.63 The ADF results are obtained for each room individually and expressed as a percentage. Where there are two or more windows serving one room, the ADF is found separately for each window, and the results summed.
- 18.64 The ADF calculation is designed to quantify the amount of daylight in a room as a whole and does not, therefore, illustrate the likely levels of daylight in the different areas of a large multi-use room. For example, there are a number of LKD's where the main living area is situated at the front of the room and the kitchen at the rear. The living room area may actually receive good levels of daylight which meet the suggested BRE thresholds whilst the kitchen at the rear may not.
- 18.65 The previous BRE guidelines suggest that where a window has glazing below the working plane an additional factor needs to be introduced. The previous BRE guidelines suggest that the lower part of the glazing should be treated as a separate window and the ADF from this 'separate window' should have the extra factor applied to it. The previous BRE guidelines suggest that the factor to take should be equal to the proposed floor finish reflectance. It is understood that the reflectance of the walls, ceilings and floors surfaces within the proposals are intended to be light colours. A value of 0.4 has therefore been used as the floor reflectance which is equivalent to a mid-reflectant finish such as a light timber veneer.
- 18.66 In conjunction with the ADF test the previous BRE guidelines suggest that the distribution of daylight is assessed using the No Sky Line (NSL) test. This test separates those areas of the working plane that can receive direct skylight and those that cannot.
- 18.67 When dealing with proposed properties the BRE guidelines suggest that a room should enjoy good levels of daylight distribution if 80% of the working plane is in front of the No-Sky Line. However, for urban areas, and in our experience, this is often not achieved. It is our professional opinion that for urban or built up areas that a target of 50% is more appropriate.
- 18.68 For new buildings, the BRE guidelines refer to BS EN 17037 which says that a space should receive a minimum of 1.5 hours of sunlight on a selected date between 1st February and 21st March with cloudless conditions. The BRE document suggests 21st March be used. For dwellings, at least one habitable room, preferably a main living room, should achieve at least this minimum criterion and that at least one main window faces within 90 degrees of south. Whilst BS EN 17037 applies to all orientations, the BRE guidelines say that if the room faces significantly north of due east or west, the criterion is unlikely to be met.
- 18.69 Where dwellings have a requirement for private amenity space and these are in the form of balconies, it must be acknowledged that this can have a limiting effect on the sunlight availability to rooms located beneath those balconies where the underside of the balcony structure blocks a portion of the sky dome when viewed from the centre of the window. This is particularly the case in larger developments within urban locations, where there is a likelihood that there will be a greater requirement for private amenity provision in the form of balconies and where buildings generally tend to be taller and in closer proximity to one another.
- 18.70 The Mayor of London's Housing Supplementary Planning Guidance (updated August 2017) refers to the availability of sunlight to new dwellings as follows: "*Standard 32 - All homes should provide for direct sunlight to enter at least one habitable room for part of the day. Living areas and kitchen dining spaces should preferably receive direct sunlight.*"

## Overshadowing

18.71 The BRE Guidelines suggest that where large buildings are proposed which may affect a number of gardens or open spaces, it is useful to plot a shadow plan to illustrate the location of shadows at different times of the day and year. For the purpose of this assessment the overshadowing was mapped for the following three key dates in the year:

- 21st March (Spring Equinox);
- 21st June (Summer Solstice); and
- 21st December (Winter Solstice).

September 21st (Autumn Equinox) provides the same overshadowing images as March 21st (Spring Equinox) as the sun follows the same path at these corresponding times of year.

18.72 Transient Overshadowing studies are provided within Appendix 12.14 (Existing vs. Proposed) and 12.25 (Existing vs. Cumulative) of the ES Chapter on Daylight, Sunlight and Overshadowing.

18.73 The sun on ground assessment is a more detailed test than the transient overshadowing assessment on a particular garden or amenity space. The test is designed to consider whether good levels of sunlight are likely to be enjoyed throughout the year.

18.74 The method for assessing sun on the ground is the 'sun-on-ground indicator'. The BRE Guidelines suggest that the Spring Equinox (March 21st) is a suitable date for the assessment. The Guidelines suggest that for a garden or amenity area to appear adequately sunlit throughout the year, no more than half (50%) of the area should be prevented by buildings from receiving 2 hours of sunlight on the 21<sup>st</sup> March.

## Daylight Assessment of Detailed Element

18.75 The updated and revised Daylight, Sunlight and Overshadowing Assessment was submitted in October 2022. The assessment provides an assessment of the daylight, sunlight and overshadowing amenity for future occupiers within the revised masterplan layout within both the detailed element and the outline element. The detailed elements within the hybrid have been subject to detailed testing, while the outline elements have been appraised for the purposes of this recommendation using spot check ADF assessments with VSC façade mapping. The outline elements will be subject to a detailed assessment at the point of their submission within Reserved Matters Applications

18.76 It should be noted that the detailed elements have been assessed on the basis of the completed scheme as underpinned by the masterplan and has not included the impacts generated by interim stages of the construction process with existing buildings yet to be demolished determining the results of the assessment.

18.77 The CBDM assessments indicate that within the proposed development, 73% of all rooms would meet a level of 150 Lux, noting that the revised BRE guidelines suggest an appropriate score of 100 Lux for bedrooms, 150 Lux for living rooms and 200 Lux for rooms which contain a kitchen. Where 150 Lux is the target for living rooms, the assessment provides the following results on an area by area, room use by room use basis:

INTERNAL ADF SUMMARY												
	BEDROOM			LKD / LD / LIVINGROOM / DINING			KITCHEN / KD			ALL ROOMS		
	Total	Passes	%	Total	Passes	%	Total	Passes	%	Total	Passes	%
Blocks D	197	176	89%	119	95	80%	29	21	72%	345	292	85%
Blocks C	268	236	88%	158	116	73%	9	6	67%	435	358	82%
Blocks B	227	141	62%	85	57	67%	60	26	43%	372	224	60%
Block A3	69	32	46%	30	19	63%	16	5	31%	115	56	49%
<b>TOTALS</b>	<b>761</b>	<b>585</b>	<b>77%</b>	<b>392</b>	<b>287</b>	<b>73%</b>	<b>114</b>	<b>58</b>	<b>51%</b>	<b>1267</b>	<b>930</b>	<b>73%</b>

Table: LUX Levels

18.78 These results are misleading and do not give an accurate representation of the actual likely daylight levels within the proposed development. As a result, a deeper more detailed assessment is required on a building by building basis.

Block A3

18.79 Block A3 is a social rent tenure building with 30 units, two of which are south facing and single aspect. The block is situated directly to the rear of a nine storey Caledonian Road frontage block. The table below details those rooms that fail relevant tests:

Table 1: Block A3		CBDM			VSC/ADF			
Room Window	Room Use	Target illuminance (Lux)	Median illuminance (lux)	Pass/fail	VSC (%)	ADF (%)	Target ADF (%)	Pass/Fail
<b>Ground floor</b>								
R2/1140	LKD	200	147.1	Fail	19.82	1.8	2.0	Fail
R3/1140	Bedroom	100	25	Fail	3.88	0.8	1.0	Fail
R5/1140	Kitchen	200	93	Fail	13.5	1.8	2.0	Fail
R6/1140	LD	150	119	Fail	31.22	2.4	2.0	Pass
R7/1140	Bedroom	100	58	Fail	12.2	1.7	1.0	Pass
R8/1140	Bedroom	100	38	Fail	11.54	1.6	1.0	Pass
<b>First floor</b>								
R1/1141	Bedroom	100	49	Fail	6.31	1.4	1.0	Pass
R2/1141	Bedroom	100	12	Fail	0.73	0.3	1.0	Fail
R3/1141	LKD	200	86.5	Fail	9.42	1.6	2.0	Fail
R5/1141	Kitchen	200	172	Fail	11.15	1.6	2.0	Fail
R7/1141	Bedroom	100	30	Fail	5.35	1.1	1.0	Pass
R8/1141	Bedroom	100	27	Fail	5.79	1.1	1.0	Pass
R9/1141	Bedroom	100	54	Fail	6.5	1.6	1.0	Pass
R10/1141	Kitchen	200	102	Fail	7.39	1.8	2.0	Fail
R11/1141	LD	150	130	Fail	32.44	2.4	1.5	Pass
R15/1141	Kitchen	200	116	Fail	16.07	2.1	2.0	Pass
R16/1141	Bedroom	100	84	Fail	14.84	2.6	1.0	Pass
R18/1141	Bedroom	100	40	Fail	12.47	1.6	1.0	Pass
R19/1141	Bedroom	100	46	Fail	11.47	1.9	1.0	Pass

R20/1141	LKD	200	22	Fail	10.4	0.7	2.0	Fail
<b>Second Floor</b>								
R1/1142	Bedroom	100	61	Fail	8.11	1.6	1.0	Pass
R2/1142	Bedroom	100	16	Fail	0.98	0.3	1.0	Fail
R3/1142	LKD	200	103	Fail	10.53	1.7	2.0	Fail
R5/1142	Kitchen	200	194	Fail	12.76	1.7	2.0	Fail
R7/1142	Bedroom	100	34	Fail	7.09	1.3	1.0	Pass
R8/1142	Bedroom	100	32	Fail	7.52	1.3	1.0	Pass
R9/1142	Bedroom	100	61	Fail	8.23	1.8	1.0	Pass
R10/1142	Kitchen	200	113	Fail	10.32	1.8	2.0	Fail
R15/1142	Kitchen	200	147	Fail	19.86	2.6	2.0	Pass
R16/1142	Bedroom	100	97	Fail	17.26	2.8	1.0	Pass
R17/1142	Bedroom	100	49	Fail	15.99	2.0	1.0	Pass
R18/1142	Bedroom	100	46	Fail	14.97	1.8	1.0	Pass
R19/1142	Bedroom	100	55	Fail	14.01	2.2	1.0	Pass
R20/1142	LKD	200	26	Fail	13.18	0.9	2.0	Fail
<b>Third Floor</b>								
R1/1143	Bedroom	100	92	Fail	10.21	1.8	1.0	Pass
R2/1143	Bedroom	100	19	Fail	1.29	0.4	1.0	Fail
R3/1143	LKD	200	119	Fail	11.73	1.8	2.0	Fail
R5/1143	Kitchen	200	218	Pass	14.76	1.9	2.0	Fail
R7/1143	Bedroom	100	44	Fail	9.43	1.5	1.0	Pass
R8/1143	Bedroom	100	40	Fail	9.79	1.5	1.0	Pass
R9/1143	Bedroom	100	74	Fail	10.46	2.1	1.0	Pass
R10/1143	Kitchen	200	132	Fail	13.1	2.1	2.0	Pass
R15/1143	Kitchen	200	179	Fail	23.37	2.9	2.0	Pass
R17/1143	Bedroom	100	63	Fail	18.99	2.2	1.0	Pass
R18/1143	Bedroom	100	61	Fail	18.06	2.0	1.0	Pass
R19/1143	Bedroom	100	72	Fail	17.22	2.5	1.0	Pass
R20/1143	LKD	200	38	Fail	16.81	1.0	2.0	Fail
<b>Fourth Floor</b>								
R1/1144	LKD	200	102	Fail	26.12	1.8	2.0	Fail
R2/1144	Bedroom	100	31	Fail	9.95	1.1	1.0	Pass
R7/1144	Bedroom	100	58	Fail	11.38	1.8	1.0	Pass
R8/1144	Bedroom	100	53	Fail	12.5	1.7	1.0	Pass
R9/1144	Bedroom	100	95	Fail	12.75	2.4	1.0	Pass
R10/1144	Kitchen	200	149	Fail	13.33	2.4	2.0	Pass
R17/1144	Bedroom	100	83	Fail	22.62	2.4	1.0	Pass
R20/1144	LKD	200	86	Fail	40.37	2.8	2.0	Pass
<b>Fifth Floor</b>								
R1/1145	LKD	200	158	Fail	36.85	2.9	2.0	Pass
R6/1145	Bedroom	100	87	Fail	16.77	2.1	1.0	Pass
R7/1145	Bedroom	100	74	Fail	16.89	2.0	1.0	Pass
R9/1145	Kitchen	200	176	Fail	19.68	2.7	2.0	Pass
<b>Sixth Floor</b>								
R5/1146	Bedroom	100	79	Fail	21.72	2.4	1.0	Pass

18.80 Taking into account the data set out in the comprehensive table of results for block A3, the following conclusions can be reached as set out in the summary table below:

Room use	Pass CBDM	Fail CBDM	Pass VSC	Fail VSC	Pass ADF	FAIL ADF
Bedroom	32 (47%)	36 (53%)	17 (25%)	51 (75%)	64 (94%)	4 (6%)
LD	14 (87%)	2 (13%)	11 (69%)	5 (31%)	16 (100%)	0 (0%)
Kitchen	5 (31%)	11 (69%)	1 (6%)	15 (94%)	10 (62%)	6 (38%)
LKD	4 (28%)	10 (72%)	6 (42%)	8 (58%)	6 (42%)	8 (58%)
<b>Total</b>	<b>55 (48%)</b>	<b>59 (52%)</b>	<b>35 (31%)</b>	<b>79 (69%)</b>	<b>96 (84%)</b>	<b>18 (16%)</b>

18.81 Block A3 is evenly balanced across room uses in relation to the revised CBDM modelling method and this reflects bedrooms. However, in relation to any room uses involving a kitchen, these do not meet the BRE guidelines for CBDM values. VSC performs poorly in comparison across room uses while ADF scores are highly positive showing a significant majority of rooms compliant, albeit with lower scores for living rooms including kitchens. VSC and ADF scores demonstrate a slight bias towards 'Fail' for rooms involving a kitchen. Notwithstanding the CDMS results, it is acknowledged that the ADF values are generally good across the block.

Block B1

18.82 Block B1 is a social rent tenure block of 31 units which is aligned north to south along the eastern side of Jays Lane. It includes a podium parking area beneath the courtyard to the immediate east, the entrance of which is within block B1. Four units within block B1 are single aspect west facing (on to the lanes).

18.83 The table below details those rooms that fail relevant tests:

Room/ Window	Room Use	CBDM			VSC/ADF			
		Target illuminance (Lux)	Median illuminance (lux)	Pass/fail	VSC (%)	ADF (%)	Target ADF (%)	Pass/Fail
<b>Ground floor</b>								
R1/1110	Bedroom	100	79	Fail	11.6	1.4	1.0	Pass
R4/1110	LKD	200	106	Fail	53.78	2.3	2.0	Pass
R5/1110	KD	200	34	Fail	16.63	1.3	2.0	Fail
R6/1110	KD	200	22	Fail	12.40	1.2	2.0	Fail
<b>First floor</b>								
R2/1111	Bedroom	100	10	Fail	0.24	0.2	1.0	Fail
R3/1111	Bedroom	100	62	Fail	13.57	1.7	1.0	Fail
R4/1111	Bedroom	100	14	Fail	0	0	1.0	Fail
R5/1111	LD	150	33	Fail	22.01	1.5	1.5	Pass
R6/1111	Bedroom	100	5	Fail	0	0	1.0	Fail
R7/1111	Bedroom	100	40	Fail	11.34	1.6	1.0	Pass
R8/1111	Bedroom	100	12	Fail	0	0	1.0	Fail
R9/1111	LKD	200	21	Fail	24.71	1.4	2.0	Fail
R10/1111	Bedroom	100	19	Fail	8.46	1	1.0	Pass
R11/1111	Bedroom	100	30	Fail	2.04	0.5	1.0	Fail
R12/1111	Living	150	121	Fail	6.25	1.8	1.5	Pass

R13/1111	Bedroom	100	38	Fail	0.97	0.4	1.0	Fail
R14/1111	Bedroom	100	40	Fail	11.03	1.4	1.0	Pass
R15/1111	Living	150	111	Fail	5.7	1.6	1.5	Pass
R16/1111	Bedroom	100	24	Fail	1.82	0.5	1.0	Fail
R17/1111	Bedroom	100	13	Fail	0.82	0.4	1.0	Fail
R20/1111	Kitchen	200	136	Fail	26.49	2.1	2.0	Pass
R21/1111	Living	150	105	Fail	3.5	1.4	1.5	Fail
<b>Second Floor</b>								
R2/1112	Bedroom	100	15	Fail	0.27	0.2	1.0	Fail
R3/1112	LD	150	50	Fail	31.04	1.7	1.5	Pass
R4/1112	Bedroom	100	10	Fail	0	0.0	1.0	Fail
R5/1112	LD	150	42	Fail	28.85	1.7	1.5	Pass
R6/1112	Bedroom	100	9	Fail	0	0.0	1.0	Fail
R7/1112	LD	150	39	Fail	26.93	1.7	1.5	Pass
R8/1112	Bedroom	100	8	Fail	0	0.0	1.0	Fail
R9/1112	LKD	200	33	Fail	31.31	1.7	2.0	Fail
R10/1112	Bedroom	100	53	Fail	24.82	2.1	1.0	Pass
R11/1112	Bedroom	100	62	Fail	12.23	1.9	1.0	Pass
R12/1112	KD	200	45	Fail	12.82	1.9	2.0	Pass
R13/1112	Living room	150	118	Fail	9	1.7	1.5	Pass
R14/1112	Bedroom	100	34	Fail	1.15	0.4	1.0	Fail
R15/1112	Kitchen	200	112	Fail	5.59	1.7	2.0	Fail
R16/1112	Bedroom	100	42	Fail	1.29	0.4	1.0	Fail
R17/1112	Kitchen	200	126	Fail	5.47	1.7	2.0	Fail
R18/1112	Bedroom	100	35	Fail	0.95	0.4	1.0	Fail
R19/1112	Kitchen	200	85	Fail	4.25	1.5	2.0	Fail
R20/1112	Bedroom	100	15	Fail	1.38	0.4	1.0	Fail
R23/1112	Kitchen	200	151	Fail	28.21	2.2	2.0	Pass
<b>Third Floor</b>								
R2/1113	Bedroom	100	17	Fail	0.32	0.2	1.0	Fail
R3/1113	LD	150	67	Fail	38.25	2.2	1.5	Pass
R4/1113	Bedroom	100	17	Fail	0.19	0.2	1.0	Fail
R5/1113	LD	150	72	Fail	37.81	2.0	1.5	Pass
R6/1113	Bedroom	100	16	Fail	0.24	0.2	1.0	Fail
R7/1113	LD	150	58	Fail	35.54	2.0	1.5	Pass
R8/1113	Bedroom	100	11	Fail	0.06	0.1	1.0	Fail
R9/1113	LKD	200	47	Fail	40.23	2.0	2.0	Pass
R10/1113	Bedroom	100	77	Fail	32.19	2.4	1.0	Pass
R12/1113	KD	200	94	Fail	15.50	2.0	2.0	Pass
R14/1113	Bedroom	100	53	Fail	2.43	0.6	1.0	Fail
R15/1113	Kitchen	200	167	Fail	8.36	2.1	2.0	Pass
R16/1113	Bedroom	100	57	Fail	2.36	0.6	1.0	Fail
R17/1113	Kitchen	200	158	Fail	7.47	2.0	2.0	Pass
R18/1113	Bedroom	100	48	Fail	1.82	0.5	1.0	Fail
R19/1113	Kitchen	200	109	Fail	5.62	1.7	2.0	Fail
R20/1113	Bedroom	100	21	Fail	1.93	0.6	1.0	Fail
R23/1113	Kitchen	200	160	Fail	29.42	2.2	2.0	Pass
<b>Fourth floor</b>								
R7/1114	Bedroom	100	30	Fail	0.76	0.3	1.0	Fail
R9/1114	LD	150	103	Fail	58.48	2.6	1.5	Pass

R13/1114	Bedroom	100	37	Fail	0.86	0.4	1.0	Fail
R15/1114	LD	150	121	Fail	45.8	2.6	1.5	Pass
R19/1114	Bedroom	100	35	Fail	0.85	0.4	1.0	Fail
R21/1114	LD	150	96	Fail	47.46	2.4	1.5	Pass
R25/1114	Bedroom	100	22	Fail	0.44	0.3	1.0	Fail
R28/1114	LKD	200	75	Fail	51.54	2.6	2.0	Pass
R36/1114	KD	200	116	Fail	19.46	2.3	2.0	Pass
R39/1114	Bedroom	100	71	Fail	3.80	0.7	1.0	Fail
R44/1114	Bedroom	100	80	Fail	3.76	0.7	1.0	Fail
R49/1114	Bedroom	100	65	Fail	2.96	0.7	1.0	Fail
R52/1114	Kitchen	150	143	Fail	1.79	2.0	2.0	Pass
R55/1114	Bedroom	100	31	Fail	2.51	0.6	1.0	Fail
<b>Fifth Floor</b>								
R9/1115	LKD	200	173	Fail	73.97	3.5	2.0	Pass
R11/1115	Bedroom	100	96	Fail	6.66	1.0	1.0	Pass
R15/1115	Bedroom	100	95	Fail	5.74	0.9	1.0	Fail
R16/1115	Kitchen	200	197	Fail	10.30	2.3	2.0	Pass
R17/1115	Bedroom	100	45	Fail	3.83	0.8	1.0	Fail
R20/1115	Kitchen	200	168	Fail	31.25	2.4	2.0	Pass

18.84 Taking into account the data set out in the comprehensive table of results for block B1, the following conclusions can be reached as set out in the summary table below:

Room use	Pass CBDM	Fail CBDM	Pass VSC	Fail VSC	Pass ADF	FAIL ADF
Bedroom	25 (36%)	<b>44 (64%)</b>	10 (15%)	<b>59 (85%)</b>	35 (51%)	34 (49%)
LD	9 (45%)	10 (55%)	17 (89%)	2 (11%)	19 (100%)	0 (0%)
Kitchen	6 (33%)	12 (67%)	5 (28%)	13 (72%)	14 (78%)	4 (22%)
LKD	0 (0%)	<b>6 (100%)</b>	5 (85%)	1 (15%)	4 (66%)	2 (34%)
KD	1 (16%)	5 (84%)	1 (15%)	5 (85%)	3 (50%)	3 (50%)
Living	3 (42%)	4 (58%)	1 (14%)	6 (86%)	6 (86%)	1 (14%)
<b>Total</b>	<b>44 (36%)</b>	<b>81 (64%)</b>	<b>39 (31%)</b>	<b>86 (69%)</b>	<b>81 (64%)</b>	<b>44 (36%)</b>

18.85 The results for block B1 indicate that the majority of the windows fail the new Climate Based Daylight Modelling. Bedrooms would be particularly affected with some bedrooms getting very little light under this model and would correspond to a score of zero for the older VSC and ADF tests. Living spaces are also generally failing and where a living area (lounge) forms a space of its own or within a combination, 63% of the rooms fail. Conversely, using the older ADF model, the majority of windows pass the relevant test with only bedrooms being problematic, albeit these have less requirement for natural light. Lounges forming a space of its own or as part of a combination would have an ADF pass rate of 90%.

#### Block B2

18.86 Block B2 is a social rent tenure block of 38 units which runs along Copenhagen Street and forms the northern side of the residents semi private courtyard. 11 of the 38 units are single aspect but south facing. This block is high performing in respect of the CBDM

18.87 The table below details those rooms that fail relevant tests:

Table 3: Block B2		CBDM			VSC/ADF			
Room Window	Room Use	Target illuminance (Lux)	Median illuminance (lux)	Pass/fail	VSC (%)	ADF (%)	Target ADF (%)	Pass/Fail
<b>First floor (7 out of 17)</b>								
R1/1101	Bedroom	100	22	Fail	6.53	1.2	1.0	Pass
R2/1101	Bedroom	100	20	Fail	6.08	1.1	1.0	Pass
R3/1101	Bedroom	100	30	Fail	6.85	1.2	1.0	Pass
R4/1101	KD	200	186	Fail	19.35	2.1	2.0	Pass
R6/1101	LKD	200	153	Fail	11.38	1.9	2.0	Fail
R8/1101	LKD	200	144	Fail	7.72	1.5	2.0	Fail
R14/1101	Kitchen	200	182	Fail	21.06	2.3	2.0	Pass
<b>Second floor (8 out of 21) Pass</b>								
R1/1102	Bedroom	100	76	Fail	5.97	1.0	1.0	Pass
R2/1102	Bedroom	100	96	Fail	30.10	2.3	1.0	Pass
R4/1102	Kitchen	200	108	Fail	12.26	2.1	2.0	Pass
R5/1102	Bedroom	100	28	Fail	10.68	1.6	1.0	Pass
R6/1102	Bedroom	100	28	Fail	10.29	1.6	1.0	Pass
R9/1102	LKD	200	183	Fail	13.33	2.0	2.0	Pass
R11/1102	LKD	200	170	Fail	14.03	2.1	2.0	Pass
R18/1102	Kitchen	200	199	Fail	22.95	2.2	2.0	Pass
<b>Third Floor (4 out of 21)</b>								
R4/1103	Kitchen	200	145	Fail	20.33	2.6	2.0	Pass
R5/1103	Bedroom	100	49	Fail	17.49	2.1	1.0	Pass
R6/1103	Bedroom	100	48	Fail	17.30	2.2	1.0	Pass
R11/1103	LKD	200	181	Fail	15.99	2.3	2.0	Pass

18.88 Out of 137 windows tested through the CBDM model, only 19 windows failed the relevant test. Of the 19 windows that failed this test, only two of these failed both VSC and ADF.

#### Block B3

18.89 Block B3 is a social rent tenure block of 21 units which runs south from Copenhagen Street along the western side of Leirum Lane and forms the eastern side of the residents semi private courtyard. 4 of the 21 units are single aspect and east facing. Compared to block B2, B3 this is a poorer performing building.

18.90 The table below details those rooms that fail relevant tests:

Table 4: Block B3		CBDM			VSC/ADF			
Room Window	Room Use	Target illuminance (Lux)	Median illuminance (lux)	Pass/fail	VSC (%)	ADF (%)	Target ADF (%)	Pass/Fail
<b>First floor</b>								
R2/1131	Bedroom	100	58	Fail	17.52	1.4	1.0	Pass
R3/1131	LD	150	78	Fail	10.99	1.5	1.5	Pass
R4/1131	Kitchen	200	144	Fail	29.62	2.7	2.0	Pass

R5/1131	Kitchen	200	159	Fail	31.5	2.9	2.0	Pass
R6/1131	Bedroom	100	48	Fail	13.67	1.4	1.0	Pass
R7/1131	Bedroom	100	47	Fail	12.35	1.6	1.0	Pass
<b>Second floor</b>								
R2/1132	Bedroom	100	54	Fail	4.96	0.8	1.0	Fail
R3/1132	Bedroom	100	47	Fail	3.69	0.7	1.0	Fail
R4/1132	Bedroom	100	65	Fail	14.06	1.5	1.0	Pass
R6/1132	LKD	200	69	Fail	41.67	2.1	2.0	Pass
R7/1132	Bedroom	100	32	Fail	0.85	0.4	1.0	Fail
R8/1132	Bedroom	100	90	Fail	18.51	2.0	1.0	Pass
R9/1132	Bedroom	100	21	Fail	0.98	0.4	1.0	Fail
R10/1132	LKD	200	131	Fail	75.31	2.9	2.0	Pass
<b>Third Floor</b>								
R2/1133	Kitchen	200	168	Fail	9.27	2.2	2.0	Pass
R3/1133	Bedroom	100	54	Fail	2.92	0.7	1.0	Fail
R5/1133	KD	200	156	Fail	19.91	2.4	2.0	Pass
R8/1133	LKD	200	103	Fail	42.87	2.1	2.0	Pass
R9/1133	Bedroom	100	37	Fail	1.13	0.4	1.0	Fail
R10/1133	LD	150	106	Fail	42.09	2.4	1.5	Pass
R11/1133	Bedroom	100	30	Fail	1.28	0.5	1.0	Fail
R12/1133	LKD	200	178	Fail	90.05	3.2	2.0	Pass
<b>Fourth Floor</b>								
R3/1134	Bedroom	100	80	Fail	4.34	0.8	1.0	Fail
R5/1134	KD	200	177	Fail	21.85	2.6	2.0	Pass
R8/1134	LKD	200	124	Fail	48.91	2.4	2.0	Pass
R9/1134	Bedroom	100	45	Fail	1.41	0.5	1.0	Fail
R10/1134	LD	150	129	Fail	48.43	2.7	1.5	Pass
R11/1134	Bedroom	100	39	Fail	1.58	0.5	1.0	Fail
<b>Fifth floor</b>								
R3/1135	Bedroom	100	103	Pass	5.83	0.9	1.0	Fail
R8/1135	LKD	200	154	Fail	55.58	2.6	2.0	Pass
R9/1135	Bedroom	100	59	Fail	1.83	0.5	1.0	Fail
R11/1135	Bedroom	100	50	Fail	1.95	0.6	1.0	Fail

18.91 Taking into account the data set out in the comprehensive table of results for block A3, the following conclusions can be reached as set out in the summary table below:

Room use	Pass CBDM	Fail CBDM	Pass VSC	Fail VSC	Pass ADF	FAIL ADF
Bedroom	26 (60%)	<b>17 (40%)</b>	17 (40%)	<b>26 (60%)</b>	30 (70%)	13 (30%)
LD	5 (63%)	3 (37%)	7 (87%)	1 (13%)	8 (100%)	0
Kitchen	5 (63%)	3 (37%)	4 (50%)	4 (50%)	8 (100%)	0
LKD	4 (40%)	<b>6 (60%)</b>	4 (40%)	6 (60%)	10 (100%)	0
KD	1 (33%)	2 (67%)	1 (33%)	2 (67%)	3 (100%)	0
Living	3 (100%)	0 (0%)	3 (100%)	0 (0%)	3 (100%)	0
<b>Total</b>	<b>44 (58%)</b>	<b>31 (42%)</b>	<b>36 (48%)</b>	<b>39 (52%)</b>	<b>62 (82%)</b>	<b>13 (18%)</b>

18.92 Block B3 is fairly balanced in the context of the CBDM modelling with a largely 50/50 result for rooms which involve a lounge on its own or part of grouped room uses. This is largely the same for the VSC test, although more bedrooms fail in block B3. However, in the context of the ADF test, the block performs much better, with all rooms apart from bedrooms passing the ADF test and only 13 bedroom transgress out of 43. Incidentally, these bedroom transgressions occur on all floors except for the uppermost floor. Finally, in relation to block B3, most of the transgressions on rooms occur to rooms which are behind recessed balconies.

Block B4

18.93 Block B4 is a three storey terrace of townhouses on the northern side of the mews. All units are in social rent tenure and all units are dual aspect. However, because of the presence of the parking podium and the residents' courtyard, the ground floor level is single aspect and south facing. As single dwelling houses, the layout has been optimised for light and activity. At ground floor level is the access, with kitchen and diner (KD). First floor has north facing lounge and two bedrooms with three more bedrooms and a south facing roof terrace. Given the presumption towards having active uses at the ground floor public facing interface, bedrooms which are less sensitive to poor light are less desirable. Dining rooms and kitchens or bathrooms are preferred. While better daylight than the results demonstrate would be desired, on balance it is considered that that the room uses here are more appropriate. Light is also further impacted by an overhang of the building mass above.

18.94 The table below details those rooms that fail relevant tests:

Table 5: Block B4		CBDM			VSC/ADF			
Room Window	Room Use	Target illuminance (Lux)	Median illuminance (lux)	Pass/fail	VSC (%)	ADF (%)	Target ADF (%)	Pass/Fail
<b>Ground floor</b>								
R1/1120	KD	200	22	Fail	9.46	1.8	2.0	Fail
R2/1120	KD	200	28	Fail	12.46	2.0	2.0	Pass
R3/1120	KD	200	30	Fail	14.21	2.0	2.0	Pass
R4/1120	KD	200	29	Fail	14.46	2.1	2.0	Pass
R5/1120	KD	200	24	Fail	12.36	1.8	2.0	Pass
<b>Second floor</b>								
R1/1121	Bedroom	100	36	Fail	9.99	1.4	1.0	Pass
R2/1121	Bedroom	100	33	Fail	9.24	1.2	1.0	Pass
R3/1121	Living room	150	76	Fail	11.85	2.5	1.5	Pass
R4/1121	Bedroom	100	50	Fail	11.71	1.6	1.0	Pass
R5/1121	Bedroom	100	43	Fail	12.37	1.5	1.0	Pass
R6/1121	Living room	150	87	Fail	14.02	2.8	1.5	Pass
R7/1121	Bedroom	100	44	Fail	11.85	1.6	1.0	Pass
R8/1121	Bedroom	100	48	Fail	13.75	1.5	1.0	Pass
R9/1121	Living room	150	93	Fail	14.66	2.8	1.5	Pass
R10/1121	Bedroom	100	39	Fail	10.67	1.5	1.0	Pass
R11/1121	Bedroom	100	52	Fail	13.55	1.5	1.0	Pass
R12/1121	Living room	150	97	Fail	13.82	2.7	1.5	Pass
R3/1121	Bedroom	100	28	Fail	8.26	1.2	1.0	Pass
R14/1121	Bedroom	100	52	Fail	11.81	1.4	1.0	Pass
R15/1121	Living room	150	83	Fail	10.84	2.3	1.5	Pass
<b>Third Floor</b>								
R2/1122	Bedroom	100	43	Fail	10.31	1.3	1.0	Pass

R5/1122	Bedroom	100	56	Fail	13.87	1.5	1.0	Pass
R8/1122	Bedroom	100	69	Fail	15.34	1.6	1.0	Pass
R11/1122	Bedroom	100	75	Fail	15.11	1.6	1.0	Pass
R14/1122	Bedroom	100	84	Fail	12.96	1.5	1.0	Pass
R15/1122	Bedroom	100	99	Fail	19.65	2.1	1.0	Pass

18.95 While the CBDM test demonstrates considerable failure throughout all rooms, the ADF tests and to some extent the VSC test, show that all rooms pass with the exception of one kitchen diner in one house. The results in this block are considered acceptable.

Block C6

18.96 Block C6 is situated on the north side of Pultney Park, occupying the footprint of the current Messiter House. To the north of this block is Phelps Lodge approximately 14m away and presenting a very similar spatial relationship to the current Messiter House. This building would provide a daylight obstruction to north facing windows on C6, noting that there are no single aspect units facing north. Within Pultney Park to the south, a number of trees would be removed with some new planting. The retained trees will affect light receipt to some of the lower level windows as will projecting balconies. In reviewing the CBDM results for block C6, there are limited fails throughout.

18.97 The table below details those rooms that fail relevant tests:

Table 6: Block C6		CBDM			VSC/ADF			
Room Window	Room Use	Target illuminance (Lux)	Median illuminance (lux)	Pass/fail	VSC (%)	ADF (%)	Target ADF (%)	Pass/Fail
<b>Ground floor (2 out of 6)</b>								
R2/1060	LKD	200	77	Fail	18.22	2.2	2.0	Pass
R5/1060	LKD	200	67	Fail	10.62	1.4	2.0	Fail
<b>First floor (12 out of 22)</b>								
R1/1061	LKD	200	186	Fail	33.22	2.3	2.0	Pass
R2/1061	Bedroom	100	74	Fail	14.54	2.2	1.0	Pass
R4/1061	LKD	200	100	Fail	49.26	2.3	2.0	Pass
R9/1061	LKD	200	66	Fail	38.43	1.9	2.0	Pass
R11/1061	Bedroom	100	82	Fail	12.62	2	1.0	Pass
R13/1061	LKD	200	191	Fail	26.77	2.7	2.0	Pass
R15/1061	LKD	200	133	Fail	20.60	2.5	2.0	Pass
R17/1061	LKD	200	137	Fail	20.88	2.5	2.0	Pass
R18/1061	Bedroom	100	82	Fail	12.78	1.1	1.0	Pass
R19/1061	LKD	200	129	Fail	20.72	2.5	2.0	Pass
R20/1161	Bedroom	100	76	Fail	12.44	1.1	1.0	Pass
R21/1161	LKD	200	116	Fail	20.22	2.4	2.0	Pass
<b>Second Floor (8 out of 22)</b>								
R2/1062	Bedroom	100	93	Fail	17.69	2.5	1.0	Pass
R4/1062	LKD	200	158	Fail	59.90	2.5	2.0	Pass
R9/1062	LKD	200	108	Fail	50.12	2.2	2.0	Pass
R14/1062	LKD	200	171	Fail	22.75	2.6	2.0	Pass
R16/1062	LKD	200	178	Fail	23.25	2.7	2.0	Pass
R18/1062	LKD	200	179	Fail	23.45	2.7	2.0	Pass
R20/1062	LKD	200	159	Fail	23.12	2.6	2.0	Pass

R22/1062	LKD	200	153	Fail	33.05	3.1	2.0	Pass
<b>Third Floor (2 out of 22)</b>								
R9/1063	LKD	200	169	Fail	61.62	2.5	2.0	Pass
R21/1063	LKD	200	185	Fail	25.18	2.8	2.0	Pass

18.98 Out of 129 windows tested in the block, 24 fail to meet the CBDM targets. Only one of these subsequently transgresses the VSC and ADF test. All of the remaining 128 either pass one or more of CBDM, VSC and ADF. The failing LKD is furthest from the open aspect at the western end of Pultney Park and is closest to retained mature trees. This is however a single aspect market sale unit, which is regrettable, but it is considered the wider performance of the block, is on balance acceptable.

#### Block C7

18.99 Block C7 is situated to the east of Phelps Lodge and its eastern end terminates a short distance to the northeast of C6.. This block also has a small number of failing rooms on CBDM including a high level east facing bedroom which is compromised by its orientation towards the adjoining mansard roof in block C8. Of 90 windows that are assessed in the block, 20 transgress the CBDM (21%). As per block C6, the transgressing CBDM windows are presented below along with their related VSC and ADF scores:

Table 7: Block C7		CBDM			VSC/ADF			
Room Window	Room Use	Target illuminance (Lux)	Median illuminance (lux)	Pass/fail	VSC (%)	ADF (%)	Target ADF (%)	Pass/Fail
<b>Ground floor (3 out of 9)</b>								
R2/1070	LKD	200	93	Fail	37.31	1.8	2.0	Pass
R8/1070	LKD	200	103	Fail	12.06	1.8	2.0	Fail
R5/1070	LKD	200	158	Fail	52.35	2.8	2.0	Pass
<b>First floor (5 out of 13)</b>								
R2/1071	LKD	200	123	Fail	44.15	2.2	2.0	Pass
R9/1071	Bedroom	100	28	Fail	6.97	1.0	1.0	Pass
R10/1071	Bedroom	100	58	Fail	9.1	1.5	1.0	Pass
R11/1071	LKD	200	112	Fail	10.12	1.9	2.0	Fail
R13/1071	LKD	200	140	Fail	11.9	1.8	2.0	Fail
<b>Second Floor (5 out of 13)</b>								
R2/1072	LKD	200	179	Fail	55.12	2.5	2.0	Pass
R9/1072	Bedroom	100	45	Fail	8.13	1.3	1.0	Pass
R10/1072	Bedroom	100	66	Fail	10.9	1.6	1.0	Pass
R11/1072	LKD	200	129	Fail	11.41	2.0	2.0	Pass
R13/1072	LKD	200	165	Fail	13.71	2.0	2.0	Pass
<b>Third Floor (4 out of 13)</b>								
R9/1073	Bedroom	100	55	Fail	9.46	1.4	1.0	Pass
R10/1073	Bedroom	100	85	Fail	13.21	1.8	1.0	Pass
R11/1073	LKD	200	152	Fail	12.91	2.1	2.0	Pass
R13/1073	LKD	200	190	Fail	15.77	2.2	2.0	Pass
<b>Fourth Floor (2 out of 13)</b>								
R9/1074	Bedroom	100	78	Fail	11.19	1.5	1.0	Pass
R11/1074	LKD	200	188	Fail	15.13	2.3	2.0	Pass
<b>Sixth Floor (1 out of 11)</b>								
R7/1076	Bedroom	100	31	Fail	5.77	1.5	1.0	Pass

18.100 Of the 20 rooms failing CBDM a further three go on to transgress VSC and ADF and do so marginally. These are all at the lower levels of the building and are closest to where the building joins block C8 which runs along Charlotte Terrace. Out of 90 windows assessed, the level of failure is not considered to be materially harmful to the quality of amenity.

Block C8

18.101 Block C8 runs along Charlotte Terrace. Its principal outwards facing elevation is orientated east south east and is situated directly opposite the five storey buildings of Old Barnsbury. Despite the east facing direction on to a street, a number of habitable rooms facing on to Charlotte Terrace demonstrate transgressions. 118 windows within the block have been assessed. The rooms transgressing guidelines are set out below.

Table 8: Block C8		CBDM			VSC/ADF			
Room Window	Room Use	Target illuminance (Lux)	Median illuminance (lux)	Pass/fail	VSC (%)	ADF (%)	Target ADF (%)	Pass/Fail
<b>Ground floor (4 out of 9)</b>								
R1/1080	KD	200	71	Fail	12.92	1.4	2.0	Fail
R2/1080	Livingroom	150	105	Fail	3.75	1.6	1.5	Pass
R4/1080	Bedroom	100	99	Fail	16.46	1.8	1.0	Pass
R9/1080	LKD	200	59	Fail	3.29	0.9	2.0	Fail
<b>First floor (6 out of 16)</b>								
R2/1081	Living room	150	130	Fail	4.68	1.8	1.5	Pass
R6/1081	Bedroom	100	55	Fail	12.30	1.1	1.0	Pass
R11/1081	LKD	200	108	Fail	28.32	2.0	2.0	Pass
R12/1081	Bedroom	100	92	Fail	20.79	2.3	1.0	Pass
R13/1081	LKD	200	94	Fail	26.67	1.9	2.0	Fail
R16/1081	LKD	200	62	Fail	5.28	1.1	2.0	Fail
<b>Second Floor (4 out of 16)</b>								
R6/1082	Bedroom	100	75	Fail	14.25	1.4	1.0	Pass
R11/1082	LKD	200	139	Fail	16.72	2.3	2.0	Pass
R13/1082	LKD	200	126	Fail	16.09	2.2	2.0	Pass
R16/1082	LKD	200	94	Fail	7.60	1.3	2.0	Fail
<b>Third Floor (4 out of 16)</b>								
R6/1083	Bedroom	100	89	Fail	16.26	1.5	1.0	Pass
R11/1083	LKD	200	181	Fail	19.66	2.5	2.0	Pass
R13/1083	LKD	200	181	Fail	19.24	2.5	2.0	Pass
R16/1083	LKD	200	135	Fail	9.89	1.6	2.0	Fail
<b>Fourth Floor (1 out of 16)</b>								
R16/1084	LKD	200	179	Fail	12.11	1.8	2.0	Fail
<b>Fifth Floor (1 out of 16)</b>								
R16/1085	LKD	200	151	Fail	9.10	1.5	2.0	Fail
<b>Sixth Floor (1 out of 13)</b>								
R3/1086	Kitchen	200	184	Fail	24.98	2.0	2.0	Pass
<b>Seventh Floor (1 out of 7)</b>								
R7/1087	LKD	200	150	Fail	13.13	1.4	2.0	Fail

18.102 22 out of 138 windows fail the CBDM test. Of these 22, 9 fail VSC and ADF, all of which are LKD arrangements and 2 of these are marginal fails. Unusually, there are fails on the fourth floor and above.

These are caused variably by recessed dormers and recessed openings to the room at the 7<sup>th</sup> floor. At the southern end of the block, the proximity to block C9 also has an impact while lower floor fails are caused by the location of balconies above the relevant window.

Block C9

18.103 Block C9 follows a similar orientation to block C8 along Charlotte Terrace and is subject to the same environmental and contextual impacts that influence daylight and sunlight receipt with respect to the proximity of Old Barnsbury blocks and block C8 to the north and C4 to the south. Part of the block also projects westwards and faces on to Pultney Park. Lower levels may be impacted by retained trees within this park. 104 windows are assessed within the block. The data suggests a greater impact at the lower levels which responds to the relationship to buildings and trees, while the uppermost levels are affected by adjoining mansards.

18.104 The table below details those rooms that fail relevant tests:

Table 9: Block C9		CBDM			VSC/ADF			
Room Window	Room Use	Target illuminance (Lux)	Median illuminance (lux)	Pass/fail	VSC (%)	ADF (%)	Target ADF (%)	Pass/Fail
<b>Ground floor (8 out of 13)</b>								
R1/1090	Bedroom	100	49	Fail	8.74	1.4	1.0	Pass
R3/1090	LKD	200	101	Fail	23.78	1.9	2.0	Fail
R5/1090	LKD	200	93	Fail	23.24	1.6	2.0	Fail
R6/1090	Bedroom	100	44	Fail	13.59	1.4	1.0	Pass
R7/1090	LKD	200	98	Fail	7.06	1.6	2.0	Fail
R8/1090	Bedroom	100	93	Fail	11.85	1.7	1.0	Pass
R9/1090	LKD	200	29	Fail	2.97	0.5	2.0	Fail
R12/1090	LKD	200	158	Fail	20.73	1.8	2.0	Fail
<b>First floor (8 out of 16)</b>								
R1/1091	Bedroom	100	56	Fail	11.33	1.6	1.0	Fail
R3/1091	LKD	200	105	Fail	25.91	1.8	2.0	Fail
R5/1091	LKD	200	111	Fail	27.12	1.7	2.0	Pass
R6/1091	Bedroom	100	54	Fail	15.79	1.5	1.0	Pass
R7/1091	LKD	200	123	Fail	8.16	1.7	2.0	Fail
R9/1091	LKD	200	28	Fail	4.68	0.6	2.0	Fail
R15/1091	LKD	200	74	Fail	9.35	1.7	2.0	Fail
R16/1091	Bedroom	200	43	Fail	10.13	1.5	1.0	Pass
<b>Second Floor (8 out of 16)</b>								
R1/1092	Bedroom	100	56	Fail	14.76	1.9	1.0	Pass
R3/1092	LKD	200	147	Fail	29.68	2.1	2.0	Pass
R5/1092	LKD	200	137	Fail	31.97	1.9	2.0	Pass
R6/1092	Bedroom	100	64	Fail	18.26	1.6	1.0	Pass
R7/1092	LKD	200	150	Fail	9.37	1.9	2.0	Fail
R9/1092	LKD	200	40	Fail	7.02	0.7	2.0	Fail
R15/1092	LKD	200	106	Fail	10.59	1.8	2.0	Fail
R16/1092	Bedroom	200	73	Fail	13.55	1.8	1.0	Pass
<b>Third Floor (7 out of 16)</b>								
R3/1093	LKD	200	171	Fail	33.23	2.4	2.0	Pass
R5/1093	LKD	200	175	Fail	26.78	2.1	2.0	Pass

R6/1093	Bedroom	100	82	Fail	20.93	1.8	1.0	Pass
R7/1093	LKD	200	175	Fail	10.58	2.0	2.0	Pass
R9/1093	LKD	200	58	Fail	9.4	0.9	2.0	Fail
R15/1093	LKD	200	136	Fail	13.36	2.0	2.0	Pass
R16/1093	Bedroom	100	79	Fail	17.83	2.1	1.0	Pass
<b>Fourth Floor (4 out of 16)</b>								
R3/1094	LKD	200	194	Fail	37.52	2.6	2.0	Pass
R7/1094	LKD	200	197	Fail	11.75	2.2	2.0	Pass
R9/1094	LKD	200	84	Fail	11.75	1.0	2.0	Fail
R15/1094	LKD	200	191	Fail	17.79	2.4	2.0	Pass
<b>Fifth Floor (1 out of 16)</b>								
R9/1095	LKD	200	71	Fail	9.09	0.8	2.0	Fail
<b>Sixth Floor (1 out of 11)</b>								
R5/1096	Bedroom	100	86	Fail	21.41	1.9	1.0	Pass

18.105 37 windows and rooms failed the CBDM test, with 16 of these also transgressing the VSC and ADF test, meaning that around 15% of the rooms within Block C9 have transgressed each daylight assessment. Five more of these 16 are marginal transgressions. The comprehensive harms are most pronounced at the ground, first and second floors within some under performances compared to the guidelines.

#### Canal Blocks

18.106 Moving on to the canal side blocks, these are a very different type of built form. These are detached blocks with substantial space between them. They are also sufficiently distant from other blocks within the masterplan. As the tallest buildings within the masterplan, much more of the buildings would be uncompromised by lower level structures and other features. Nevertheless, trees on the southern fringe of the site adjacent to the canal will potentially have an impact on the southern facing rooms and windows at the lower levels.

#### Block D1

18.107 Starting with block D1, which is a social rent tenure block, the layout has been designed to maximise aspect and exposure to daylight and sunlight. There are 115 rooms of which 22 rooms would transgress the CBDM test. The overwhelming majority of these rooms and windows face west on to the neighbouring detached tower block. The results are presented below setting out the expressed fails from CBDM, with additional VSC and ADF scores.

18.108 The table below details those rooms that fail relevant tests:

Room Window	Room Use	CBDM			VSC/ADF			
		Target illuminance (Lux)	Median illuminance (lux)	Pass/fail	VSC (%)	ADF (%)	Target ADF (%)	Pass/Fail
<b>Ground floor (2 out of 4)</b>								
R1/1040	Bedroom	100	98	Fail	14.35	1.6	1.0	Pass
R3/1040	LKD	200	176	Fail	33.86	1.9	2.0	Fail
<b>First floor (4 out of 15)</b>								
R1/1041	Kitchen	200	93	Fail	15.32	1.6	2.0	Fail
R2/1041	Bedroom	100	68	Fail	14.65	1.3	1.0	Pass
R3/1041	Bedroom	100	61	Fail	33.03	2.9	1.0	Pass
R4/1041	LKD	200	120	Fail	18.6	1.2	2.0	Fail

<b>Second Floor (5 out of 16)</b>								
R2/1042	Bedroom	100	96	Fail	16.43	1.6	1.0	Pass
R3/1042	Bedroom	100	87	Fail	15.78	1.6	1.0	Pass
R4/1042	Bedroom	100	70	Fail	17.31	1.6	1.0	Pass
R5/1042	Kitchen	200	97	Fail	20.09	2.5	2.0	Pass
R6/1042	LD	150	130	Fail	26.62	2.0	1.5	Pass
<b>Third floor (4 out of 16)</b>								
R3/1043	Bedroom	100	94	Fail	17.07	1.7	1.0	Pass
R4/1043	Bedroom	100	80	Fail	18.87	1.7	1.0	Pass
R5/1043	Kitchen	200	103	Fail	21.71	2.6	2.0	Pass
R6/1043	LD	150	143	Fail	28.53	2.1	1.5	Pass
<b>Fourth floor (3 out of 16)</b>								
R3/1044	Bedroom	100	99	Fail	18.63	1.8	1.0	Pass
R4/1044	Bedroom	100	87	Fail	20.63	1.8	1.0	Pass
R5/1044	Kitchen	200	116	Fail	23.44	2.7	2.0	Pass
<b>Fifth floor (2 out of 16)</b>								
R4/1045	Bedroom	100	96	Fail	22.55	1.9	1.0	Pass
R5/1045	Bedroom	200	128	Fail	25.23	2.9	2.0	Pass
<b>Sixth floor (1 out of 16)</b>								
R5/1046	Kitchen	200	148	Fail	27.16	3.0	2.0	Pass
<b>Seventh floor (1 out of 16)</b>								
R5/1047	Kitchen	200	171	Fail	29.25	3.2	2.0	Pass

18.109 Of the 22 rooms tested, only three of these transgress VSC and ADF tests. Two of these three are marginal fails. One LKD fails considerably which is located on the first floor, While the transgressions weigh against the proposals, the concentration of fails in block D1 is not considered to be materially harmful to the scheme.

#### Block D2

18.110 Block D2 is a private sale block situated centrally within the group of three detached tower blocks. This is the tallest building of the three and constitutes a tall building. It is subject to the similar environmental context to D1, however, it is situated on a lower land level than block D1 which falls from east to west. There are five flats per floor within block D2 and giving rise to a larger number of rooms and windows to be tested. 22 out of 138 rooms transgress the CBDM test and reflect the presence of similar buildings to the east and west within the canalside area in phase 3a. The results are set out below:

Table 11: Block D2		CBDM			VSC/ADF			
Room Window	Room Use	Target illuminance (Lux)	Median illuminance (lux)	Pass/fail	VSC (%)	ADF (%)	Target ADF (%)	Pass/Fail
<b>Ground floor (2 out of 6)</b>								
R1/1020	LKD	200	182	Fail	39.96	2.1	2.0	Pass
R3/1020	Bedroom	100	76	Fail	16.87	1.2	1.0	Pass
<b>First floor (6 out of 12)</b>								
R1/1021	Kitchen	200	80	Fail	16.94	1.6	2.0	Fail
R2/1021	Bedroom	100	82	Fail	15.79	1.3	1.0	Pass
R4/121	LKD	200	118	Fail	36.54	2.3	2.0	Pass
R6/1121	LKD	200	147	Fail	34.66	2.4	2.0	Pass
R8/1021	LKD	200	62	Fail	5.78	1.0	2.0	Fail

R9/1021	Bedroom	100	88	Fail	17.91	1.5	1.0	Pass
<b>Second floor (5 out of 13)</b>								
R2/1022	Bedroom	100	74	Fail	17.56	1.6	1.0	Pass
R4/1022	LKD	200	106	Fail	39.16	1.7	2.0	Fail
R7/1022	LKD	200	165	Fail	38.52	2.5	2.0	Pass
R9/1022	LKD	200	66	Fail	6.12	1.0	2.0	Fail
R10/1022	Bedroom	100	97	Fail	19.12	1.6	1.0	Pass
<b>Third floor (4 out of 13)</b>								
R2/1023	Bedroom	100	83	Fail	19.67	1.7	1.0	Pass
R4/1023	LKD	200	125	Fail	44.63	1.9	2.0	Fail
R7/1023	LKD	200	181	Fail	42.88	2.7	2.0	Pass
R9/1023	LKD	200	71	Fail	6.51	1.1	2.0	Fail
<b>Fourth floor (3 out of 13)</b>								
R2/1024	Bedroom	100	86	Fail	22.07	1.8	1.0	Fail
R4/1024	LKD	200	146	Fail	50.53	2.2	2.0	Pass
R9/1024	LKD	200	77	Fail	7.20	1.1	1.0	Fail
<b>Fifth floor (2 out of 13)</b>								
R4/1025	LKD	200	169	Fail	56.85	2.4	2.0	Pass
R9/1025	LKD	200	85	Fail	8.75	1.2	2.0	Fail
<b>Sixth floor (1 out of 13)</b>								
R9/1026	LKD	200	101	Fail	11.03	1.4	2.0	Fail
<b>Seventh floor (1 out of 13)</b>								
R9/1027	LKD	200	128	Fail	13.81	1.6	2.0	Fail
<b>Eighth floor (1 out of 13)</b>								
R9/1028	LKD	200	183	Fail	16.63	1.8	2.0	Fail

18.111 Out of the 25 transgressions units, 12 also fail VSC and ADF tests. Three of these 12 are marginal fails. As stated above, the principal transgressions are within the flanks of the building and are therefore affected by the presence of a similar tower block to both east and west.

Block D3

18.112 Block D3 is the most westerly of the tower blocks and is of private sale tenure. It has no built form within the masterplan area to its west. Its nearest neighbour is a two storey church hall at the junction of Carnegie Street and Caledonian Road. 19 rooms are seen to transgress the CBDM out of 103 tested. The results for CBDM and VSC and ADF are set out below.

Table 12: Block D3		CBDM			VSC/ADF			
Room Window	Room Use	Target illuminance (Lux)	Median illuminance (lux)	Pass/fail	VSC (%)	ADF (%)	Target ADF (%)	Pass/Fail
<b>Ground floor (2 out of 6)</b>								
R2/1000	LKD	200	58	Fail	4.56	0.9	2.0	Fail
R3/1000	Bedroom	100	73	Fail	14.61	1.3	1.0	Pass
<b>First floor (3 out of 12)</b>								
R6/1001	LKD	200	145	Fail	31.56	2.2	2.0	Pass
R8/1001	LKD	200	57	Fail	4.81	0.9	2.0	Fail
R9/1001	Bedroom	100	82	Fail	15.46	1.4	1.0	Pass
<b>Second Floor (4 out of 13)</b>								

R4/1002	LKD	200	183	Fail	56.15	2.1	2.0	Pass
R7/1002	LKD	200	157	Fail	33.79	2.4	2.0	Pass
R9/1002	LKD	200	60	Fail	5.06	0.9	2.0	Fail
R10/1002	Bedroom	100	86	Fail	16.41	1.4	1.0	Pass
<b>Third floor (4 out of 13)</b>								
R4/1003	LKD	200	195	Fail	59.50	2.2	2.0	Pass
R7/1003	LKD	200	172	Fail	36.77	2.4	2.0	Pass
R9/1003	LKD	200	65	Fail	5.3	1.0	2.0	Fail
R10/1003	Bedroom	100	92	Fail	17.44	1.5	1.0	Pass
<b>Fourth floor (2 out of 13)</b>								
R7/1004	LKD	200	164	Fail	40.26	2.6	2.0	Pass
R9/1004	LKD	200	69	Fail	5.54	1.0	2.0	Fail
<b>Fifth floor (2 out of 13)</b>								
R9/1005	LKD	200	77	Fail	5.86	1.0	2.0	Fail
<b>Sixth floor (1 out of 13)</b>								
R9/1006	LKD	200	85	Fail	6.81	1.1	2.0	Fail
<b>Seventh floor (1 out of 13)</b>								
R9/1007	LKD	200	125	Fail	19.61	2.1	2.0	Pass

18.113 Of the 19 rooms transgressing CBDM, 7 also fail VSC and ADF tests. The most common point of failure is LKD rooms facing east towards tower D2 located on the flank.

#### Daylight Conclusions – Detailed Elements

18.114 The data above demonstrates that where there may be significant failings across all buildings from the CBDM test, these are mitigated through the VSC and ADF in many cases. This is especially the case in buildings in block A3 and in B1, B2 and B3 where the overwhelming number of fails in CBDM are removed through the VSC and ADF test. 1137 windows have been considered within the detailed phase and 131 windows have been found to fail the CBDM, VSC and ADF which constitutes around 11%. Of these 131 windows, 56 are LKDs. While policy requires a consideration against the current guidelines, the comparative exercise between CBDM and VSC/ADF suggests that the latter tests have merit in illustrating that the development in the detailed form will benefit from suitable levels of daylight to windows, rooms and units. The presentation of the data above suggests that daylight to the rooms of future occupiers within the detailed element is considered to be acceptable.

#### Daylight Assessment of Outline Element

18.115 In respect of the outline element, the applicants have provided an assessment of selected windows and rooms across the rest of the masterplan area demonstrating a wide range of different values for CBDM and VSC/ADF. Generally, the values are worse for units to the west closest to Caledonian Road and better for those blocks to the southeast around Carnegie Street and Charlotte Terrace. The results are presented as follows:

Table 13: Site – wide  
(outline)

		CBDM			VSC/ADF			
Room Window	Room Use	Target illuminance (Lux)	Median illuminance (lux)	Pass/fail	VSC (%)	ADF (%)	Target ADF (%)	Pass/Fail
<b>Block A1 (Facing Caledonian Road)</b>								
R1/2011	LKD	200	51.1	Fail	10.11	1.6	2.0	Fail
R2/2011	Bedroom	100	26.3	Fail	9.75	1.1	1.0	Pass

R1/2012	LKD	200	69.7	Fail	13.38	1.8	2.0	Fail
R2/2012	Bedroom	100	51.9	Fail	13.60	1.3	1.0	Pass
<b>Block A2 (Facing Caledonian Road)</b>								
R1/2021	LKD	200	55.4	Fail	10.84	1.7	2.0	Fail
R2/2021	Bedroom	100	19.9	Fail	6.50	0.9	1.0	Fail
R1/2022	LKD	200	76.2	Fail	12.65	1.8	2.0	Fail
R2/2022	Bedroom	100	25.3	Fail	8.87	1	1	Pass
<b>Block A4 (Jays Lane East Facing)</b>								
R1/2000	LKD	200	36.4	Fail	0.17	0.2	2.0	Fail
R2/2000	Kitchen	200	29.8	Fail	14.17	1.4	2.0	Fail
R1/2001	Bedroom	100	36	Fail	10.26	1.4	1.0	Pass
R2/2001	Bedroom	100	7.7	Fail	0	0	0	Fail
R3/2001	Bedroom	100	13.8	Fail	0	0	0	Fail
R4/2001	Bedroom	100	22.2	Fail	1.61	0.3	1	Fail
<b>Block A7 (Facing Caledonian Road)</b>								
R3/2011	Bedroom	100	32.9	Fail	11.84	1.2	1	Pass
R4/2011	LKD	200	39.2	Fail	4.33	0.9	2	Fail
R3/2012	Bedroom	100	51.1	Fail	15.43	1.5	1	Pass
R4/2012	LKD	200	55.8	Fail	8.13	1.2	2.0	Fail
<b>Block A9 (Jays Lane East Facing)</b>								
R1/2032	LKD	200	57	Fail	22.66	1.4	2.0	Fail
<b>Block B5 (Jays Lane West Facing)</b>								
R1/2042	KD	200	64.7	Fail	20.11	1.6	2.0	Fail
R2/2042	Bedroom	100	60.7	Fail	16.02	1.6	1	Pass
R3/2042	Bedroom	100	12.2	Fail	0.49	0.2	1	Fail
R4/2042	Living room	150	14	Fail	0.79	0.2	1.5	Fail
<b>Block C2 (Leirum Lane East Facing)</b>								
R1/2050	Living room	150	93.9	Fail	31.99	2.4	1.5	Pass
R2/2050	KD	200	53.6	Fail	25.66	1.4	2.0	Fail
R1/2051	Bedroom	100	48.2	Fail	17.63	1.2	1.0	Pass
R2/2051	Bedroom	100	58.8	Fail	18.35	1.5	1.0	Pass
R4/2051	Bedroom	100	80.4	Fail	18.5	1.6	1.0	Pass
R5/2051	Bedroom	100	27.3	Fail	1.33	0.4	1.0	Fail
<b>Block C5 (Charlotte Terrace facing)</b>								
R1/2060	KD	200	68.6	Fail	13.22	1.5	2.0	Fail
R2/2060	Living room	150	75.1	Fail	4.69	1.5	1.5	Pass
R3/2060	Bedroom	100	95.4	Fail	23.31	2.2	1.0	Pass
R5/2060	Bedroom	100	69	Fail	20.82	1.8	1.0	Pass
R1/2061	KD	200	67.6	Fail	14.91	1.2	2.0	Fail
R2/2061	Living room	150	106.8	Fail	6	1.7	1.5	Pass
R5/2061	Bedroom	100	93.6	Fail	23.48	1.9	1.0	Pass
R1/2062	KD	200	92.3	Fail	26.98	1.3	2.0	Fail
R2/2062	Living room	150	137.6	Fail	7.20	1.9	1.5	Pass

18.116 The scheme results above for selected outline units demonstrate some significant transgressions which are most pronounced in the western area of the estate close to the Caledonian Road frontages. Nonetheless, it should be noted that these figures relate to units situated on the ground, first and second floors only and with some buildings arranged over 7 or 8 storeys within this the outline element, it is possible that a large number will be positively performing. The nine storey buildings form a significant obstruction to afternoon light which is likely to be reflected in the sunlight information. Units will tend to perform better in the southeastern corner of the estate given the relatively more open character. However, these early results have the potential to generate some concern about quality of amenity reflecting the

concern addressed above about building proximities and overlooking particularly in relation to blocks A10 and A3.

- 18.117 Each forthcoming Reserved Matters Application will be supported by an individual daylight, sunlight and overshadowing assessment which will provide more detailed indications as to the future amenity impact. The Design Code will require the outline scheme to give full and proper regard to daylight and sunlight in the outline element. In addition and crucially the parameters plans will provide the flexibility to reduce footprints and building heights further if there is a consequent harmful impact on amenity by the bringing forward of the outline elements.

Sunlight Assessment of Detailed Element

- 18.118 For new buildings, the BRE guidelines refer to BS EN 17037 which says that a space should receive a minimum of 1.5 hours of sunlight on a selected date between 1st February and 21st March with cloudless conditions. The BRE document suggests 21st March be used. For dwellings, at least one habitable room, preferably a main living room, should achieve at least this minimum criterion and that at least one main window faces within 90 degrees of south. Whilst BS EN 17037 applies to all orientations, the BRE guidelines say that if the room faces north of due east or west, the criterion is unlikely to be met.
- 18.119 Below is a summarisation table of windows/rooms which qualify for assessment and a record of transgressions.

Room use	Pass Sunlight exposure assessment												
Block	A3	B1	B2	B3	B4	C6	C7	C8	C9	D1	D2	D3	Total
<b>Bedroom</b>	24	8	51	31	15	31	44	46	60	50	60	48	468
<b>LD</b>	5	8	8	7	0	0	0	2	1	5	1	1	38
<b>Kitchen</b>	3	9	6	8	0	0	0	2	1	2	1	1	33
<b>LKD</b>	11	2	12	10	0	42	27	21	28	2	39	34	228
<b>KD</b>	0	1	1	2	0	0	0	1	0	16	0	0	21
<b>Living</b>	0	3	1	3	0	0	0	0	0	0	0	0	7
<b>Dining</b>	0	0	0	0	0	0	0	4	0	0	0	0	4
<b>Total</b>	<b>43</b>	<b>31</b>	<b>79</b>	<b>61</b>	<b>15</b>	<b>73</b>	<b>71</b>	<b>76</b>	<b>90</b>	<b>75</b>	<b>101</b>	<b>84</b>	<b>799</b>
Room use	Fail Sunlight exposure assessment												
Block	A3	B1	B2	B3	B4	C6	C7	C8	C9	D1	D2	D3	Total
<b>Bedroom</b>	37	36	39	12	10	24	23	21	10	7	16	16	251
<b>LD</b>	11	10	12	1	0	0	0	0	0	8	0	0	42
<b>Kitchen</b>	7	10	7	0	5	0	0	0	0	5	0	0	34
<b>LKD</b>	3	3	0	0	0	9	7	3	9	1	11	5	51
<b>KD</b>	0	5	0	1	0	0	0	0	0	0	0	0	6
<b>Living</b>	0	3	0	0	5	0	0	6	0	1	0	0	15
<b>Dining</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>58</b>	<b>67</b>	<b>58</b>	<b>14</b>	<b>20</b>	<b>33</b>	<b>30</b>	<b>30</b>	<b>19</b>	<b>22</b>	<b>27</b>	<b>21</b>	<b>399</b>

- 18.120 Approximately 67% of tested windows within the detailed element passing the revised test for sunlight exposure. Of greater significance is the fact that approximately 1/12<sup>th</sup> of the living rooms or lounges fail the sunlight exposure when tested within the winter period of February to March.

## Assessment of Sunlight for Outline Element

- 18.121 A sunlight assessment has not been undertaken for the outline aspect of the proposal. This is due to the lack of window locations and room layouts being known at this stage.
- 18.122 Again, each forthcoming Reserved Matters Application will be supported by an individual daylight, sunlight and overshadowing assessment which will provide more detailed indications as to the future amenity impact. The Design Code will require the outline scheme to give full and proper regard to daylight and sunlight in the outline element. In addition, and crucially the parameters plans will provide the flexibility to reduce footprints and building heights further if there is a consequent harmful impact on amenity by the bringing forward of the outline elements.

### Sun-on-Ground

- 18.123 The sun on ground assessment is a more detailed test than the transient overshadowing assessment on a particular garden or amenity space. The test is designed to consider whether good levels of sunlight are likely to be enjoyed throughout the year.
- 18.124 The method for assessing sun on ground is the sun-on-ground-indicator. The BRE Guidelines, suggest that the Spring Equinox (March 21<sup>st</sup>) is a suitable date for the assessment.
- 18.125 The Guidelines suggest that for a garden or amenity area to appear adequately sunlit, throughout the year, no more than 50% of the area should be prevented by buildings from receiving 2 hours of sunlight on the 21<sup>st</sup> March.
- 18.126 All but one area is shown to exceed 50%. The only underperforming area is situated to the north of Blocks B8 and B9 which is to the north of Carnegie Street Park and incorporates the community centre. This area achieves marginally over 40%. While this is regrettable, on balance, given the intensity of development and the amount of tree canopy coverage that is proposed to be retained within the scheme, the instances of underperforming spaces is not considered to be harmful, notwithstanding the objection of the DRP. The quality of the spaces within the outline element will be kept under review through the Reserved Matters Applications.

## **19. ENERGY AND SUSTAINABILITY**

### Pre-Demolition and Circular Economy

- 19.1 Policy SI7 of the London Plan (2021) states that 'referable applications should promote circular economy outcomes and aim to be net zero-waste. A Circular Economy Statement should be submitted, to demonstrate: 1. How all materials arising from demolition and remediation works will be re-used and/or recycled 2. How the proposal's design and construction will reduce material demands and enable building materials, components, and products to be disassembled and reused at the end of their useful life. 3. Opportunities for managing as much waste as possible on site 4. Adequate and easily accessible storage space and collection systems to support recycling and re-use 5. How much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy 6. How performance will be monitored and reported'.
- 19.2 Emerging guidance within the Islington Local Plan – Strategic and development management policies (Nov 2018) has similar objectives, policy 3 Policy S10: Circular Economy and Adaptive Design says that:
- A. 'All developments must adopt a circular economy approach to building design and construction in order to keep products and materials in use for as long as possible and to minimise construction waste.
- B. Buildings must be made from components and materials that can be re-used or recycled. Building design must enable deconstruction to ensure the maximum value of building components can be recovered and re-used at the end of the building's life. Where demolition and remediation works are necessary, materials must be re-used and/or recycled.
- C.A minimum 10% of the total value of materials used in the construction of both major and minor developments must derive from recycled and re-used content in the products and materials selected.

D. All developments must be designed to be flexible and adaptable to changing requirements and circumstances over their lifetime; including changes to the physical environment, market demands and land use.

E. All major developments (including refurbishment and redevelopment of existing buildings), minor new build developments, and larger minor extensions are required to provide an Adaptive Design Strategy as part of the SDCS.

- 19.3 This must demonstrate how a circular economy approach has been adopted as part of the building design and construction, and how the building will adapt to change over its lifetime. The Strategy must include evidence to demonstrate that the development will be designed and constructed to:
- a. last as long as possible and suit its anticipated lifespan – the strategy must specify the intended overall design life of all buildings in the development.
  - b. avoid construction waste and the unnecessary demolition of structures.
  - c. be built in layers to allow elements of buildings to be replaced overtime, supporting a modular design.
  - d. be adaptable – the plan form, layout and structure enable the building to be adapted to respond to change and/or adapted for various uses throughout its life
  - e. enable ease of deconstruction - building materials, components and products can be disassembled and re-used at the end of their useful life; and
  - f. maximise the re-use and/or recycling of all materials arising from demolition and remediation works. F. All development must minimise the environmental impact of materials through the use of sustainably sourced, low impact and recycled materials, using local supplies where feasible.
  - g. all developments are required to take all possible measures to minimise the impact of construction on the environment and comply with Islington's Code of Practice for Construction Sites'.
- 19.4 The pre-demolition audit within the Circular Economy Statement finds that there are 44,710.85 tonnes of waste associated with demolition of the existing buildings on the site, diverting 95% of the demolition waste to recycling. The meets the target in London Plan policy SI7 (Reducing waste and supporting the circular economy) which requires at least 95% of demolition waste to be recycled, reclaimed or reused on site. No materials arising from demolition will be recycled, reclaimed or reused off site. This means that 5% of demolition waste will be diverted to landfill. While this is less than other recent applications of this magnitude, this is not contrary to policy.
- 19.5 The Circular Economy Statement advises that all asphalt associated within demolition waste as well as 5% of plasterboard and 5% of timber waste products will be sent to landfill.
- 19.6 The topographical nature of the site which sits on an incline of land from east to west and from north to south and which also includes areas of excavation from previous construction works means that the applicant plans to carry out only a minimum of new excavation works within the site. The applicants estimate that there would only be 0.121 tonnes per square metre GIA and as per the demolition waste, 95% of this would also be diverted to recovery, reuse and recycling.
- 19.7 Finally, Construction waste which is estimated to be 0.168 tonnes per square metre GIA will also be subject to policy controls on re-use to prevent unnecessary wastage. 95% of construction waste will be recycle rather than diverted to landfill.
- 19.8 The applicant has not provided a notification of the likely destination of all waste streams (beyond the Materials Recycling Facility). The applicant has not provided a written confirmation that the destination landfill(s) has/have the capacity to receive waste and this will be secured through a planning condition. The applicant has committed to submit a Post Completion Report to the local authority and the GLA.

- 19.9 In line with Circular Economy principles, the main priority is to extend the lifetime of the building through careful design and specification. In order to meet the broader principles, the applicants will meet 95% reclamation targets and will ensure that landfill destinations can meet capacities. To this end, the applicants will provide written evidence that this will be the case. 20% of all selected products and materials will use the recycled and reused content. The applicant also commits to ensuring that 65% of all municipal waste generated by the development will be recyclable. This target is incorporated within the Circular Economy Statement.
- 19.10 The GLA Energy Team are content that London Plan commitments and requirements associated with Circular Economy have been met, however the Council's consultee has requested further specific and detailed information including monitoring. However, the applicant also proposes to submit updated further Circular Economy Statements at each Reserved Matters Application stage and a detailed site wide Circular Economy statement should be sought through planning condition at this stage.

#### Whole Life Cycle Carbon Assessment

- 19.11 The Mayor's net zero-carbon target for new development continues to apply to the operational emissions of a building. The WLC requirement is not subject to the Mayor's net zero-carbon target; but planning applicants are required to calculate operational and embodied emissions, and demonstrate how they can be reduced as part of the WLC assessment. Planning applicants should continue to follow the GLA's Energy Assessment Guidance to assess and reduce operational emissions and insert the relevant information into the WLC assessment, as explained in this guidance.
- 19.12 WLC emissions are those carbon emissions resulting from the construction and the use of a building over its entire life, including its demolition and disposal. They capture a building's operational carbon emissions from both regulated and unregulated energy use, as well as its embodied carbon emissions, i.e. those associated with raw material extraction, manufacture and transport of building materials, construction and the emissions associated with maintenance, repair and replacement as well as dismantling, demolition and eventual material disposal. A WLC Assessment also includes an assessment of the potential carbon emissions 'benefits' from the reuse or recycling of components after the end of a building's useful life. It provides a true picture of a building's carbon impact on the environment.
- 19.13 Policy SI2 of the London Plan states that development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.
- 19.14 The process of preparing a WLCA requires the developer to consider alternative options (in a similar vein to policy H8 of the London Plan) for redevelopment of the estate such as infill, extension or refurbishment. This application refers to the redevelopment of New Barnsbury Estate, which has been selected over refurbishment due to the meaningful increase in homes that can be achieved. The existing site houses 371 units, which will be uplifted to 914 units of a significantly higher standard post-development.
- 19.15 The WLCA guidance requires developers to consider a building lifetime of approximately 60 years (as a benchmark even if a building is designed to last or does last longer) and to take account of the carbon usage associated with design, material fabrication, construction, transport, use, repair and end of life including deconstruction, transportation and waste processing. The WLCA guidance also requires consideration of re-use upgrade and retrofit as alternatives to post life demolition and also in parallel to the building lifetime, anticipated operational carbon including that through energy and water (heating).
- 19.16 The overall WLC carbon of the detailed element is 71,432tCO<sub>2</sub>e or 1669kgsCo<sub>2</sub>e per sq.m GIA. The total embodied carbon is 38,663 tCO<sub>2</sub>e or 903kgCO<sub>2</sub>e per sq.m GIA. The overall WLC carbon of the outline element is 121,163tCO<sub>2</sub>e or 1737kgCO<sub>2</sub>e per square metre. Embodied carbon is 59474tCO<sub>2</sub>e or 852kgCO<sub>2</sub>e per square metre. The development is then compared to the benchmarks set out in the GLAs guidance. Based on the current assumptions, the detailed development is meeting the embodied carbon benchmark for Modules A1 to A5 (product stage (materials) and construction stage (on site assembly)) and is meeting the aspirational GLA benchmark for the Modules B and C which include the operational stage and the end of life stage. The GLA Benchmark for compliance is 850 or less for phase A and the scheme scores 702 (aspirational benchmark is 500 or less). The GLA benchmark for compliance is 350 or less for phases B and C the scheme scores 216. The aspirational benchmark is

300. Based on the current assumptions, the detailed development is meeting the embodied carbon benchmark for Modules A1 to A5 (product stage (materials) and construction stage (on site assembly)) and is meeting the aspirational GLA benchmark for the Modules B and C which include the operational stage and the end of life stage. The GLA Benchmark for compliance is 850 or less for phase A and the scheme scores 671 (aspirational benchmark is 500 or less). The GLA benchmark for compliance is 350 or less for phases B and C the scheme scores 196. The aspirational benchmark is 300.

- 19.17 Developers are recommended to seek further savings despite meeting benchmarks and consideration has been given to securing the use of other materials and preparing for considerate disassembly where materials can be reused elsewhere rather than be sent to landfill. Regard should also be had to local procurement and the use of low carbon materials. A further WLC Assessment will also be completed at Post-Construction Stage, as per the GLA's Whole Life-Cycle Carbon Assessment Guidance (GLA, 2022). The post-construction WLC assessment will require an update of the information provided at the planning submission stage (RIBA Stage 2/3) and for the actual WLC carbon emission figures to be reported. The WLC calculation results will be updated for all modules, based on the actual materials, products and systems used for the construction of the Proposed Development. This will be secured through condition.
- 19.18 The applicant has determined – within the planning statement – that the proposed development if it were to go ahead would generate over 40000 fewer tonnes of CO<sub>2</sub> over the sixty year WLCA period than the current estate's buildings and occupation in its current constitution.
- 19.19 The application WLCA approach is therefore deemed to be acceptable.

#### Sustainable Design and Construction

- 19.20 The BREEAM pre-assessment provided with the application relates to the non-residential elements which contain the social infrastructure adjacent to Carnegie Street Park and the retail units in Caledonian Road. The submitted pre-assessment BREEAM audits demonstrate that the social infrastructure building would score more than 70% and would be excellent. However, the retail units to Caledonian Road would only achieve 69.3% which is Very Good as opposed to excellent (70%) or outstanding (80%). This is a shortfall in the context of the policy requirement.
- 19.21 However, the retail units are small speculative spaces. These will be shell units ready for fitting out by the tenants. For such units BREEAM reviews the annual space heating and cooling demand only, ie not including carbon reductions as these are dependent on the building systems which will be designed and installed by the eventual tenant as part of their fit out. As these units are small shallow spaces, their facades will have a major impact on the space heating and cooling demand. The facades will have fixed orientations and be heavily glazed, as typical of retail units. It is not uncommon for such units to be unable to match the Building Regulations Part L notional buildings' space heating and cooling demand (which assumes a small glazing ratio), and therefore are unable to achieve any Ene 01 credits. This was discussed during pre-app meetings and it was agreed the mandatory element of Ene1 did not have to be met for these shell speculative units. This will be reviewed as part of the Reserved Matters Applications and updated BREEAM pre-assessments provided. As the May 2022 pre-assessment shows, a score of 69.3% can be targeted without any Ene1 credits. This equates to Excellent with Ene1 credit and in this unique context it is considered that a parallel equivalent has been achieved.
- 19.22 In respect of the residential elements of the scheme, major new-build residential developments must achieve a four-star rating (as a minimum) under the BRE Home Quality Mark scheme. No indications have been given to suggest how the development complies with this requirement either in detailed or in outline form and despite a request for clarification and evidence from the planning consultant and the applicant, no further information is forthcoming. Given the extent of residential floorspace across the estate that will be delivered in both detailed and outline phases a demonstration of compliance in this regard is critical and it is recommended that a planning condition should be imposed on the recommendation that seeks to secure compliance with this performance code at the appropriate times throughout the build lifetime.

#### Minimising Carbon Emissions

- 19.23 The London Plan (2021) sets out a CO2 reduction target, for regulated emissions only, of 35% against Building Regulations 2013. The submitted SDCS indicates 64% reduction in regulated CO2 emissions against a Building Regulations 2013 baseline, thereby meeting the London Plan target.
- 19.24 Islington's Core Strategy policy CS10 requires onsite total CO2 reduction targets (regulated and unregulated) against Building Regulations 2010 of 40% where connection to a decentralised energy network ('DEN') is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to of 39% where connection to a decentralised energy network is possible, and 27% where not possible.
- 19.25 With regard to Zero Carbon policy, the council's Environmental Design SPD states "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution". All in this regard means both regulated and unregulated emissions. The Environmental Design SPD states "The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement".
- 19.26 Policy SI2 (Minimising green house gas emissions) states that major development should be net zero carbon in accordance with the following energy hierarchy:
- 1) Be lean: use less energy and manage demand during operation with -10% reduction for residential developments and -15% for non residential developments
  - 2) Be Clean: exploit local energy resources and supply energy efficiently and cleanly
  - 3) Be Green: maximise opportunities for renewable energy by producing storing and using renewable energy on site with a 35% reduction beyond Building Regulations 204 until the policy threshold is reviewed.
  - 4) Be Seen: monitor, verify and report on energy performance.

Where it is clear that the target cannot be met on site, any shortfall should be provided in agreement with the Local Planning Authority through a cash in lieu contribution to the Borough's carbon offset fund.

- 19.27 Policy SI3(d) Energy Infrastructure states that major development proposals within Heat Network Priority Areas such as New Barnsbury should have a communal low temperature heating system in accordance with the GLA heating hierarchy.
- a. connect to a local existing or planned heat network
  - b. use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)
  - c. use low-emission combined heat and power (CHP) where there is a case for CHP to enable the delivery of an area-wide heat network
  - d. use ultra-low NOx gas boilers

Where a heat network is planned but not yet in existence the development should be designed to allow for the cost-effective connection at a later date.

- 19.28 The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. Based on 92 SAP0 carbon factors, a regulated emissions saving of 22% against a Part L 2013 baseline is predicted after the 'Be Lean' phase and 64% after the 'Be Green' phase. The proposal therefore exceeds this London Plan target.
- 19.29 In accordance with the Council's Zero Carbon Policy, the Environmental Design SPD states "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution". The Environmental Design SPD states "The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement." The Energy Statement currently quotes an offset contribution of £1,222,650.

Energy Demand Reduction (Be Lean)

- 19.30 Council Policy DM 7.1(A) states that development proposals are required to integrate best practice sustainable design standards set out in the Environmental Design SPD during design, construction and operation of the development. Further, Council Policy states developments are required to demonstrate how the proposed design has maximised incorporation of passive design measures to control heat gain and to deliver passive cooling following the sequential cooling hierarchy. As stated below, a overheating report has been carried provided following assessment of 53 homes in the detailed phase. All have passed, but none pass the exceptional weather escalated temperature event.
- 19.31 The applicant has improved the u-values of the building, the proposed windows at 0.8W/m<sup>2</sup>K are considerably better than the 1.5W/m<sup>2</sup>K in the Environmental Design SPD and that the design now meets the 15% reduction in the London Plan by demonstrating a 22% reduction. As such there is no requirement to meet the recommendations in the SPD. Low energy lighting has been specified throughout along with LEDS specified throughout and appropriate sensors specified. The non domestic uses show a lean carbon reduction of 16%
- 19.32 In accordance with council policy “Applications for major developments are required to include details of internal temperature modelling under projected increased future summer temperatures to demonstrate that the risk of overheating has been addressed”.

#### Low Carbon Energy Supply (Be Clean)

- 19.33 The applicant is proposing a centralised ASHP/VRF system to provide heating and hot water. There is potential to create an estate wide heating network.
- 19.34 Policy DM7.3B states “all major developments within 500 metres of an existing or planned DEN...are required to submit a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.” A search of existing or potential district heat network (DHN) in the vicinity of the site took place in 2021. Several firms were contacted as set out in the energy assessment. The Kings Cross DHN had the greatest potential, however in November 2021, advised that that they were developing a decarbonisation strategy and had little or no capacity and no change to this status had occurred by September 2022. Further work is taking place to reach out to other current and future developers to establish a shared heating network but as yet no connections have been realised. The legal agreement establishes a requirement to carry out future proofing to establish potential connections.

#### Renewable Energy Supply (Be Green)

- 19.35 The use of renewable energy should be maximised to enable the achievement of CO<sub>2</sub> targets. The Energy Statement includes an assessment of renewable technologies including biomass, solar thermal, GSHP and wind turbines which have been ruled out for valid reasons. The Energy Statement proposes ASHP and a 1200sqm /227 kWp Solar PV array, with further PV installation to be secured through condition.

#### Green Performance Plan (GPP) (Be Seen)

- 19.36 Applications for major developments are required to include a Green Performance Plan (GPP) detailing measurable outputs for the occupied building, particularly for energy consumption, CO<sub>2</sub> emissions and water use, and should set out arrangements for monitoring the progress of the plan over the first years of occupancy. The council’s Environmental Design SPD provides detailed guidance and a contents check-list for a Green Performance Plan.
- 19.37 A Draft Green Performance Plan has been submitted as Appendix D to the SDCS which includes measurable targets for electricity, CO<sub>2</sub> emissions and water usage. This also includes how data will be collected and details of how this will be collected and monitored and arrangements for addressing any underperformance. A finalised Green Performance Plan is to be submitted and is secured through a section 106 agreement.
- 19.38 It should also be noted that the scheme will deliver a contribution towards Green Skills secured through the Section 106 agreement. This is targeted at a combination of skills training and the objective of net

zero carbon within new development. If a development is to be supported by Air Source Heat Pumps and PV panels, the installation of these technologies, particularly ASHP is constrained by the lack of persons qualified in installation. By reaching out to further education and other training regimes, the development is potentially able to provide the training facilities to upskill people to install this technology. The Council originally sought to secure a fully fitted classroom on the site with the applicant to deliver training, however, following further discussion with the Inclusive Economy Team a contribution to assist in the development of and implementation of the Green Skills programme s considered to be reasonable in this case. This contribution, of £115,000 is to be secured in the legal agreement.

### (Over) Heating & Cooling

- 19.39 In line with the Greater London Authority (GLA) London Plan, this assessment has been carried out in line with CIBSE TM59 'Design methodology for assessment of overheating risk in homes'. The detailed application consists of 7 blocks of apartments, with varying shapes and orientations. This assessment covers 53 sample flats, which are spread out across the estate, to provide a representative sample of flats on the development. This assessment has only undertaken analysis on blocks being included in the detailed planning submission. All phases at outline planning stage are modelled as adjacent buildings to account for the impact of shading but excluded from this overheating assessment.
- 19.40 Since the original submission of this report there Building Regulations have been updated to include Approved Document Part O in domestic developments, which sets out minimum regulatory requirements for overheating. This report has been undertaken in line with CIBSE TM59 methodology for the purposes of demonstrating compliance with the London Plan. The Development has been designed to following the cooling hierarchy, which includes passive design features such as low g-value glazing and shading via balconies to help minimise risk of overheating. It has further been designed to maximise use of natural ventilation strategies to help mitigate summertime overheating.
- 19.41 This analysis has shown that through development to the design all dwellings comply with TM59 criteria when assessed using London Weather Centre CIBSE 2020 DSY 1 50th percentile weather tape.
- 19.42 Under extreme heat wave scenarios (DSY 2 & 3), it has been shown that dwellings on the site fail to comply with TM59 criteria. This is typically expected on this type of development and cannot be mitigated without inclusion of mechanical cooling strategies which does not align with the London Plan cooling hierarchy. This assessment has also modelled the risk of overheating in 10 sample communal corridors. Through the inclusion of mechanical ventilation at a rate of 9 ach-1, the number of hours that the temperature exceeds 28°C is less than 3%.
- 19.43 With respect to cooling London Plan policy SI4 Managing Heat Risk states that The potential for overheating and reliance on air condition systems should be reduced by following the cooling hierarchy. Adopted policy DM7.5 states that development need to demonstrate passive design measures have been incorporated to control heat gain and follow the GLA cooling hierarchy.

### Water

- 19.44 The development outlines a commitment for water supply to be limited to 105 litres per person per day in each residential units. This exceeds the aspirations of the London Borough of Islington and as a result, the daily water supply per person per unit will be limited through condition to 95 litres.
- 19.45 The development has been designed to adapt to climate change risks from flooding and drainage. Key elements of this include SUDS features such as blue roofs, permeable and porous surfacing, swales, rain gardens and attenuation tanks. These will be utilised throughout the development to manage surface water on site. The proposed drainage strategy has been designed with a discharge rate equal to 8.0 litres per second per hectare (8l/s/ha) for the total development for all events up to and including the 1% (1 in 100) Annual Probability (AP) plus 40% climate change event.
- 19.46 Overland flow routes have been reviewed for events which exceed the 1 in 100 year storm event plus 40% climate change event design capacity. They have been designed in concert with the proposed layout and to ensure that there is no flooding to buildings or safety issues which may cause a danger to life.

Appropriate pollution control measures will be put in place to ensure that no contamination from storm events gives rise to public health emergencies.

- 19.47 While green roofs are proposed which is welcomed, there is no discussion of using blue roof attenuation. Blue roofs should be considered before attenuation tanks in accordance with the London Plan drainage hierarchy and can be combined with green roofs and PV panels. The green roofs are recommended to be secured by way of condition.
- 19.48 The use of permeable paving, rain gardens, tree pits and rainwater harvesting for irrigation is welcomed - further details on the design of these elements will be required by condition.

#### Biodiversity

- 19.49 The inclusion of biodiversity green roofs which is welcomed and these are being combined with solar panels which is also welcomed. Details of biodiverse roofs combined with solar panels should be sought through condition. The green roofs must promote ecological diversity including planting based on wildflowers and no more than a maximum of 25% sedum planting. They should also have a varied substrate depth of on average 80-150mm.
- 19.50 Biodiversity net gain (BNG) experiences a significant uplift with 20.27% uplift in earlier iterations and a revised uplift now of over 23%. The application proposes the installation of a mix of swift and sparrow terraces, however, the Council would like to see swift boxes being installed as these can entertain other species of birds. The positions of these should be reconsidered to facilitate ease of access. Details of these will be sought by condition. The scheme retains a considerable amount of tree planting both new and retained, both on site and adjacent to the site. Lighting is an attractive form of townscape and character enhancement and creates exceptional public spaces as well as providing security and directional wayfinding. However, it also has the potential to disturb habitats and species especially at night leading to habitat erosion. Lighting should not be placed beneath trees or adjacent to trees to ensure that light spill does not affect these habitats. Lighting from dwellings is often a concern where trees are close by as are growing trees which come close to building fabric such as windows and balconies giving rise to conflicts between people and trees. A lighting strategy will address the biodiversity impacts accordingly and this will be secured through condition.
- 19.51 A bat roost has been found on site and therefore a licence from Natural England will need to be obtained prior to demolition. The mitigation plan needed to obtain the licence should detail how the demolition should be carried out and how features for bats will be provided within the new development. The bat report proposes that bat boxes are integrated into the fabric of all new buildings which should be put in place. Bats were recorded foraging within the site, and particularly around the area bordering the Regents Canal. The bat report notes that the development has the potential to cause "significant negative impact at the local scale". This needs to be mitigated for in a number of ways – including the production of a CEMP - Construction Environmental Management Plan to ensure that biodiversity is protected during construction phase. Given the long term development programme for the construction of the estate and the short term validity of bat surveys, bat habits should be resurveyed at the commencement of each demolition phase to ensure that there are no habitats being effected. This will mitigate the expiry of the research findings.

#### Sustainability - Conclusion

- 19.52 The Sustainable Design and Construction Statement states that the development 'meets the highest standard of Sustainable Development'. Despite a number of strong elements, as noted above, the development does not demonstrate compliance with Passivhaus and/or the LETI requirements, and does not meet the cooling hierarchy to address periods of excessive elevated heat. While the development would also not meet current requirements for BREEAM for retail (non domestic) nor the BRE Home Quality Mark (minimum four star attainment), conditions are recommended to ensure that the relevant policy required levels are achieved. With specific regard to overheating, a condition is recommended requiring the applicant to investigate further measures to appropriate address overheating.

## **20. HIGHWAYS AND TRANSPORTATION**

20.1 The site has a PTAL (Public Transport Accessibility Level) of between 2 (worst) and 6 (best). This is due to the size of the site and the extent to which it stretches from the most or best well served side of the site on Caledonian Road, to the least well served part of the site at the junction of Charlotte Terrace and Carnegie Street. The site has good pedestrian and cycling connections and is considered to be accessible by public transport. The site is within 15 minutes walk of Upper Street and Kings Cross Station. Caledonian Road and Barnsbury Overground Station is situated less than a kilometre away from the north of the site in Copenhagen Street. The site is within the Zone B Controlled Parking Zone with restricted parking during weekday working hours. Zone E is situated directly to the northern side of Copenhagen Street. Newlon operate their own parking permit scheme within the Barnsbury Estate (incorporating both old and new Barnsbury).

20.2 Other local transport infrastructure in close proximity to the estate include bus stops on Caledonian Road and in Copenhagen Street. There are cycle hire docking stations in Charlotte Terrace and Carnegie Street.

#### Cycle Parking

20.3 Residential development should provide dedicated long-stay parking space for cycles in accordance with the London Plan and guidance in the London Cycling Design Standards:

- One long-stay space per studio or one bedroom (one-person) dwelling;
- One and a half long-stay spaces per one bedroom (two-person) dwelling;
- Two long-stay spaces per two or more bedroom dwelling.

20.4 In addition, for developments of between 5 and 40 dwellings at least two short-stay cycle parking spaces should also be provided, with at least one additional space per 40 dwellings thereafter.

20.5 In line with the London Cycling Design Standards, the cycle parking is conveniently located, secure and accessible. Communal cycle stores have an appropriate mix of stand types and adequate spacing and facilities for larger cycles. The detailed drawings for the detailed element of the scheme provides indications of the locations and the numbers of the proposed cycle parking areas within each block. For the detailed element, which provides for 401 dwellings, the London Plan sets out the following expectations.

Dwelling Type	Number of Units	Standard (Long Stay)	Standard (Short Stay)	Long Stay Provision	Short Stay Provision
<i>Detailed</i>					
1b1p	0	1 space per studio or 1 person 1 bedroom dwelling	5 to 40 dwellings: 2 spaces. Thereafter: 1 space per 40 dwellings	0	11
1b2p	144	1.5 spaces per 2 person 1 bedroom dwelling		216	
2b	192	2 spaces per all other dwellings		384	
3b	46			92	
4b	14			28	
5b	5			10	
<b>Total</b>	<b>401</b>			<b>730 required</b>	<b>11</b>

Table 15: London Plan Cycle Parking Requirements

- 20.6 The table above indicates that for the detailed part of the application a figure of 741 cycle parking spaces should be provided with 730 for long stay residential usage and 11 for short stay. The scheme seeks to provide 731 in the detailed element, inclusive of 37 spaces for accessible cycle parking and 110 as Sheffield Stands all for people with mobility and accessibility issues. This equates to 5% for adapted cycles and 15% provision for Sheffield stands. Within the outline element, the applicant has provided details in a manner which reflects earlier work on building in flexibility within the dwelling mix. As a result, the proposed outline cycle parking spaces are speculative with 942 – 952 spaces for the 513 homes provided in the outline phase. When allocated to the various needs, this breaks down to 761 spaces for standard cycle parking, 48 for accessible parking and 143 for ambulant provision. In relation to the non – residential elements of the scheme, the application has taken account the nature of the uses and proposed a total of 105 spaces with 83 dedicated to short term retail parking.
- 20.7 Reference is made to TFL Cycle Hire docking stations that are located around the site. The proposed development seeks to protect these and these will not be affected by the development. The applicant has advised that these will not be terminated by the need to carry out development in situ. Furthermore, TFL have advised that usage of these spaces are average and there is no demand at present to secure more facilities in the local context. The locality is popular with cyclists. The canal towpath runs along the southern side of the estate and the towpath terminates with the canal portal and as a result cyclists need to use Carnegie Street, Charlotte Terrace and Old Barnsbury to continue their east bound journey via the designated cycle highway network that is located in Barnsbury Road. The Section 106 agreement will secure a contribution of £60,000 for cycle highway works in Copenhagen Street to improve cyclist safety and ensure that cyclist do not seek to use routes through the estate itself.
- 20.8 At the level of detail provided within the Transport Assessment, the proposal is considered to accord with London Plan (2021) policy T5, though a condition is recommended to secure further details, inclusive of provision for specialist and electric bike storage.

#### Car Parking

- 20.9 The redevelopment of the estate comes forward incorporating a substantial area of car parking. While development in the London Borough of Islington should not bring forward new parking spaces or provision, it is understood that existing residents have a right to a parking permit and therefore it can be considered unreasonable to remove this right in this case. The residents ballot and the landlords offer, albeit both not material planning considerations in this regard, contains a commitment for the transfer of the existing car parking permits into the redeveloped estate. Currently, residents park within spaces and parking courts scattered around the estate and vehicle movements through the estate are fluid. The scheme seeks to rationalise car parking and car parking spaces throughout the estate and make it a less visible presence in the estate. To this end, much of the residents' general needs parking within the estate, only for those with retained permits, will be located in subsurface podium parking areas. The north to south lanes will feature some disabled parking to address policy requirements for accessible parking to be located in close proximity to accessible units. The surrounding highway network remains subject to the current highway restrictions largely preventing car parking.
- 20.10 No new permits will be issued for on-street council parking provision or within the estate. Existing permit holders within the estate who have a right to retain a permit to park will be provided with a space within the re-provided parking allocation. Future residents who are moving within Islington and who have an existing CPZ permit will be entitled to rein that permit. However, should a current permit holder leave the estate they will surrender their permit and over time there will be a reduction in parking and subsequent parking demand within the poddium. 40 disabled parking spaces will be located within the estate on the lanes and within the podiums although this creates the prospect of some parking spaces being a significant distance away from the front doors of relevant disabled peoples' or wheelchair accessible dwellings.
- 20.11 A podium parking area will be constructed within phase 1A enclosed by Blocks B1, B2, B3 and B4. The access to the podium will be gained from Jays Lane close to its junction with Copenhagen Street. This parking area should be made available for use prior to the first occupation. The second podium is situated within the outline enclosed by Blocks A6, A7 and A10. Podium B is located within the detailed element and features 44 spaces, of which 5 are accessible and 10 motorcycle spaces. Podium A in the outline element features 52 spaces including 6 accessible. Jays Street will have six spaces (all accessible), Leirum Street will have 11 spaces (all accessible), Carnegie Street will have 5 spaces (all accessible)

and Charlotte Terrace will have 7 spaces (all accessible). Two car club spaces will be provided in Carnegie Street. The car club spaces and the operator/operation of them will be secured through the legal agreement. The provision of wheelchair parking spaces will also be secured through the legal agreement. The parking spaces are dedicated to existing residents returning with 96 spaces (11 accessible) and 29 spaces for new residents (all accessible). Accessible parking spaces will be provided at a ratio of 4.4% of all dwellings. It remains the long term ambition that all spaces within the podiums will be dedicated to accessible parking at some point in the future, although this may not be for a considerable period of time owing to existing permits having to be relinquished or expiring. For blocks A1, A4 – A10 and Blocks B1 – B4, B6 and B7, all parking spaces are within 50m of the front door of the relevant block. All other blocks will have access to on street accessible parking spaces apart from A2, A3, C7 and C8 where resting places will be provided between the nearest parking and the front door to reduce the travel distance to 50m or less.

- 20.12 A car parking management plan will be secured through the legal agreement which will provide details about the future use of the podiums following the completion of construction as well as the long term ambitions for concentrating parking for disabled drivers in these spaces. The strategy should also dedicate some consideration as to alternative uses with these spaces such as residents' bulky storage as well as general amenity considerations pertaining to ventilation, air quality, noise, lighting and security.
- 20.13 The surrounding streets to the Estate are located in a Controlled Parking Zone with six days a week working hours parking restriction. A parking survey has been carried out in the wider area following the 'Lambeth Methodology'. The parking survey indicates parking stress locally in excess of 79% within streets surrounding the estate and within 200m of the estate. The legal agreement will ensure that rights to apply for a permit in the CPZ are restricted, although instances may occur where tenants moving into the estate may be able to transfer a CPZ permit with them.

#### The Lanes

- 20.14 At present the estate has a fragmented internal road layout, including turning heads and parking courts. Bryan Street runs along the rear of the Caledonian Road frontage. Jays Street and Leirum Street both connect with Pultney Street and provide a tortuous linkage between Carnegie Street past the community centre to Copenhagen Street with a connection to Charlotte Terrace through Pultney Street. The scheme seeks to simplify and rationalise the internal vehicular movements so that there will only be two north to south streets. These two streets, currently recognised as Jays Street and Leirum Lane will be constructed to adoptable standards, but will not be adopted at this time. These will be constructed to permit two way traffic running throughout but with highway restrictions to limit the speed and to reinforce the idea that these are streets for people. They will include planting strips, swales and pavements with a width sufficiently wide for passing wheelchairs. Opportunities will exist within these streets for accessible parking to be laid out providing more direct access for disabled drivers who may live too far from podium parking places. Servicing and delivery will also be accommodated within the Lanes to reflect the changing nature of door-to-door deliveries particularly for shopping. Planning conditions will influence the final design and appearance of these spaces including materiality to ensure that safety, effectiveness and townscape qualities are enhanced.
- 20.15 These are straight roads that connect two existing parts of the local highway network and concern has been raised about potential rat-running between Carnegie Street and Copenhagen Street. This is particularly more relevant for Leirum Lane due to its proximity to Muriel Street to the south. These routes are to be designed in such a way that will introduce speed restraint, through narrowness, speed bumps, raised tables and other street furniture including user area demarcation at ground floor level. Furthermore, the legal agreement proposes to secure reviews of these routes following their completion and a requirement for further interventions/measures should rat running be identified as an issue.

#### Trip Generation

- 20.16 The trip generation and trip rate has been calculated and the scheme shows a vehicle trip rate from 0.143 in the AM peak with a car to 0.029 and from 0.136 in the PM peak to 0.023. This constitutes a significant trip rate reduction which is acceptable in this context. In terms of modal share, the proposed development is projected to reduce van and car journeys from 10% to 7.9%.

#### Delivery and Servicing

- 20.17 A detailed Delivery and Servicing Plan is proposed to be secured through planning condition. This will address and justify the numbers and usage of servicing bays for the Class E units within the scheme as well as the anticipated waste collection activities, noting that the distances from enclosures to highway exceeds current Council tolerance. While the storage facilities for refuse and recyclables are considered acceptable and conveniently located for residents, the reduction in highway connectivity within the site means that distance constraints now arise for those collecting refuse with the drag distances exceeding 25m for some blocks. The alternatives include a concierge option where containers are moved to conveniently located collection points or the applicant enters into a private collection agreement with a contractor. The latter option is preferable and any waste management plan reserved by condition needs to reflect this.
- 20.18 A Travel Plan is to be secured through the legal agreement and will include separate documents and proposals for the residential element and non-residential uses. The legal agreement sets out the timeframes for periodic reviews which are to the agreement of the Local Planning Authority. A monitoring fee with respect to their implementation will also be secured.

#### Highways and Sustainable Transport Enhancements

- 20.19 Officers recognise the important role that the scheme can play in enhancing the Council's objectives for sustainable transport in the Borough. Part of the scheme's qualities is to improve connectivity to the wider townscape in which it is located with rational clear and logical wayfinding through improved paths, cycle routes and safe roads that are accessible for all. The scheme presents an opportunity to combine such routes with more attractive meandering routes through open spaces that are being created in the estate. The scheme works with the topography and the route network to eliminate the network of confusing dead-ends, steps, ramps and level changing obstructions. The two lanes provide a safe north to south connection that reflects the old pre-war street pattern, while a west to east link from Caledonian Road to Charlotte Terrace presents a direct safe and attractive link through the varying building typologies. It is with some regret that the key west to east route is not accessible through the mews that connects Jays Lane to Leirum Lane with steps from the mews to Leirum Lane being the only way to access Leirum Lane from the west. Nevertheless, the proposed development capitalises on its connections to Kings Cross, Caledonian Road and to Upper Street by improving the permeability through the estate, providing new surface materials, dedicating space to pedestrians and cyclists and improving lighting.
- 20.20 The application seeks to secure funding through the Section 106 legal agreement and measures within the Section 278 agreement for works to the highway including a new cycle lane on Copenhagen Street (S106) and new crossings on Caledonian Road and Charlotte Terrace (S278) (the later being a raised highway surface).
- 20.21 At the south of the site, the southern boundary adjacent to phase 3a which borders the canal upper and lower towpaths, following feedback from residents, no public link to Carnegie Street will be made for security and privacy reasons. The northern path in particular will be sensitively enhanced given its routing through a SINC of Metropolitan value. Charlotte Terrace is a key part of both the sustainable transport infrastructure and the green infrastructure. The road itself is located within the red line and will be subject to a programme of tree planting to convert the street into a tree lined route for multiple modes, but as a key route towards Barnard Park, there will be an emphasis on promoting this route for pedestrians and cyclists.

## 21. FIRE SAFETY

- 21.1 London Plan Policy D12 states that 'all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

The statement should detail how the development proposal will function in terms of:

- 1) the building's construction: methods, products and materials used, including manufacturers' details
- 2) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
- 3) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans

4) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these

5) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building

6) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

21.2 A Fire Statement was submitted with the application and was prepared by Affinity Fire Engineering. This assesses the Fire Strategy for the detailed elements of the proposal. The Outline elements of the scheme will require Fire Statements to be submitted with each relevant Reserved Matters Application.

21.3 The Council appointed a Consultant Fire Engineer, 10 Ability Ltd, to undertake a detailed review of the Fire Statement against the requirements of London plan Policy D12.

21.4 The review identifies a number of areas where additional information is required to be provided:

- Further details required of construction methods and control measures to reduce impact of fire on surrounding area;
- Further clarification required specifically concerning open plan flat arrangements for evacuation and annotation of communal area vent shafts;
- Clarification of external fire spread calculations; and
- Details of temporary access for fire and rescue services during construction.

21.5 For the purposes of compliance with Policy D12(B) it is considered that the submitted Fire Statement is generally acceptable where it relates to the detailed element of the application with the exception of the specific clarifications noted above. A condition is recommended requiring the submission of an updated Fire Statement, that adequately addresses the points noted above prior to superstructure works commencing. This will ensure the limited outstanding information is provided in a timely manner and to enable any amendments to address Fire Safety to be incorporated into the development.

21.6 As noted above, each relevant Reserved Matters Application will require a Fire Statement to be submitted and assessed at that time. Furthermore, the proposals will be required to meet requirements under separate legislation.

## **22. REFUSE AND RECYCLING AND CONTAMINATED LAND**

### Refuse and Recycling

22.1 The detailed element of the proposal includes sufficient sized spaces for refuse and recycling stores. These have been located to be convenient to residents. However, as noted in the Highways and Transportation section of the report, the drag distances for collection are in excess of the Council's standards. As such, a condition is recommended requiring details of either a management process to ensure refuse/recycling bins are located appropriate on collections days or alternatively private collection is suitable arranged.

### Contaminated Land

22.2 The application includes a desktop study which highlights the potential contaminated land risk at the site through a Tier 1 Geoenvironmental Risk Assessment prepared by Stantec. It advises that based on the known history of the site the overall potential for significant contamination and hazardous ground gasses and vapours to be present are assessed respectively to be low and very low. A qualitative risk assessment was carried out utilising a conceptual site model of identified source-pathway-receptor linkages. It found that the conditions would have a very low risk to future site users, groundwaters resources, surface water resources, ecology/wildlife and building materials. This is reflective of the sites historic use entirely for residential with a brief interim period where the site had been destroyed by bomb damage.

- 22.3 On this basis there would be no deleterious impact to human health and the land would not be incompatible with the proposed use. Stantec also recommend that there would not need to be a ground investigation assessment prior to the grant of consent and that any intrusive investigations can be reserved through a condition which would direct any work to the site to take place prior to the commencement of excavation works or substructure works.
- 22.4 The Environmental Health Officer was consulted on the application who advised that a condition should be imposed on the recommendation seeking a desktop investigation; a remediation strategy; and a verification report, both the latter parts in the event that contamination may be found to occur.

## 23. BASEMENT IMPACT

- 23.1 The existing site features various land levels including built forms below road and adjoining land levels. The proposed development aims to take advantage of these variations in land level by creating basements in various locations of the estate either for ancillary residential floorspace, parking or other uses. A basement impact assessment was provided, and updated in September 2022. These statements were reviewed by the Building Control team who found no concerns and advised of no further actions in connection with the material provided. As such, there are no structural, planning or environmental implications associated with the re-use or creation of new basements within the estate.

## 24. PLANNING OBLIGATIONS AND COMMUNITY INFRASTRUCTURE LEVY

- 24.1 There is a requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. 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) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.
- 24.2 Policy CS18 (Delivery and Infrastructure) of the Islington Core Strategy 2011 states that the council will work with its partners to deliver the infrastructure required to support development, and will require contributions from new development to ensure that the infrastructure needs are provided for and that the impacts of the development are mitigated. Further details of planning obligations are set out in the relevant sections of this report, and as a full list in Appendix 1.
- 24.3 In order for the development to mitigate its own direct impacts, and to be acceptable in planning terms the following heads of terms are recommended to be secured by a S106 agreement:

### 1. Financial Contributions (all Index Linked)

Contribution	Amount
<b>Employment and training contribution</b> (penalty payment in lieu of placement) £5000 per 20 units £5000 per 1000sq.m replacement commercial floorspace	£0 (min) £235,000 (max)
<b>Accessible parking contribution</b> (penalty payment in lieu of provision) £2000 per bay based on 10% provision of wheelchair dwellings and for each addition 33 employees.	£0 (min) £192,000 (max)
40 spaces (40x £2000)	£80,000
53 spaces (52x £2000 subject to demand)	£104,000
1 Commercial Space (1 x £2000)	£2,000

<b>Construction Practice Monitoring Costs</b> £100 per residential unit £100 per 100sq.m replacement commercial floorspace	£92,400
<b>Carbon offsetting</b> £95 per tonne of Co2 for 30 years	£1,222,650
<b>Green skills training contribution</b> £2500 per 20 new units of residential	£115,000
<b>Employment and training contribution – operation of development</b> Uplift in occupancy x proportion of residents requiring support (6.7%) x cost per person (£2500)	£7,370
<b>Open space</b> Barnard Park	£550,0000
<b>Copenhagen Street Cycle Segregation Lane</b>	£60,000

## 2. Affordable Housing

- 2.1 Full replacement of 291 existing social rent dwellings with new social rent dwellings based on existing rents and tenancy conditions. This will comprise the replacement of 191 social rent dwellings in the detailed phase and the replacement of 100 social rent dwellings in the outline phases.
- 2.2 Provision of **[135]** new social rent dwellings with rental levels set at target rents and reasonable service charge to ensure affordability. This will comprise the provision of **[30]** new social rent dwellings in the detailed phase and the provision of **[105]** new social rent dwellings in the outline phases (minimum quantum of new social rented dwellings to be secured for each outline phase).
- 2.3 Development-wide baseline to be secured, equating to **25%** of total dwellings as social rented affordable.
- 2.4 Obligations securing delivery of fixed quantum of affordable housing dwellings in each phase prior to occupation of a fixed quantum of market housing dwellings in each phase.
- 2.5 Quantum, size and tenure mix of affordable dwellings to be secured in the detailed phase as detailed in the approved plans/submission documents
- 2.6 Quantum, size and tenure mix of affordable dwellings to be secured in the outline phases.
- 2.7 Nominations to the Council of all affordable housing dwellings to be secured in accordance with the Council's agreed nomination provisions.
- 2.8 All standard Council affordable housing requirements to be secured including transfer to appropriate registered provider.

## 3. Viability Review

- 3.1 Early, mid and late-stage viability reviews will be secured, as well as provision made for development break reviews.
- 3.2 Each viability review will take the form of a 'whole scheme appraisal', by which it is meant that the entire scheme will be reviewed at each review stage, taking into account receipted/certified costs and values incurred up until that review stage and estimating costs incurred and values achievable for the remainder of the scheme.
- 3.3 As a result of adopting a 'whole scheme appraisal', the viability review will not utilise the GLA's standard viability review formulae.
- 3.4 The only fixed inputs into the viability review mechanism (and which will be specified in the S106 Agreement) will be the Benchmark Land Value (being the BLV for the commercial elements only), and the developer profit rate which will be 17.5% profit on GDV for the market sale dwellings, 4% on the affordable dwellings and 15% on the commercial floorspace). Otherwise, all costs and revenues will be reviewed and the Financial Viability Appraisal effectively re-run at each review stage.
- 3.5 The early-stage review will take place if the developer has not substantially implemented the planning permission by 18 months from the grant of planning permission. In the event that it is triggered, all surplus arising would be allocated towards the provision of additional on-site

- affordable housing (subject to an overarching affordable housing cap which sets a limit on the amount of additional affordable housing (whether through on-site provision or payment in lieu) which may be sought, in the target tenure mix of 70:30 between social rent and intermediate housing respectively).
- 3.6 The mid-stage review will take place on occupation of 50% of the market housing units within Phase 2b of the development. No more than 90% of the market housing units in Phase 2b may be occupied and no market housing units in Phase 3 may be occupied, until such time as the viability review has been settled and the approach to allocating any surplus agreed. All surplus arising from the mid-stage review is to be allocated towards the provision of additional on-site affordable housing (subject to an overarching affordable housing cap).
- 3.7 The late-stage review will take place upon occupation of 75% of the market housing units in Phase 3 of the development. No more than 90% of the market housing units in Phase 3 may be occupied until such time as the viability review has been settled. Surplus arising (subject to a cap) will be split 60:40 in favour of the Council and will be paid as a contribution in lieu of the delivery of additional on-site affordable housing.
- 3.8 Development break reviews will be carried out if construction of the development is ceased for in excess of one year. Surplus arising (subject to the overarching cap) will all be due to the Council and will be applied to the delivery of on-site affordable housing and/or paid as a contribution in lieu of the delivery of additional on-site affordable housing, at the Council's discretion, depending upon when the development break occurs.
- 3.9 The purpose of the viability review mechanism will be to assess whether, at various stages of the development, any surplus profit is generated which can be applied to increasing the level of affordable housing to be provided, with the aim of achieving a policy-compliant level of affordable housing, should the viability of the scheme improve. A policy-compliant level of affordable housing would be a minimum of 50% on site, but potentially up to 100% for the purposes of Council policy. Consequently, the cap on affordable housing to be provided by the development will be the provision of 100% of the additional or uplift dwellings (i.e. excluding any re-provided dwellings). There will be a requirement for the surplus profit arising from reviews to be applied to provide additional affordable housing on site, in order to increase the baseline provision from 25% to 50%. But thereafter there will be flexibility as to whether any further surplus arising from the reviews should be applied to more on-site affordable housing, having regard to the practicality of achieving this at the time the relevant review is carried out, and/or can be paid to the Council as a contribution. This will be at the Council's discretion and subject to the Council's approval.
- 3.10 The s106 agreement will identify (on a non-exhaustive basis) specific costs which may / may not be taken into account as part of each viability review, with costs included needing to be receipted and certified. For the purposes of these Heads of Terms, it is important to clarify the Council's position that the costs associated with works to the Old Barnsbury Estate or a residual value of the buildings to be demolished on New Barnsbury may not be taken into account as part of any viability review; and the cost of purchasing existing leases shall be accounted for as a cost.

#### **4. Wheelchair Accessible Homes**

- 4.1 41 dwellings in the detailed phase, a minimum of 5% of dwellings in each outline phase and a minimum of 10% of dwellings in the development as a whole will be 'wheelchair user dwellings' designed in accordance with The Building Regulations 2010 Approved Document M optional requirement M4(3): Category 3 or, in the case of re-provided dwellings, dwellings which are otherwise adapted to address health conditions of returning residents.
- 4.2 Remainder of dwellings to be 'accessible and adaptable dwellings' in accordance with The Building Regulations 2010 Approved Document M optional requirement M4(2): Category 2.
- 4.3 Tenure and size mix for provision of 'wheelchair user dwellings' within the detailed phase to be secured
- 4.4 Tenure and size mix for provision of 'wheelchair user dwellings' in each outline phase (proportionate to the range of tenures and mix of the development as a whole) to be secured.
- 4.5 Requirement to adapt 'wheelchair adaptable' dwellings into 'wheelchair accessible' dwellings at developer's cost if requested by prospective owners/occupiers (only if requested by first owners/occupiers in the case of market dwellings).
- 4.6 Wheelchair user dwellings marketing plan to be secured including requirement for wheelchair user dwellings (other than social rented wheelchair user dwellings and initial sales/lets of re-

provided dwellings) to be marketed for a relevant period prior to first sale and letting and for all subsequent sales and lettings (up until the dwelling has been sold/let to a wheelchair user) as wheelchair user dwellings with priority given to Council residents.

## **5. Community Centre and Nursery**

- 5.1 Delivery of new community centre (with minimum floorspace specified) to be secured at appropriate stage of the development, as well as temporary community centre to be available for use immediately upon demolition of the current community centre and up until the provision of the new community centre.
- 5.2 Temporary and permanent nursery strategies to be secured with the aim of securing delivery, subject to developer's ability to procure operator through implementation of marketing strategy, of a temporary nursery following demolition of the current community centre and nursery and a permanent new nursery at appropriate stage of development (with minimum floorspace specified).
- 5.3 Use of permanent community centre and nursery (which may or may not be co-located) by local residents and on-going management to be secured by management plans.

## **6. Public Routes and Open Space**

- 6.1 Delivery of temporary public routes during the construction phase to be secured via temporary public routes strategy, to be updated on a phased basis. Temporary public routes to be provided, alongside the maintenance of existing routes (as applicable), to ensure sufficient, safe and appropriate access is maintained into and through the development in instances where the construction programme prohibits provision of final public routes until later in the construction phase.
- 6.2 Final public routes (namely, identified pedestrian routes, Jays Lane and Leirum Lane), along with public realm associated with Jays Lane and Leirum Lane, to be delivered at appropriate stages of the development. Jays Lane and Leirum Lane to be constructed to an adoptable standard.
- 6.3 Open space phasing plan to be secured to ensure delivery of requisite quantum of open space (namely, parks, playspace, public realm and private communal areas) within each phase and associated obligations securing delivery of the same at appropriate stages of the development linked with occupation of a certain quantum of dwellings.
- 6.4 Delivery of Carnegie Park and Pulteney Park to be secured in phases (identified by reference to appended plans), at appropriate stages of the development.
- 6.5 Maintenance and management strategy to be secured in respect of open space and public routes and Council granted step-in rights if not adhered to.
- 6.6 'Keep open' provisions in respect of open space, temporary public routes and final public routes (other than private communal areas) to be secured to ensure these are kept open to the public in perpetuity (subject to standard exemptions/matters relating to secured by design guidance).

## **7. Car Parking, Highways and Transport**

- 7.1 Car Free – Council standard permit free provisions shall apply to all dwellings.
- 7.2 Separate travel plans to be secured in respect of the dwellings, commercial floorspace and the community centre/nursery respectively with appropriate monitoring and review provisions (such reviews to result in the provision of updated travel plans to the extent that monitoring demonstrates that this is necessary).
- 7.3 Car parking delivery and management plan to be secured (with subsequent updates on a phased basis) to control the delivery and management of car parking in the development including the number of car parking spaces and accessible bays to be provided in each phase, the means by which use of the car parking spaces will be restricted to returning residents with an existing permit, ensure that no new parking permits/extensions to existing permits are issued to returning residents and the means of converting car parking spaces into accessible parking bays upon the expiry or return of parking permits held by returning residents.
- 7.4 Traffic management provisions to ensure that use of Leirum Lane and Jays Lane by persons who are neither residents of nor visitors to the development is disincentivised (to complement physical design measures).
- 7.5 Provision of car club spaces and delivery of car club (with free membership for three years for first owners/occupiers of the dwellings) at an appropriate stage of the development to be secured.

- 7.6 Highway works to be secured through a Section 278 agreement, including but not limited to: (a) highway works to Charlotte Terrace and Carnegie street; (b) highway works to Caledonian Road between Copenhagen Street and Carnegie Street (c) improved crossing on Caledonian Road north of Copenhagen Street, (d) raised entry treatment at Charlotte Terrace (where it adjoins Copenhagen Street).

## **8. Employment, Skills and Training**

- 8.1 Compliance with Council's Employment and Training Code.
- 8.2 Apprenticeships –
- All reasonable endeavours to secure 47 number of 26-week placements in the construction phase;
  - £5,000 penalty for each of the construction apprenticeships not provided (up to an aggregate total sum of £235,000)
  - London Living Wage for apprenticeships;
  - All reasonable endeavours to provide not less than 30% of apprenticeships to women and 30% to those from a BAME background;
  - Work with the Council's Inclusive Economy and Jobs Service to advertise and promote vacancies during construction phase; and
  - Associated monitoring and reporting obligations.
- 8.3 Supply chain strategy to include a range of employment policies to be implemented through the construction supply chain to be secured, covering: diversity and inclusion; continuous professional development; well-being; net zero (e.g. cycle to work); and flexible and part-time working where the role permits.
- 8.4 Work in partnership with Council's Inclusive Economy and Jobs Service to advertise and promote vacancies during operational phase of development to promote employment within the Borough.
- 8.5 Local Procurement –
- Compliance with Council's Local Procurement Code;
  - Host 'Meet the Buyer' events with local businesses to discuss packages available; and
  - Provide procurement training to help local business by 'tender ready'.
- 8.6 Green Skills Training Contribution

## **9. Energy and Sustainability**

- 9.1 Submission of updated energy assessment and a Green Performance Plan, and compliance with the same, to be secured.
- 9.2 Requirements to safeguard connection to Communal Heating System / District Heating.
- 9.3 Be Green, Be Lean, Be Seen GLA monitoring requirements to be secured.

## **10. Construction Requirements**

- 10.1 Compliance with Council's Code of Construction Practice and submission of site-specific response document setting out how the developer intends to comply with the Code of Construction Practice for the relevant phase/sub-phase for approval in respect of each phase to be secured.
- 10.2 Construction Logistics Plan and Delivery and Servicing Plan to be secured on phased basis.

## **11. Design Quality**

- 11.1 Provisions securing retention of the developer's design team (including the architect and landscaping architect) to oversee in a guardian role the delivery of the design quality of the development in accordance with the planning permission for the duration of the construction phase, subject to the Council's right to approve any proposed replacements where these are of a similar standing (as determined by the Council).

## **12. Annual Monitoring Report**

- 12.1 Requirement to submit Annual Monitoring Report detailing delivery in respect of s106 obligations.

Community Infrastructure Levy

- 24.4 Community Infrastructure levy (CIL) applies to most new developments (new buildings or extensions) which involve creating 100m<sup>2</sup> or more of gross internal floor space. CIL is a source of funding from new development to help support local infrastructure. Funding raised through the levy can be used to pay for improvements such as parks, play spaces, education, health facilities and the transport network. Dispensations may be sought for development such as social housing or charitable relief.
- 24.5 The total LBI CIL payable is currently projected to be £10.3m and Mayoral CIL will be £2.4m – Total £12.7m

## **25. EQUALITIES AND HEALTH IMPACT**

- 25.1 In relation to the Equality Act 2010, an Equalities Impact Assessment (EqIA) is a way of measuring the potential impacts (both positive and negative, temporary and permanent) that a proposal may have on the key protected characteristics covered by the Equality Duty and on Human Rights. An EqIA was submitted with the application to anticipate and mitigate against impacts that the proposal could have on people with the protected characteristics.
- 25.2 Regarding the temporary, construction phase of the scheme, the assessment finds there will be positive impacts associated with employment and skills, but negative amenity impacts (noise, disturbance) could affect local populations living near the site, including those within protected groups who may be more likely to spend more time at home than others. During construction there would be a benefit to a group typically disadvantaged in the construction sector - of the apprentices to be delivered, the scheme has an aspirational target that 30% of these opportunities will be filled by a wide range of groups including women and BAME individuals as well as people with a mental health background.
- 25.3 Mount Anvil – one part of the Joint Venture – operate a mentors and makers apprenticeship scheme that opens opportunities to disadvantaged groups who would not normally have access to roles, jobs and careers in the Built Environment.
- 25.4 At operational phase, the creation of a permeable site with increased public open space, enhanced connectivity and integration with the surrounding neighbourhood is found to be beneficial to all persons in the local area.

### Health Impact Assessment

- 25.5 The applicant has presented a comprehensive Health Impact Assessment (HIA) of the redevelopment. It has been updated with a statement of conformity following changes to the original proposals. The HIA has had a positive impact on the proposals, and actions have been identified to mitigate any negative impacts. In particular, the applicant has engaged well with the local community, an important aspect given that this is a redevelopment of an existing estate rather than a new development.
- 25.6 The HIA was undertaken at an early stage in the process, which together with a meeting with the HIA consultant, the case officer for the proposal, and the Parks and Open Spaces manager, has ensured that health aspects have been identified at an early stage and taken into account in the proposal. Mount Anvil is also an active supporter of causes to reduce suicide and mental illness in the construction industry. The applicant should be aware of opportunities provide sources of help, support and assistance that operate in the London Borough of Islington

## **26. ENVIRONMENTAL IMPACT ASSESSMENT**

### **Review of EIA**

- 26.1 On behalf of the Council, consultants Waterman Infrastructure and Environment Ltd have reviewed the submitted Environmental Statement (ES), ES Addendum and supporting documents submitted in support of the development against the requirements set out in Schedule 4 of the EIA Regulations.
- 26.2 The findings of this review are detailed in Appendix 4 of this report.

### **Environmental Statement**

## Procedure

- 26.3 The Environmental Impact Assessment (EIA) is a process that identifies the likely significant positive and negative environmental effects of a proposed development, both from any relation demolition and constructions works, and once the proposed development is complete and operational. The process aims to prevent, reduce and mitigate any adverse significant environmental effects, where these are identified. Proposed developments to which EIA is applied are those that are likely to have significant effects on the environment by virtue of factors such as their nature, size or location. The process and outcomes of the EIA are presented in an Environmental Statement (ES). The ES reports the potential environmental effects associated with the proposed development; both direct and indirect, and also examines cumulative effects. The scope of the ES includes the natural, built and human environments and includes a description of the proposed mitigation measures.

## ES Regulation

- 26.4 The 2011 EIA Directive 1 on the assessment of the effects of certain public and private projects on the environment was replaced in 2014 by a fully updated EIA Directive 4. The 2014 EU Directive has been transposed into UK Law through Town and Country Planning (Environmental Impact Assessment) Regulations 2017, referred to in this report as the '2017 EIA Regulations'. The 2017 EIA Regulations came into force on 16 May 2017.

## ES Scoping

- 26.5 On 3<sup>rd</sup> November 2021 the applicant requested a scoping opinion as to the content of the ES to be prepared in connection with the development. The Council issued its Scoping Opinion under application ref: P2021/3263/EIA on 7<sup>th</sup> September 2022 following consultation with a range of statutory bodies and other stakeholders and after having the submission independently reviewed by Waterman. While it is noted that the Scoping Opinion was provided after the submission of the ES with the original application submission, the Council, its consultants and the applicant engaged in ongoing dialogue regarding the ES requirements. Following the issuing of the scoping opinion, an ES Addendum was submitted and the application re-advertised appropriately.
- 26.6 The Council's Scoping Opinion set out a commentary on the methodology and preferred content of topics of the EIA and resultant ES.
- 26.7 It was recommended in the Scoping Opinion that the ES should report should include further details in relation to site description, the criteria for identifying sensitive receptors should be included in each chapter and that further supporting information was required in relation to wind testing and overshadowing. It was noted that as the assessment progresses, and where significant adverse impacts arise, mitigation may be 'in-built / inherent' to the design as it evolves. Concerning cumulative development, it was noted that this should include proposals for Barnard Park and the South Bemerton Estate.
- 26.8 It was also agreed that the following topics be scoped out of the EIA (subject to appropriate details being provided as part of the planning applications):
- Daylight, sunlight and overshadowing
  - Light pollution
  - Ground investigation conditions
  - Human Health
  - Water Resources
  - Waste and Materials
- 26.9 The Scoping Opinion from the Council confirmed that it was in general agreement with the proposed scope of the ES, subject to additional clarifications.

## ES Review

- 26.10 The application is supported by an ES and an ES Addendum prepared by Trium Environmental Consulting LLP. These contained a Non-Technical Summary Chapter, a Technical Assessment Chapter, a (Built) Heritage, Townscape and Visual Impact Assessment Chapter and Technical Appendices.
- 26.11 Following the receipt of amended plans a Statement of EIA Conformity was prepared by TRIUM and submitted confirming that the amendments do not generate any additional or materially different effects and conclusions to those identified within the previous ES and ES Addendum. It was concluded that the ES Report and ES Addendum remain valid and appropriate for the proposed development.
- 26.12 The ES was formally consulted on and reviewed by a number of internal and external consultees. The ES was also subject to an independent review by Waterman. Their detailed Review Report is provided in full at Appendix 4.
- 26.13 The report by Waterman assessed the ES and graded everything with either a 'Pass' (being where meets the requirements of the EIA regulations), 'Issues to address' (likely meets EIA requirements, further clarification would improve legibility and understanding) or 'Fail' (Likely falls short of requirements of the EIA Regulations). In summary, the report noted that all aspects of the ES were graded as a 'Pass'. Where some further clarification is sought with regard to typing errors and how information is presented, no Regulation 25 requests have been made, which means that no aspects of the ES fail.

### ES Methodology

- 26.14 The ES identifies the 'baseline', which considers the existing conditions of the area where the development would be located. Within the baseline conditions, a number of key environmental, social and economic aspects are identified (these are defined as 'receptors'). The sensitivity of the receptors is identified within the ES and the impact of the proposals and size of impact (impact magnitude) is considered against the receptors. Impacts are identified during the construction works (i.e. temporary impacts) and for when the development is completed and in use (i.e. permanent impacts). The size of the impact and the sensitivity of the receptors are used to determine the scale of an effect.
- 26.15 Effects are defined as being 'negligible', 'minor', 'moderate' or 'major' in scale and 'neutral', 'beneficial' or 'adverse' in nature. Once the effect has been identified, the assessment then determines whether the effect is considered 'significant' or 'not significant'. Significant effects are considered material to the planning decision process. Residual effects of moderate and major scale are considered significant, but would be dependent on the relevant technical assessment, as well as the existence of published guidance.
- 26.16 Where published assessment guidance is not definitive in respect of categorising/determining significant environmental effects, professional judgement is applied, taking into account the duration, extent and context of the effect, to determined significant effects. The definitions of the scale of the predicted effects are generally as follows
- Negligible: imperceptible effect
  - Minor: slight, very short or highly localised effect
  - Moderate: limited effect (by magnitude, duration, reversibility, value and sensitivity of receptor) which may be considered significant
  - Major: considerable effect (by magnitude, duration, reversibility, value and sensitivity of receptor) which may be more than of a local significance or lead to a breach of a recognised environmental threshold, policy, legislation or standard.
- 26.17 Following the above, for any significant adverse effects identified any measures to reduce or remove these effects are identified. The measures are referred to as 'mitigation measures'. Once the mitigation measures are put forward, the effect is re-assessed to understand whether the scale of the effect has changed because of the mitigation measures. Cumulative effects resulting from a combination of the proposal and other surrounding development schemes are also assessed. All of the likely effects of the development are reported within the ES and ES Addendum.

### EIA – Summary and Analysis

- 26.18 The aim of the EIA is to protect the environment by ensuring that when deciding whether to grant planning permission for a project which is likely to have significant effects on the environment, the Local Planning Authority does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process. A summary and analysis of the primary sections of the ES are summarised below. The majority of the matters considered within the ES are interrelated to the main planning assessment of the proposal, which is set out in this Committee Report.

#### Socio-Economics

- 26.19 The ES summarises the significance of the socio-economic factors from the development during both construction and completion. The main effects are considered below.
- 26.20 The effect on displacement of housing and social infrastructure (in the form of the community centre and nursery) are both considered to be temporary and a minor (not significant) effect. Furthermore, mitigation is proposed in the form of alternative provisions during construction for the community centre and nursery uses with replacement following construction.
- 26.21 There are approximately 75 full-time equivalent jobs provided for within the proposed development. While employment for the community uses will remain throughout construction, displacement of employment is anticipated to be a moderate adverse (significant) effect. During construction it is estimated that there would be an average of 240 FTE jobs over the duration of the construction period. It is reported that the proposal will result in a negligible (not significant) effect on jobs at the site.
- 26.22 Contribution of new residential units (both replacement and uplift) is considered a moderate beneficial effect that is significant.
- 26.23 It is projected that the development would introduce an additional 1,150 residents to the area and it has been identified that there is sufficient capacity at local primary and borough secondary schools to meet demand. Additional demands on community and nursery space will be provided through the development. The improvements to open space (both publicly accessible and resident communal gardens) would represent a moderate benefit (significant). Playspace provision represents a minor beneficial (not significant) effect.
- 26.24 Overall, the proposal is expected to result in a number of beneficial impacts and the moderate adverse impact identified, as a result of the displacement of existing employees would be addressed through re-provision of commercial space.

#### Traffic and Transport

- 26.25 A detailed Transport Assessment has been submitted as part of the application and this has helped inform the ES.
- 26.26 During construction there will be an increase in the number of vehicles on surrounding roads, which will have a negligible effect (not significant) on pedestrians, road users and public transport. This is addressed within a Construction Environmental Management Plan.
- 26.27 Following construction the ES identifies that there will be negligible effects (not significant) on pedestrians, drivers and public transport users and recommends no additional mitigation, albeit noting that a Travel Plan will be implemented and that parking at the site will continue to decrease. Please refer the Highways and Transport assessment referred to elsewhere in this report for appropriate mitigation.
- 26.28 It is concluded that no likely significant effects on traffic and transport receptors have been identified.

#### Air Quality

- 26.29 With the implementation of management measures, proposed to be secured via condition, it is concluded that during construction the effect would be negligible and not significant.

- 26.30 No measures for mitigation beyond good design and best practice measures are considered necessary in the ES for the completed development. Furthermore, the proposal will encourage pedestrian movement and cycling as a transport option.
- 26.31 It is concluded that no likely significant effects on air quality receptors have been identified. Waterman have noted that the submitted Air Quality Neutral calculations are not formally part of the ES and are based on the GLA's consultation draft guidance, with further testing required at the outline application stage as each phase is brought forward. Conditions are recommended to this effect

#### Noise and Vibration

- 26.32 During construction the ES identifies moderate to major adverse (significant) temporary and short term noise effects. However, mitigation measures would be applied through the CEMP to address this.
- 26.33 At completion, no significant effects are identified.

#### Daylight, Sunlight and Overshadowing

- 26.34 The ES refers to a report prepared by Point 2 Surveyors, which examined the impact of the proposed development on neighbouring residential occupiers.
- 26.35 A number of clarifications were sought by Waterman following the initial review of the May 2022 ES, this included updates to the BRE, assumptions for comparable schemes, impacts to moored boats and solar panel assessments.
- 26.36 The assessment identifies likely negligible (significant), minor adverse (not significant), moderate (significant) and major adverse (significant) effects on neighbouring daylight and sunlight receipt.
- 26.37 The daylight, sunlight and overshadowing impacts of the proposal are assessed comprehensively within the Neighbour Amenity section of this Committee Report. The conclusions of these sections and the ES are that even with the measures that have been developed through the design evolution, there will be adverse (significant) effects to daylight and sunlight receipt and overshadowing.
- 26.38 Overall, it is accepted that these effects would lead to a direct, long-term, local likely moderate and major effects.
- 26.39 The ES finds that light pollution is likely to be negligible and can be managed through the detailed design. Conditions are recommended to this effect.

#### Wind Microclimate

- 26.40 During construction the ES identifies some negligible (not significant) to minor adverse (significant) effects to on-site pedestrians users and occupants and negligible (not significant) effects to off-site pedestrian users and occupants. These are identified as minor adverse.
- 26.41 For the detailed and outline elements of the proposal, negligible (not significant), minor adverse effects were identified.

#### Climate Change

- 26.42 A greenhouse gas emissions assessment has been undertaken and identifies that the proposal will generate greenhouse gas emissions. However, measures embedded within the design, in addition to mitigation measures submitted within the Energy Strategy and required by conditions and obligations to be secured would mitigate this.
- 26.43 While the construction phase is anticipated to result in major adverse effects in terms of carbon from materials, the operational phase of the development contributes significantly to emissions savings, providing significant beneficial effects

#### Built Heritage, Townscape and Visual

- 26.44 The ES includes a Townscape, visual and Built Heritage Assessment that is considered to be comprehensive.
- 26.45 A detailed assessment of the impacts of the proposed development with regard to townscape and impact to heritage is set out within this Committee Report. While the ES identifies some areas of benefit and generally notes moderate benefits resulting from the development, the detailed assessment elsewhere in this report identifies specific harm and considers both relevant mitigation and the proposed development benefits.

### ES Conclusions

- 26.46 In September 2022, following consultation with a range of statutory bodies and other stakeholders, the Local Planning Authority issued a scoping opinion which set out a commentary on the methodology and preferred content of topics that should be included within the scope of the ES.
- 26.47 The submitted ES, ES Addendum and ES Statement of EIA Conformity, the accompanying suite of documents and the standalone reports which comprise the planning application are sufficiently comprehensive and complete to allow the Local Planning Authority to take into account the likely significant effects of the development when making a decision. The ES submissions were independently reviewed by Waterman, who also considered the information to be sufficient.
- 26.48 The ES conclusions on the likelihood and extent of harm, its scale (Negligible, Minor, Moderate and Major) and the significant of residual effects are considerations which form part of the planning recommendation for the approval of the proposed development.
- 26.49 It is considered that there are no outstanding issues that would require a Regulation 25 Request for further information is not necessary.

## **27. PLANNING BALANCE**

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

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

- 27.7 The NPPF states at paragraphs 132 and 134-135, inter alia, that: 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification... Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 27.8 The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

### **Assessment of Harm**

- 27.9 A It is considered that the proposed development by way of a tall building within the canal side area, situated outside of a site or area suitable for tall buildings and within a site allocation where tall buildings are not supported would give rise to an element of harm within the scheme. The application has been subject to advertisement as a departure and the Secretary of State and the Mayor of London has been advised accordingly. While the number of tall buildings has reduced from three to one, this is located in a visually prominent location and would be harmful in the context of its discreet canalside setting.
- 27.10 London Plan Policy D9 seeks to ensure that there is a plan-led and design-led approach to the development of tall buildings across London and that the visual, functional, environmental and cumulative impacts of tall buildings are addressed to avoid adverse or detrimental impacts. 22.13 Part B of Policy D9 states that boroughs should determine which locations are appropriate for tall buildings (subject to meeting the other requirements of the Plan) and states that tall buildings should only be developed in these suitable locations. 22.14 Policy C9 of Islington's Core Strategy states that tall buildings (defined as being above 30 metres) are generally inappropriate to Islington's predominantly medium to low level character and therefore such proposals will not be supported except in parts of the Finsbury Local Plan (Area Action Plan for Bunhill and Clerkenwell). The site is located outside of the Finsbury Local Plan area so by default is not identified as being an appropriate location. 22.15 In addition, Islington's Draft Local Plan (2021) sets out the criteria for assessing tall buildings and includes specific sites which are considered potentially suitable (in principle) for tall buildings. This strategy is informed by the Council's Tall Buildings study (2018).
- 27.11 This building (Block D2) would generate a harm to the of listed structures including the western facing portal of the Regents Canal. It would also harm the significance of the Conservation Areas that adjoin the estate including Regents Canal West, Keystone Crescent, Priory Green and Barnsbury. While this harm is not substantial, it is still nonetheless harm and is a view that has been shared by the Canals and Waterways Trust. Historic England directs through guidance that tall buildings should be located through plan – led locations. This is not the case here and as a result, this tall building is out of context, incongruous and harmful to the designated heritage assets. Harm has been expressed through scale, presence and materiality in the canal context. The tall building is also deemed harmful within selected views expressed in the report where the presence of a building would add visual conflict to these views where lower level context is appreciated. There is also a degree of harm from a planning context and the harm is not exclusively from a heritage point of view. The borough has been characterised by a generally low level building height regime borough wide. Some locations have been scoped for acceptability through the local plan process. The area was considered for tall buildings and deemed to be unacceptable from a wider character of the area perspective.

- 27.12 There is also a planning harm associated with the height of the Caledonian Road blocks which are nine storeys opposite a three to four storey regime and also in the presence of listed buildings at 214 to 216 Caledonian Road. The setting of these listed buildings generates harm to their significance and is deemed to be unacceptable in this townscape.
- 27.13 Within the site the proposed development features a carefully crafted masterplan where a variety of typologies were generated to address different street types and to provide architectural variety. In addressing the streets and spaces, officers sought appropriate heights. The weakest part of the masterplan is the lanes and to some degree the mews. The lanes feature streets with a facing width of 14m, but the buildings are six storeys with a recessed seventh floor. The uppermost level is visible and there is scope to reduce this as advised by officers. This height to space ratio gives rise to compact and cramped spaces with the potential for poor amenity conditions. Within the eastern mew, the land level changes gives effect to an eight storey elevation from the mews which is simply out of scale with the wider townscape rationale.
- 27.14 Generally, post ballot, the proposed masterplan has been boosted by an additional 90 homes at the time of the first submission in May 2022. This was driven by viability, however, rather than demonstrate how the masterplan can accommodate 950 dwellings, the submission was progressed merely as a layering to add new homes. No capacity work has been done to consider whether the 950 units was the product of a design led capacity. Externally, the perimeter blocks have expanded and to some degree form a fortification when viewed from outside the estate.
- 27.15 The scheme results in the demolition of 291 homes for social rent and 80 leasehold properties. The scheme is partially grant funded with a sunset clause for funding in March 2023. The funding is for replacement homes. Without this funding this scheme is not deliverable. The application proposes to replace all 291 homes at a much higher quality and reprovide them within New Barnsbury for existing residents of New Barnsbury and overcrowded residents within the Old Barnsbury estate. Post ballot, the applicants demonstrated that the aspirations and ambitions for affordable housing would be revised down. While the scheme could provide 35% affordable housing within the uplift, this was still subject to a significant deficit which harms or limits the ability to generate an appropriate level of scheme value. The scheme comes to Committee with a deficit that is more than £50million greater than that identified by the Council's consultants.
- 27.16 The presence of a significant deficit reduces the ability of the scheme through review mechanisms to demonstrate that it can provide further affordable housing at a point in the future.
- 27.17 The scheme has been further amended. 950 homes have become 914 and shared ownership has been removed from the scheme. However, this has had a further impact on the capacity of the scheme to deliver an uplift in the number of affordable homes. The scheme can now only provide 25% of units as a whole within affordable tenure, albeit this is being delivered as homes for social rent to meet priority housing need.
- 27.18 The scheme provides a limited dwelling mix range. While no studios are provided there is a concentration on one and two bedroom dwellings for the market sale units and generally two and three beds for the social rent when larger units are required across all tenures.
- 27.19 The scheme provides for a significant reduction in retail floorspace. The current arrangement provides for nearly 2000sq.m. This will be reduced to just over 1000sq.m. The scheme also envisages a loss of units from 22 to 14. This may affect the manner in which the proposed development is able to contribute to the Local Shopping Area.
- 27.20 The proposed development generates some critical concerns about privacy and overlooking distances between proposed buildings which would have a genuine and significant impact on amenity for future occupiers.
- 27.21 The Urban Greening Factor presents a complicated scenario where the primary resources that are employed to ensure that the score significantly exceeds benchmarks would also be used or open space and play space and as a such, the biodiversity and greening of such spaces would be at risk.

- 27.22 Only 80% of units would be dual aspect. There would be no due north single aspect units, however and less than half of the impacted homes would be social rent. A number of blocks would experience levels of daylight and sunlight below both new and pre-existing BRE levels.

### **Assessment of Benefits**

- 27.23 The scheme delivers a net increase of 543 new homes. All new homes would be of a substantially higher quality and all would be provided with private external amenity space. All but two of the homes in the detailed phase would meet or exceed the internal space standards. They would generally be well laid out, well lit with good outlook and would meet housing needs of residents. The objective of the scheme is to alleviate overcrowding within multi generational households and to deliver high quality homes. Of greater significance, the replacement social rent households would benefit from discounted target rent at a level up to 32% below target rent. The scheme would also move tenants with medical needs to properties more appropriate for their needs.
- 27.24 Newlon have been advised that they should manage the re-allocations of the proposed replacement tenants in accordance with the Council's lettings policy. The Council will then utilise its nominations policy for further lets.
- 27.25 The scheme is able to deliver 25% of the new units as social rent, all of which are social rent and constitute potentially 135 units which is just 7 below the original social rent offer when first submitted in May 2022. Overall, the scheme is able to generate 426 social rent units which is 46% of the overall total. A series of review mechanisms will be secured through the Section 106 at early mid and late stage to determine whether the scheme is able provide additionality. This mechanism series is bespoke and site wide and will take in the full range of costs and values to extract as efficiently as possible future benefits for affordable housing.
- 27.26 The new retail floorspace despite being a reduction from the current layout will take the form of modern units which contribute to the LSA and would be flexibly shaped and arranged permitting a wider range of occupiers. Future occupiers and future uses have been prescribed by condition to ensure such future units contribute to the vitality and viability of the LSA. The Council is also able to secure a replacement community centre almost double the size of the current and also like the retail, flexible in its use, layout and offer. A nursery space has been secured. Both functions will have continuity through the construction phase.
- 27.27 All units will have a level of private amenity space that meets or exceeds requirements set out in guidance and policy. They will have access to a more coherent and substantive open space provision across the estate where inaccessible or challenging spaces have been replaced by meaningful semi private courtyards and redesigned parks with playspace and quite space. The Council will also seek to secure monies to fund the upgrade works to Barnard Park. The Urban Greening Factor is increased and Biodiversity Net Gain has substantially increased. New street trees in Charlotte Terrace will also provide further green infrastructure.
- 27.28 While existing residents with parking spaces will retain their parking permits for the estate, no new permits will be issued over time the parking numbers will reduce to ensure that the scheme becomes less car dominated. The road surfaces of the lanes and the mews will give rise to pedestrian dominated spaces with planting, seating out areas and play areas.
- 27.29 The scheme largely provides acceptable levels of sunlight and daylight for all. Despite the removals of trees from the estate, the replacement planting addresses canopy coverage and has been well considered and within 10 years post completion will generate a canopy coverage over and above the current qualities.
- 27.30 The scheme contributes to an improved energy and sustainability environment. The scheme as completed will save over 40000 tonnes of carbon over sixty years compared to a further sixty years of the continued status quo of the estate. The scheme provides for contributions to green skills training, to affordable housing, construction training and jobs, carbon offsetting and more for the site.

27.31 Overall, it is considered that, in view of the significant contribution that this site will make to meeting Islington's housing need, some weight can be attached to these substantial public benefits. Additionally, the public benefits of the enhancement to the public realm surrounding the site and the public benefits of tree and biodiversity enhancements, when taken together, are considered to further increase the public benefits arising from these proposals. As such, it is considered that, on balance, the proposed development would be sufficiently beneficial for officers to recommend approval.

## **28. REASONS FOR RECOMMENDATION**

28.1 For the reasons noted within this report, it is considered that on balance, the harm created by these proposals, inclusive of the tall building that represents a departure from policy, is outweighed by the scheme benefits, notably the provision of improved social rented housing for the residents of the New Barnsbury Estate, a reduction in overcrowding and an uplift in homes for social rented housing.

28.2 With regard to the Environmental Impact Assessment, it is considered that the submitted Environmental Statement, Environmental Statement Addendum, the Statement of EIA Conformity and the reports that comprise the planning application are sufficiently comprehensive and for the reasons set out in this Committee Report, it is considered that the impact of the proposal is acceptable.

## **29. CONCLUSION AND RECOMMENDATION**

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

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That the Committee resolve to GRANT planning permission subject to any **direction by The Secretary of State (SoS) to call in the application for determination by the SoS**. Therefore, following the Council's determination of the application, the application shall be referred to the Secretary of State (SoS) under the Town and Country Planning (Consultation) England Direction 2009. Pursuant to Section 77 of the Town and Country Planning Act 1990 the SoS can decide, within 21 days, whether to call in the application to determine it herself.

And

That the Committee resolve to GRANT planning permission subject to any **direction by The Mayor to refuse the application or for it to be called in for determination by the Mayor of London**. Therefore, following the Council's resolution to determine the application, the application shall then be referred to the Mayor of London in accordance with Article 5 of the Town and Country Planning (Mayor of London) Order 2008 – allowing him 14 days to decide whether to:

- A. allow the draft decision to proceed unchanged; or
- B. direct the Council under Article 6 to refuse the application; or
- C. issue a direction under Article 7 that he is to act as the Local Planning Authority for the purpose of determining the application.

And

That planning permission be granted for the reasons given in paragraph no. 29.1 to 29.2 and 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:

#### Financial Contributions (all Index Linked)

Contribution	Amount
<b>Employment and training contribution</b> (penalty payment in lieu of placement) £5000 per 20 units £5000 per 1000sq.m replacement commercial floorspace	£0 (min) £235,000 (max)
<b>Accessible parking contribution</b> (penalty payment in lieu of provision) £2000 per bay based on 10% provision of wheelchair dwellings and for each addition 33 employees.  40 spaces (40x £2000) 53 spaces (52x £2000 subject to demand) 1 Commercial Space (1 x £2000)	£0 (min) £192,000 (max)  £80,000 £104,000 £2,000
<b>Construction Practice Monitoring Costs</b> £100 per residential unit £100 per 100sq.m replacement commercial floorspace	£92,400
<b>Carbon offsetting</b> £95 per tonne of Co2 for 30 years	£1,222,650

<b>Green skills training contribution</b> £2500 per 20 new units of residential	£115,000
<b>Employment and training contribution – operation of development</b> Uplift in occupancy x proportion of residents requiring support (6.7%) x cost per person (£2500)	£7,370
<b>Open space</b> Barnard Park	£550,0000
<b>Copenhagen Street Cycle Segregation Lane</b>	£60,000

### Affordable Housing

1. Full replacement of 291 existing social rent dwellings with new social rent dwellings based on existing rents and tenancy conditions. This will comprise the replacement of 191 social rent dwellings in the detailed phase and the replacement of 100 social rent dwellings in the outline phases.
2. Provision of [135] new social rent dwellings with rental levels set at target rents and reasonable service charge to ensure affordability. This will comprise the provision of [30] new social rent dwellings in the detailed phase and the provision of [105] new social rent dwellings in the outline phases (minimum quantum of new social rented dwellings to be secured for each outline phase).
3. Development-wide baseline to be secured, equating to **25%** of total dwellings as social rented affordable.
4. Obligations securing delivery of fixed quantum of affordable housing dwellings in each phase prior to occupation of a fixed quantum of market housing dwellings in each phase.
5. Quantum, size and tenure mix of affordable dwellings to be secured in the detailed phase as detailed in the approved plans/submission documents.
6. Quantum, size and tenure mix of affordable dwellings to be secured in the outline phases.
7. Nominations to the Council of all affordable housing dwellings to be secured in accordance with the Council's agreed nomination provisions.
8. All standard Council affordable housing requirements to be secured including transfer to appropriate registered provider.

### Viability Review

1. Early, mid and late-stage viability reviews will be secured, as well as provision made for development break reviews.
2. Each viability review will take the form of a 'whole scheme appraisal', by which it is meant that the entire scheme will be reviewed at each review stage, taking into account receipted/certified costs and values incurred up until that review stage and estimating costs incurred and values achievable for the remainder of the scheme.
3. As a result of adopting a 'whole scheme appraisal', the viability review will not utilise the GLA's standard viability review formulae.
4. The only fixed inputs into the viability review mechanism (and which will be specified in the S106 Agreement) will be the Benchmark Land Value (being the BLV for the commercial elements only), and the developer profit rate which will be 17.5% profit on GDV for the market sale dwellings, 4% on the affordable dwellings and 15% on the commercial floorspace). Otherwise, all costs and revenues will be reviewed and the Financial Viability Appraisal effectively re-run at each review stage.
5. The early-stage review will take place if the developer has not substantially implemented the planning permission by 18 months from the grant of planning permission. In the event that it is triggered, all surplus arising would be allocated towards the provision of additional on-site affordable housing (subject to an overarching affordable housing cap which sets a limit on the amount of additional affordable housing (whether through on-site provision or payment in lieu) which may be sought, in the target tenure mix of 70:30 between social rent and intermediate housing respectively).
6. The mid-stage review will take place on occupation of 50% of the market housing units within Phase 2b of the development. No more than 90% of the market housing units in Phase 2b may be occupied and no market housing units in Phase 3 may be occupied, until such time as the

viability review has been settled and the approach to allocating any surplus agreed. All surplus arising from the mid-stage review is to be allocated towards the provision of additional on-site affordable housing (subject to an overarching affordable housing cap).

7. The late-stage review will take place upon occupation of 75% of the market housing units in Phase 3 of the development. No more than 90% of the market housing units in Phase 3 may be occupied until such time as the viability review has been settled. Surplus arising (subject to a cap) will be split 60:40 in favour of the Council and will be paid as a contribution in lieu of the delivery of additional on-site affordable housing.
8. Development break reviews will be carried out if construction of the development is ceased for in excess of one year. Surplus arising (subject to the overarching cap) will all be due to the Council and will be applied to the delivery of on-site affordable housing and/or paid as a contribution in lieu of the delivery of additional on-site affordable housing, at the Council's discretion, depending upon when the development break occurs.
9. The purpose of the viability review mechanism will be to assess whether, at various stages of the development, any surplus profit is generated which can be applied to increasing the level of affordable housing to be provided, with the aim of achieving a policy-compliant level of affordable housing, should the viability of the scheme improve. A policy-compliant level of affordable housing would be a minimum of 50% on site, but potentially up to 100% for the purposes of Council policy. Consequently, the cap on affordable housing to be provided by the development will be the provision of 100% of the additional or uplift dwellings (i.e. excluding any re-provided dwellings). There will be a requirement for the surplus profit arising from reviews to be applied to provide additional affordable housing on site, in order to increase the baseline provision from 25% to 50%. But thereafter there will be flexibility as to whether any further surplus arising from the reviews should be applied to more on-site affordable housing, having regard to the practicality of achieving this at the time the relevant review is carried out, and/or can be paid to the Council as a contribution. This will be at the Council's discretion and subject to the Council's approval.
10. The s106 agreement will identify (on a non-exhaustive basis) specific costs which may / may not be taken into account as part of each viability review, with costs included needing to be receipted and certified. For the purposes of these Heads of Terms, it is important to clarify the Council's position that the costs associated with works to the Old Barnsbury Estate or a residual value of the buildings to demolished on New Barnsbury may not be taken into account as part of any viability review; and the cost of purchasing existing leases shall be accounted for as a cost.

### **Wheelchair Accessible Homes**

1. 41 dwellings in the detailed phase, a minimum of 5% of dwellings in each outline phase and a minimum of 10% of dwellings in the development as a whole will be 'wheelchair user dwellings' designed in accordance with The Building Regulations 2010 Approved Document M optional requirement M4(3): Category 3 or, in the case of re-provided dwellings, dwellings which are otherwise adapted to address health conditions of returning residents.
2. Remainder of dwellings to be 'accessible and adaptable dwellings' in accordance with The Building Regulations 2010 Approved Document M optional requirement M4(2): Category 2.
3. Tenure and size mix for provision of 'wheelchair user dwellings' within the detailed phase to be secured
4. Tenure and size mix for provision of 'wheelchair user dwellings' in each outline phase (proportionate to the range of tenures and mix of the development as a whole) to be secured.
5. Requirement to adapt 'wheelchair adaptable' dwellings into 'wheelchair accessible' dwellings at developer's cost if requested by prospective owners/occupiers (only if requested by first owners/occupiers in the case of market dwellings).
6. Wheelchair user dwellings marketing plan to be secured including requirement for wheelchair user dwellings (other than social rented wheelchair user dwellings and initial sales/lets of re-provided dwellings) to be marketed for a relevant period prior to first sale and letting and for all subsequent sales and lettings (up until the dwelling has been sold/let to a wheelchair user) as wheelchair user dwellings with priority given to Council residents.

### **Community Centre and Nursery**

1. Delivery of new community centre (with minimum floorspace specified) to be secured at appropriate stage of the development, as well as temporary community centre to be available

for use immediately upon demolition of the current community centre and up until the provision of the new community centre.

2. Temporary and permanent nursery strategies to be secured with the aim of securing delivery, subject to developer's ability to procure operator through implementation of marketing strategy, of a temporary nursery following demolition of the current community centre and nursery and a permanent new nursery at appropriate stage of development (with minimum floorspace specified).
3. Use of permanent community centre and nursery (which may or may not be co-located) by local residents and on-going management to be secured by management plans.

### **Public Routes and Open Space**

1. Delivery of temporary public routes during the construction phase to be secured via temporary public routes strategy, to be updated on a phased basis. Temporary public routes to be provided, alongside the maintenance of existing routes (as applicable), to ensure sufficient, safe and appropriate access is maintained into and through the development in instances where the construction programme prohibits provision of final public routes until later in the construction phase.
2. Final public routes (namely, identified pedestrian routes, Jays Lane and Leirum Lane), along with public realm associated with Jays Lane and Leirum Lane, to be delivered at appropriate stages of the development. Jays Lane and Leirum Lane to be constructed to an adoptable standard.
3. Open space phasing plan to be secured to ensure delivery of requisite quantum of open space (namely, parks, playspace, public realm and private communal areas) within each phase and associated obligations securing delivery of the same at appropriate stages of the development linked with occupation of a certain quantum of dwellings.
4. Delivery of Carnegie Park and Pulteney Park to be secured in phases (identified by reference to appended plans), at appropriate stages of the development.
5. Maintenance and management strategy to be secured in respect of open space and public routes and Council granted step-in rights if not adhered to.
6. 'Keep open' provisions in respect of open space, temporary public routes and final public routes (other than private communal areas) to be secured to ensure these are kept open to the public in perpetuity (subject to standard exemptions/matters relating to secured by design guidance).

### **Car Parking, Highways and Transport**

1. Car Free – Council standard permit free provisions shall apply to all dwellings.
2. Separate travel plans to be secured in respect of the dwellings, commercial floorspace and the community centre/nursery respectively with appropriate monitoring and review provisions (such reviews to result in the provision of updated travel plans to the extent that monitoring demonstrates that this is necessary).
3. Car parking delivery and management plan to be secured (with subsequent updates on a phased basis) to control the delivery and management of car parking in the development including the number of car parking spaces and accessible bays to be provided in each phase, the means by which use of the car parking spaces will be restricted to returning residents with an existing permit, ensure that no new parking permits/extensions to existing permits are issued to returning residents and the means of converting car parking spaces into accessible parking bays upon the expiry or return of parking permits held by returning residents.
4. Traffic management provisions to ensure that use of Leirum Lane and Jays Lane by persons who are neither residents of nor visitors to the development is disincentivised (to complement physical design measures).
5. Provision of car club spaces and delivery of car club (with free membership for three years for first owners/occupiers of the dwellings) at an appropriate stage of the development to be secured.
6. Highway works to be secured through a Section 278 agreement, including but not limited to: (a) highway works to Charlotte Terrace and Carnegie street; (b) highway works to Caledonian Road between Copenhagen Street and Carnegie Street (c) improved crossing on Caledonian Road north of Copenhagen Street, (d) raised entry treatment at Charlotte Terrace (where it adjoins Copenhagen Street).

### **Employment, Skills and Training**

1. Compliance with Council's Employment and Training Code.
2. Apprenticeships –
  - All reasonable endeavours to secure 47 number of 26-week placements in the construction phase;
  - £5,000 penalty for each of the construction apprenticeships not provided (up to an aggregate total sum of £235,000)
  - London Living Wage for apprenticeships;
  - All reasonable endeavours to provide not less than 30% of apprenticeships to women and 30% to those from a BAME background;
  - Work with the Council's Inclusive Economy and Jobs Service to advertise and promote vacancies during construction phase; and
  - Associated monitoring and reporting obligations.
3. Supply chain strategy to include a range of employment policies to be implemented through the construction supply chain to be secured, covering: diversity and inclusion; continuous professional development; well-being; net zero (e.g. cycle to work); and flexible and part-time working where the role permits.
4. Work in partnership with Council's Inclusive Economy and Jobs Service to advertise and promote vacancies during operational phase of development to promote employment within the Borough.
5. Local Procurement –
  - Compliance with Council's Local Procurement Code;
  - Host 'Meet the Buyer' events with local businesses to discuss packages available; and
  - Provide procurement training to help local business by 'tender ready'.
6. Green Skills Training Contribution

### **Energy and Sustainability**

1. Submission of updated energy assessment and a Green Performance Plan, and compliance with the same, to be secured.
2. Requirements to safeguard connection to Communal Heating System / District Heating.
3. Be Green, Be Lean, Be Seen GLA monitoring requirements to be secured.

### **Construction Requirements**

1. Compliance with Council's Code of Construction Practice and submission of site-specific response document setting out how the developer intends to comply with the Code of Construction Practice for the relevant phase/sub-phase for approval in respect of each phase to be secured.
2. Construction Logistics Plan and Delivery and Servicing Plan to be secured on phased basis.

### **Design Quality**

1. Provisions securing retention of the developer's design team (including the architect and landscaping architect) to oversee in a guardian role the delivery of the design quality of the development in accordance with the planning permission for the duration of the construction phase, subject to the Council's right to approve any proposed replacements where these are of a similar standing (as determined by the Council).

### **Annual Monitoring Report**

1. Requirement to submit Annual Monitoring Report detailing delivery in respect of s106 obligations.

If the Committee resolve to grant, resolution will include provision to provide flexibility to officers to negotiate and finalise s106 on behalf of the Committee.

That, should the Section 106 Deed of Planning Obligation not be completed within 13 weeks from the date when the application was made valid or within the agreed extension of time, 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, and that there is delegated to each of the following: the Head of Development Management the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes (additions removals or amendments) to the conditions:

**List of Conditions:**

<b>1</b>	<b>THREE YEAR PERMISSION</b>
	<p>CONDITION: The Detailed Element of the development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<b>Reserved Matters</b>
	<p>CONDITION: An application or applications for the approval of all reserved matters relating to all areas within the Outline Element demarcated area on the hybrid application boundaries parameter plan BAE-PTE-ZZ-XX-DR-A-100092 rev C2 must be made to the Local Planning Authority prior to any works commencing in these areas no later than the expiry of 10 years beginning with the date of this permission.</p> <p>REASON: To comply with Section 92(2) of the Town and Country Planning Act 1990 as amended</p>
<b>3</b>	<b>Approved Plans</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved drawings and information:</p> <p><b>Plans</b>          Illustrative Landscape Masterplan (Detailed and Outline), 732-FH-XX-00-DP-L-100, Rev. A          General Arrangement Plan, 732-FH-XX-00-DP-L-101, Rev. A          Detailed Area Location Plan, 732-FH-XX-00-DP-L-110, Rev. A          Block A and Block B - Landscape Plan, 732-FH-XX-00-DP-L-111, Rev. A          Block C and Pultney Street Park - Landscape Plan, 732-FH-XX-00-DP-L-112, Rev. A          Block D and Carnegie Street Park- Landscape Plan, 732-FH-XX-00-DP-L-113, Rev. A          Block D Rooftop - Landscape Plan, 732-FH-XX-XX-DP-L-114, Rev. A          Proposed Level Plan, 732-FH-XX-00-DP-L-301, Rev. B          Block A and Block B - Proposed Level Plan, 732-FH-XX-00-DP-L-311, Rev. B          Block C and Pultney Street Park - Proposed Level Plan, 732-FH-XX-00-DP-L-312, Rev. B          Block D and Carnegie Street Park - Proposed Level Plan, 732-FH-XX-00-DP-L-313, Rev. B          Tree and Soft Landscape Plan, 732-FH-XX-00-DP-L-401, Rev. A</p> <p><b>Details</b>          Block A and Block B - Sections, 732-FH-XX-00-DT-L-111, Rev. A          Block C and Pultney Street Park- Sections, 732-FH-XX-00-DT-L-112, Rev. A          Block D and Carnegie Street Park - Sections, 732-FH-XX-00-DT-L-113, Rev. A          Typical Tree Pit Details, 732-FH-XX-00-DT-L-401, Rev. A</p> <p><b>Masterplan</b>  <b>General</b>          Site Location Plan, BAE-PTE-ZZ-XX-DR-A-100001, Rev. C1          Existing Site Plan, BAE-PTE-ZZ-XX-DR-A-100002, Rev. C1</p>

Newlon Ownership Boundary Plan, BAE-PTE-ZZ-XX-DR-A-100003, Rev. C1  
Existing Topographical Plan, BAE-PTE-ZZ-XX-DR-A-100004, Rev. C1  
Proposed Topographical Plan, BAE-PTE-ZZ-XX-DR-A-100005, Rev. C2  
Site Plan with Proposed and Existing Footprint, BAE-PTE-ZZ-XX-DR-A-100006, Rev. C2  
Indicative Phasing Plan, BAE-PTE-ZZ-XX-DR-A-100007, Rev. C2

**Existing Masterplan Site Sections - 1:500 Site Section**

Existing Site Sections A - D, BAE-PTE-XX-ZZ-DR-A-102008, Rev. C3  
Existing Site Sections E - I, BAE-PTE-XX-ZZ-DR-A-102009, Rev. C3

**Proposed Masterplan Floor Plans & Roof Plan - 1:500 Masterplan GA's**

Masterplan Level 099 GA Plan, BAE-PTE-ZZ-B1-DR-A-101010, Rev. C2  
Masterplan Level 100 GA Plan, BAE-PTE-ZZ-00-DR-A-101011, Rev. C2  
Masterplan Level 101 GA Plan, BAE-PTE-ZZ-01-DR-A-101012, Rev. C2  
Masterplan Level Typical GA Plan, BAE-PTE-ZZ-ZZ-DR-A-101013, Rev. C2  
Masterplan Level 107 GA Plan, BAE-PTE-ZZ-07-DR-A-101014, Rev. C2  
Masterplan Level Roof GA Plan, BAE-PTE-ZZ-ZZ-DR-A-101015, Rev. C2

**Proposed Masterplan Site Sections - 1:500 Site Sections**

Proposed Site Sections A - D, BAE-PTE-XX-ZZ-DR-A-102016, Rev. C5  
Proposed Site Sections E - I, BAE-PTE-XX-ZZ-DR-A-102017, Rev. C4

**Detailed Element**

**Proposed Floor Plans - 1:200 Phase 1a, 1b and 3a Detailed Application GA's Plan**

Phase 1a Detailed Application GA Plan - Level 100, BAE-PTE-XX-00-DR-A-101018, Rev. C2  
Phase 1a Detailed Application GA Plan - Level 101, BAE-PTE-XX-01-DR-A-101019, Rev. C2  
Phase 1a Detailed Application GA Plan - Level 102, BAE-PTE-XX-02-DR-A-101020, Rev. C2  
Phase 1a Detailed Application GA Plan - Level 103, BAE-PTE-XX-03-DR-A-101021, Rev. C2  
Phase 1a Detailed Application GA Plan - Level 104, BAE-PTE-XX-04-DR-A-101022, Rev. C2  
Phase 1a Detailed Application GA Plan - Level 105, BAE-PTE-XX-05-DR-A-101023, Rev. C2  
Phase 1a Detailed Application GA Plan - Level 106, BAE-PTE-XX-06-DR-A-101024, Rev. C2  
Phase 1a Detailed Application GA Plan - Level 107, BAE-PTE-XX-07-DR-A-101025, Rev. C2  
Phase 1a Detailed Application GA Plan - Level 108, BAE-PTE-XX-08-DR-A-101026, Rev. C2  
Phase 1b Detailed Application GA Plan - Level 099, BAE-PTE-XX-B1-DR-A-101027, Rev. C2  
Phase 1b Detailed Application GA Plan - Level 100, BAE-PTE-XX-00-DR-A-101028, Rev. C2  
Phase 1b Detailed Application GA Plan - Level 101, BAE-PTE-XX-01-DR-A-101029, Rev. C2  
Phase 1b Detailed Application GA Plan - Level 102-105, BAE-PTE-XX-ZZ-DR-A-101030, Rev. C2  
Phase 1b Detailed Application GA Plan - Level 106, BAE-PTE-XX-06-DR-A-101031, Rev. C2  
Phase 1b Detailed Application GA Plan - Level 107, BAE-PTE-XX-07-DR-A-101032, Rev. C2  
Phase 1b Detailed Application GA Plan - Level 108, BAE-PTE-XX-08-DR-A-101033, Rev. C2  
Phase 3a Detailed Application GA Plan - Level 099, BAE-PTE-XX-B1-DR-A-101034, Rev. C2  
Phase 3a Detailed Application GA Plan - Level 100, BAE-PTE-XX-00-DR-A-101035, Rev. C2  
Phase 3a Detailed Application GA Plan - Level 101-105, BAE-PTE-XX-ZZ-DR-A-101036, Rev. C3  
Phase 3a Detailed Application GA Plan - Level 101-105, BAE-PTE-XX-ZZ-DR-A-101037, Rev. C3  
Phase 3a Detailed Application GA Plan - Level 108, BAE-PTE-XX-08-DR-A-101038, Rev. C2  
Phase 3a Detailed Application GA Plan - Level 109, BAE-PTE-XX-09-DR-A-101039, Rev. C2  
Phase 3a Detailed Application GA Plan - Level 110, BAE-PTE-XX-10-DR-A-101040, Rev. C2  
Phase 3a Detailed Application GA Plan - Level 111, BAE-PTE-XX-11-DR-A-101041, Rev. C2

**Proposed Elevations - 1:200 Building Elevations**

Detailed Application Elevations - Block A3, BAE-PTE-VA-ZZ-DR-A-103044, Rev. C3  
Detailed Application Elevations - Block B1 - B2 - B3, BAE-PTE-VB-ZZ-DR-A-103045, Rev. C3  
Detailed Application Elevations - Block B1 - B4, BAE-PTE-VB-ZZ-DR-A-103046, Rev. C2  
Detailed Application Elevations - Block B1 - B4 Internal Elevations, BAE-PTE-VB-ZZ-DR-A-103047, Rev. C4

Detailed proposed plans per block - 1:100 Detailed Floor Plans and Roof Plans

Detailed Application Elevations - Block C6, BAE-PTE-VC-ZZ-DR-A-103048, Rev. C3  
Detailed Application Elevations - Block C7 - C9, BAE-PTE-VC-ZZ-DR-A-103049, Rev. C3  
Detailed Application Elevations - Block C7 - C9 Internal Elevations, BAE-PTE-VC-ZZ-DR-A-103050, Rev. C3  
Detailed Application Elevations - Block D1, BAE-PTE-VD-ZZ-DR-A-103051, Rev. C3  
Detailed Application Elevations - Block D2, BAE-PTE-VD-ZZ-DR-A-103052, Rev. C3  
Detailed Application Elevations - Block D3, BAE-PTE-VD-ZZ-DR-A-103053, Rev. C3

***Proposed Detailed Sections/Elevations - 1:50 Detailed Elevations Sections***

Detailed Elevation Section - A3 North, BAE-PTE-VA-ZZ-DR-A-105054, Rev. C2  
Detailed Elevation Section - B1 West, BAE-PTE-VB-ZZ-DR-A-105055, Rev. C2  
Detailed Elevation Section - B1 East, BAE-PTE-VB-ZZ-DR-A-105056, Rev. C2  
Detailed Elevation Section - B1 Gateway, BAE-PTE-VB-ZZ-DR-A-105057, Rev. C2  
Detailed Elevation Section - B4 South, BAE-PTE-VB-ZZ-DR-A-105058, Rev. C2  
Detailed Elevation Section - C6 South, BAE-PTE-VC-ZZ-DR-A-105059, Rev. C2  
Detailed Elevation Section - C8 North, BAE-PTE-VC-ZZ-DR-A-105060, Rev. C2  
Detailed Elevation Section - D2 West, BAE-PTE-VD-ZZ-DR-A-105061, Rev. C2  
Detailed Elevation Section - D2 North & East, BAE-PTE-VD-ZZ-DR-A-105062, Rev. C2

***Detailed proposed plans per block - 1:100 Detailed Floor Plans and Roof Plans***

A3 - Level 100 & 101-104, BAE-PTE-VA-ZZ-DR-A-101063, Rev. 3  
A3 - Level 105, 106 & Roof, BAE-PTE-VA-ZZ-DR-A-101064, Rev. 2  
B1 - Level 100 & 101 & 102-104, BAE-PTE-VB-ZZ-DR-A-101065, Rev. 3  
B1 - Level 105, 106 & Roof, BAE-PTE-VB-ZZ-DR-A-101066, Rev. 2  
B2 - Level 099 & 100, BAE-PTE-VB-ZZ-DR-A-101067, Rev. 3  
B2 - Level 101 & 102-106, BAE-PTE-VB-ZZ-DR-A-101068, Rev. 2  
B2 - Level 107 & Roof, BAE-PTE-VB-ZZ-DR-A-101069, Rev. 2  
B3 - Level 100 & 101 & 102, BAE-PTE-VB-ZZ-DR-A-101070, Rev. 3  
B3 - Level 103-106, 107 & Roof, BAE-PTE-VB-ZZ-DR-A-101071, Rev. 2  
B4 - Level 100, 101, 102 & Roof, BAE-PTE-VB-ZZ-DR-A-101072, Rev. 3  
C6 - Level 100 & 101-105, BAE-PTE-VC-ZZ-DR-A-101073, Rev. 3  
C6 - Level 106 & Roof, BAE-PTE-VC-ZZ-DR-A-101074, Rev. 4  
C7 - Level 100 & 101-105, BAE-PTE-VC-ZZ-DR-A-101075, Rev. 3  
C7 - Level 106 & 107, BAE-PTE-VC-ZZ-DR-A-101076, Rev. 2  
C7 - Level Roof, BAE-PTE-VC-08-DR-A-101077, Rev. 2  
C8 - Level 099, 100 & 101-105, BAE-PTE-VC-ZZ-DR-A-101078, Rev. 3  
C8 - Level 106, 107 & Roof, BAE-PTE-VC-ZZ-DR-A-101079, Rev. 2  
C9 - Level 100 & 101-105, BAE-PTE-VC-ZZ-DR-A-101080, Rev. 3  
C9 - Level 106 & 107, BAE-PTE-VC-ZZ-DR-A-101081, Rev. 2  
C9 - Level Roof, BAE-PTE-VC-08-DR-A-101082, Rev. 2  
D1 - Level 099, 100 & 101, BAE-PTE-VD-ZZ-DR-A-101083, Rev. 3  
D1 - Level 102-105, 106-107 & 108, BAE-PTE-VD-ZZ-DR-A-101084, Rev. 3  
D1 - Level Roof, BAE-PTE-VD-RF-DR-A-101085, Rev. 1  
D2 - Level 100, 101 & 102-105, BAE-PTE-VD-ZZ-DR-A-101086, Rev. 4  
D2 - Level 106-109 & 110, BAE-PTE-VD-ZZ-DR-A-101087, Rev. 3  
D2 - Level Roof, BAE-PTE-VD-RF-DR-A-101088, Rev. 1  
D3 - Level 100, 101 & 102-105, BAE-PTE-VD-ZZ-DR-A-101089, Rev. 4  
D3 - Level 106-107, 108 & Roof, BAE-PTE-VD-ZZ-DR-A-101090, Rev. 3

**Parameter Plans**

***General***

Parameter Plan - Demolition Plan, BAE-PTE-ZZ-XX-DR-A-100091, Rev. 2  
Parameter Plan - Hybrid Application Boundary, BAE-PTE-ZZ-XX-DR-A-100092, Rev. 2  
Parameter Plan - Building Heights Plan, BAE-PTE-ZZ-XX-DR-A-100093, Rev. 4  
Parameter Plan - Building Plots Plan, BAE-PTE-ZZ-XX-DR-A-100094, Rev. 3  
Parameter Plan - Land Use Plan, BAE-PTE-ZZ-XX-DR-A-100095, Rev. 3  
Parameter Plan - Access and Movement Plan, BAE-PTE-ZZ-XX-DR-A-100096, Rev. 3  
Parameter Plan - Landscape and Open Space Plan, BAE-PTE-ZZ-XX-DR-A-100097, Rev. 3  
Parameter Plan - Basement Plan, BAE-PTE-ZZ-XX-DR-A-100098, Rev. 3

**Proposed Site Elevation**

Proposed Site Elevation A - D, BAE-PTE-XX-ZZ-DR-A-103099, Rev. C3

**Documents**

Planning Application Form and Certificates, prepared by Lichfields (Updated 11 November 2022)  
Development Specification, prepared by Lichfields (Updated 11 November 2022)  
Design Code, prepared by PTE and Farrer Huxley (Updated 02 November 2022)  
CIL Additional Information Form, prepared by Lichfields (Updated 11 November 2022)  
Design and Access Statement, prepared by PTE (13 May 2022)  
Design and Access Statement Addendum, prepared by PTE (Updated 11 November 2022)  
Planning Statement, prepared by Lichfields (13 May 2022)  
Planning Statement Addendum, prepared by Lichfields (30 September 2022)  
Planning Statement Report Addendum 2, prepared by Lichfields (11 November 2022)  
Aboriginal Impact Assessment and Method Statement, prepared by Sharon Hosegood Associates (Updated 30 September 2022)  
Archaeology (Buried Heritage) Assessment, prepared by RPS (Updated 30 September 2022)  
Basement Impact Assessment, prepared by Stantec (13 May 2022)  
Basement Impact Assessment Addendum, prepared by Stantec (30 September 2022)  
Biodiversity Impact Assessment (Net Gain), prepared by Greengage (Updated 30 September 2022)  
BREEAM Ecology Report, prepared by Greengage (Updated 30 September 2022)  
Circular Economy Statement, prepared by AECOM (13 May 2022)  
Circular Economy Statement Addendum, prepared by AECOM (09 November 2022)  
Energy Statement and Modelling, prepared by AECOM (13 May 2022)  
Energy Statement and Modelling Addendum, prepared by AECOM (09 November 2022)  
Equality Impact Assessment, prepared by Quod (13 May 2022)  
Equality Impact Assessment, Statement of Conformity (30 September 2022)  
Financial Viability Assessment, prepared by DS2 (13 May 2022)  
Financial Viability Assessment Addendum 1, prepared by DS2 (30 September 2022)  
Financial Viability Assessment Addendum 2, prepared by DS2 (11 November 2022)  
Fire Statement & Gateway One Form, prepared by Affinity Fire (Updated 30 September 2022)  
Flood Risk Assessment and Drainage Report, prepared by Stantec (Updated 30 September 2022)  
Ground Conditions Assessment, prepared by Stantec (13 May 2022)  
Green Performance Plan, prepared by AECOM (13 May 2022)  
Green Performance Plan Addendum, prepared by AECOM (09 November 2022)  
Health Impact Assessment, prepared by Quod (13 May 2022)  
Health Impact Assessment, Statement of Conformity, prepared by Quod (30 September 2022)  
Internal Daylight & Sunlight Assessment, prepared by Point 2 Surveyors (30 September 2022)  
Outline Construction Management Plan, prepared by Stantec (13 May 2022)  
Outline Construction Management Plan, Statement of Conformity (30 September 2022)  
Outline Lighting Strategy, prepared by Light Follows Behaviour (updated 30 September 2022)  
Overheating Report, prepared by AECOM (13 May 2022)  
Overheating Report Addendum, prepared by AECOM (09 November 2022)  
Schedule of Accommodation, prepared by PTE (updated 31 October 2022)  
Site Waste Management Plan, prepared by Stantec (13 May 2022)  
Statement of Community Involvement, prepared by London Communications Agency (13 May 2022)  
Statement of Community Involvement Addendum, prepared by London Communications Agency (11 November 2022)  
Sustainable Design & Construction Statement including BREEAM Assessment, prepared by AECOM (13 May 2022)  
Sustainable Design & Construction Statement including BREEAM Assessment Addendum, prepared by AECOM (09 November 2022)  
Transport Assessment, prepared by Stantec (13 May 2022)  
Transport Assessment Addendum, prepared by Stantec (30 September 2022)  
Unexploded Ordnance Report, prepared by Stantec (13 May 2022)  
Utilities and Foul Drainage Assessment, prepared by Stantec (13 May 2022)  
Utilities and Foul Drainage Assessment Addendum, prepared by Stantec (30 September 2022)

	<p>Whole Life Carbon Report, prepared by AECOM (13 May 2022)  Whole Life Carbon Report Addendum, prepared by AECOM (09 November 2022)  Environmental Statement, coordinated by Trium Consulting (13 May 2022)  Environmental Statement Addendum, coordinated by Trium Consulting (30 September 2022)  Environmental Statement, Statement of Conformity, coordinated by Trium Consulting (11 November 2022)  PEA, Statement of Conformity, prepared by Greengage (30 September 2022)  Light Spill Report, prepared by Greengage (30 September 2022)</p>
<b>4</b>	<b>Phasing Plan</b>
	<p>CONDITION: Unless otherwise agreed in writing by the Local Planning Authority the development shall be implemented in accordance with the phasing plan ref. BAE-PTE-ZZ-XX-DR-A-10007 C2 hereby approved. Any subsequent updated phasing plan hereby approved shall accompany each future reserved matters application.</p> <p>REASON: The programme is phased to allow for a staggered approach to construction, in order to bring forward the proposed resident decant and rehousing strategy and to minimise harm and disturbance to the amenity of residents within the local area through construction procedures, to ensure that an appropriate decanting of existing residents, tenants and occupiers and to ensure that the development is implemented to the satisfaction of the Local Planning Authority.</p>
<b>5</b>	<b>Construction Logistics and Environmental Management Plan</b>
	<p>CONDITION: The Proposed Development shall be constructed in accordance with the Outline Construction Environmental Management Plan hereby approved.</p> <p>Prior to the commencement (including demolition) of the relevant parts of the Detailed and Outline Element of the Proposed Development, a Construction Environmental Management Plan shall be submitted to the Local Planning Authority and approved in writing. The report(s) shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity (inclusive of occupiers of completed phases of the development) and other occupiers together with means of mitigating any identified impacts. The details must refer to the new London Borough of Islington Code of Practice for Construction Sites.</p> <p>Details shall include:</p> <ul style="list-style-type: none"> <li>a) Demolition techniques to be used (particularly with the demolition of some of the reinforced structures);</li> <li>b) Protection of bats during the demolition</li> <li>c) Monitoring positions;</li> <li>d) Consideration of how impacts will be managed for any occupants of any completed phases;</li> <li>e) Freight Operator Recognition Scheme (FORS) Silver Level or similar accreditation,</li> <li>f) site access</li> <li>g) loading/unloading and parking arrangements,</li> <li>h) booking systems and timing of arrivals at and departures from the site,</li> <li>i) vehicular routes</li> <li>j) scope for load consolidation; and</li> <li>k) use of alternative modes and measures to reduce risks and impact of collisions with vulnerable road users. The demolition and construction of the development (or relevant phase approved) 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.</li> </ul> <p>REASON: The Plan shall identify efficient, safe and sustainable arrangements to be employed at each stage of implementation of the development to reduce and mitigate impacts of freight vehicle movements arising from the scheme, including impacts on the expeditious movement of traffic, residential amenity and highway safety and to mitigate the impacts of the development in accordance with London Plan policy T7 Deliveries, Servicing &amp; Construction and Development Management Policies DM2.1 and DM8.2.</p>

<p><b>6</b></p>	<p><b>Tree Protection Details</b></p> <p>CONDITION: Notwithstanding the plans hereby approved, no site clearance, preparatory work or development shall take place until an updated scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods (the arboricultural method statement, AMS) in accordance with Clause 7 of British Standard BS 5837 2012 -Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Specific issues to be dealt with in the TPP and AMS where they intrude into Root Protection or Canopy Protection Areas:</p> <ul style="list-style-type: none"> <li>a. Location and installation of services/ utilities/ drainage;</li> <li>b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees;</li> <li>c. Details of construction within the RPA or that may impact on the retained trees;</li> <li>d. A full specification for the installation of boundary treatment works;</li> <li>e. A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them;</li> <li>16</li> <li>f. Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses;</li> <li>g. A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing;</li> <li>h. A specification for scaffolding and ground protection within tree protection zones;</li> <li>i. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area;</li> <li>j. Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires;</li> <li>k. Boundary treatments within the RPA;</li> <li>l. Methodology and detailed assessment of root pruning;</li> <li>m. Reporting of inspection and supervision;</li> <li>n. Methods to improve the rooting environment for retained and proposed trees and landscaping; and</li> <li>o. Veteran and ancient tree protection and management</li> </ul> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
<p><b>7</b></p>	<p><b>Arboricultural Site Supervision</b></p> <p>CONDITION: Prior to the commencement of the development hereby approved (including any ground clearance, tree works, demolition or construction), details of all tree protection monitoring and site supervision by a suitably qualified tree specialist (where arboricultural expertise is required) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>REASON: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with Policy DM 2.3 and DM 6.5, policies G1, G5 and G7 of the London Plan, policies G1 and G4 of the emerging Local Plan.</p>
<p><b>8</b></p>	<p><b>Whole Life Cycle Carbon – review and further details</b></p>

	<p>CONDITION: Notwithstanding the details approved, prior to the commencement of development of each subsequent phase an Updated Whole Life Carbon Assessment shall be submitted to and approved in writing by the Local Planning Authority. The updated assessment shall include/address:</p> <ul style="list-style-type: none"> <li>- Further carbon reduction quantification through the detailed design stage material selection and specification;</li> <li>- Completed GLA Draft Whole Life-Cycle Carbon Assessment</li> <li>- Details of how opportunities for retaining and refurbishing/re-purposing existing buildings, materials and other resources on site have been maximised to reduce the need for new materials;</li> <li>- Details of life cycle of embodied carbon and finite resources relating to the enabling works stage and end of life approach;</li> <li>- The use of a consolidated delivery facility;</li> <li>- Details of the applicant's Principals of Sustainable Procurement and details of specific measures being taken on the site for specification and sourcing of materials;</li> <li>- Consideration of end of life de-construction;</li> <li>- Cost premiums, supply chain limits and structural constraints for the proposal and Implications of Key Performance Indicators not being met; and</li> <li>- Updated targets for Bill of Materials</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom unless otherwise specified in writing by the Local Planning Authority.</p> <p>REASON: The revised and updated details and designs will ensure that the embodied carbon emissions associated with the proposed development, taking into account the materials quantities and loads, operational energy consumption of the built scheme, with total emissions estimated and compared to the GLA benchmarks are reduced to their lowest possible levels, having regard to GLA benchmarks in accordance with policy S4 of the London Plan.</p>
<b>9</b>	<b>Contamination</b>
	<p>CONDITION: Prior to the commencement of development (excluding demolition) the following assessment in response to the NPPF and in accordance with Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) and BS10175:2011+A2:2017 shall be submitted to and approved in writing by the Local Planning Authority</p> <p>a) A land contamination investigation.</p> <p>The investigation shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements for sampling and testing.</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 remediation method statement of any necessary land contamination remediation works arising from the land contamination investigation.</p> <p>This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved site investigation. The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority. If, during development, contamination not previously identified is found to be present</p>

	<p>at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements for sampling and testing</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). This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements for sampling and testing.</p> <p>REASON: Given the history of the site the land may be contaminated investigation and potential remediation is necessary to safeguard the health and safety of future occupants</p>
<b>10</b>	<b>Materials</b>
	<p>CONDITION: Details and samples of all facing materials proposed shall be submitted to and approved in writing by the Local Planning Authority prior to development of the relevant part commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a. Plan, elevation and section drawings, including jambs, head and sill, of all external windows and doors at a scale of 1:10;</li> <li>b. Samples and manufacturer's details at a scale of 1:10, of all main facing materials including brickwork in both primary base bricks, accent bricks and brick clad soffits and architectural pre-cast concrete balcony slabs, columns, copings, soffits, ground floor sills and entrance signage;</li> <li>c. Samples and manufacturer's details of all metalwork including PPC aluminium window system, sills, canopies, ventilation grilles and soffits and rainwater goods and bronze PPC steel balustrades, gates, shutters, soffits and gallery access railings;</li> <li>d. A full scale sample bay panel should be erected on-site to show a typical window detail and should be approved by the Council before the relevant parts of the work are commenced. This should demonstrate the exact facing brick blend and detail demonstrating the proposed colours, texture, face-bond and pointing and include a junction with a window opening. The development shall be carried out in accordance with the approval given;</li> <li>e. Details of the green roof system</li> <li>f. Green procurement plan; and</li> <li>g. Any other materials to be used</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard</p>
<b>11</b>	<b>Flexible Commercial uses</b>
	<p>CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to the flexible unit on the ground floor level, except the permitted use(s) hereby approved within Class E:</p> <p>A) Block 2A: Proposed Ground Floor the flexible commercial units as shown on land uses parameter plan BAE-PTE-ZZ-XX-DR-A-10095 rev C2 shall only be operated as:</p> <ul style="list-style-type: none"> <li>E(a) Display or retail sale of goods, other than hot food</li> <li>E(b) Sale of food and drink for consumption (mostly) on the premises</li> <li>E(c) Provision of:</li> </ul>

	<p>E(c)(i) Financial services,  E(c)(ii) Professional services (other than health or medical services), or  E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)</p> <p>B) 443Proposed Ground Floor the flexible commercial units as shown on land uses parameter plan BAE-PTE-ZZ-XX-DR-A-10095 rev C2shall only be operated as:  E(a) Display or retail sale of goods, other than hot food  E(b) Sale of food and drink for consumption (mostly) on the premises  E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)</p> <p>C) Block C1: Proposed Ground Floor flexible commercial units as shown on land uses parameter plan BAE-PTE-ZZ-XX-DR-A-10095 rev C2 shall only be operated as:  - abutting the new public open space  shall only be operated as:  E(a) Display or retail sale of goods, other than hot food  and for no other purpose, including any purpose falling solely under Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and subsequent Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>REASON: For the avoidance of doubt and to enable the Local Planning Authority to monitor and restrict the commercial uses at the site in order to ensure an appropriate balance of uses that provide services for new and existing residents and support the delivery of economic growth within the borough; to protect the viability of the designated Local Shopping Area; to protect residential amenity; and to ensure that uses adjacent to the new public open space provide an active frontage with passive surveillance to support the amenity and safe use of the open space and development more generally.</p>
<b>12</b>	<b>Restriction on quantum of retail floorspace</b>
	<p>CONDITION: Notwithstanding the drawings and documents hereby approved, the total retail (Class E(a) use) floorspace within the development shall be restricted to a maximum of 12000sqm in total and no single retail unit shall be larger than 200sqm.</p> <p>The development and use shall operate strictly in accordance with the details so approved and shall be retained as such permanently thereafter.</p> <p>REASON: A restriction on the quantum of floorspace and number of units in convenience use is necessary at the site to ensure that the development does not jeopardise the future viability of the local shopping area. The restriction would provide an appropriate balance to provide for future residents needs whilst protecting Town Centre viability.</p>
<b>13</b>	<b>Restriction on PD Rights</b>
	<p>CONDITION: Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modifications), no change of use from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place.</p> <p>REASON: To safeguard the vitality and viability of the local shopping area and to safeguard residents amenity in the context of traffic noise and detrimental air quality in Caledonian Road.</p>
<b>14</b>	<b>Hours of operation</b>
	<p>CONDITION: The following non-residential uses of the hereby approved development shall only operate between the following hours and at no other time:</p> <p>Class E (a) – Retail Use:</p>

	<p>7am - 11pm Monday to Saturday 7am - 8pm Sundays and Bank Holidays</p> <p>Class E (b) – Café/Restaurant Use: 7am - 10pm Monday to Thursday 7am - 11pm Friday to Saturday 7am – 9pm Sundays and Bank Holidays</p> <p>Class E (c) – professional services 7am - 8pm Monday to Thursday 7am - 8pm Friday to Saturday 9am – 6pm Sundays and Bank Holidays</p> <p>Class E(e) Provision of medical or health services: 7am – 10pm Monday to Saturday 7am – 8pm Sundays and Bank Holidays</p> <p>REASON: In the interests of protecting neighbouring residential amenity from unacceptable noise impacts in particular at the quietest times of each day. These restrictions are necessary in order to secure compliance with London Plan Policy D3 and policy DM2.1 of the Islington Development Management Policies 2013.</p>
<b>15</b>	<b>Piling Method Statement</b>
	<p>CONDITION: Piling method statement (pre-commencement insofar as it relates to the commencement of piling. Details to be agreed prior to piling takes place).</p> <p>No piling, within each relevant part of development, 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 for each phase of the development in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure</p>
<b>16</b>	<b>Water supply</b>
	<p>CONDITION: Prior to the occupation of each relevant part of the development hereby approved detail shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Thames Water, to demonstrate that either:</p> <ul style="list-style-type: none"> <li>- all water network upgrades required to accommodate the additional flows to serve the relevant phase of the development have been completed; or</li> <li>- a development and infrastructure phasing plan has been agreed with Thames Water to allow the relevant phase of the development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of the relevant phase shall take place other than in accordance with the agreed development and infrastructure phasing plan.</li> <li>- ensure that water supply is limited to 95 litres per person per day.</li> </ul> <p>The developer should make provision for a water tap within each private amenity space prior to the units' first occupation.</p> <p>REASON: To ensure the water supply infrastructure has sufficient capacity to accommodate the increase in water use at the site.</p>
<b>17</b>	<b>Privacy screen and overlooking mitigation</b>

	<p>CONDITION: Notwithstanding the plans hereby approved, further details of obscured glazing and privacy screens to prevent overlooking within the estate shall be submitted and approved in writing by the Local Planning Authority prior to any above ground works of the relevant phase commencing on site.</p> <p>The details should be provided for screening and glazing relating may be temporary or permanent depending on their relationship to buildings as follows:</p> <ul style="list-style-type: none"> <li>a) to buildings within the relevant phase</li> <li>b) the temporary relationship to buildings yet to be demolished outside the relevant phase and</li> <li>c) to buildings to be constructed outside the relevant phase</li> </ul> <p>Where part (b) is applicable, the local planning authority should determine whether a further application is to be required to evaluate the overlooking impact identified to be mitigated through part (c).</p> <p>The obscured glazing and privacy screens shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking between habitable rooms within the development itself, to protect the future amenity and privacy of residents.</p>
<b>18</b>	<b>Sustainable Urban Drainage</b>
	<p>CONDITION: Details of surface drainage works s pertaining to the outline phases hall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on each relevant part of the development. The details shall be based on an assessment of the potential for disposing of surface water by means of sustainable drainage system in accordance with the principles as set out in London Plan Policies SI 13. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme would achieve at least a 50% attenuation of the undeveloped site's surface water run off at peak times. The drainage system shall be installed/operational prior to the first occupation of each phase of the development. The details submitted should also include a management and maintenance programme. 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</p>
<b>19</b>	<b>Cycle parking</b>
	<p>CONDITION: Prior to the occupation of each phase of the development hereby permitted, details of cycle parking and associated facilities, and provision for specialist and electric cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The details approved shall be installed and operational prior to occupation of the relevant phase of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking and associated support facilities (shower and locker facilities for non-residential floorspace) are made available and easily accessible on site and to promote sustainable modes of transport in accordance with London Plan policy T5 Cycling and Development Management Policy DM8.4.</p>
<b>20</b>	<b>BREEAM Excellent</b>
	<p>CONDITION: The non-residential elements of the development hereby approved shall target a BREEAM "New Construction" 2018 (or equivalent scheme) rating of no less than "Excellent". The scope of the works of the development must include a full fit-out, unless it can be demonstrated that this is not feasible through the submission to and approval of a feasibility statement by the Local Planning Authority.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development</p>
<b>21</b>	<b>Overheating mitigation</b>

	<p>CONDITION: Prior to occupation on the relevant part of the development full details of mitigation measures to reduce overheating risk (undertaken using the recommended approach set out in GLA guidance (CIBSE TM59 methodology) shall be submitted to the Local Planning Authority and approved in writing. The fully detailed and mitigation measures may include:</p> <ul style="list-style-type: none"> <li>a) glazing measures</li> <li>b) solar control glazing</li> <li>c) ventilation panels (louvres)</li> <li>d) side hung window / door openings to increase passive ventilation of units; and</li> <li>e) balcony design;</li> <li>f) external blinds; and</li> <li>g) Mechanical Ventilation and Heat Recovery system.</li> </ul> <p>The development of each relevant part of thr development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>REASON: In order to ensure that the design of residential units are such that they would achieve comfortable temperatures in the event of extreme weather scenarios (which are becoming more common). These measures are necessary in order to secure compliance with GLA guidance. These base measures secure compliance with policies D6 and S14 of the London Plan, and policies DM7.5 of the Development Management Policies.</p>
<b>22</b>	<b>Noise mitigation</b>
	<p>CONDITION: Notwithstanding the details and drawings approved, prior to superstructure works commencing on the relevant part of the development hereby approved, a scheme for sound insulation and noise control measures including details of the adoption of suitable acoustic glazing specification and facade construction shall be submitted to the local Planning Authority and approved in writing.</p> <p>The sound insulation and noise control measures shall achieve the following internal noise targets:</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast)  Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour  Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the relevant part 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. The detailed specification and design of sound insulation and noise control measures will need to be managed alongside and aligned with measures to address overheating. In this regard, this condition and condition 22 (Overheating mitigation) shall be developed and discharged in parallel and shall be determined alongside each other to prevent one unacceptably impacting the other. The development shall be carried out strictly in accordance with the details so approved and retained as such thereafter.</p> <p>REASON: In order to protect the amenity of future residential units to achieve an appropriate internal noise environment, protected from road traffic noise from Caledonian Road. These measures will ensure the amenity of future residential units accord with Development Management Policy DM2.1 and DM3.7 and London Plan Policy D14.</p>
<b>23</b>	<b>Lighting</b>
	<p>CONDITION: Details of any general / security lighting measures shall be submitted to and approved in writing by the Local Planning Authority prior to the practical completion for each phase of the development commencing on site.</p>

	<p>The details shall: - include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation; - demonstrate how the ecology of the site would not be adversely affected by the proposed lighting. The general lighting and security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity nor those with visual impairments, contributes towards safety and security, does not adversely impact biodiversity or ecology and is appropriate to the overall design of the building.</p>
<b>24</b>	<b>Refuse and recycling</b>
	<p>CONDITION: Prior to the occupation of the relevant part of the development hereby approved, details of dedicated refuse / recycling enclosure(s) and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The details shall also demonstrate how refuse enclosures can be accessed by people with mobility needs including people in wheelchairs and the ambulant disabled.</p> <p>The details approved shall be installed and operational prior to occupation of the relevant phase 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>
<b>25</b>	<b>Noise from non – residential uses</b>
	<p>CONDITION: Noise from non residential uses (details to be provided prior to superstructure works commencing/details to comply with specified noise levels/details to be installed prior to the first occupation of the retail unit / details to remain unchanged unless approved in writing by the LPA).</p> <p>Prior to superstructure works commencing on the relevant part of the development full particulars and details of a scheme for sound insulation between non-residential and residential shall be submitted to and approved in writing by the Local Planning Authority. The sound insulation and noise control measures shall achieve the following internal noise targets:</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast)  Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour  Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the relevant building hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the amenity of residents is not adversely affected in accordance with Development Management policy DM2.1 and DM3.7, and London Plan Policy D14.</p>
<b>26</b>	<b>Plant equipment noise</b>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: In order to protect the amenity of future and existing residential properties from noise generated by the operation of plant equipment, in particular ASHP units located across the roofs of the development hereby approved. These measures are 28 necessary to secure compliance with Development Management Policy DM2.1 and London Plan Policy D14.</p>

<b>27</b>	<p><b>Plant equipment verification</b></p> <p>CONDITION: Within 3 months of first occupation of the relevant part to which the plant equipment is located the application shall submit to and have in approved in writing by the Local Planning Authority, a report prepared by an appropriately experienced &amp; competent person, to assess the noise from the mechanical plant to demonstrate compliance with condition 32. The report shall include site measurements of the plant in-situ. Any noise mitigation measures needed to secure compliance shall be installed prior to first occupation of the relevant block to which the plant is located and permanently retained thereafter.</p> <p>REASON: In order to protect the amenity of future and existing residential properties from noise generated by the operation of plant equipment, in particular ASHP units located across the roofs of the development hereby approved. These measures are necessary to secure comp</p>
<b>28</b>	<p><b>Air Quality positive</b></p> <p>CONDITION: The development shall achieve Air Quality Positive status. Following completion of measures identified in the Air Quality Positive Statement a verification report, that confirms the measures implemented, must be produced which is subject to the approval in writing of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not result in unacceptable impacts to air quality, in accordance with Development Management Policy DM6.1 and London Plan Policy SI1.</p>
<b>29</b>	<p><b>Green/brown biodiversity roofs</b></p> <p>CONDITION: Notwithstanding the plans hereby approved, green/brown roofs shall be maximised across the development,. Details shall be submitted to and approved in writing to the Local Planning Authority prior to superstructure works commencing on site, demonstrating the following:</p> <p>a) how the extent of green/brown roof has been maximised  b) that the green/brown roofs are biodiversity based with extensive substrate base (depth 120 - 150mm); and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</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 accessed for the purpose of essential maintenance or repair, or escape in case of emergency. The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation of each phase, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise water run-off.</p>
<b>30</b>	<p><b>Bats</b></p> <p>CONDITION: The construction and demolition of the hereby approved development shall be carried out strictly in accordance with the recommendations and mitigation/enhancement measures detailed within the Greengage Bat Report and all subsequent surveys, noting that the validity of a bat survey is 18 months only and shall be maintained as such thereafter. No change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the presence of any bats on the site is appropriately accounted for, to ensure the demolition and development hereby approved does not cause harm to wildlife, habitats and valuable areas for biodiversity in accordance with policy G6 of the London Plan policy CS15 of the Islington Core Strategy 2011 and policy DM6.5 of Islington's Development Management Policies 2013.</p>
<b>31</b>	<p><b>Bird and insect habitats</b></p>

	<p>CONDITION: Notwithstanding the details so approved, revised details of bird and bat boxes across all new buildings shall be submitted and approved in writing by the Local Planning Authority prior to superstructure works commencing for each phase of the development. The details so approved shall be implemented prior to occupation of the development and shall be maintained as such in perpetuity.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with London Plan Policies GG2, D8, G6 and Development Management Policies DM2.1 and DM6.5.</p>
<b>32</b>	<b>Roof level structures</b>
	<p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts and plant room) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding streetscene or the character and appearance of the area in accordance with policies D4 the London Plan 2021 policies CS8 and CS9 of Islington's Core Strategy 2011, and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.</p>
<b>33</b>	<b>Fire Statement</b>
	<p>CONDITION: A Fire Statement shall be submitted with every Reserved Matter Application. The measures contained therein shall be installed in full prior to the first occupation.</p> <p>REASON: To ensure that the development upholds relevant resident safety standards pursuant to fire safety in accordance with policy D12 of the London Plan (2021).</p>
<b>34</b>	<b>PV Panels optimisation</b>
	<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 submissions shall demonstrate how Solar PVs have been maximised on site taking into account other planning policy expectations, and details shall include but not be limited to: location; area of panels; how the PV output has been maximised and design (including section drawings showing the angle of panels in-situ, and elevation plans). The solar photovoltaic panels as approved shall thereafter be installed prior to the first occupation of each of the buildings and retained as such permanently thereafter.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.</p>
<b>35</b>	<b>Lifts</b>
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of each of the buildings hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
<b>36</b>	<b>Safety and security (SBD)</b>
	<p>CONDITION: Prior to the occupation of each relevant part of the development hereby approved, a full and detailed scheme for the Secure by Design award scheme accreditation or equivalent standard shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	<ul style="list-style-type: none"> <li>a) Bin stores and bicycle stores doors</li> <li>b) CCTV.</li> <li>c) Communal door sets</li> <li>d) Access control system</li> <li>e) Residential flat doors</li> <li>f) Ground floor and accessible windows.</li> <li>g) Post boxes.</li> <li>h) open space and boundary treatments</li> </ul> <p>REASON: In the interests of safety and security</p>
<b>37</b>	<b>Tree Planting</b>
	<p>CONDITION: Prior to completion or first occupation of each phase of the development hereby approved, whichever is the sooner; full details of proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.</p> <p>REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy DM 2.3 and DM 6.5, policies G1, G5 and G7 of the London Plan, policies G1 and G4 of the emerging Local Plan.</p>
<b>38</b>	<b>Landscaping</b>
	<p>CONDITION: Notwithstanding the submitted details and the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The submission shall include the following details:</p> <ul style="list-style-type: none"> <li>a. phasing of landscaping and planting;</li> <li>b. scaled plan showing all existing vegetation and landscape features to be retained and plants to be planted;</li> <li>c. an updated Access Statement detailing routes through the landscape and the facilities provided, inclusive of wifi provision;</li> <li>d. a biodiversity and ecological statement detailing how the landscaping scheme maximises biodiversity and ecological benefits;</li> <li>e. existing and proposed underground services and their relationship to both hard and soft landscaping;</li> <li>f. proposed trees: their location (inclusive of the two cherry trees to be relocated), species, size, section showing rooting area and uses within root protection areas;</li> <li>g. soft planting: including all planting areas, planters and all other grass and turf areas, shrub and herbaceous areas;</li> <li>h. topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</li> <li>i. enclosures and boundary treatment: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</li> <li>j. hard landscaping: kerbs, edges, steps, paving, play safety surfaces and furniture including bike racks, seating, planters, drinking fountains and outdoor gymnasium equipment;</li> <li>k. wayfinding and signage;</li> <li>l. details of all ramps, landings, gradients, steps, balustrades to ensure inclusive access for all throughout the public realm and semi private realm within the site.</li> </ul>

	<p>m. all play equipment and structures;  n. specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and  o. any other landscaping feature(s) forming part of the scheme.</p> <p>There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the relevant phase of the development hereby approved in accordance with the approved planting phase.</p> <p>All soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy DM 2.3, DM 6.2, DM 6.5 and DM6.6, policies G1, G4, G5, G6 and G7 of the London Plan, policies G1, G2, G3, G4 and G5 of the emerging Local Plan.</p>
<b>39</b>	<b>Playspace equipment</b>
	<p>CONDITION: Prior to the occupation of each part of the development hereby approved, details of the on-site playspace equipment shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include details of maintenance of play equipment. The details approved shall be installed and operational prior to occupation of the relevant phase of the development hereby approved and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In order to ensure that the development is provided with tenure blind, high quality, accessible play provision for all ages of at least 10sqm per child, in accordance with Policy S4 of the London Plan.</p>
<b>40</b>	<b>Post completion circular economy statement</b>
	<p>CONDITION: Within 3 months of practical completion of each phase of the development hereby approved, a post completion Circular Economy Statement report shall be submitted to the Local Planning Authority for approval in writing.</p> <p>REASON: To ensure that circular economy principles are incorporated in the design, construction and management of the approved development, including through minimising materials use and the sourcing and specification of materials; minimising and designing out waste at various stages; and by promoting re-usability, adaptability, flexibility and longevity. This is to secure compliance with London Plan Policy SI7.</p>
<b>41</b>	<b>Urban Greening Factor</b>
	<p>CONDITION: The development hereby permitted shall achieve an Urban Greening Factor of 0.45</p> <p>An update report should be submitted at the practical completion of each phase. Should there be any decrease in the Urban Greening Factor at the site, a report shall be submitted to an approved in writing by the Local Planning Authority prior to first occupation of the relevant phase hereby permitted which satisfactorily demonstrates why an Urban Greening Factor of 0.4 cannot be achieved.</p>

	<p>The report shall give consideration to additional planting, intensive or semi intensive green roofs, and consultation with residents regarding the addition of raingardens and planting.</p> <p>The report shall also demonstrate how the UGF proposals are compatible with open space and the childrens playspace within which the green infrastructure is to be provided to achieve the required Urban Greening Factor.</p> <p>REASON: In the interest of biodiversity, sustainability and to ensure that green infrastructure is maximised on the site.</p>
<b>42</b>	<b>Water</b>
	<p>CONDITION: There shall be no occupation beyond the 99th dwelling until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.</p> <p>Reason - The development may lead to low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid low / no water pressure issues.</p>
<b>43</b>	<b>Arboricultural supervision 2</b>
	<p>CONDITION: The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in condition (insert condition number) shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.</p> <p><b>Reason:</b> In order to ensure compliance with the tree protection and arboricultural supervision details submitted under condition (insert condition(s)) pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with Policy DM 2.3 and DM 6.5, policies G1, G5 and G7 of the London Plan, policies G1 and G4 of the emerging Local Plan.</p>
<b>44</b>	<b>Retaining trees</b>
	<p>CONDITION: No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.</p> <p><b>Reason:</b> Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy DM 2.3 and DM 6.5, policies G1, G5 and G7 of the London Plan, policies G1 and G4 of the emerging Local Plan.</p>
<b>45</b>	<b>Communal residential areas inclusive design</b>
	<p>CONDITION: The communal residential areas of the development hereby approved shall provide:</p> <ul style="list-style-type: none"> <li>· all residential corridors with a minimum width of 1200mm with regular turning points measuring a minimum of 1500mm x 1500mm and passing places wherever possible;</li> <li>· waste disposal and storage accessible to all residents;</li> </ul>

	<ul style="list-style-type: none"> <li>· 2 lifts serving all wheelchair accessible units; and</li> <li>· cycle parking facilities accessible to ambulant disabled persons.</li> </ul> <p>All lifts shall be installed and operational prior to the first occupation of the residential accommodation they serve.</p> <p>Details of entry systems for the entrance and core shall be submitted to and approved in writing by the Local Planning Authority on a phase-by-phase prior to the occupation of the relevant residential unit(s).</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development is of an inclusive design in accordance with Policy D7 of the London Plan 2021, policy CS12 of Islington's Core Strategy 2011, and policy DM2.2 of Islington's Development Management Policies 2013</p>
<b>46</b>	<b>Accessible dwellings</b>
	<p>CONDITION: Floorplans at a scale of 1:50 shall be submitted to and approved in writing by the Local Planning Authority on a Section by Section basis for every unit type prior to any superstructure work commencing on the relevant Section. The floorplans shall include:</p> <ul style="list-style-type: none"> <li>• an assessment of the residential units hereby approved against the flexible Homes standards set out in the Inclusive Design in Islington 2014 SPD demonstrating that reasonable endeavours have been made by the applicant to meet these standards;</li> <li>• a wheelchair turning circle in both the living and dining rooms (if the dining room is separate to the living area) and in at least 1 bedroom; and</li> <li>• a minimum space of 1200mm between units in kitchens.</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and all approved inclusive design measures shall be implemented and operational prior to the first occupation of the relevant phase, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development is of an inclusive design in accordance with Policy D7 of the London Plan 2021, policy CS12 of Islington's Core Strategy 2011, and policy DM2.2 of Islington's Development Management Policies 2013</p>
<b>47</b>	<b>BRE Home Quality Mark Four Star</b>
	<p>The development shall achieve a BRE Home Quality Mark Rating of no less than 'Four Star'. Should 'Four-Star' not be achievable, the applicant shall submit to the Local Planning Authority and have those details approved prior to occupation of the development: an independently prepared assessment that clearly and robustly identifies that available credits have been maximised under all headings.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development</p>

## INFORMATIVES

<b>1</b>	<b>Section 106 agreement</b>
	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
<b>2</b>	<b>CIL</b>
	Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's

	<p>CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60-day payment window. Further information and all CIL forms are available on the <a href="http://www.planningportal.gov.uk">www.planningportal.gov.uk</a> Planning Portal at <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a> and the Islington Council website at <a href="http://www.islington.gov.uk/cilinfo">www.islington.gov.uk/cilinfo</a>. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at <a href="http://planningguidance.planningportal.gov.uk/blog/guidance/communityinfrastructure-levy/">http://planningguidance.planningportal.gov.uk/blog/guidance/communityinfrastructure-levy/</a></p>
<b>3</b>	<b>Definition of superstructure and practical completion</b>
	<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>
<b>4</b>	<b>Thames Water 1</b>
	<p>The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planningyour-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planningyour-development/Working-near-or-diverting-our-pipes</a>. Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a> Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p>
<b>5</b>	<b>Car parking lubricants and oils</b>
	<p>It is recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil polluted discharges entering local watercourses.</p>
<b>6</b>	<b>Water 2</b>
	<p>The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>. Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a> Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p>

Following initial investigations, Thames Water has identified an inability of the existing SURFACE WATER network infrastructure to accommodate the needs of this development proposal. Thames Water has contacted the developer in an attempt to agree a position for foul water networks but has been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "The development shall not be occupied until confirmation has been provided that either:- 1. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan." Reason - Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://www.thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc may be required before the Company can give its consent. Applications should be made at <https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Trade-effluent> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

As per Building regulations part H paragraph 2.21, Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-2:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Please refer to our website for further information : [www.thameswater.co.uk/help](https://www.thameswater.co.uk/help)

	<p>The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains. Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works. Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <a href="https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes">https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes</a> Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a>.</p>
<b>8</b>	<p><b>Highways Collaboration</b></p> <p>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 <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. All agreements relating to the above need to be in place prior to works commencing. 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 <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. Section 50 license must be agreed prior to any works commencing. Compliance with section 140A of the Highways Act, 1980 - 'Builders skips: charge for occupation of highway. Licenses can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</p> <p>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 <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</p>
<b>9</b>	<p><b>Conditions surveys</b></p> <p>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 <a href="mailto:highways.maintenance@islington.gov.uk">highways.maintenance@islington.gov.uk</a> 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 <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. 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. P-DEC-AP1 Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six month's notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>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</p>

	current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.
<b>10</b>	<b>Alterations to the highway</b>
	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 <a href="mailto:streetlights@islington.gov.uk">streetlights@islington.gov.uk</a> 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
<b>11</b>	<b>Requirements of B5 of Approved Document B</b>
	The requirements of B5 of Approved Document B must be met in relation to access and water supply whilst in construction phase and compliance with the Building Regulations and the Regulatory Reform (Fire Safety) Order 2005 once built and occupied. If the building is taken over 18m the Fire Brigade would expect a fire fighting shaft is provided. If approval is granted, it's advised that a building control submission is carried out as early as possible, to ensure any issues found around fire safety are addressed sufficiently and quickly. The Commissioner strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Commissioner's opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier. Please note that it is our policy to regularly advise our elected Members about how many cases there have been where we have recommended sprinklers and what the outcomes of those recommendations were. These quarterly reports to our Members are public documents which are available on our website. The London Fire Brigade promotes the installation of sprinkler suppression systems, as there is clear evidence that they are effective in suppressing and extinguishing fires; they can help reduce the numbers of deaths and injuries from fire, and the risk to firefighters.
<b>12</b>	<b>Roller Shutters</b>
	The scheme hereby approved does not suggest the installation of external roller shutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external roller shutters to be a material alteration to the scheme and therefore constitute development. Should external roller shutters be proposed, a new planning application must be submitted for the council's formal consideration.
<b>13</b>	<b>Marketing suite</b>
	The applicant is advised that planning consent will be required for a temporary sales and marketing suite.
<b>14</b>	<b>Water 4</b>

	<p>The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains. Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works. Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <a href="https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes">https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes</a> Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a>.</p> <p>The proposed development is located within 15m of a strategic water main. Thames Water request that the following condition be added to any planning permission. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <a href="https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes">https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes</a> Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a></p> <p>The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <a href="https://www.gov.uk/government/publications/groundwater-protection-position-statements">https://www.gov.uk/government/publications/groundwater-protection-position-statements</a>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.</p>
15	<b>Retaining trees</b>
	<p>The following British Standards should be referred to:</p> <ul style="list-style-type: none"> <li>a. BS: 3882:2015 Specification for topsoil</li> <li>b. BS: 3998:2010 Tree work – Recommendations</li> </ul>

	<p>c. BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs</p> <p>d. BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)</p> <p>e. BS: 4043:1989 Recommendations for Transplanting root-balled trees</p> <p>f. BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations</p> <p>g. BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).</p> <p>h. BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations</p> <p>i. BS: 8601:2013 Specification for subsoil and requirements for use</p>
<b>16</b>	<b>Supervision of trees</b>
	<p>The following British Standards should be referred to:</p> <p>a. BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations</p>
<b>17</b>	<b>Tree protection</b>
	<p>The following British Standards should be referred to:</p> <p>a. BS: 3998:2010 Tree work – Recommendations</p> <p>b. BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations</p>
<b>18</b>	<b>Car Free development</b>
	<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>

## APPENDIX 2: RELEVANT POLICIES

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

### National Guidance

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

## **Development Plan**

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

### **A) The London Plan 2021 - Spatial Development Strategy for Greater London**

Policy GG1 Building strong and inclusive communities

Policy GG2 Making the best use of land

Policy GG3 Creating a healthy city

Policy GG4 Delivering the homes

Londoners need

Policy GG5 Growing a good economy

Policy GG6 Increasing efficiency and resilience

Policy D1 London's form, character and capacity for growth

Policy D2 Infrastructure requirements for sustainable densities

Policy D3 Optimising site capacity through the design-led approach

Policy D4 Delivering good design

Policy D5 Inclusive design

Policy D6 Housing quality and standards

Policy D7 Accessible housing

Policy D8 Public realm

Policy D9 Tall Buildings

Policy D10 Basement Development

Policy D11 Safety, security and resilience to emergency

Policy D12 Fire safety

Policy D13 Agent of Change

Policy D14 Noise

Policy H1 Increasing housing supply

Policy H4 Delivering affordable housing

Policy H5 Threshold approach to applications

Policy H6 Affordable housing tenure

Policy H8 Loss of existing housing and estate redevelopment

Policy H9 Ensuring the best use of stock

Policy H10 Housing size mix

Policy S1 Development London's social infrastructure

Policy S3 Education and childcare facilities

Policy S4 Play and informal recreation

Policy S5 Sports and recreation facilities

Policy E2 Providing suitable business space

Policy E9 Retail, markets and hot food takeaways

Policy HC1 Heritage conservation and growth

Policy HC3 Strategic and local views

Policy HC6 Supporting the night-time economy

Policy G1 Green infrastructure

Policy G4 Open space

Policy G5 Urban greening

Policy G6 Biodiversity and access to nature

Policy G7 Trees and woodlands

Policy S11 Improving air quality

Policy S12 Minimising greenhouse gas emissions

Policy S13 Energy infrastructure

Policy S14 Managing heat risk

Policy S15 Water infrastructure

Policy S17 Reducing waste and supporting the circular economy

Policy S112 Flood risk management

Policy S113 Sustainable drainage

Policy S114 Waterways – strategic role

Policy S116 Waterways – use and enjoyment

Policy S117 Protecting and enhancing London's waterways

Policy T1 Strategic approach to transport

Policy T2 Healthy streets

Policy T3 Transport capacity, connectivity and safeguarding

Policy T4 Assessing and mitigating transport impacts

Policy T5 Cycling

Policy T6 Car parking

Policy T6.1 Residential parking

Policy T6.3 Retail parking

Policy T6.5 Non-residential disabled persons parking

Policy T7 Deliveries, servicing and construction

Policy T9 Funding transport infrastructure through planning

Policy DF1 Delivery of the Plan and Planning Obligations

Policy E11 Skills and opportunities for all

**B) Islington Core Strategy 2011**

Spatial Strategy	Policy CS13 (Employment Spaces)
Policy CS6 (King's Cross)	Policy CS14 (Retail and Services)
Policy CS8 (Enhancing Islington's Character)	Policy CS15 (Open Space and Green Infrastructure)
Strategic Policies	Policy CS16 (Play Space)
Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)	Policy CS17 (Sports and Recreation Provision)
Policy CS10 (Sustainable Design)	Infrastructure and Implementation
Policy CS11 (Waste)	Policy CS18 (Delivery and Infrastructure)
Policy CS12 (Meeting the Housing Challenge)	Policy CS19 (Health Impact Assessments)
	Policy CS20 (Partnership Working)

## C) Development Management Policies June 2013

### Design and Heritage

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

### Housing

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

### Shops, culture and services

- DM4.1 Maintaining and promoting small and independent shops
- DM4.2 Entertainment and the night-time economy
- DM4.3 Location and concentration of uses
- DM4.4 Promoting Islington's Town Centres
- DM4.6 Local shopping Areas
- DM4.7 Dispersed shops
- DM4.8 Shopfronts
- DM4.12 Social and strategic infrastructure and cultural facilities

### Employment

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

### Health and open space

- DM6.1 Healthy development
- DM6.2 New and improved public open space
- DM6.3 Protecting open space
- DM6.4 Sport and recreation
- DM6.5 Landscaping, trees and biodiversity
- DM6.6 Flood prevention

### Energy and Environmental Standards

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

### Transport

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

### Infrastructure

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

## D) Islington Draft Local Plan (2019)

- Policy PLAN1: Site appraisal, design principles and process
- Policy SP2: King's Cross and Pentonville Road
- Policy H1: Thriving communities
- Policy H2: New and existing conventional housing
- Policy H3: Genuinely affordable housing
- Policy H4: Delivering high quality housing
- Policy H5: Private outdoor space

- Policy SC1: Social and community infrastructure use
- Policy SC2: Play space
- Policy SC3: Health Impact Assessment
- Policy SC4: Promoting social value

- Policy B1: Delivering business floorspace
- Policy B2: New business floorspace
- Policy B3: Existing business floorspace
- Policy B5: Jobs and training opportunities

- Policy S1: Delivering sustainable design
- Policy S2: Sustainable design and construction
- Policy S3: Sustainable design standards
- Policy S4: Minimising greenhouse gas emissions
- Policy S5: Energy infrastructure
- Policy S6: Managing heat risk
- Policy S7: Improving Air Quality
- Policy S8: Flood risk management
- Policy S9: Integrated water management and sustainable drainage
- Policy S10: Circular Economy and Adaptive design

- Policy T1: Enhancing the public realm and sustainable transport
- Policy T2: Sustainable Transport Choices
- Policy T3: Car-free development
- Policy T4: Public realm
- Policy T5: Delivering, servicing and construction

Policy R1: Retail, leisure and services, culture and visitor accommodation  
Policy R4: Local Shopping Areas  
Policy R6: Maintaining and enhancing Islington's unique retail character  
Policy R8: Location and concentration of uses  
Policy R10: Culture and the night-time economy

Policy G1: Green Infrastructure  
Policy G2: Protecting open space  
Policy G3: new public open space  
Policy G4: Biodiversity, landscape design and trees  
Policy G5: Green roofs and vertical greening

Policy DH1: Fostering innovation and conserving an enhancing the historic environment  
Policy DH2: Heritage assets  
Policy DH3: Building Heights  
Policy DH: Basement Development  
Policy DH5: Agents -of-change, noise and vibration  
Policy DH7: Shopfronts

Policy ST1: Infrastructure planning and smarter city approach  
Policy ST2: Waste  
Policy ST4: Water and wastewater infrastructure

## **Islington Draft Local Plan Site Allocation – Main Modifications for Consultation (June 2022)**

OIS27: Barnsbury Estate

### **Designations**

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

Kings Cross & Pentonville Road Core Strategy Key Area	Thornhill Bridge Community Garden Open Space
Local Shopping Area (Caledonian Road)	Regent's Canal Open Space
Local Cycle Route	Regent's Canal (West) SINC
Major Cycle Route	Within 100m of Strategic Road Network
Local Flood Risk Zone	Tree Protection Order (Site Wide)
Local View from Archway Road	
Local View from Archway Bridge	

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

The following SPGs and/or SPDs are relevant:

#### Islington Local Development Plan

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

#### London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London
- Homes for Londoners – Affordable Housing and Viability SPG 2017

**APPENDIX 3 - DRP RESPONSE**

See separate attachment

**APPENDIX 4 - EIA REVIEW**

See separate attachment

**APPENDIX 5 – BPS Review of Financial Appraisal**

See separate attachment



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**Our Ref:** Q2019/1407/DRP 6th Review

Date: 4<sup>th</sup> October 2022

Dear Mr Kelway

**ISLINGTON DESIGN REVIEW PANEL - MEETING NO 6 - SEPTEMBER 13<sup>TH</sup> 2022  
NEW BARNSBURY ESTATE, N1**

This is the summary note from Islington's Design Review Panel following the meeting held in person, in the Barnsbury Community Centre, on 13<sup>th</sup> September 2022. It was the 6<sup>th</sup> Review of the proposed development scheme at New Barnsbury Estate.

The scheme is for the complete redevelopment of the New Barnsbury Estate with an increase in homes from 389 to in the region of 925.

A separate scheme for the refurbishment of the adjacent Old Barnsbury Estate was not considered at this review.

**Review Panel**

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Dominic Papa (Chair), Cordula Zeidler, Philip Cave, Sarah Featherstone, Alec Forshaw, and Richard Portchmouth.

The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

In summary while The Panel noted many positive moves and improvements to the scheme since the earlier reviews, there was still concern about the height and massing of the development overall including in particular to the Caledonian Road frontage, the canal side towers, and to the Lanes.

Concern was also expressed about the under-provision of children's play space on the site together with the quality of much of the open space including the minimal sun on ground standards being achieved.

The Panel welcomed the accompanied site walkabout at the start of the event and found the development model to be a highly useful accompaniment to the assessment process. The Panel thanked the applicant for both the guided walk and the model.

## Panel Queries

Would there be any fixed play equipment on the site?

*Response:* This is located within Carnegie Street Park.

In the previous DRP, the applicant was asked to remove a floor from the Lanes and reduce the height in Caledonian Road. The Panel queried if either had been achieved?

*Response:* No. The Caledonian Road blocks remain at 9 storeys. They are however now below 30m in height including all protrusions. Reduction of a floor from all four of the Caledonian Road blocks would result in a 25 unit loss. The Lanes are also to remain at 7 storeys. A reduction to 6 storeys within the lanes, (the equivalent of 5 storeys + a setback floor), would result in the loss of 40 homes. The priority for reduction was considered to be the Canalside where there has been unit loss.

The Panel requested a typical floor plan from the outline for Caledonian Road blocks.

*Response:* Cores are located opposite the gable ends of the adjoining blocks

The Panel asked if there any potential for a canal side layout that maintains the Category A tree, given it was retained in an earlier iteration?

*Response:* The design team has modelled many options but this tree has to be lost to achieve the 18m spacing between the blocks. The tree loss is what unlocks the development.

The Panel requested clarification with regard to what's happening with the sun on ground for the deficient courtyard. Is it still deficient?

*Response:* Yes - still below the 50%. The only way to get to 50 would be to have a three-storey building which fails in terms of urban form.

The Panel noted that the 50% equinox requirement is a very low bar, and the applicant should understand it is the absolute minimum requirement. Given Pultney Park is only achieving 51% (which excludes the existing shadowing of the existing trees) and the courtyards not much more, with one considerably less, this is considered a real failing in the quality of the scheme. The Panel requested an update with regard to the provision of playspace as assessed against the GLA standards.

*Response:* The scheme achieves the requirement with regard to doorstep play but is not able to meet the requirements in regard to active play. This 'need' will need to be met within the adjacent Barnard Park. There is however a re-provided MUGA planned for Carnegie Park.

The Panel noted there had been an earlier commitment about providing for allotment gardens within old Barnsbury yet queried why there is no reference to this in the presentation. What has happened in this regard?

*Response:* It is still Newlon's aim to utilise the allotments on Old Barnsbury.

The Panel queried whether the allotment plots on Old Barnsbury were not already oversubscribed and even if not how could they cope with the huge increase in population?

*Response:* not currently oversubscribed.

The Panel noted that there appears to be a lot of buffer planting to parts of Pultney Park including the north-eastern corner and queried the need for it as well as how realistic it is given the dense existing levels of shade.

*Response:* the dense planting is designed to separate the resident communal garden to the north from the publicly accessible Pultney Park.

The Panel queried who would have responsibility for maintaining the landscape and whether a detailed landscape management plan had been submitted as part of the application, noting that the proposed trees and other landscape elements were going to be placed under great stress growing above the two concrete podiums and would therefore be maintenance 'heavy'.

*Response:* No maintenance management plan with the detailed application.

The Panel queried whether the pedestrian desire lines have been adequately responded to within the residential courtyards.

*Response:* The applicant team consider that these have been thoroughly considered and where there is no critical movement mass there is no path provided.

The Panel queried whether the generous double height entrancing could instead be reduced to capture more units and whether Block B2 could be lowered further to also provide more residential units?

*Response:* The land levels and floor levels are fixed to accommodate the podium and to reconcile with the levels of the Lanes. Improved entrancing to block B2 and other double height entrancing devices were requested by the Council. The applicant team consider these to be better solutions than the previous iteration.

The Panel queried what the unit loss has been through the recent changes.

*Response:* 36 flats

The Panel queried whether wind studies have been undertaken in relation to the tall and narrow Lanes to determine the microclimate and whether there are sunlight and daylight deficiencies in the Lanes.

*Response:* there have been studies which demonstrate no ill effects to the microclimate of the Lanes however there are some failings with regard to sunlight and daylight. The applicant stated that there has been a re-modelled layout to ensure better receipt of daylight and sunlight for example LKD have been pushed out to the facades and there have been some changes to the heights of windows to optimise the receipt of DLSL.

The Panel also inquired about levels of overheating.

*Response:* This has been resolved.

The Panel asked whether there has there been resolution on the convoluted routes from entrance to the stair and lift core including repositioning the stairs in blocks C6 and C7.

*Response:* Needing to balance land levels which determines the position of entrances. It needs to be noted that the cores go right up to the roof which also determines their locations. With

regard to turning staircases, the applicant has explored that but it creates more circulation space.

The Panel asked about choices of mansard roof colour, and the proposed materials

*Response:* The material is to be zinc. Looking at a dark red colour to complement lighter brick and darker mortar

The Panel requested the townscape argument for a taller tower to the canal side instead of all three towers being 9 storeys.

*Response:* Such a unique part of the site that warrants variety and also that responds to the sloping nature of the street. The varying heights also create a more interesting skyline.

While this part of the site is on the edge of the Regent Canal conservation area it is also outside of it, reducing the degree of impact on setting. There exists a sense of separation due to the levels, dense screening by trees, and the oblique line of sight. The varied heights add interest to the townscape and are considered a better solution than a uniform set of buildings.

The Panel queried whether there has been an ongoing carbon assessment.

*Response:* Trying hard to address this. The existing homes are poor – if you do nothing there's a higher carbon impact in the next 60 years compared to the new build scheme.

### **Commentary**

The Panel expressed ongoing concern about the low levels of sun on ground being achieved and accept that while there have been some improvements the 2-hour 50% equinox requirement is a low bar. Concerned that some of the open spaces will be dark and dismal and that the number of trees being retained will in some instances add to this lack of light. The arboricultural officer was said to be amenable to removing more trees and this should be taken up. Canopy reduction should also be explored as a means to allow more sunlight in.

The loss of the Cat A tree to Carnegie Street is unfortunate but accept that if it really does unlock the site for redevelopment then its loss is acceptable.

The three canal courtyards look too similar. They should look different one from the other to create a stronger identity and add interest. There is some concern that the existing trees to the southern edge will give rise to shading on the courtyards. Any new trees within the courtyards may also create excessive shading and more thought is recommended as to the impact of trees in this location.

The Lanes are very narrow. Trees are indicated as being located with their canopies a mere metre from front façades. There are considered to be too many trees to the Lanes which would struggle to thrive given limited sunlight and narrow constraint and they would become a nuisance with regard to reduction of sunlight and daylight to the homes that are located in such close proximity. Only small upright trees should be considered.

While Play space for the 0-4 year olds is said to be satisfied, play space for older children is required off site. However the design team need to be clear as to the area measured as play space (as opposed to general amenity space), and justify the calculations. The funding for this off-site provision (to Barnard Park) needs to be taken into account as part of this development. The preference is for all required play space to be onsite, within the scheme.

Particularly like the re-alignment of Copenhagen Street to allow for more green space and the designs for the Charlotte Terrace gateway.

A landscape management plan really is important and will be needed and should be considered in outline/draft form at the planning design stage.

With regard to heritage matters, the Panel considers that there continues to be two serious harmful impacts. First, the canal. There is a real problem about having tall buildings however you orientate them. This is in part because this is a very unusual part of the canal, the section between the portal and Caledonian Road, mirrored at the eastern Portal to Duncan Terrace. These are sylvan enclaves where buildings are largely invisible. The introduction of strong urban elements breaches this characteristic. There appears to be a misunderstanding of this part of the canal – it did not have an industrial character and it was a relief from it. The minor reduction and re-orientation of the three blocks doesn't change anything. There should be low rise development only to this edge.

Secondly, the Caledonian Road frontage is still far too tall, almost as high as Orkney House opposite which should not be a precedent or a scale setter. The opposite forms on the west side of Caledonian Road provide that function and therefore the applicant needs to reduce the scale.

The double dormers are not convincing given they are not an 'Islington' style, and they are likely to adversely impact on Old Barnsbury as well as Caledonian Road.

The Lanes are far too tall and are going to feel claustrophobic and canyon like. They 'break the rules' of acceptable street width to building height ratios given they are just too tight.

The Panel considered that the verified view of the proposed increase in height and mass to Caledonian Road shows how punishing and dominant these blocks would be and that the setting forward of the blocks exacerbates the problems. There do not appear to have been any changes to this edge and it remains very oppressive and harmful.

The Panel queried whether the minimal gains in affordable housing are worth such harmful impacts.

Other issues contribute to the harm and are therefore of concern to the Panel including the reliance of offsite play provision, the lack of demonstrable replacement for the community/allotment gardening that currently takes place on New Barnsbury, and the fact that the open space provision will not be exemplary. The development will be very dense, and the failings of the quality and quantity of open space is therefore not really good enough.

However, the Panel noted that there are some positives of the scheme, particularly the variety of the typologies and sizes of units as well as the well-considered hierarchy of spaces and routes. The scheme is also achieving a good level of permeability and responds well to the topographical challenges, making use of the slope.

The key issues that arise to determine quality relate to scale and massing. Reiterating what was said at the last review, there remain several key areas where the case has not been convincingly made. Caledonian Road was an issue last time and it hasn't been reduced which is surprising. Caledonian Road is the public frontage of the scheme and is where it is announcing itself. Architecture and scale have yet to be resolved and more work to this edge is required.

On the canal side towers, The Panel appreciates that there has been a revisit resulting in substantial improvements from the last time. The changes to this part of the site work with the geometry of the masterplan and help with its permeability. The realigned courtyards are good

and the change in orientation is positive. The 'straight on' views are better, but the oblique views may still be difficult. The entrances and the spaces between have been improved. Some reservation was expressed about the use of the arches including how they relate to the other buildings and elements within the masterplan. The blocks appear unconvincing in the images presented as though they are top heavy and balancing awkwardly on thin stilts at the ground floor rather than robust loadbearing brick arches.

Similarly, the interweaving of the front boundary wall and the entrance elements appears unresolved and requires further modelling and integration to create a strong accompanying sculptural element.

The changes from double to single storey mansards to Copenhagen Street and Charlotte Terrace is welcomed. Changes to Block B2 entrance is better but still consider that more could be done with the communal circulation and that more inviting entrances are an important consideration for the Mansion blocks to create enhanced amenity.

Lanes: These still require careful investigation of scale in relation to their width as they threaten to be canyonised spaces.

The more organic design changes to the residents' communal courtyard gardens are welcomed as a big improvement but need to demonstrably respond to important desire lines.

The Panel reiterated that it is primarily the issues relating to scale and massing that remain of concern. The scale of the Caledonian Road frontage and the Lanes remain of concern, and it was reiterated that the Panel was disappointed no reductions have been made to these two key locations. The reduction in height of the canal blocks is useful and welcomed and there was some support for having different heights to this edge. While acknowledging the existing residents do not support a new connection to the canal edge through this part of the site, future proofing the southern boundary to respond to greater activity in the canal area is advised.

While it is noted that trees cause shading, the Panel also supports as many trees as possible although advises that both their 'role' and their location should inform the selected species.

There will be a lot of pressure on the two small parks which don't materially increase in size relative to the increase in population density. The Panel had previously mentioned the benefits of roof terraces to meet open space and play demand and is disappointed that this too has not been further explored. The reliance on Barnard Park to meet need generated by the scheme remains problematic.

### **Chair's Summary**

The Panel acknowledge that there have certainly been some good moves made around some of the details including buffers, edges, and the canal side. But there remains a lot of concern about the impact on the canal side in relation to their height.

The canyonisation of the Lanes and the imposing heights on the Caledonian Road are also of significant concern to the panel.

The mansion block with mansard roof typology may have become a noose to the scheme design and has exacerbated the situation around bulk and massing. The constraints of a consistent and extended mansard roof doesn't allow a finer grain block morphology to be achieved and hence doesn't allow the buildings to step with the landscape and level changes. Additionally the mansion block typology doesn't incorporate the traditional mansion block characteristics in their relation to generous entrances, quality of the journeys home, and the

communal spaces. They aren't yet working as well as they could be. A rethink of the typology may unlock a lot of the challenges that the design team are facing.

The Panel has been clear – very considerable key concerns remain.

**Confidentiality**

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

Yours sincerely

Linda Aitken

Principal Design Officer

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## **New Barnsbury Estate**

Environmental Statement Review

November 2022

**Waterman Infrastructure & Environment Ltd**

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**Client Name:** London Borough of Islington  
**Document Reference:** WIE18920-110\_R\_1\_1\_5  
**Project Number:** WIE18920

### Quality Assurance – Approval Status

This document has been prepared and checked in accordance with Waterman Group's IMS (BS EN ISO 9001: 2015, BS EN ISO 14001: 2015 and BS EN ISO 45001:2018)

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<b>Issue</b>	<b>Date</b>	<b>Prepared by</b>	<b>Checked by</b>	<b>Approved by</b>
First	November 2022	Steve Brindle Associate Director	Enrique Recio Garcia Senior Consultant	Steve Brindle Associate Director

**Comments**

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**Comments**

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## Introduction

Regulation 4(5) the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), (the 'EIA Regulations'), states that "the relevant planning authority or the Secretary of State must ensure that they have, or have access as necessary to, sufficient expertise to examine the environmental statement". On this basis, the London Borough of Islington (LBI) has appointed Waterman Infrastructure & Environment Limited (Waterman) to undertake an independent review of the Environmental Statement (ES) and subsequent ES Addendum submitted in support of the planning application for New Barnsbury, The Barnsbury Estate (P2022/1898/FUL).

The ES submitted in support of the planning application for New Barnsbury, The Barnsbury Estate (P2022/1898/FUL) on May 2022 was reviewed and a Draft ES Review Report was produced in September 2022. It is understood that the subsequent ES Addendum prepared by Trium in September 2022 has considered the comments and requests for clarification raised in the September 2022 Draft ES Review Report. Therefore, this document presents the outcomes of the review of the ES submitted in May 2022 alongside the ES Addendum submitted in September 2022, which together form the current Environmental Statement. For clarity this final review only sets out remaining issues identified in the Draft ES Review Report that have not been addressed by the September 2022 ES, and any additional concerns, comments or non-conformances identified within the September 2022 ES Addendum.

The review has been undertaken by a team of suitably qualified and experienced consultants.

This document presents the methodology followed for the review of New Barnsbury, The Barnsbury Estate ES and ES Addendum as well as the outcomes of the overall review.

## Review Methodology

The review of New Barnsbury, The Barnsbury Estate ES and ES Addendum has comprised two stages. The first stage is focused on reviewing the compliance of the documentation against the Requirements from Schedule 4 of the EIA Regulations, the criteria followed during this stage is outlined Table 1. The second stage comprises the technical review – the findings of which are set out in Table 3.

Table 1. Criteria to review the ES against the Requirements from Schedule 4 of the EIA Regulations

Requirements from Schedule 4 of the EIA Regulations: Information for Inclusion in Environmental Statements	Section of the Environmental Statement to be reviewed against the requirement from Schedule 4 of the EIA Regulations	Criteria for reviewing the relevant section of the Environmental Statement against the requirement from Schedule 4 of the EIA Regulations
<p>1. A description of the development, including in particular:</p> <p>(a) a description of the location of the development;</p> <p>(b) a description of the physical characteristics of the whole development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases;</p> <p>(c) a description of the main characteristics of the operational phase of the development (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used;</p> <p>(d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases.</p>	<p>ES Chapter 3: Alternatives and Design Evolution, ES Chapter 4: The Proposed Development and ES Chapter 5: Demolition and Construction.</p>	<ul style="list-style-type: none"> <li>Is there a description of the site / location and surrounding area where the development is proposed?</li> <li>Is there a description of the development, including dimensions, appearance and construction considerations?</li> <li>Is there a description of the operational development, including proposed uses?</li> <li>Is there a description of the anticipated residues and emissions to be produced as a result of the development?</li> </ul>
<p>2. A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.</p>	<p>ES Chapter 3: Alternatives and Design Evolution.</p>	<p>Does ES Chapter 3: Alternatives and Design Evolution include information on the following points?</p> <ul style="list-style-type: none"> <li>Have any other locations been considered for this development?</li> <li>Have any other design concepts been considered for this development?</li> <li>Are there any other ways of achieving the same development objectives?</li> <li>Has there been any consideration for different ways of building this development?</li> <li>Has there been any consideration regarding key environmental differences between alternatives for the development?</li> <li>Is there any justification for discarding other locations, designs or ways of building this development?</li> </ul>
<p>3. A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.</p>	<p>ES Chapter 6: Socio-Economics, ES Chapter 7: Traffic and Transport, ES Chapter 8: Air Quality, ES Chapter 9: Noise and Vibration, ES Chapter 10: Daylight, Sunlight and Overshadowing, ES Chapter 11: Wind Microclimate and ES Chapter 12: Climate Change.</p>	<p>This requirement makes reference to the baseline sections of each of the technical topic chapters / assessments.</p> <ul style="list-style-type: none"> <li>Do the ES chapters describe baseline (current state of the environment) accurately? Are there any omissions?</li> <li>Do the ES chapters describe the 'future' baseline (likely evolution of the current baseline without implementation of the development)?</li> </ul>
<p>4. A description of the factors specified in regulation 4(2) likely to be significantly affected by the development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and</p>	<p>ES Chapter 6: Socio-Economics, ES Chapter 7: Traffic and Transport, ES Chapter 8: Air Quality, ES Chapter 9: Noise and Vibration, ES Chapter 10: Daylight, Sunlight and Overshadowing, ES Chapter 11: Wind Microclimate, ES Chapter 12: Climate Change</p>	<ul style="list-style-type: none"> <li>Does the ES include a description of the factors likely to be significantly affected by the development (i.e., environmental topics scoped in)?</li> <li>Does each of the technical topic chapters / assessments include a description of what has been assessed?</li> <li>Does the scope include within each of the technical topic chapters / assessments</li> </ul>

Requirements from Schedule 4 of the EIA Regulations: Information for Inclusion in Environmental Statements	Section of the Environmental Statement to be reviewed against the requirement from Schedule 4 of the EIA Regulations	Criteria for reviewing the relevant section of the Environmental Statement against the requirement from Schedule 4 of the EIA Regulations
landscape.	and ES Chapter 13: Effect Interactions.	<ul style="list-style-type: none"> <li>correlate with the outcomes of the EIA Scoping Opinion?</li> <li>Is there any change mentioned in the ES which represent a change to the scope of any of the technical topic chapters / assessments?</li> </ul>
<p>5. A description of the likely significant effects of the development on the environment resulting from, inter alia:</p> <p>(a) the construction and existence of the development, including, where relevant, demolition works;</p> <p>(b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;</p> <p>(c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;</p> <p>(d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);</p> <p>(e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;</p> <p>(f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;</p> <p>(g) the technologies and the substances used.</p> <p>The description of the likely significant effects on the factors specified in regulation 4(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project, including in particular those established under Council Directive 92/43/EEC(88) and Directive 2009/147/EC(89).</p>	ES Chapter 6: Socio-Economics, ES Chapter 7: Traffic and Transport, ES Chapter 8: Air Quality, ES Chapter 9: Noise and Vibration, ES Chapter 10: Daylight, Sunlight and Overshadowing, ES Chapter 11: Wind Microclimate, ES Chapter 12: Climate Change, ES Chapter 13: Effect Interactions and ES Chapter 14: Likely Significant Effects and Conclusions.	<ul style="list-style-type: none"> <li>Does each of the technical topic chapters / assessments identify which effects should be brought to the attention of the Local Planning Authority (LPA)?</li> <li>Does each of the technical topic chapters / assessments identify temporary construction/demolition effects identified? Are there any interim temporary assessment that have been considered, or should be as a result of phasing?</li> <li>Does each of the technical topic chapters / assessments identify permanent effects of the development (physical and operational)?</li> <li>Does the ES identify and appropriately assessed cumulative developments?</li> <li>Has climate change been considered, where relevant looking at potential future conditions?</li> <li>Does each of the technical topic chapters / assessments take into account the environmental protection objectives established at Union or Member State level which are relevant to the development?</li> </ul>
6. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.	ES Chapter 2: EIA Methodology, ES Chapter 6: Socio-Economics, ES Chapter 7: Traffic and Transport, ES Chapter 8: Air Quality, ES Chapter 9: Noise and Vibration, ES Chapter 10: Daylight, Sunlight and Overshadowing, ES Chapter 11: Wind Microclimate, ES Chapter 12: Climate Change and ES Chapter 13: Effect Interactions.	<p>This requirement makes reference to the methodology followed by each of the assessments undertaken, including any limitations.</p> <ul style="list-style-type: none"> <li>Does ES Chapter 2: EIA Methodology describe the general approach to assigning sensitivity to receptors, magnitude to impacts and overall significance of effect?</li> <li>Do the ES chapters refer to ES Chapter 2: EIA Methodology or do they include a description of an alternative approach to assigning sensitivity to receptors, magnitude to impacts and overall significance of effect?</li> <li>Do the ES chapters include an explanation to distinguish between significant and not significant / insignificant effects?</li> <li>Do the ES chapters describe the forecasting methods and techniques used in the assessment of environmental effects resulting from the development?</li> <li>Are the described forecasting methods and assessment techniques correct and up to date?</li> <li>Do the ES chapters include any assumptions made for the assessment or any limitations identified? Are these clearly set out and legitimate?</li> </ul>
7. A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases.	ES Chapter 6: Socio-Economics, ES Chapter 7: Traffic and Transport, ES Chapter 8: Air Quality, ES Chapter 9: Noise and Vibration, ES Chapter 10: Daylight, Sunlight and Overshadowing, ES Chapter 11: Wind Microclimate, ES Chapter 12: Climate Change, ES Chapter 13: Effect Interactions and ES Chapter 15 Environmental Management, Mitigation and Monitoring	<ul style="list-style-type: none"> <li>Does the ES in general, or any of the technical topic chapters / assessments, include a description of the intrinsic parts of the development design that will mitigate adverse effects?</li> <li>Does each of the technical topic chapters / assessments include a description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment?</li> <li>Do the proposed mitigation measures describe the extent to which significant adverse effects on the environment are avoided, prevented, reduced or offset, for effects resulting during both the construction and operational phases?</li> <li>Does the ES in general, or any of the technical topic chapters / assessments, include any proposed monitoring arrangements?</li> </ul>
8. A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned. Relevant information	<b>N/A.</b> Directive 2012/18/EU addresses the control of major chemical accident hazards. Council Directive 2009/71/Euratom addresses	<b>N/A</b> – it is considered that this topic has correctly been scoped out of the EIA, as a result this is not included within the ES.

Requirements from Schedule 4 of the EIA Regulations: Information for Inclusion in Environmental Statements	Section of the Environmental Statement to be reviewed against the requirement from Schedule 4 of the EIA Regulations	Criteria for reviewing the relevant section of the Environmental Statement against the requirement from Schedule 4 of the EIA Regulations
available and obtained through risk assessments pursuant to EU legislation such as Directive 2012/18/EU(90) of the European Parliament and of the Council or Council Directive 2009/71/Euratom(91) or UK environmental assessments may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.	the safety of nuclear installations. This refers to industries and activities that come under Control of Major Accident Hazards (COMAH) Regulations. COMAH mainly affects the chemical industry, but also some storage activities, explosives sites, nuclear sites and other industries, where threshold (and above) quantities of dangerous substances identified in the regulations are kept or used.	
9. A non-technical summary of the information provided under paragraphs 1 to 8.	NTS	<ul style="list-style-type: none"> <li>Does the ES include a non-technical summary (NTS) providing a summary of the ES in a non-technical language?</li> </ul>
10. A reference list detailing the sources used for the descriptions and assessments included in the environmental statement.	Entire ES.	<ul style="list-style-type: none"> <li>Does the ES in general, and the technical topic chapters / assessments, include a reference list detailing the sources used for the descriptions and assessments included in the ES?</li> </ul>

The technical review of the information presented in the ES aims to allow LBI to robustly determine the planning application in the knowledge of the project's likely significant effects on the environment. This stage has been focused on the adequacy of the information provided in the front- and back-end chapters of the ES, for example in relation to the description of the proposed development, alternatives, construction and cumulative effects, in addition to the technical topic chapters / assessments, including the associated technical appendices, NTS, cumulative effects and residual effects, methodology, approach and assumptions for assessing the environmental effects. A further cross check against the requirements of the LBI Scoping Opinion is also undertaken. Whilst the review draws on elements from guidance documents, such as the ES review criteria published by IEMA as part of the EIA Quality Mark scheme, our technical review of the information presented in the ES is based on professional experience to ensure the output is pragmatic, proportionate and focused.

The overall results from the review of New Barnsbury, The Barnsbury Estate ES have been presented with a 'grading system'. Table 2 illustrates the possible grades and the proposed criteria to assign these grades.

Table 2. Overall ES review Grading Criteria

Grades	Criteria
Pass	Meets requirements of the Regulations.
Issues to address	Likely meets requirements of the Regulations, further clarifications would improve legibility and understanding.
Fail	Likely falls short of requirements of the Regulations.

#### Summary of conclusions

Table 3 below summarises the outcomes of the overall review of New Barnsbury, The Barnsbury Estate ES, including recommendations where applicable.

Table 3. Summary of Review Outcomes

Section of the ES	Review of compliance	Technical Review	Overall Review Conclusion ('Grade')	Information to be provided under Regulations 25	Clarifications
Chapter 1: Introduction and the associated section of the ES Addendum.  In accordance with Table 1.15 of the ES Addendum, the equivalent to the May 2022 ES Chapter 1: Introduction is an Addendum introduction section which has been provided within this September 2022 ES Addendum (within Volume 1, Main Report).	N/A	The table of Contents (Page 4 of the ES Addendum) only shows sections of the report up to page 18 out of the 122 pages of the document, which makes navigation of the document more difficult for the reader.  There are some errors in the numbering presented for the annexes included within Table 1.15.  The structure of the Addendum does not replicate that of the ES for the front-end Chapters (Chapters 1-5), this hinders the cross referencing of the text within the ES to that in the ES Addendum.	Pass	N/A	It would be useful if a corrected contents page could be provided to aid the reader.
Chapter 2: EIA Methodology and the associated section of the ES Addendum.  In accordance with Table 1.15 of the ES Addendum, the	ES Chapter 2: EIA Methodology and the associated section of the ES Addendum are considered to be generally in compliance with the requirements of Schedule 4 of the EIA Regulations.	Table 1.2 of the ES Addendum indicates that "A full set of planning drawings which have been replaced and those that remain as per that assessed within the May 2022 ES is presented in the cover letter accompanying the revised planning application. The EIA team have either reviewed all or relevant planning drawings as appropriate to their assessment". However, the aforementioned cover letter is not included	Pass	N/A	Clarification with regards to the 'full set of planning drawings' used for the EIA / assessment of the Amended Proposed Development should be

Section of the ES	Review of compliance	Technical Review	Overall Review Conclusion ('Grade')	Information to be provided under Regulations 25	Clarifications
<p>equivalent to May 2022 ES Chapter 2: EIA Methodology is the addendum section outlining the Environmental Statement Addendum Approach which has been provided within this September 2022 ES Addendum (within Volume 1, Main Report, Introduction, ES Addendum Approach and Proposed Amendments).</p>	<p>This chapters includes a description of the general approach followed to assign sensitivity to receptors, magnitude to impacts (paragraphs 2.136 to 2.139) and overall significance of effect (paragraphs 2.140 to 2.143). The chapter also includes an explanation to differentiate between significant and not significant / insignificant effects (paragraph 2.150).</p> <p>This chapter includes a list of the principal assumptions and limitations made and identified for the EIA (Paragraph 2.155).</p> <p>A small number of observations with regards to the information presented and included in this chapter have been made for which clarifications in some cases have been requested. The majority of these are addressed in the ES Addendum. However, the identified clarifications should not alter compliance with Schedule 4 of the EIA Regulations.</p>	<p>within the ES Addendum documents. It is considered that this full list of planning drawings should have been provided within the ES Addendum to aid the reader.</p> <p>Minor inconsistencies and errors were noted in the ES, which have not been updated by the Addendum, these are as follows:</p> <p>Figure 2.1 of the ES (The Planning Application Boundary, defining Detailed and Outline Element) lacks a key / legend to fully understand what is described in Paragraph 2.5 ('Form of the Planning Application' Section).</p> <p>Heading levels within the ES do not appear to be formatted correctly within this chapter, which hinders the reader's understanding and the accessibility of this Chapter.</p> <p>Table 2.1 of the ES provides a list of the parameter plans being sought for approval for the Outline Element. It is understood that these plans are also used for the assessments reported in the ES. Paragraph 2.36 (Assessment of the Detailed Element of the Proposed Development) refers to "a full set of detailed planning drawings" however, these drawings are not listed in a similar manner to those included in Table 2.1.</p>			<p>provided within, or appended to the ES Addendum in order to aid the reader.</p>
<p>Chapter 3: Alternatives and Design Evolution and the associated section of the ES Addendum.</p> <p>In accordance with Table 1.15 of the ES Addendum, the equivalent to May 2022 ES Chapter 3: Alternatives and Design Evolution is the addendum section outlining the Environmental Statement Addendum Approach which has been provided within this September 2022 ES Addendum (within Volume 1, Main Report, Introduction, ES Addendum Approach and Proposed Amendments).</p>	<p>ES Chapter 3: Alternatives and Design Evolution and the associated section of the ES Addendum are considered to be generally in compliance with Schedule 4 of the EIA Regulations.</p> <p>This chapter includes a section covering the description of the 'Site and Surrounding Context' which complies with requirement No. 1 of the EIA Regulations. Notwithstanding, an observation has been made in this regard.</p> <p>An alternatives analysis comprising the 'Do-nothing / no Development Alternative, Alternative Sites and Alternative Designs, is presented.</p>	<p>It is considered that there are some sections and information presented in this chapter of the ES that would be better placed elsewhere, as they do not assist or contribute to the understanding of the alternatives and design evolution of the proposed development, but would aid the reader with respect to their understanding of the site and it's context.</p> <p>In particular, it seems unusual for the information regarding the location of the site and the description of the surrounding area (paragraph 3.2 to 3.38) to be included within this chapter. This information could have been better included as a separate chapter or as part of either Chapter 1 (Introduction) or Chapter 4 (Proposed Development). In addition, it is also noted that this chapter (under 'Site Description') repeats some of the information already provided within ES Chapter 1 Introduction, 'site information' section.</p> <p>The 'Consultation' section is very detailed. 'Consultation' as a requirement of the EIA could have been better included as part of ES Chapter 2: EIA Methodology with a short summary included in this chapter to describe the changes applied to the proposed development, or the scope / methodology of the EIA as a result of the consultation undertaken. Much of the information included is irrelevant to alternatives or design evolution, and in the interests of a more proportionate ES could have been included as an appendix.</p> <p>It should be noted that the Figure 3.8 referred to in paragraph 3.91 is likely a typographical error as it refers to 'the emerging masterplan', Figure 3.7.</p> <p>The Addendum makes no significant changes to the consideration of Alternative to that set out in the ES.</p>	Pass	N/A	None
<p>Chapter 4: The Proposed Development and the associated section of the ES Addendum.</p>	<p>ES Chapter 4: The Proposed Development and the associated section of the ES Addendum are considered compliant with Schedule 4 of the EIA Regulations.</p>	<p>The ES chapter has included some information from other chapters (such as the overview of the planning application), the repetition and duplication does not aid the legibility and adversely impact on the proportionality of the ES.</p>	Pass	N/A	<p>It would be helpful if errors could be corrected by way of an erratum / corrigendum to aid the</p>

Section of the ES	Review of compliance	Technical Review	Overall Review Conclusion ('Grade')	Information to be provided under Regulations 25	Clarifications
<p>In accordance with Table 1.15 of the ES Addendum, the equivalent to May 2022 ES Chapter 4: The Proposed Development is the addendum section outlining the Proposed Amendments which have affected the development as previously detailed within the May 2022 Environmental Statement, which has been provided within this September 2022 ES Addendum (within Volume 1, Main Report, Introduction, ES Addendum Approach and Proposed Amendments).</p>	<p>The general description of the location of the site / proposed development has been included in Chapters 1 and 3.</p> <p>The ES chapter and the associated section of the ES Addendum include the description of the development (outline and detailed elements), including dimensions (quantum, scale, site layout and general arrangement), phasing and appearance.</p> <p>The ES chapter and the associated section of the ES Addendum also include a description of the operational development, including proposed uses, access, parking and servicing.</p>	<p>It is considered that for the ease of the reader the general description of the location of the site / proposed development which has been included in Chapters 1 and 3 would be better reported within this chapter or as a separate ES chapter.</p> <p>There are a number of minor typographic errors, particularly incorrect cross references within the text that make it more difficult for the reader to understand. Whilst these do not materially impact on the functionality of the ES it would be helpful if these were addressed by way of an erratum / corrigendum. These have not been directly updated by the Addendum and examples are set out below:</p> <ul style="list-style-type: none"> <li>• The reference to Table 4.6 in Paragraph 4.15 is incorrect and should be Table 4.5.</li> <li>• Paragraph 4.23 is missing some of the Proposed Quantum of Development included in Table 4.1.</li> <li>• Paragraph 4.72 is missing a sentence at the beginning (likely to be 'Figure 4.10 or BAE-PTE-ZZ-XX-DR-A-100098-C1 – Basement Plan').</li> <li>• The reference to Figure 4.24 in paragraph 4.88 is not correct as this should refer to Figure 4.23.</li> <li>• The reference to Figure 4.25 in paragraph 4.92 is not correct as this should refer to Figure 4.24.</li> <li>• The key is missing in Figure 4.23.</li> <li>• Paragraph 4.118 is missing a sentence at the beginning (likely to be a reference to a figure or a plan).</li> <li>• The reference to Figure 4.37 in paragraph 4.124 is not correct – The plan referred to does not seem to be presented within the chapter.</li> <li>• The reference to Figure 4.38 in paragraph 4.129 is not correct as this should refer to Figure 4.37.</li> </ul> <p>There are also a number of typographic errors in the ES addendum which would benefit from being corrected in an erratum, examples include the following:</p> <ul style="list-style-type: none"> <li>• There is an inconsistency between Paragraph 1.40 and Tables 1.3 and 1.4 – i.e., whilst Table 1.3 sets out the amount of development per use class for the Detailed Element of the Amended Proposed Development, compared against the May 2022 ES (instead of the Outline Element).</li> <li>• There is a reference missing in the last sentence of Paragraph 1.44.</li> <li>• Figure 1.15 is missing a key or legend to facilitate the reader's interpretation of the information presented.</li> <li>• Table 1.14 has carried over the 'detailed' heading over the totals, which can be misleading or confusing for the reader.</li> <li>• There is an error with the figure reference included in Paragraph 1.98 which should be Figure 1.17 instead of Figure 1.16.</li> </ul>			reader.
<p>Chapter 5: Demolition and Construction and the associated section of the ES Addendum.</p> <p>In accordance with Table 1.15 of the ES Addendum, the equivalent to May 2022 ES</p>	<p>Overall, ES Chapter 5: Demolition and Construction and the associated section of the ES Addendum are considered to be compliant with Schedule 4 of the EIA Regulations.</p> <p>The ES chapter the associated ES</p>	<p>Overall, the chapter and ES Addendum provide an adequate description of the demolition and construction works. This includes the anticipated programme of works, the phasing and rehousing strategy, the construction sequencing, the description of the proposed works, the materials to be used and waste likely to be generated. It also provides information pertaining to site access and egress for vehicles and pedestrians, plant equipment, anticipated hours of work, communication</p>	Pass	N/A	<p>The provision of a fuller description of the land uses during the construction and demolition phases, ideally with a plan, setting out the location of compounds and laydown areas would aid</p>

Section of the ES	Review of compliance	Technical Review	Overall Review Conclusion ('Grade')	Information to be provided under Regulations 25	Clarifications
<p>Chapter 5: Demolition and Construction is the addendum section confirming that the demolition and construction assessment outlined within the May 2022 Environmental Assessment remains unchanged, which has been provided within this September 2022 ES Addendum (within Volume 1, Main Report, Introduction, ES Addendum Approach and Proposed Amendments).</p>	<p>Addendum section lack some relevant construction details, for example where site compounds, laydown areas would be located. There is not figure or plan to illustrate these expected land uses during the demolition and construction.</p> <p>It is considered that it would have been helpful if assumptions pertaining to slippage of the programme, or works commencing later in the period permitted by any planning permission were included.</p> <p>The above identified missing information should however not alter compliance with Schedule 4 of the EIA Regulations.</p>	<p>strategy and mitigations/control measures.</p> <p>Nevertheless, a small number of clarification and observations with regards to the information presented and included in this chapter would be useful. It should be noted there are a number of typographic that could also be addressed to aid the reader.</p> <p>Whilst Table 1.2 of the ES Addendum has provided some further description to accompany Figures 5.6 to 5.11 of the May 2022 ES, these descriptions have only covered some elements illustrated in these figures, and there are some typographical errors which hinder the cross referencing between the text in the ES Addendum and the figures from the May 2022 ES.</p>			<p>the readers understanding.</p> <p>Corrections to the inconsistencies noted between the construction phases text and tables have not been made. It would have been useful if an amended anticipated programme of works had been provided in the ES Addendum.</p>
<p>Chapter 6: Socio-Economics and ES Addendum Section</p>	<p><i>Chapter 6: Socio-Economics</i> and the associated Addendum Section appears to be compliant with the regulatory requirements. The data sources and technical assessment methodologies are up-to-date and have been justified.</p>	<p>The baseline references a variety of datasets that mostly appear to be the latest available at time of drafting. However, there are few minor clarifications to be made in this regard.</p> <p>The rate of unemployment and economic activity has been estimated using 2011 Census data. Whilst it is acknowledged that this is the most recent data that is available for the Local Area, the Annual Population Survey could provide more up-to-date data for LBI and London.</p> <p>There is a small inconsistency in the stated provision of open rooftop space between Paragraph 1.82 (of the ES Addendum) (under 'Open Space' Section) and Paragraph 6.23 (of the ES Addendum) (under the Implications of the Proposed Amendments Section) of the Addendum. The increase in open rooftop space would be 191m<sup>2</sup>, instead of 181m<sup>2</sup>. This seems to be correct in Paragraph 6.33.</p> <p>Whilst it is not a change from 'Not Significant' to 'Significant', Paragraph 6.41(of the ES Addendum) could have referred to the only change in residual effects – i.e., the demand and provision of playspace, for the ease of the reader.</p> <p>A variety of assumptions and limitations have been presented within the chapter which appear legitimate and well justified. Effects are clearly identified for both during demolition and construction and after delivery has been completed, with impacts assessed in terms of sensitivity, magnitude, nature and scale.</p> <p>It is not clear what Paragraph 6.43 of the ES Addendum is referring to with <i>"the impacts of climate change discussed in relation to socio-economics are not affected by the Amended Proposed Development"</i>. Climate change had not been included in the original ES Chapter 6: Socio-Economics and this is the only mention to climate change in the Addendum Section for Socio-Economics. As previous noted, there should be at least a qualitative assessment of the potential implications of climate change on socio-economic, this may however sit better in Chapter 12 Climate Change.</p> <p>Contrary to the statement included in Paragraph 1.10, the Addendum</p>	Pass	None	<p>Clarifications as to how the socio-economic receptors are impacted by climate change, and the effects of climate change are mitigated. This is not explicitly included within the ES, although assessments within the ES, and in support of the Application to take this into consideration.</p> <p>Clarification as to how the cumulative effects of the Completed Development on 'Housing Delivery' and 'Local Expenditure' have been calculated is required.</p>

Section of the ES	Review of compliance	Technical Review	Overall Review Conclusion ('Grade')	Information to be provided under Regulations 25	Clarifications
		<p>Section is missing the heading for the 'Assessment of the Future Environment' and there is no mention to 'Evolution of the Baseline Scenario' (included in the original ES Chapter), even to state, as in other sections, that there are no changes compared to the May 2022 ES.</p> <p>Paragraph 6.49 reports a change from 810 net new homes to 70 net new homes resulting from the completed Amended Proposed Development. However, it is not clear how this has been calculated if as stated in Paragraph 6.23, <i>"the implications of the Amended Proposed Development on the socio-economic assessment relate to a decrease of 36 residential units from 950 to 914"</i>. This seems to be a significant change, which would change the assessed effect on the original May 2022 ES (i.e., direct, permanent, moderate beneficial (significant) effect on housing need at the Borough level). The net new homes figures reported in Paragraph 9.50 do not match those in the preceding paragraph, although they do indicate that there is a typographic error in the preceding paragraph. Further to this it is also not clear how the decrease in household spending per annum has been calculated (£1 million decrease seems disproportionate when compared to the reduction in net new homes). Despite these errors, it is considered that the changes to the scheme, and consequently expenditure are likely to be insignificant with regard the overall scale of the proposals, and therefore the assessment as reported is likely accurate.</p> <p>As previously noted, Paragraph 6.175 of the original ES Chapter states that <i>"a significant beneficial effect in relation to open space provision was identified when considering the combination of Old and New Barnsbury under the Tier 1 Cumulative Assessment"</i> however this is not consistent with Table 6.16 which also identified this beneficial significant effect without establishing any association with the Tier 1 Cumulative Assessment. This narrative is also inconsistent with paragraph 14.18 of ES Chapter 14: Likely Significant Effects and conclusions. The associated Addendum Section has not clarified this point.</p> <p>The conclusion reported in Paragraph 6.51 (under 'Likely Significant Effects' needs to be reviewed in light of the above comments, particularly in relation to the previously identified significant cumulative effect on the housing delivery.</p>			
Chapter 7: Traffic and Transport and ES Addendum Section	The Traffic and Transport Chapter and the associated Addendum Section are considered to be compliant with the requirements of Schedule 4 of the EIA Regulations as set out in Table 1 above.	<p>Subject to the findings of an independent review of the Transport Assessment (TA) and supporting documentation submitted in support of the planning application, the information presented within Chapter 7 of the May 2022 ES and Addendum Section is assumed to be accurate and fit for purpose.</p> <p>There is an error with the numbering of paragraphs in this Addendum Section, as this does not continue the numbering from the previous section (Socio-Economics), which mirrors the paragraph numbering of the ES, instead all paragraphs for this section revert to 1.XX format. It would be beneficial for the ease of the reader if this was amended/corrected, particularly as the table captions and references in the text are not aligned. There are also further typographic errors that hinder the reader throughout this section of the Addendum.</p> <p>Contrary to the statement included in Paragraph 1.10, the Addendum Section has included a section: 'Legislation, Planning Policy and Guidance' which was not part of the original May 2022 ES Chapter.</p>	Pass	None	It would be helpful to the reader if a replacement was made to section 7 of the Addendum to correct the erroneous paragraph and table numbering. Whilst this error has no material effect upon the findings presented, it does make the Addendum difficult to read.

Section of the ES	Review of compliance	Technical Review	Overall Review Conclusion ('Grade')	Information to be provided under Regulations 25	Clarifications
		<p>The information included between paragraphs 1.7 and 1.15 relates to the changes introduced by the Proposed Amended Development and does not describe the 'Assessment Methodology' for Traffic and Transport. As such this information should have probably been included in the Introduction Section.</p> <p>There is no mention as to whether the 2030 construction traffic AAWT has remained the same or not. Furthermore, Paragraph 1.28 states that "Table 7.3 supersedes Table 7.18 of the May 2022 ES Chapter" (it is assume that this is a typographic error and this paragraph refers to Table 1.3 of the Addendum Section for Traffic and Transport), although Table 1.3 of the Transport Section of the Addendum does not seem to show the same information as table 7.18 of the ES. Notwithstanding this, given the relatively small changes to the proposals and programme is it considered unlikely that these data have changed, and this seems to be set out in table 1.4 of the Addendum.</p>			
<p>Chapter 8: Air Quality and ES Addendum replacement chapter.</p>	<p>The May 2022 ES Chapter 8: Air Quality and the ES Addendum replacement chapter are considered to be compliant with Schedule 4 of the EIA Regulations.</p>	<p>The construction assessment methodology generally follows recognised and best practice guidance, except for the emission factor toolkit (EFT) used. The road traffic emissions from construction traffic and the completed and operational development used Version 10 of the EFT (published August 2020). It was understood that this had been addressed. However, in paragraph 8.30 of the ES Addendum states that the out of date EFT Version 10.1 was used.</p> <p>No information is provided on the ADMS model inputs: for road type.</p> <p>Surface Roughness in Annex 7 is stated as 1 for the local area and 0.5 for the met station. The site is located in a large urban area and should use a value of 1.5. Value of 0.5 (parkland and open suburbia) was used to represent the met station. A surface model roughness of 1.5 should be applied to Large Urban Areas. LBI is a central London Borough and should be classified as a large urban area.</p> <p>LAQM TG16 recommends the use of multiple monitors for model verification and recommends against the use of one monitor. The use of one monitor to derive the adjustment factor for a model is not recommended as the monitoring site may not be representative of other locations modelled, and the adjustment factor derived will be heavily dependent on the source-to-receptor relationship as represented by the meteorological data file used in the dispersion model. The model verification only has one DT in the model verification. The AQ consultant stated: <i>'it is acknowledged that in accordance with LAQM.TG22 model verification should be undertaken using multiple monitoring locations, however traffic data was only made available for links where one monitoring location was - BIS005/03 Caledonian Road. See Section 8.36. This is considered to be a reasonable approach and therefore provides a robust assessment'</i>.</p>	<p>Pass</p>		<p>Clarification of the EFT Version used for construction traffic assessments should be provided by way of an erratum.</p> <p>Clarification on the 'road type' input into the ADMS-Roads model should be provided.</p> <p>In isolation, the use of a surface roughness of 1 for the local area would not alter the conclusions of Chapter 8 Air Quality, however, further justification for this approach would aid the reader.</p> <p>It is advised LBI apply a condition for monitoring to ensure the pollutant concentrations predicted in the modelling are accurate and existing and future receptors are not exposed to poor air quality.</p>

Section of the ES	Review of compliance	Technical Review	Overall Review Conclusion ('Grade')	Information to be provided under Regulations 25	Clarifications
		<p>The use of one monitor for model verification does not comply with best practice guidance and therefore does not provide a robust assessment. In isolation, the use of a one monitor in the model verification would not be likely to alter the conclusions of Chapter 8 Air Quality.</p> <p>Defra background map concentrations used instead of available continuous background monitors. The AQ consultant stated: <i>'Background concentrations have been taken from Defra, rather than the local monitoring station (Arsenal) as Defra background concentrations were higher than those measured locally, therefore a worst case approach has been established'</i>. The use of higher background concentrations in the baseline year is not necessarily a conservative approach. The inverse is often true as the higher the background value used, the lower the monitored traffic NOx emission contribution that is run through the NOx to NO<sub>2</sub> calculator to inform the model verification and adjustment exercise. This can lead to a lower adjustment factor and therefore a less conservative set of predicted results in the opening year. However, the use of Defra background maps is considered acceptable in this assessment.</p> <p>Whilst not formally a part of the Environmental Statement, the air quality neutral calculations have been based on GLA's consultation draft of London Plan Guidance; Air Quality Neutral. To calculate the transport emissions the AQ consultant has used GEA rather than GIA as presented in the Guidance. Using GEA is incorrect and exaggerates the results of the Air Quality Neutral Calculations. Additionally, the AQ Neutral calculations use the Proposed Maximum Quantum of Development, which further exaggerate the results of the AQ Neutral calculations.</p> <p>In accordance with the GLA's consultation draft of London Plan Guidance; Air Quality Neutral the development should be tested against the TEB at the outline application stage, and again as detailed plans for each phase are brought forward.</p> <p>AQ neutral calculations should be undertaken for the detailed elements of the Development.</p> <p>The SB 1km buffer illustrated on Figure 8.4 of the ES Addendum is incorrect. The key on figure 8.8 of the Addendum is also incorrect.</p>			<p>It is suggested LBI apply a condition to ensure each phase of the Development would have air quality neutral assessment undertaken.</p> <p>Whilst the errors on the figures do not change the findings reported, it would be helpful if updated and corrected figures were provided.</p>
Chapter 9: Noise and Vibration and ES Addendum Section	The May 2022 Noise and Vibration ES Chapter and ES Addendum Section are compliant with Schedule 4 of the EIA Regulations.	<p>The chapter is considered to accurately present the baseline climate, operational and construction effects, mitigation measures and residual effects.</p> <p>The observations and clarifications previously raised in the ES Review have been adequately addressed. There are no further comments.</p>	Pass	None	None
Chapter 10: Daylight, Sunlight and Overshadowing and ES Addendum replacement	Overall, the Chapter 10: Daylight, Sunlight and Overshadowing replacement chapter, as set out in the ES Addendum is	A number of clarifications were sought in the initial review of the May 2022 ES (as presented in the Draft ES Review Report).	Pass	None	None

Section of the ES	Review of compliance	Technical Review	Overall Review Conclusion ('Grade')	Information to be provided under Regulations 25	Clarifications
chapter.	considered to be compliant with the requirements of Schedule 4 of the EIA Regulations as set out in Table 1 above.	<p>The responses provided within the ES Addendum are considered acceptable, apart from the considerations within the assessment for some more localised comparable studies (as per the London Plan). Whilst a response has been provided, in terms of size we would not agree that Elephant Park and Aldgate City are comparable, as these schemes comprised some significantly taller elements compared to the development, and the local context of these schemes already contains high rise buildings. We suggested that the author provided more localised examples, as this may help LBI draw direct comparability from their own previous decisions and be reassured there is some precedence within the Borough, not just London in general. It may be useful for officers to know that LBI have consented several schemes that target VSC values in the 'mid teens', indeed this approach was taken (and echoed by the Mayor) in the pre-SPG decision at Monmouth House, Islington (see P2015/3136/FUL).</p> <p>It has not been possible to verify the assumptions that have been made to model the rooms within the neighbouring buildings. Whilst the NSL contours would provide greater certainty on the findings and significance criteria applied, LBI may be minded to accepting the conclusions based on the tabular results alone.</p> <p><u>General review of methodology and approach in accordance with policy and BRE Guidance</u></p> <p>The Addendum ES clarifies that the BRE Guidelines 2011, which the May 2022 ES Chapter was based on, have been superseded and replaced by the 2022 edition. Although, it is worth pointing out that the assessments used for assessing impact on neighbouring amenity (VSC, NSL (daylight) and APSH (sunlight)) has not changed. Furthermore, the conventional significance criteria shown in table 10.6 has also not changed. The updated BRE Guidelines also includes an assessment methodology for assessing the impact on existing solar panels to neighbouring receptors, which was not in the 2011 BRE, however this is further covered in section 5 'Review of findings in respect of impact on solar panels'.</p> <p>Overall, it is felt that Point 2 have accurately set out the various assessment daylight and sunlight methodologies and their approach to defining significant effects.</p> <p><u>Review of the findings in respect of the moored boats</u></p> <p>We agree with Point 2's findings that there would not be a significant effect on the levels of light received by the moored boats as a result of the proposed development. Given that they are not permanent dwellings, as they can only stay moored for 7 days, any reduction in daylight is largely irrelevant as no occupier would be in residency for long enough to 'notice' a change. When turning to the retained daylight levels, the analysis shows retained VSCs upward of 20%, which is good for an urban locality.</p> <p><u>Review of findings in respect of overshadowing to front gardens at along Charlotte Terrace.</u></p> <p>We agree with Point 2 that front gardens are not usually assessed. The BRE Guidelines is also quite clear in its advice:</p>			

Section of the ES	Review of compliance	Technical Review	Overall Review Conclusion ('Grade')	Information to be provided under Regulations 25	Clarifications
		<p>“Around housing, front gardens that are relatively small and visible from public footpaths should be omitted; only the main back garden should be analysed [emphasis added]” (Paragraph 3.3.8, BRE Guidelines 2022)</p> <p>In approaching the question of whether there will be a significant effect, less weight should be given to these spaces, as they do not strictly fall within default BRE testing parameters.</p> <p>Point 2 note that some of the impacts amount to ‘Major Adverse’ and are therefore significant. Point 2 go on to say that the impacts can be considered acceptable as they have run an additional test 9 days after the Spring Equinox, when the sun travels at a slightly higher altitude. They have also tested the gardens in June, which shows they will receive good levels of sunlight in the summer. We agree with Point 2 that these impacts can be considered acceptable.</p> <p><u>Review of findings in respect of solar panels</u></p> <p>Point 2 have correctly undertaken the initial BRE recommended assessment of checking whether the APSH reaching the panels is not reduced by more than 10% compared to the existing baseline. The analysis shows that the greatest reduction is around 6%, meaning further detailed checks of solar irradiation are not required and the proposed development should not materially affect the amount of energy the panels can produce.</p> <p><u>Review of findings in respect of Light Pollution</u></p> <p>Point 2 have undertaken a qualitative assessment of light pollution and not any detailed technical tests.</p> <p>We agree with Point 2’s findings, that any light pollution is likely to be negligible and can be managed through the detailed design stage of the wider outline.</p> <p>This is because residential led developments do not tend to cause artificial light spill into other habitable properties; naturally so as residents are likely to close their curtains when it is dark in any event. Light pollution can usually only be an issue where a proposed development is a commercial property predominantly comprised of glass facades; that way, more artificial light can spill out from the building, compared to smaller windows used for residential purposes.</p> <p>We understand there are some ‘non-residential’ components of the proposal, however, we agree that any potential light spill can easily be mitigated through the use of automatic lights/blinds, and the after-hours use of those elements would likely be limited in any event.</p>			
Chapter 11: Wind Microclimate and ES Addendum Section	Further assessment and clarifications have been provided that address issues identified in the draft ES review. Subject to ensuring the delivery of required mitigation, potentially by the attaching of a suitably worded condition to the planning permission, the May 2022 ES Chapter 11: Wind Microclimate and the ES Addendum Section are considered to be compliant with the requirements of Schedule 4 of the EIA	<p>The overall assessment methodology, comprising Computational Fluid Dynamics (CFD) modelling in conjunction with long-term wind statistics applicable to the Site and the industry standard Lawson criteria for pedestrian comfort and safety, is considered appropriate for the scale of the proposed development.</p> <p>The May 2022 ES chapter and the ES Addendum Section are considered to accurately present the baseline climate, operational and construction effects, mitigation measures and residual effects. Whilst additional</p>	Pass		<p>Further justification as to why CFD was chosen for the assessment, rather than wind tunnel testing would aid understanding.</p> <p>For the outlined elements, the limitations on potential entrance locations or</p>

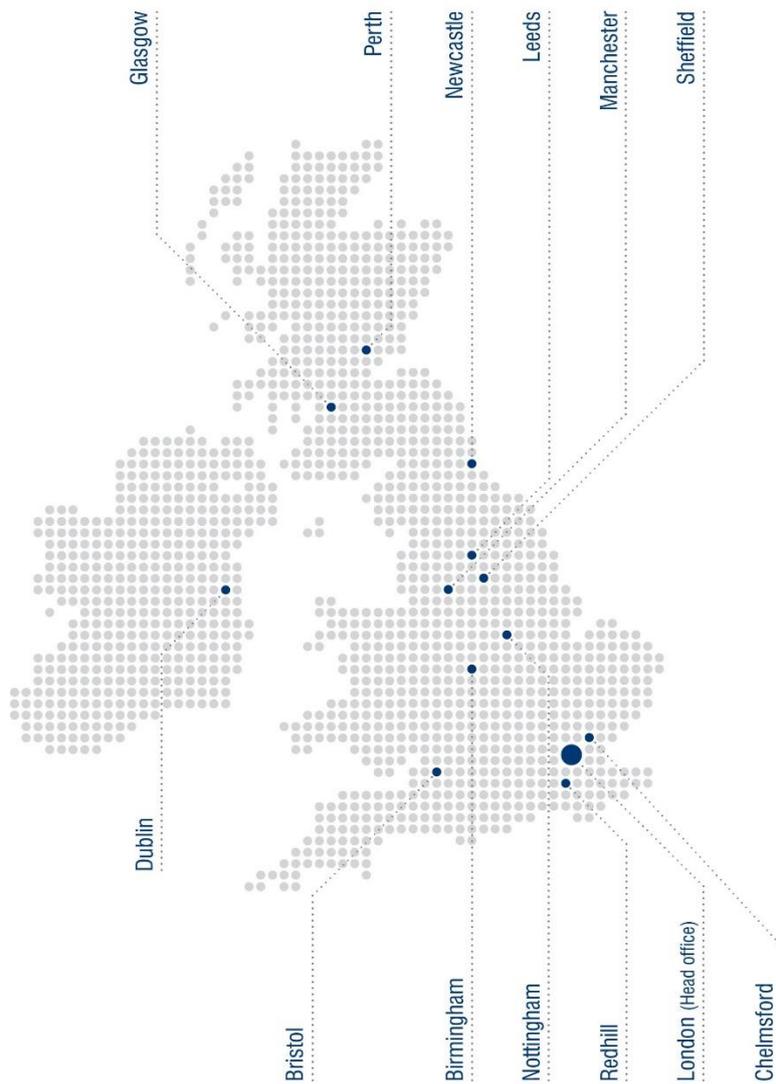
Section of the ES	Review of compliance	Technical Review	Overall Review Conclusion ('Grade')	Information to be provided under Regulations 25	Clarifications
	Regulations as set out in Table 1 above.	testing has been undertaken, no further likely significant effects are identified, therefore the findings set out in the May 2020 ES remain valid.			requirements for recessing (including the recommended minimum depth) should be clarified, or a mechanism for the incorporation of mitigation – such as a planning condition for testing of all Reserved Matters proposals – would ideally be set out.
Chapter 12: Climate Change and ES Addendum Section	Subject to further information and clarifications, the May 2022 ES Chapter 12: Climate Change and the ES Addendum Section are considered to be compliant with the requirements of Schedule 4 of the EIA Regulations as set out in Table 1 above.	<p><i>Part A Greenhouse Gas Emissions Assessment</i></p> <p>Assumptions and Limitations</p> <ul style="list-style-type: none"> <li>The IEMA guidance champions a whole life approach to assessing carbon emissions and states that life cycle modules can be excluded if in accordance with the materiality and cut-off guidance i.e., expected emissions are less than 1% of total emissions with all exclusions not exceeding 5% of total emissions. Further information has been provided in this regard which, whilst not strictly in line with IEMA guidance, is reasonable and will unlikely result in any material change to the assessment.</li> <li>Whilst Table 12.1 of the ES Addendum indicates that “Figure 12.14 will be updated to reflect inconsistencies”, an update of this figure (table) has been omitted.</li> </ul> <p><i>Part B Climate Change Resilience and Adaption</i></p> <p>The applicant has provided a technical appendix to support the assessment setting, Climate Change Technical Note London. The note provided guidance to the EIA technical team on how to consider effects under future climate scenario, ensuring it is integral to the design process. This has then driven the impacts section of the assessment, where different topics have considered impacts and any proposed mitigation. One query is around socio-economics where, potential effects related to climate change are not relevant to the assessment of socio-economic effects. It has been confirmed that there has not been direct assessment of climate with respect to socio-economic receptors, although there is a mechanism for this to be considered through industry standard design guidance and practice at reserved matters.</p> <p>Overall, it would have been useful for the reader if (where relevant) the information provided in the form of responses to requested clarification in Table 12.1 had been also discussed in the equivalent sections of the ES Addendum.</p>	Pass		As previously requested in the Draft ES Review, given that any emissions released will remain in the atmosphere irrespective of the source, clarification as to why certain effects resulting from the Proposed Development are considered temporary should be given.
Chapter 13: Effect Interactions and ES Addendum Section	ES Chapter 13: Effect Interactions and the ES Addendum Section are considered to be generally in compliance with Schedule 4 of the EIA Regulations as set out in Table 1 above.	<p>Given that each of the relevant chapters of the ES have already set out the relevant aspects of the current state of the environment (baseline scenario), it is concluded that this chapter is not strictly necessary to meet the requirements of the Regulations.</p> <p>The Addendum highlights where changes in the predicted significant</p>	Pass	None	Further clarification as to how the new identified receptors for the Effects Interactions assessment are not expected to experience an effect

Section of the ES	Review of compliance	Technical Review	Overall Review Conclusion ('Grade')	Information to be provided under Regulations 25	Clarifications
		<p>effects have been reported, and goes on to set out whether these change the magnitude and significant of interactions. No changes to the previously reported findings are identified.</p> <p>The ES Addendum Section identifies two new receptors to be considered within the Effects Interactions assessment, although it also states that <i>"there is no identified potential for effect interactions"</i>. Nevertheless, no justification is given for this.</p> <p>The numbering of this section of the Addendum is incorrect, restarting at 1 again, which is unhelpful.</p>			<p>interaction.</p> <p>It would aid the reader if the numbering of the paragraphs in this section was updated.</p>
Chapter 14: Likely Significant Effects and Conclusions and ES Addendum Section	ES Chapter 14: Likely Significant Effects and Conclusions and the ES Addendum Section are considered to be generally in compliance with Schedule 4 of the EIA Regulations as set out in Table 1 above.	<p>It understood that this chapter provides a summary of the likely <b>residual</b> significant environmental and socio-economic effects pertaining to the Proposed Development (from both construction and demolition and once the development is completed and operational), however this should have been clearly explained in Paragraph 14.1 of the May 2022 ES and the ES Addendum Section.</p> <p>As previously noted in the Draft ES Review, the May 2022 ES Chapter and the ES Addendum Section continuously refers to 'Likely Significant Effects' which might be misleading if the above point is not clarified – i.e., in reality only likely residual significant effects are being reported in this chapter, as opposed to all likely significant effects.</p> <p>There is an inconsistency between the loss of daylight amenity effect on Canal boats along Regents Canal reported as 'significant' under Paragraph 1.6 and reported as not significant in Table 10.13. Also in line with this, ES Chapter 2: EIA Methodology (Paragraph 2.149) defines residual effect as <i>'those effects which remain following the implementation of suitable mitigation measures'</i>, however, this chapter refers back to mitigation measures in several instances (such as paragraphs 14.12, 14.13, 14.23, 14.24 and 14.27). This also applies to Paragraph 1.7 of the ES Addendum Section. This seems to deviate from the factual purpose of the chapter.</p> <p>In addition, a number of minor inconsistencies and errors are noted in the May 2022 ES as follows, which have not been corrected by way of the Addendum:</p> <p>For clarity, Daylight, Sunlight and Overshadowing should be listed under Paragraph 14.8 as a topic area which has been assessed within the EIA and for which no significant demolition and construction effects have been identified.</p> <p>There is an inconsistency between the 'scale' of effect assigned to the likely significant effect on Climate Change – Global Climate from the demolition and construction of the Proposed Development reported in Table 14.1 (i.e., Moderate Adverse) and the same effect as reported in Table 12.14 of ES Chapter 12: Climate Change (i.e., Major Adverse).</p> <p>Paragraph 14.11 states that <i>"within the Outline Element, the Proposed Development re-provides commercial space along Caledonian Road which would be suitable for existing tenants to relocate into"</i>, however this is not been mentioned in ES Chapter 6: Socio-Economics (Paragraphs 6.151 and 6.152) and would appear to suggest that indirect mitigation is provided (speculative), whereas ES Chapter 6 states that "this level of</p>	Pass	None	It would aid the reader if the numbering of the paragraphs in this section was updated.

Section of the ES	Review of compliance	Technical Review	Overall Review Conclusion ('Grade')	Information to be provided under Regulations 25	Clarifications
		<p>detail is not yet known at this stage" when referring to the mitigation for 'Displacement of existing businesses and their employees'.</p> <p>The geographic extend for the significant effect on 'access to and provision of open space' appears as 'borough' in Table 14.2 but this is not the case in Table 6.16 of the ES Chapter 6: Socio-Economics.</p> <p>There is an error in Paragraph 14.17 where 'Noise' is listed a topic for which likely significant effects have been identified. Noise should be listed under Paragraph 14.16 instead.</p> <p>Similarly, Climate Change has not been listed under Paragraph 14.17, although it is then included in Table 14.2 and further discussed in Paragraph 14.32.</p> <p>There is also a cross-referencing error in Table 14.2 at the end of the text included for Wind Microclimate.</p> <p>Lastly, the Summary and Conclusions Section does not present the information from the rest of the chapter in a logical chronological order (i.e., first demolition and construction and then the completed and operational development) and repeats some of the points in several paragraphs (such as the effect on the housing market).</p> <p>Changes in the effects are highlighted in the ES Addendum.</p> <p>The numbering of this section of the Addendum is incorrect, restarting at 1 again, which is unhelpful.</p>			
Chapter 15: Environmental Management, Mitigation and Monitoring and ES Addendum Section	Given that each of the relevant chapters of the ES have already set out the mitigation requirements for significant effects identified, it is concluded that this chapter is not strictly necessary to meet the requirements of the Regulations.	<p>A number of minor inconsistencies and errors are noted in the May 2022 ES as follows, which have not been corrected by way of the Addendum:</p> <p>The format and layout of this chapter could be improved to aid the reader. It should be noted that a number of the mitigation measures summarised are for inherent (Primary) mitigation measures, particularly those for lighting measures with respect to bats, and those pertaining to building plant noise.</p> <p>The layout of the tables seems repetitive, particularly for construction phase impacts, this text could be presented more concisely to aid the reader.</p> <p>The mechanism to ensure the delivery of the mitigation measures is not clearly set out, which is the same as in the technical chapters. This would be a helpful addition to ensure decision makers are aware of how mitigation is to be delivered, and whether they require to make conditions to this effect.</p> <p>A number of proposed mitigations appear difficult to achieve and / or lack sufficient clarity. It is recommended that LBI carefully review the acceptability of these, particularly if a condition is to be attached to any future planning permission. As an example, the suggestion that lighting for the multi-use games area (MUGA) can only be used at times of the year when bats are not active is unlikely to be acceptable to the end user.</p> <p>Changes in the proposed mitigations are clearly set out in the ES Addendum. However, the figure included as 1.1, is incorrect, and this</p>	Pass	None	<p>It would aid the reader if the numbering of the paragraphs in this section was updated.</p> <p>It would aid the reader if the correct figure could be provided.</p>

Section of the ES	Review of compliance	Technical Review	Overall Review Conclusion ('Grade')	Information to be provided under Regulations 25	Clarifications
		<p>should be the figure that is included as 11.11.</p> <p>The numbering of this section of the Addendum is incorrect, restarting at 1 again, which is unhelpful.</p>			
<p>May 2022 ES Non-Technical Summary (NTS) and Replacement ES Addendum NTS</p>	<p>The Non-Technical Summary is considered to be compliant with the requirements of Schedule 4 of the EIA Regulations as set out in Table 1 above.</p>	<p>Whilst acknowledging that there is some uncertainty within the industry, as to what level of information is required within a Non-Technical Summary (NTS), the May 2022 NTS was quite lengthy at 45 pages, this comment has not been in the replacement NTS (which is 64 pages). The length and detail provided could make the document less accessible to stakeholders, particularly members of the public.</p> <p>The mix of graphics and text generally assist the reader, however, a number of plans were missing orientation indicators. Within a number of areas the level of information provided rose above that that would normally be considered non-technical, and in some instances provided detail that was not included in the main ES text. Summary tables were clear and accessible, however, the repetition of these at the end of the document is unnecessary.</p> <p>On a number of occasions, the NTS loses objectivity.</p> <p>Paragraph 1.100 does not indicate that the replacement NTS is located as Volume 4 of the ES Addendum. Table 1.15 also missing to mention where the replacement NTS can be located.</p> <p>The ES Addendum is accompanied by a replacement NTS, this approach is considered appropriate. It would be helpful if reason was clearly set out, that is amendments / substitutions to an unapproved scheme. It would be helpful if the relationship of the ES and the ES addendum was clarified.</p>	<p>Pass</p>	<p>None</p>	<p>None</p>
<p>ES Volume 2 (Built) Heritage, Townscape and Visual Impact Assessment (HTVIA) and the addendum assessment.</p>	<p>The ES Volume 2 (Built) Heritage, Townscape and Visual Impact Assessment and the Addendum Assessment are considered to be compliant with the requirements of Schedule 4 of the EIA Regulations as set out in Table 1 above.</p>	<p>Overall, the HTVIA is considered to be very comprehensive, and further clarifications have been provided in the Addendum that address many of the minor comments and observations noted within the Draft ES Review.</p> <p>List of references either at the front or back end of the assessment or as footnotes is not provided, this would be useful if provided.</p> <p>The ES Addendum addresses the scheme changes appropriately and reports the findings in a concise manner.</p>	<p>Pass</p>	<p>None</p>	

# UK and Ireland Office Locations



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**RE: Applicant’s Revised Affordable Housing Offer (10<sup>th</sup> November 2022)**

1.1 We have received the Applicant’s revised viability position, set out in a letter prepared by DS2, dated 10<sup>th</sup> November 2022. We understand that the proposed scheme has been revised as follows:

*Removal of 50 x 1 bed shared ownership homes, to be replaced with 32 x 1 bed market homes and 18 x 1 bed social rent homes. The overall provision remains at 914 homes.*

1.2 The majority of DS2’s appraisal inputs have remained as per their last viability submission. Their latest appraisal now includes the revised unit mix. The new social rent values have been amended to £328 psf. CIL charges have also been revised to £2,999,527 (Mayoral) and £12,590,405 (Borough). We have adopted these revised CIL figures pending further confirmation from the Council.

1.3 We have run the appraisal using our inputs, as per our last report to the Council. We have therefore included our Benchmark Land Value of c. £40m, a finance rate of 6% and excluding Old Barnsbury.

1.4 We have summarised the respective viability positions below:

Input	DS2 Before	BPS Before	DS2 Now	BPS Now
<b>Residual Profit Output</b>	£3.36m	£52.6m	£6.11m	£55.76m
<b>Profit Target</b>	£74.57m	£74.5m	£77.90m	£77.90m
<b>Deficit</b>	-£71.20m	-£21.9m	-£71.79m	-£22.13m
<b>Net Actual Profit (£)</b>	£3.36m	£52.6m	£6.11m	£55.76m
<b>Net Actual Profit (% on GDV)</b>	0.7%	11.10%	1.27%	11.54%

1.5 Both appraisals show that the deficit figure itself has increased due to the revised offer. This is because the increase in private units has led to an increased profit target. Despite this, the net actual profit return has increased. This means that the Applicant will make a greater profit return from the revised scheme.

# Appendix 1 - BPS Appraisal

Barnsbury Estate Transformation  
Addendum Application  
914 unit scheme (2 tenure scenario)

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Residual Profit approach  
WITHOUT PREJUDICE

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**Barnsbury Estate Transformation  
Addendum Application  
914 unit scheme (2 tenure scenario)**

**Appraisal Summary for All Merged Phases**

Currency in £

**REVENUE**

Sales Valuation	Units	ft <sup>2</sup>	Sales Rate ft <sup>2</sup>	Unit Price	Gross Sales
Phase 1a - Block B2 SR Replacement Units	38	30,061	120.00	94,929	3,607,320
Phase 1a - Block B4 SR Replacement Units	5	6,939	120.00	166,536	832,680
Phase 1a - Block B1 SR Replacement Units	31	25,756	120.00	99,701	3,090,720
Phase 1a - Block A3 SR Replacement Units	30	25,942	120.00	103,768	3,113,040
Phase 1b - Block C6 Private Units	52	34,577	1,115.00	741,411	38,553,355
Phase 1b - Block C7 Private Units	8	5,909	1,115.00	823,567	6,588,535
Phase 1b - Block C7 Leasehold Replacement Units	25	19,891	1,115.00	887,139	22,178,465
Phase 1b - Block C8 SR Replacement Units	34	25,917	120.00	91,472	3,110,040
Phase 1b - Block C9 SR Replacement Units	38	26,405	120.00	83,384	3,168,600
Phase 2a - Block A4 SR Replacement Units	25	23,023	120.00	110,510	2,762,760
Phase 1b - Block B3 SR Replacement Units	21	16,252	120.00	92,869	1,950,240
Phase 3b - Block C2 Social Rent Units	32	28,567	172.00	153,548	4,913,524
Phase 1c - Block B5 Private Units	30	23,395	1,143.00	891,349	26,740,485
Phase 1c - Block B6 Leasehold Replacement Units	11	10,181	1,143.00	1,057,898	11,636,883
Phase 1c - Block B7 Private Units	15	11,728	1,143.00	893,674	13,405,104
Phase 1c - Block B7 Leasehold Replacement Units	10	9,929	1,143.00	1,134,885	11,348,847
Phase 1c - Block B8 Leasehold Replacement Units	17	15,307	1,143.00	1,029,171	17,495,901
Phase 2a - Block A1 SR Replacement Units	30	27,725	120.00	110,900	3,327,000
Phase 2a - Block A1 Social Rent Units	2	2,218	172.00	190,748	381,496
Phase 2a - Block A2 SR Replacement Units	33	29,939	120.00	108,869	3,592,680
Phase 2a - Block A5 SR Replacement Units	6	5,658	120.00	113,160	678,960
Phase 2b - Block A6 Private Units	32	24,428	1,171.00	893,912	28,605,188
Phase 2b - Block A6 Social Rent	8	4,681	172.00	100,642	805,132
Phase 2b - Block A7 Private Units	30	23,190	1,171.00	905,183	27,155,490
Phase 2b - Block A7 Social Rent	10	5,797	172.00	99,708	997,084
Phase 2b - Block A8 Social Rent Units	8	7,279	172.00	156,499	1,251,988
Phase 2b - Block A9 Private Units	30	23,798	1,171.00	928,915	27,867,458
Phase 2b - Block A10 Private Units	30	23,007	1,171.00	898,040	26,941,197
Phase 3a - Block D1 Social Rent Units	30	22,432	172.00	128,610	3,858,304
Phase 3a - Block D2 Private Units	49	34,146	1,201.00	836,925	41,009,346
Phase 3a - Block D3 Private Units	40	27,577	1,201.00	827,999	33,119,977
Phase 3b - Block C4 Private Units	33	25,739	1,201.00	936,744	30,912,539
Phase 3b - Block C4 Private Units	19	10,839	1,201.00	685,139	13,017,639
Phase 3b - Block C5 Social Rent Units	39	34,536	172.00	152,313	5,940,192
Phase 3b - Block C1 Private Units	29	22,488	1,201.00	931,313	27,008,088
Phase 1c - Block B9 Leasehold Replacement Units	17	15,307	1,201.00	1,081,395	18,383,707
Phase 3b - Block C3 Social Rent Units	6	5,511	172.00	157,982	947,892
Phase 3b - Block C3 Private Units	11	6,275	1,201.00	685,116	7,536,275
<b>Totals</b>	<b>914</b>	<b>722,349</b>			<b>477,834,131</b>

**Rental Area Summary**

	Units	ft <sup>2</sup>	Rent Rate ft <sup>2</sup>	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Phase 1c - Block B8 Commercial Unit (Residents Facilities)	1	1,836		0	0	
Phase 2a - Block A1 Commercial Unit	1	1,838	30.00	55,140	55,140	55,140
Phase 2a - Block A2 Commercial Unit	1	2,602	30.00	78,060	78,060	78,060
Phase 2b - Block A6 Commercial Units	1	2,325	30.00	69,750	69,750	69,750
Phase 2b - Block A7 Commercial Unit	1	1,840	30.00	55,200	55,200	55,200
Phase 2b - Block A10 Commercial Unit (Residents Gym)	1	6,395		0	0	
Phase 3b - Block C1 Commercial Units	1	832	30.00	24,960	24,960	24,960
Phase 1c - Block B9 Commercial Unit (Community Centre)	1	4,238		0	0	
Phase 1c - Block B9 Commercial Unit (Replacement Nursery)	1	1,615	30.00	48,450	48,450	48,450
Phase 1c - Block B9 Commercial Unit (Residents Facilities)	1	318		0	0	
<b>Totals</b>	<b>10</b>	<b>23,839</b>			<b>331,560</b>	<b>331,560</b>

**Investment Valuation**

**Barnsbury Estate Transformation  
Addendum Application  
914 unit scheme (2 tenure scenario)**

<b>Phase 2a - Block A1 Commercial Unit</b>					
Market Rent	55,140	YP @	6.0000%	16.6667	
(6mths Rent Free)		PV 6mths @	6.0000%	0.9713	892,612
<b>Phase 2a - Block A2 Commercial Unit</b>					
Market Rent	78,060	YP @	6.0000%	16.6667	
(6mths Rent Free)		PV 6mths @	6.0000%	0.9713	1,263,643
<b>Phase 2b - Block A6 Commercial Units</b>					
Market Rent	69,750	YP @	6.0000%	16.6667	
(6mths Rent Free)		PV 6mths @	6.0000%	0.9713	1,129,120
<b>Phase 2b - Block A7 Commercial Unit</b>					
Market Rent	55,200	YP @	6.0000%	16.6667	
(6mths Rent Free)		PV 6mths @	6.0000%	0.9713	893,583
<b>Phase 3b - Block C1 Commercial Units</b>					
Market Rent	24,960	YP @	6.0000%	16.6667	
(6mths Rent Free)		PV 6mths @	6.0000%	0.9713	404,055
<b>Phase 1c - Block B9 Commercial Unit (Replacement Nursery)</b>					
Market Rent	48,450	YP @	6.0000%	16.6667	
(6mths Rent Free)		PV 6mths @	6.0000%	0.9713	784,313
<b>Total Investment Valuation</b>					<b>5,367,326</b>

**GROSS DEVELOPMENT VALUE**

**483,201,457**

Purchaser's Costs  
Effective Purchaser's Costs Rate

6.80% (364,978)  
(364,978)

**NET DEVELOPMENT VALUE**

**482,836,479**

**Additional Revenue**

Phase 1a Grant Funding (SR)	38 un	100,000.00 /un	3,800,000	
Phase 1a Grant Funding (SR)	5 un	100,000.00 /un	500,000	
Phase 1a Grant Funding (SR)	31 un	100,000.00 /un	3,100,000	
Phase 1a Grant Funding (SR)	30 un	100,000.00 /un	3,000,000	
Phase 1b Grant Funding (SR)	34 un	100,000.00 /un	3,400,000	
Phase 1b Grant Funding (SR)	38 un	100,000.00 /un	3,800,000	
Phase 2a Grant Funding (SR)	25 un	100,000.00 /un	2,500,000	
Phase 1b Grant Funding (SR)	21 un	100,000.00 /un	2,100,000	
Phase 3b Grant Funding (SR)	32 un	100,000.00 /un	3,200,000	
Phase 2a Grant Funding (SR)	32 un	100,000.00 /un	3,200,000	
Phase 2a Grant Funding (SR)	33 un	100,000.00 /un	3,300,000	
Phase 2a Grant Funding (SR)	6 un	100,000.00 /un	600,000	
Phase 2b Grant Funding (SO)	8 un	100,000.00 /un	800,000	
Phase 2b Grant Funding (SO)	10 un	100,000.00 /un	1,000,000	
Phase 2b Grant Funding (SR)	8 un	100,000.00 /un	800,000	
Phase 3 Grant Funding (SR)	30 un	100,000.00 /un	3,000,000	
Phase 3b Grant Funding (SR)	39 un	100,000.00 /un	3,900,000	
Phase 3b Grant Funding (SR)	6 un	100,000.00 /un	600,000	
				42,600,000

**NET REALISATION**

**525,436,479**

**OUTLAY**

**ACQUISITION COSTS**

Phase 1a - Leasehold 3,556,000

**Barnsbury Estate Transformation  
Addendum Application  
914 unit scheme (2 tenure scenario)**

Phase 1b - Leasehold	8,001,000		
Phase 1c - Leasehold	6,223,000		
Phase 1c (Nursery)	462,259		
Phase 2a - Leasehold	2,222,500		
Phase 2a - Commercial	1,500,000		
Phase 2b - Leasehold	5,334,000		
Phase 2b - Commercial	1,500,000		
Phase 3a - Leasehold	4,445,000		
Phase 3b - Leasehold	5,778,500		
Phase 3b - Commercial	1,000,000		
Total Acquisition		40,022,259	40,022,259
Stamp Duty	5.00%	223,113	
Agent Fee	1.00%	44,623	
Legal Fee	0.80%	35,698	
			303,434

**CONSTRUCTION COSTS**

Construction	ft <sup>2</sup>	Build Rate ft <sup>2</sup>	Cost
Phase 1a - Block B2 Construction Costs	44,031	291.18	12,821,160
Phase 1a - Block B4 Construction Costs	7,210	291.17	2,099,353
Phase 1a - Block B1 Construction Costs	33,480	291.19	9,748,921
Phase 1a - Block A3 Construction Costs	35,410	291.19	10,310,900
Phase 1b - Block C6 Construction Costs	49,003	291.18	14,268,892
Phase 1b - Block C7 Construction Costs	35,062	291.19	10,209,663
Phase 1b - Block C8&C9 Construction Costs	76,426	291.19	22,254,143
Phase 2a - Block A4 Construction Costs	33,852	291.19	9,857,368
Phase 1b - Block B3 Construction Costs	24,862	291.19	7,239,602
Phase 3b - Block C2 Construction Costs	36,853	291.19	10,731,210
Phase 1c - Block B5 Construction Costs	30,523	291.19	8,887,929
Phase 1c - Block B6 Construction Costs	10,606	291.18	3,088,224
Phase 1c - Block B7 Construction Costs	33,574	291.18	9,776,189
Phase 1c - Block B8 Construction Costs	26,005	291.18	7,572,151
Phase 2a - Block A1&A2 Construction Costs	90,522	291.19	26,358,820
Phase 2a - Block A5 Construction Costs	5,813	291.16	1,692,521
Phase 2b - Block A6&A7 Construction Costs	87,603	291.19	25,508,799
Phase 2b - Block A8 Construction Costs	7,494	291.18	2,182,098
Phase 2b - Block A9 Construction Costs	36,804	291.19	10,716,792
Phase 2b - Block A10 Construction Costs	41,380	291.18	12,049,182
Phase 3a - Block D1 Construction Costs	35,892	291.19	10,451,317
Phase 3a - Block D2 Construction Costs	46,473	291.19	13,532,332
Phase 3a - Block D3 Construction Costs	37,716	291.18	10,982,267
Phase 3b - Phase C4&C5 Construction Costs	98,462	291.19	28,670,678
Phase 3b - Block C1 Construction Costs	32,812	291.18	9,554,281
Phase 1c - Block B9 Construction Costs	30,445	291.18	8,865,049
Phase 3b - Block C3 Construction Costs	12,983	291.20	3,780,590
Phase 1a - Podium Parking	14,046	291.18	4,089,946
Phase 2b - Podium Parking	<u>16,632</u>	291.19	<u>4,843,117</u>
<b>Totals</b>	<b>1,071,974 ft<sup>2</sup></b>		<b>312,143,494</b>
Contingency		5.00%	15,607,175
Phase 1b - Mayoral CIL			522,067
Phase 1b - Borough CIL			2,191,357
Phase 2 - Mayoral CIL			750,688
Phase 2 - Borough CIL			3,150,984
Phase 1c - Mayoral CIL			615,077
Phase 1c - Borough CIL			2,581,763
Phase 3 - Mayoral CIL			1,111,695
Phase 3 - Borough CIL			4,666,301
			343,340,601
<b>Section 106 Costs</b>			
Carbon offset	38 un	1,470.00 /un	55,860
S106			250,000

**Barnsbury Estate Transformation  
Addendum Application  
914 unit scheme (2 tenure scenario)**

Carbon offset	5 un	1,470.00 /un	7,350	
Carbon offset	31 un	1,470.00 /un	45,570	
Carbon offset	30 un	1,470.00 /un	44,100	
Carbon offset	52 un	1,470.00 /un	76,440	
Carbon offset	33 un	1,470.00 /un	48,510	
Carbon offset	34 un	1,470.00 /un	49,980	
Carbon offset	38 un	1,470.00 /un	55,860	
Carbon offset	25 un	1,470.00 /un	36,750	
Carbon offset	21 un	1,470.00 /un	30,870	
Carbon offset	32 un	1,470.00 /un	47,040	
Carbon offset	30 un	1,470.00 /un	44,100	
Carbon offset	11 un	1,470.00 /un	16,170	
Carbon offset	25 un	1,470.00 /un	36,750	
Carbon offset	17 un	1,470.00 /un	24,990	
Carbon offset	32 un	1,470.00 /un	47,040	
Carbon offset	33 un	1,470.00 /un	48,510	
Carbon offset	6 un	1,470.00 /un	8,820	
Carbon offset	40 un	1,470.00 /un	58,800	
Carbon offset	40 un	1,470.00 /un	58,800	
Carbon offset	8 un	1,470.00 /un	11,760	
Carbon offset	30 un	1,470.00 /un	44,100	
Carbon offset	30 un	1,470.00 /un	44,100	
Carbon offset	30 un	1,470.00 /un	44,100	
Carbon offset	49 un	1,470.00 /un	72,030	
Carbon offset	40 un	1,470.00 /un	58,800	
Carbon offset	52 un	1,470.00 /un	76,440	
Carbon offset	39 un	1,470.00 /un	57,330	
Carbon offset	29 un	1,470.00 /un	42,630	
Carbon offset	17 un	1,470.00 /un	24,990	
Carbon offset	17 un	1,470.00 /un	24,990	
				1,593,580
<b>PROFESSIONAL FEES</b>				
Professional Fees		10.00%	31,214,349	31,214,349
<b>MARKETING &amp; LETTING</b>				
Marketing		1.50%	6,442,567	
Commercial Marketing	11,052 ft²	2.00	22,104	
Letting Agent Fee		10.00%	33,156	
Letting Legal Fee		5.00%	16,578	
				6,514,405
<b>DISPOSAL FEES</b>				
Sales Agent Fee		1.50%	6,442,567	
Commercial Agent Fee		1.00%	50,023	
Sales Legal Fee	488 un	1,000.00 /un	488,000	
Commercial Legal Fee		0.50%	25,012	
				7,005,602
<b>Additional Costs</b>				
Phase 1a - LH purchaser & disturbance co			1,955,859	
Phase 1b - LH purchaser & disturbance co			2,707,342	
Phase 2a - LH purchaser & disturbance co			1,587,519	
				6,250,720
<b>MISCELLANEOUS FEES</b>				
Phase 1a Home loss & removal costs	38 un	10,600.00 /un	402,800	
Phase 1a Home loss & removal costs	5 un	10,600.00 /un	53,000	
Phase 1a Home loss & removal costs	31 un	10,600.00 /un	328,600	
Phase 1a Home loss & removal costs	30 un	10,600.00 /un	318,000	
Phase 1b Home loss & removal costs	34 un	10,600.00 /un	360,400	
Phase 1b Home loss & removal costs	38 un	10,600.00 /un	402,800	
Phase 2a Home loss & removal costs	25 un	10,600.00 /un	265,000	

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**Barnsbury Estate Transformation  
Addendum Application  
914 unit scheme (2 tenure scenario)**

Phase 1b Home loss & removal costs	21 un	10,600.00 /un	222,600	
Phase 2a Home loss & removal costs	30 un	10,600.00 /un	318,000	
Phase 2a Home loss & removal costs	33 un	10,600.00 /un	349,800	
Phase 21 Home loss & removal costs	6 un	10,600.00 /un	63,600	
				3,084,600

**FINANCE**

Debit Rate 6.000%, Credit Rate 0.000% (Nominal)				
Total Finance Cost				30,340,740

**TOTAL COSTS**

**469,670,291**

**PROFIT**

**55,766,188**

**Performance Measures**

Profit on Cost%		11.87%
Profit on GDV%		11.54%
Profit on NDV%		11.55%
Development Yield% (on Rent)		0.07%
Equivalent Yield% (Nominal)		6.00%
Equivalent Yield% (True)		6.23%
IRR% (without Interest)		12.42%
Rent Cover	168 yrs 2 mths	
Profit Erosion (finance rate 6.000)	1 yr 11 mths	

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**ERRATUM TO COMMITTEE REPORT**

 Development Management Services  
 Planning and Development Division  
 Community Wealth Building Department

<b>PLANNING COMMITTEE</b>		<b>AGENDA ITEM NO:</b>	
<b>Date:</b>	29 <sup>th</sup> November 2022	<b>NON-EXEMPT</b>	
Application number	P2022/1898/FUL		
Application type	Hybrid Planning Application (Full and Outline)		
Ward	Barnsbury		
Listed building	Adjacent to Grade II Listed Building – 214 Caledonian Road and Regents Canal, Muriel Street Tunnel Portal		
Conservation area	Within 50m of Barnsbury Conservation Area Within 50m of Regent's Canal Conservation Area		
Development Plan Context	Kings Cross & Pentonville Road Core Strategy Key Area Local Shopping Area (Caledonian Road) Local Cycle Route Major Cycle Route Local Flood Risk Zone Local View from Archway Road Local View from Archway Bridge Thornhill Bridge Community Garden Open Space Regent's Canal Open Space Regent's Canal (West) SINC Within 100m of Strategic Road Network Tree Protection Order (Site Wide) Draft Islington Local Plan Site Allocations - Site Allocation OIS27		
Licensing Implications	N/A		
Site Address	Barnsbury Estate, London, N1		
Proposal	<p>Hybrid planning application seeking detailed permission for Phase 1a, 1b and 3a and outline planning permission for all future phases 1c, 2a, 2b and 3b comprising:</p> <p>In full, demolition of existing buildings and undertaking of groundworks and the erection of 401 residential units (Use Class C3) within seven buildings of 3, 7, 9, and 11 storeys comprising 144 x 1 bed, 192 x 2 bed, 46 x 3 bed, 14 x 4 bed and 5 x 5 bed over 50672sq.m floorspace in phases 1a, 1b and 3a; hard and soft landscaping works including public open space and new public realm, access and highway formation and alterations, car and cycle provision with associated ancillary works.</p> <p>Outline planning permission (all matters reserved) for the demolition of all remaining buildings, undertaking of ground works and the construction of a phased redevelopment of new buildings of up to 9 storeys and incorporating up to 67275sq.m (GIA) to include up to 513 residential units (Use Class C3), up to 1500sq.m of replacement retail and town centre floorspace (Use Class E), and up to 1275sq.m of replacement community use floorspace including community centre and nursery (Use Class E/F2), within phases 1c, 2a, 2b and 3b, hard and soft landscaping, new public</p>		

	open space, access and highway formation and alterations, new pedestrian means of access, car and cycle parking provision and ancillary works.  (EIA Application) (Departure from the Development Plan)
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Case Officer	Nicholas Linford
Applicant	Newlon Housing Trust and Mount Anvil Limited
Agent	Lichfields

### Reason for Erratum

This erratum has been prepared to update factual and typographical inaccuracies in the published Committee Report. This should be read alongside the published Committee Report

### Cover page:

- Addition of Tunnel Portal to schedule of adjacent listed buildings/structures.
- Replacement of outline floorspace GEA with 74,750sq.m
- Addition of the words 'up to' in reference to maximum provision of community floorspace.
- Reference to the (private) nursery being within use Class E

### Section 4: Summary

- Paragraph 4.2: Reference is made to seven buildings within the detailed phase. While this is technically true in the fact that there are seven contiguous buildings, the application refers to 12 separate blocks: A3, B1, B2, B3, B4, C6, C7, C8, C9, D1, D2 and D3.
- Paragraph 4.2: Reference is made to heights of up to 13 storeys. This has been superseded by the amendments to the scheme as consulted on in October 2022. There has also been a reduction in the number of units in this phase and the number of units per bedroom size.
- Paragraph 4.3: up to 513 units are proposed in the outline phase.
- Paragraph 4.5: There are 371 units within the site and not 350
- Paragraph 4.7: The ballot turnout was 79% with 73% in favour of the scheme.
- Paragraph 4.13: There are three blocks in the canalside area, one of which exceeds 30m in height.
- Paragraph 4.16: The CO2 savings have been revised up to 64% from an initial 60.7%
- Paragraph 4.17: while the application aspires to meet 80% dual aspect, it is likely to achieve 78% and 76% for the detailed and overall respectively
- Paragraph 4.29: CO2 savings are 45,000 tonnes over 60 years and not 40,000 tons.

### Section 6: Proposal

- Paragraph 6.1: The projected period of construction to practical completion is 10 years.
- Paragraph 6.6: Phase 1c is in the outline application.
- Paragraph 6.7: The updated scheme proposes 102 units in phase 1A, 180 in phase 1B and 119 in phase 3A.
- Paragraph 6.9: Block A3 is 6+1 storeys and not 5+2 with six storeys to parapet and one storey mansard.
- Paragraph 6.14: Block B2 has 38 units of 7 x 1b, 17 x 2b, 12 x 3b and 2 x 4b.
- Paragraph 6.15: The building has a height of 23.5m to the parapet and 27.3 to the mansard.
- Paragraph 6.23: The later stage addition to Carnegie Street Park is 560sq.m
- Paragraph 6.25: Block B3 has 21 units of 7 x 1b, 7 x 2b, 6 x 3b and 1 x 4b

- Paragraph 6.28: Block C6 is six storeys at each end.
- Paragraph 6.31: The rear elevation would be construction with pink brick with stretcher bond. The upper most floor would have white brick however.
- Paragraph 6.67/Table 3: This is illustrative and not a fixed outcome.

### **Section 8: Consultation**

- Paragraph 8.14: Further Canal and Rivers Trust comments were received. Comments recognise that amendments have been made but an objection remains.
- Paragraph 8.23: Further Islington Society comments were received. Comments recognise that amendments have been made but an objection remains.

### **Section 12: Assessment: Land use**

- Paragraph 12.17: The total affordable housing proportion overall is 46%
- Paragraph 12.78: The floorspace figures given are maximum parameters and should be referred to as 'up to' that figure.
- Paragraph 13.26: The increase of affordable housing sought through the review mechanism would be from 25% to 50% upwards.

### **Section 14: Design, Conservation and Heritage**

- Paragraph 14.130: The design code refers to resin bound gravel.

### **Section 19: Energy and Sustainability**

- Paragraph 19.47: Blue roofs are provided.
- Paragraph 19.52: Removal of first sentence required.

### **Section 20: Highways and transportation**

- Paragraph 20.06: The detailed element provides 742 spaces with 731 long stay and 11 short stay.
- Paragraph 20.21: The northern path is outside of the site and will not be affected by or altered by the development.

### **Section 26: EIS**

- Paragraph 26.8: The following topics should be listed as scoped out:
  - Internal daylight, sunlight and overshadowing
  - Light pollution and solar glare
  - Ground Conditions, Land Contamination, Land Take and Soils
  - Human Health
  - Water Resources
  - Waste and Materials
  - Archaeology
  - Ecology & Biodiversity
  - project vulnerability

- Paragraph 26.10: The following topics should be listed as being scoped in:
  - Socio-economics;
  - Traffic and Transport;
  - Air Quality;
  - Noise and Vibration;
  - Wind Microclimate;
  - Daylight, Sunlight and Overshadowing;
  - Climate Change; and
  - (Built) Heritage, Townscape and Visual Impact.

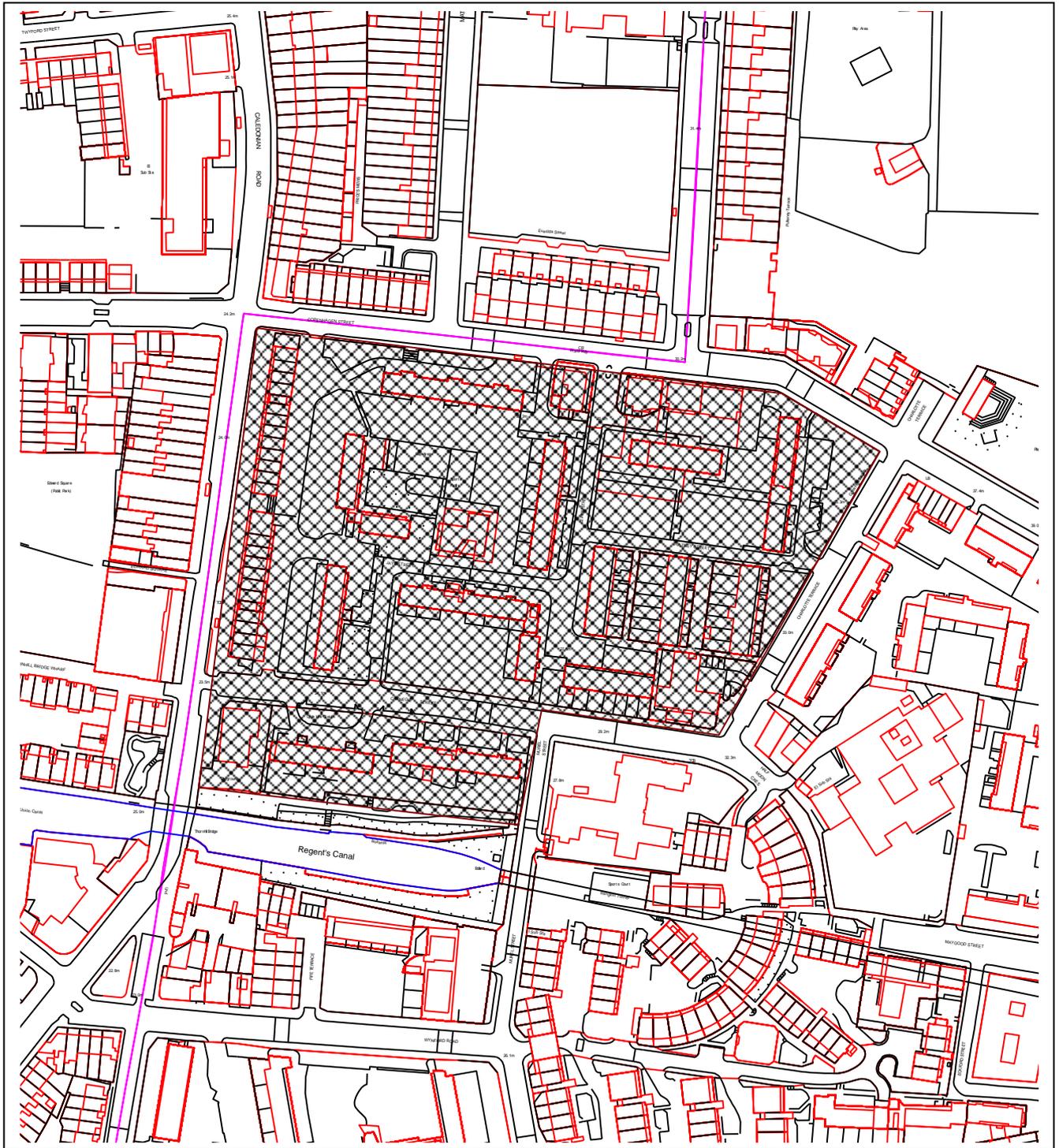
### **Section 27: Planning Balance**

- Paragraph 27.3: The CO2 saving is 45,000 tonnes over 60 years.

### **Appendix 1 – RECOMMENDATION B**

- Condition 11: Reference should be made to Phase 2a and not block 2a.

# Islington SE GIS Print Template



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