



## PLANNING COMMITTEE REPORT

Development Management Service  
 Planning and Development Division  
 Environment and Regeneration Department  
 PO Box 333  
 222 Upper Street  
 LONDON N1 1YA

<b>PLANNING COMMITTEE</b>		
<b>Date:</b>	24 <sup>th</sup> February 2015	<b>NON-EXEMPT</b>

Application number	P2014/1792/FUL
Application type	Full Planning Application
Ward	Tollington
Listed building	None
Conservation area	None
Development Plan Context	Adjacent to the Mercers Road/ Tavistock Terrace Conservation Area Nags Head and Upper Holloway Key Area TRLN road Upper Holloway Local Shopping Area
Licensing Implications	None
Site Address	602A Holloway Road, N19 3PN
Proposal	Reconfiguration of the existing building to provide 12 no. self-contained flats, alterations to the building to provide cycle storage.

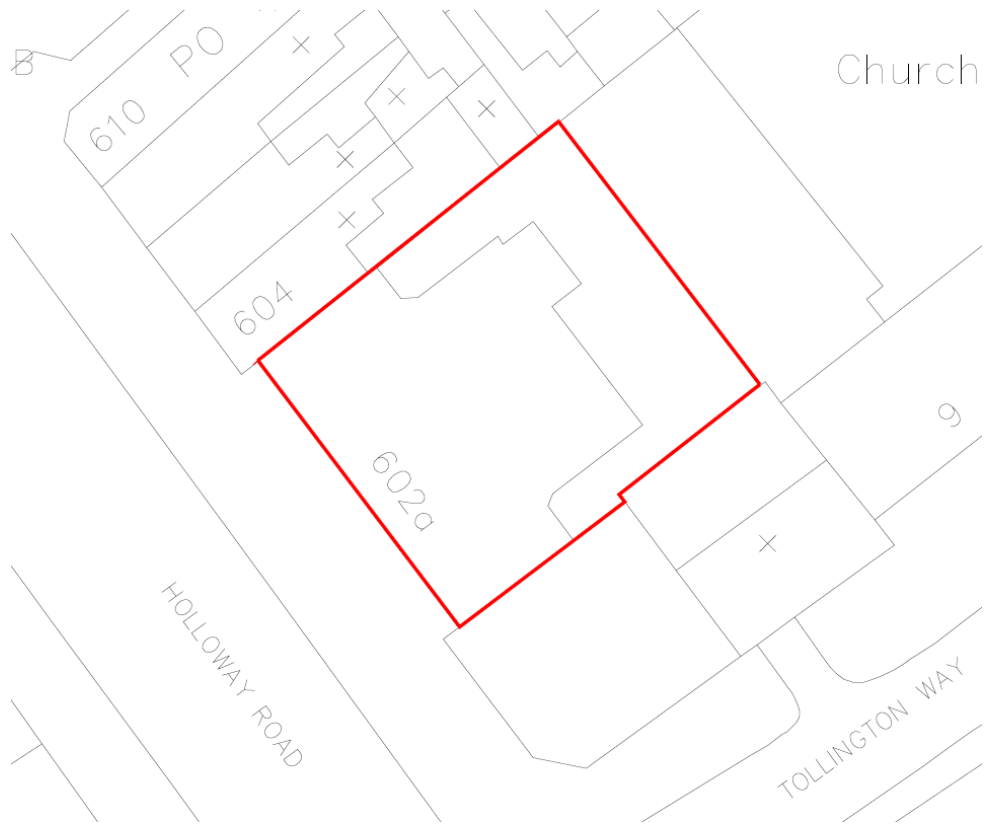
Case Officer	Sally Fraser
Applicant	Zeus Estates Ltd
Agent	Robinson Escott Planning

### 1. RECOMMENDATION

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

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

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



**3. PHOTOS OF SITE**



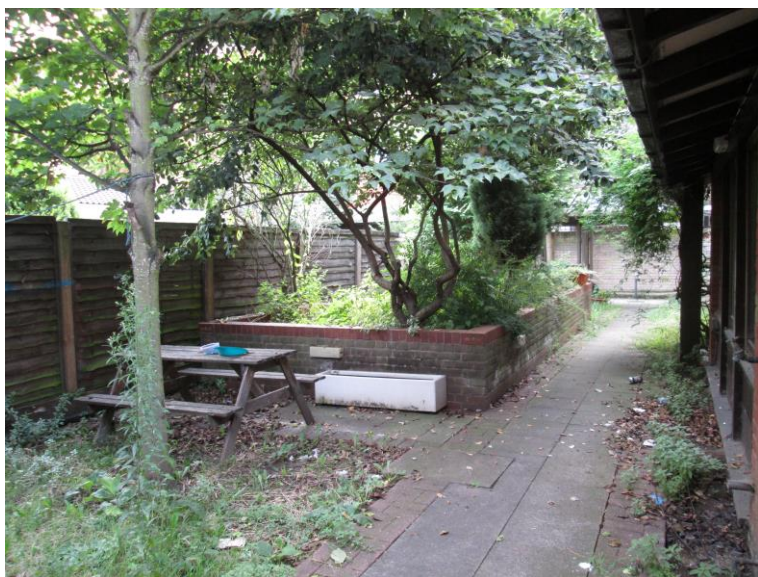
Photograph 1: Aerial view of the site



Photograph 2: Front of the building



Photograph 3: View from Holloway Road



Photograph 4: Rear of the site

## **4. SUMMARY**

- 4.1 602A Holloway Road is an existing 4 storey mid terrace building. It is now vacant, was last used (unlawfully) as 30 self contained flats and has a lawful use of a residential care home (use class C2).
- 4.2 The application is for the change of use of the building from a care home into 12 self contained flats. No affordable housing is proposed.
- 4.3 The main issues arising from the development are the principle of the change of use, the lack of affordable housing, the housing mix and the standard of the residential accommodation. The application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.
- 4.4 The principle of the proposed change of use, given the state of repair of the existing building and the planning benefits of the scheme, including its contribution towards the delivery of housing in the borough, is acceptable and in compliance with policy DM3.8B of the Development Management Policies.
- 4.5 The proposal is also acceptable in terms of the quality of the proposed accommodation, dwelling mix, transport, sustainability, energy and trees and landscaping, subject to conditions and to an appropriate Section 106 agreement, the Heads of Terms of which have been agreed with the applicant.
- 4.6 Justification for the lack of onsite affordable housing has been evidenced through the applicant's financial viability appraisal. This has been independently assessed and the conclusion of the evidence, that the development is financially unable to support affordable housing, is accepted in compliance with policy CS12 of the Core Strategy. A financial contribution of £25, 295 towards affordable housing in the borough is included as a head of term attached to this report.
- 4.7 The constraints of the existing building have dictated some areas of non compliance, which in each case have been justified.
- 4.8 It is recommended that planning permission be granted.

## **5. SITE AND SURROUNDING**

- 5.1 The site contains a 4 storey, 1980's brick built building fronting Holloway Road with a strip of external amenity space to the rear. The site area is 0.048 hectares and there is 1062 sqm of internal floor space.
- 5.2 The building is currently vacant. The last use of the building was as 30 self contained flats, which ceased in 2014. This was an unlawful use which had operated since 2009 (an enforcement case is ongoing in relation to that unauthorised use).
- 5.3 The lawful use of the site is C2 (residential care home).

- 5.4 Immediately to the west and north of the site are three-storey residential terraced properties with commercial uses on the ground floor as well as the Victorian and Georgian terraces which make up Alexander Road. Adjoining the site to the south is a grey five-storey corner building with a pizza take-away business at ground floor level and residential above. To the east of the site is the Upper Holloway Baptist Church, which contains a mixture of community and residential uses, while to the west of the site on the opposite side of Holloway Road lie mainly three- and four-storey residential terraced properties. The surrounding area is characterised by mainly residential properties, with Victorian and Georgian terraced housing the predominant building typology.
- 5.5 The main entrance to the application building is from Holloway Road and there is a secondary entrance to the rear of the building. The front elevation contains a ramp up to the main entrance, a bin store and a side entrance door that leads to the rear yard.
- 5.6 There is approximately 90sqm of external amenity space to the rear, which consists of hardstanding, a small number of mature trees and a raised planter bed. There is a covered walkway leading from the rear entrance along the back of the building and to the rear boundary of the site.
- 5.7 The site lies adjacent to the Mercers Road/ Tavistock Terrace conservation area. There are no statutorily listed or locally listed buildings within or adjoining the site.
- 5.8 The site lies within the Nags Head/ Holloway Road key area and the Upper Holloway local shopping area.

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

- 6.1 The applicant proposes the change of use of the building from its lawful C2 (residential care facility) use into 12 self contained residential units, comprising a 1x 3 bedroom unit, 8x 2 bedroom units and 3x 1 person units. No affordable housing units are proposed.
- 6.2 No external alterations to the building are proposed, with the exception of the addition of timber doors to the existing rear plant room to accommodate the proposed cycle parking.
- 6.3 All flats would have access to the rear outside space, which would be landscaped with furniture and hard and soft landscaping. The four largest trees would be retained.
- 6.4 A lift adjacent to the main entrance would provide disabled access into the building. Flat 2 on the ground floor would be a wheelchair accessible unit.
- 6.5 The development would be car free, however one accessible, on street parking bay is proposed. The bin store would remain in the existing location and covered cycle storage provided at the rear for 22 cycles and one accessible cycle parking space.

6.6 The proposed development has been designed to meet BREEAM Excellent. The energy strategy would achieve a total CO2 emissions saving of 20.7% (compared with a building that complies with Building Regulations 2010).

## **7. RELEVANT HISTORY:**

### **Planning Applications**

7.1 **862016:** Redevelopment to provide non-self contained accommodation for 24 frail elderly persons together with communal facilities and parking provision. Approved 14/10/1987.

7.2 **P112454-** Retention of the change of use of the premises from a care home to 30 self contained flats. Refused 8/2/12 and Dismissed on Appeal 26/9/12.

7.3 **P2013/0074/FUL** – Conversion of the building into 16 flats (8 studios, 5x 1 beds and 3x 2 beds). Refused 16/5/13 and Dismissed on Appeal 26/2/2014:

The planning application was refused on the following grounds:

- Housing mix- specifically an overprovision of studio and 1 bed units
- Standard of residential accommodation- inadequate size of units and single aspect
- Failure to meet lifetime homes standards and provide wheelchair accessible housing.

All reasons were upheld on appeal. See Appendix 3 for the Appeal decision.

### **Enforcement**

7.4 **E11/05588-** Without the necessary planning permission change of use from residential care home to 30 self contained flats. Appeal dismissed and the enforcement notice was upheld 26/2/2014. The use ceased November 2014.

## **8. CONSULTATION**

### **Public Consultation**

8.1 Letters were sent to occupants of 150 adjoining and nearby properties on Holloway Road, Tollington Way and Alexandra Road 16/05/2014. A site notice and press advert were displayed on 22/05/2014.

8.2 The public consultation therefore expired on 12/06/2014, 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, 1 objection had been received from the public with regard to the application. The issues raised can be summarised as follows (paragraph numbers indicate where these issues have been addressed in the report):

- Not enough space at the rear for cycle storage (10.66)
- Noise and disturbance by residents during the last use of the property as 30 self contained flats (10.41)

### **External Consultees**

- 8.4 Transport for London (TfL) advised that the development would not hinder pedestrian or traffic flow on Holloway Road. They advised that the cycle parking arrangements were sufficient and that a condition requiring the submission of a servicing strategy would be required.

### **Internal Consultees**

- 8.5 Energy Conservation Officer advised that the CO2 emissions reductions are based on a strategy with no connection to a Decentralised Energy network, which would trigger the 30% reduction policy target vs. 2010 Building Regulations. The development would achieve a reduction of 20.7% on this baseline. Based on this figure the applicant would need to pay a carbon offset contribution of £25, 295. The draft Green Performance Plan is acceptable.
- 8.6 Inclusive Design Officer initially raised concerns relating to a lack of inclusivity of the proposed environment, including the gradient of the existing ramp to the front entrance, which is too steep, the lack of storage for mobility scooter and the inaccessibility of the proposed ground floor gym. These issues have been successfully addressed and are outlined in the main report.
- 8.7 Planning Policy Officer stated that the applicant had not adequately addressed the loss of the C2 (residential care home) use, as is required by policy DM3.8B. Concern was expressed with regards to the overprovision of 1 bedroom units and some policy noncompliance with regards to the internal arrangements.
- 8.8 Additional evidence with regards to the change of use from C2 was submitted by the applicant during the course of the application, to the acceptance of officers.
- 8.9 Spatial Planning and Transport (Transport Officer) welcomed the number of cycle parking spaces. They noted that servicing, delivery and refuse arrangements would be as per the previous C2 use and that this arrangement remained acceptable.
- 8.10 Sustainability Officer advised that commitment to achieve BREEAM Ecohomes excellent and a water consumption rate of 95L/p/d is supported and should be conditioned.
- 8.11 Tree Protection Officer welcomed the retention of the existing trees and the attempt to maximise the biodiversity of the rear garden area.

## **9. RELEVANT POLICIES**

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

### **National Guidance**

- 9.2 The National Planning Policy Framework (NPPF) 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.3 Since March 2014 the National Planning Policy Guidance (NPPG) has been published online and that guidance has been considered as part of the assessment of this proposal. This includes changes made as a result of the 28<sup>th</sup> November 2014 Ministerial Statement.

### **Development Plan**

- 9.4 The Development Plan is comprised of the London Plan 2011 (including the Further Alterations to the London Plan [FALP] 2013), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2.

### **Designations**

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

- Nags Head and Upper Holloway Key Area

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

- 9.6 The SPGs and SPDs which are considered relevant to this application are listed in Appendix 2.

## **10. ASSESSMENT**

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

- Principle (Land Use)
- Design & Conservation
- Affordable Housing & Financial Viability
- Housing Mix
- Standard of Residential Accommodation
- Impact on Neighbouring Amenity
- Inclusive Design
- Energy Efficiency & Sustainability
- Trees and Landscaping
- Highways & Transport



- S106 and mitigation

### **Land-use**

- 10.2 The lawful use of the building is a C2 residential carehome (see 1987 permission). An appeal relating to enforcement notice E11/05588 requiring the owner to cease the use as 30 self contained flats was dismissed on 26/2/14, on the grounds that there was insufficient evidence to conclude that the property had been occupied continuously as 30 self contained flats for 4 years.
- 10.3 Policy DM3.8B states that the council will resist the loss of carehomes unless... it can be demonstrated that the existing accommodation is unsatisfactory for modern standards and/ or not fit for purpose **and** the proposed development would provide accommodation to meet an identified acute need, which *may* include social rented housing'
- 10.4 The proposal involves the total loss of the carehome. During the course of the application, a statement was submitted to evidence the unsuitability of the building for modern carehome standards, to address the first part of policy DM3.8B.
- 10.5 This statement explained that the care home operated until 2007. The existing site and building has limited internal and external space to provide the necessary facilities associated with a care home. The units are small, with inadequate natural light, and none are wheelchair accessible. The building as a whole does not provide an accessible environment for all and, additionally, there is no adequate step free access into the (main) entrance to the building.
- 10.6 In terms of the second part of policy DM3.8B, the council's Core Strategy and Development Management policies outline the acute need for housing and the development would help to deliver the borough's housing target, which estimates that delivery will be greatest in the Nags Head and Holloway Road key area.
- 10.7 In addition, the Planning Inspector who determined the appeal in relation to P2013/0074/FUL did not raise concerns with regards to the change of use of the building from C2 (carehome) to C3 (residential), which was decided after adoption of the Development Management Policies Document 2013.
- 10.8 Having regard to the above, the proposal is considered to align with policy DM3.8B. Additionally, in terms of consistency of approach to decision making, no objection is raised with regards to the loss of the carehome facility in this recommendation.
- 10.9 Finally, it is considered appropriate, given the enforcement history at this site, to recommend a 2 year time- frame to implement the scheme should it be supported rather than the standard 3 years. This would also help prevent CIL avoidance also.

## **Design & Conservation**

- 10.10 Policy CS3 (Nags Head and Upper Holloway Road) states that high quality design will be encouraged along Holloway Road. Policy DM2.3 states that the council will ensure that the borough's heritage assets are conserved and enhanced and that development should make a positive contribution to Islington's local character.
- 10.11 There would be no change to the appearance of the front of the building, with the exception of the inclusion of a lift to provide step free access into the building. This would be discretely sited adjacent to an existing wall and would not cause undue harm to the character or appearance of the adjacent Mercers Road/ Tavistock Terrace conservation area.
- 10.12 The addition of the proposed doors to a rear wall to facilitate access to the cycle store would not be visible from public views and would be acceptable in appearance terms. No conditions are considered necessary in that regard.
- 10.13 New soft and hard landscaping to the rear of the site would be introduced and would improve the quality of the space and positively contribute to the character of the environment.
- 10.14 The proposal is for very minor external works, which are considered acceptable in design and conservation terms and to accord with policies CS3, DM2.1 and DM2.3.

## **Affordable Housing and Financial Viability**

- 10.15 This application proposes 12 housing units and does not provide for any onsite affordable housing. An offsite contribution of £25,295 has been agreed and forms part of the heads of terms relating to this report, agreed by the applicant.
- 10.16 Core Strategy policy CS12G requires major housing developments to provide the maximum reasonable level of affordable housing, taking into account the target of 50%. The level of affordable housing that can be provided is influenced by the viability of the development.
- 10.17 Viability testing is concerned with determining the potential amount of planning obligations that can be sought. Firstly, the Residual Land Value is calculated, which is the total value of the completed development minus the costs incurred in developing the scheme. This represents what can be paid for the land. The Existing Use value (EUV) is also calculated, which is the value of the existing land and is the measure against which the RLV is compared to determine whether the scheme is viable.
- 10.18 The applicant submitted a series of financial viability appraisals (FVA's) to support their application, which stated that the EUV of the building (in lawful care home use, taking into account the cost required to bring it up to modern standards) was greater than the RLV and therefore that the development would produce a deficit. The FVA's were independently assessed by BPS on

behalf of the council. BPS's assessment is appended to the report in Appendix 4.

- 10.19 BPS acknowledged acceptance of the applicants EUV and acceptance that this figure, when used to benchmark the FVA, showed a deficit of £30, 000. Based on the findings of their analysis, they accept that the scheme is not viable and therefore unable to deliver any affordable housing.
- 10.20 This conclusion aligns with the conclusions of the analysis of the applicants FVA within the previous scheme refused in 2013 and dismissed at appeal. Viability was therefore not raised as a concern by the council as part of P2013/0074/FUL or included as a reason for refusal in that application.
- 10.20 The financial contribution for off- site affordable housing has been agreed with the applicant. It was originally calculated in relation to CO2 offsetting, however given that this is a change of use application with virtually no external changes to the building, it is considered unreasonable to secure. The strategic priority is affordable housing and therefore the contribution is allocated towards the provision of affordable housing.
- 10.21 The council has secured in the S106 Agreement, a pre-implementation review of the scheme's financial viability, if the scheme is not implemented within 12 months of the grant of planning consent.
- 10.22 The Islington residential market has experienced significant changes in recent years. An updated assessment will enable the viability of the scheme to be reconsidered in the event that the scheme is delayed to ensure that the proposals are based on an assessment of viability that is accurate at the point of delivery. The review will also help to ensure that the scheme provides the maximum reasonable level of affordable housing in line with Development Plan policy.

### **Housing Mix**

- 10.23 Policy 3.8 of the London Plan states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings, taking account of housing requirements identified at regional, sub-regional and local levels.
- 10.24 Islington Core Strategy policy CS12 (Meeting the housing challenge) requires the provision of a range of unit sizes within individual schemes in order to meet the needs within the borough. The mix of dwellings should respond to the identified need as highlighted by the Islington Housing Needs Survey 2008 and illustrated in table 3.1 of the Development Management Policies document.
- 10.25 The expected and proposed dwelling mix is shown in the table below, both in percentage terms and in overall numbers in relation to this scheme. It also gives the mix that was previously refused and considered unacceptable by the Planning Inspector in his dismissal of the appeal.

Tenure	Studio	1 bed	2 bed	3 bed	4 bed	Total
Policy	0% (0)	10% (1)	75% (9)	15% (3)	0% (0)	100% (12)
Proposed	0% (0)	25% (3)	67% (8)	8% (1)	0% (0)	100% (12)
Appeal	50% (8)	31% (5)	19% (3)	0% (0)	0% (0)	100% (16)

10.26 The proposed mix does deviate from the expected mix to an extent. There is an overprovision of 1 bed units and an under provision of family sized dwellings. However, there are a number of points to consider here.

10.27 The appeal decision for previously refused application P2013/0074/FUL stated that 'some flexibility in the required mix was appropriate in this case given the constraints of working within the building'. Whilst the Inspector considered some flexibility would be needed, she had particular objection to the very low number of 2 bedroom units within the previous (appeal) scheme.

10.28 The applicant has, since application P2013/0074/FUL substantially reconfigured the internal layout to redress the balance of unit sizes. The scheme proposes a mix which broadly complies with policy DM3.1, especially in relation to the number of 2 bed units, and as such provides for family sized accommodation (as defined in the London Housing Design Guide).

10.29 The post script to policy DM3.1 states that, in addition to taking account of table 3.1, dwelling mix should be considered in relation to the character of the development, the site and the area.

10.30 Given the extent of the compliance with table 3.1 and having regard to the constraints of the existing building in achieving units of good internal amenity, the mix is now considered to be more in line with policy and acceptable. The development would contribute towards addressing the imbalance in the mix of accommodation in the borough.

### **Standard of Residential Accommodation**

10.31 Islington Development Management Policy DM3.4 (Housing standards) provides detailed guidance and criteria for assessing the standard of proposed residential units. Again, the Inspector in her decision on the previous application acknowledged the constraints of the existing building and stated that some compromise on standards, where justified, may be necessary.

10.32 All of the proposed units meet or exceed minimum unit sizes expressed within policy DM3.4. All habitable rooms within each dwelling would exceed the required minimum size and the internal arrangement allows for functional use.

10.33 Policy DM3.4D states that new residential units are required to provide dual aspect accommodation, except where impossible or unfavourable, in which case the design must demonstrate how a good level of natural ventilation, daylight and protection from noise will be provided.

- 10.34 Nine of the twelve units would be dual aspect. Of the three units that are single aspect, all have three large windows and none face north. Two of the units face the rear and would not as such be subject to the noise and activity of Holloway Road. The third faces Holloway Road but is located on the top floor and would as such be distanced from street level. It is considered that all would receive sufficient daylight and ventilation. None of the single aspect units have 3 bedrooms, as is dictated by paragraph 3.47 of the Development Management Policies Document.
- 10.35 The ceiling heights of 2.5m would also aid the quality and amount of light and ventilation within the rooms. Whilst not strictly in compliance with the 2.6m standard, a more flexible approach is adopted with residential conversions.
- 10.36 A condition would be attached to the consent, in compliance with policy DM3.7, to ensure that any noise and vibration impacts of the development which are not eliminated through the careful design of the internal space, are understood and mitigated.
- 10.37 Whilst all units would have access to the outside space, the amount of provision falls below expected standards. Again, given the constraints of the existing building, the correct balance between dwelling mix, making best use of the site and future residential amenity has been reached.
- 10.38 The acceptability of the amount of amenity space provision, given the inability to provide more, was established during application P2013/0074/FUL. This scheme proposes fewer units and consequently a greater amount of outside space per occupant. Improvements have also been made within this application to the quality of the space, with the addition of hard and soft landscaping which would provide a small, but pleasant space away from the activity of Holloway Road (details to be secured by condition).

### **Impact on Neighbouring Amenity**

- 10.39 The Development Plan contains policies which seek to appropriately safeguard the amenities of existing residential occupiers when considering new development at neighbouring sites.
- 10.40 Islington Development Management Policy DM2.1 (Design) requires that consideration must be given to potential impacts of development including reduction of sunlight and daylight to habitable rooms, overshadowing of gardens, reduction in privacy due to increased overlooking, increased sense of enclosure, loss of outlook and increased noise and disturbance associated with occupation and use of the development (but not including noise and disturbance relating to construction works).
- 10.41 The lawful use of the building is as a residential care home for 24 occupants. It is not considered that the level of noise generated by future occupants of this scheme is likely to exceed that of the lawful use, nor could it be expected to exceed normal domestic levels. This is a mixed use area with numerous flatted developments and high levels of activity along Holloway Road. It is a

suitable use and a suitable intensity of use in this context and would not give rise to undue noise and disturbance. The previous use of the premises as 30 self contained flats has ceased and as such will not cause any further noise and disturbance to the neighbouring occupiers.

- 10.42 No extensions are proposed and there would be no new windows proposed to be installed in the elevations of the building. There would be, as such, no impact on daylight or sunlight receipt to neighbouring dwellings and no loss of privacy or increased overlooking.
- 10.43 Overall, the proposal would have an acceptable impact on neighbouring residential amenity.

### **Inclusive Design**

- 10.44 All new residential schemes should comply with the Lifetime Homes standards and the Flexible Homes standards outlined in the council Inclusive Design SPD. In short, this means that all units should be visitable by wheelchair users and adaptable.
- 10.45 A visitable home has a step free approach and living space and WC at entrance level. An adaptable home has the capacity to be altered internally should the needs of the occupants require it.
- 10.46 The Inspector within the previous appeal noted the shortcomings of the scheme in terms of inclusivity. This current scheme has addressed these failings.
- 10.47 The dwellings have been designed so that they meet Lifetime Homes standards. One of the ground floor units would be wheelchair accessible, in compliance with policy DM3.4A. The size and orientation of the wheelchair storage/ charging facility in this room has been amended since submission to comply with the design standard and to address Access officer concerns.
- 10.48 The existing ramp to the front entrance of the building is too steep to comply with modern standards. A platform lift is proposed here, to the south of the main steps, to provide step free access into the building. The communal gym lobby has been widened to ensure wheelchair accessibility and includes provision for the storage and charging of a mobility scooter.
- 10.49 Provision for an on street accessible parking space has been facilitated within the heads of terms to this report and one accessible cycle parking space is proposed, which complies with council standards. All corridors and the internal dimensions of the lift car are 1200mm wide.
- 10.50 Overall this proposal is considered to deliver a significantly improved scheme in accessibility and inclusivity terms compared to the appeal scheme.

### **Energy Efficiency & Sustainability**

- 10.51 Islington Core Strategy policy CS10A requires that all development proposals demonstrate that they have minimised onsite carbon dioxide emissions by

maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO<sub>2</sub> emissions reduction of 30% relative to total emissions from a building which complies with Building Regulations 2010, where connection to a decentralised energy network is not currently possible, such as is the case with the application site. Typically all remaining CO<sub>2</sub> emissions should be offset through a financial contribution towards measures which reduce CO<sub>2</sub> emissions from the existing building stock.

- 10.52 The London Heat Map confirms that there is no existing Decentralised Energy Network within 500m of the site. There is also no shared heating network to which the building could connect.
- 10.53 The applicant's energy statement assesses and rules out the possibility of site wide CHP on the grounds of insufficient heat demand. A communal heat network on site to enable future connection was also ruled out in favour of the existing individual boiler system currently operating. This is considered acceptable, given the constraints of the existing building and the size of the development (and subsequent low heat demand).
- 10.54 The energy strategy would achieve a to a total CO<sub>2</sub> emissions saving of 20.7% (compared with a building that complies with Building Regulations 2010). This energy efficiency would be largely achieved through the incorporation of good fabric efficiency standards. The air tightness is acceptable given that this is works to an existing building. 100% energy low energy lighting would be used. Given that this scheme is for a change of use with no external alterations to the building, it is not considered to be appropriate to seek an offset contribution for this scheme.
- 10.55 For all developments, it is required that the cooling hierarchy (as set out in Islington Development Management Policy DM7.5A) is followed, in order to reduce any risk of overheating and minimise the need for artificial cooling. Given the sites' location on busy Holloway Road, mechanical ventilation may be required to draw cleaner air from the rear of the site. This would be the only form of cooling acceptable, on air quality grounds.
- 10.56 The use of renewable energy has been maximised to enable achievement of the CO<sub>2</sub> reduction through the use of photovoltaic panels on the roofs. This would be secured by condition.
- 10.57 The pre-assessment reports that have been provided indicate that the development would achieve BREEAM Ecohomes (Excellent). This BREEAM level is secured by condition.
- 10.58 Islington Development Management Policy DM7.1 (Sustainable Design and Construction) part E requires provision of a Green Performance Plan (GPP) detailing measurable outputs for the occupied development, with respect to energy consumption, CO<sub>2</sub> emissions and water use, and setting out arrangements for monitoring the plan over the first years of occupation. A draft GPP setting out the predicted outputs has been submitted with the application and is considered to be acceptable. A final post occupation GPP

setting out the actual measurable outputs shall be secured within the S106 legal agreement.

- 10.59 The scheme will achieve a water efficiency target of 95 litres /person /day or less, in compliance with policy CS10 and incorporate rainwater butts. The commitment to target 89% of materials credits under BREEAM is supported. This shall be secured by condition.

### **Trees and Landscaping**

- 10.60 Islington Core Strategy Policy CS10 and Islington Development Management Policy DM6.5 (Landscaping, trees and biodiversity) promote urban greening and enhancing biodiversity. A landscaping plan has been submitted which would enhance the existing rear external space, through the introduction of soft landscaping and seating. A condition requiring the submission of details relating to plant and tree species, materials and ground cover is recommended.
- 10.61 Policy DM6.6 relates to flood prevention and the requirement in most instances to incorporate sustainable urban drainage systems. It is considered that, given this is a change of use with no new build elements and no intensification of use, there is not likely to be an intensification of water use. In this instance, the landscaping proposals and inclusion of rainwater butts are considered acceptable.

### **Highways and Transportation**

- 10.62 In compliance with policy DM8.5 part A, the development would be 'car free'.
- 10.63 Residential occupiers would not be eligible to attain on street car parking permits for the surrounding CPZ in the interests of promoting the use of more sustainable forms of transport and tackling congestion and overburdened parking infrastructure. The exceptions to this would be where, in accordance with Council parking policy, persons occupying the residential development are living in residential properties within Islington prior to moving into the development, have previously held a permit for a period of 12 months consecutive to the date of occupation of the new unit. In this case, in the interests of reasonableness and not to deter movement within the borough of existing residents they will be able to transfer and attain a permit.
- 10.64 Transport for London have advised that, once in operation, given the intensity of use the development would not hinder pedestrian or traffic flow on Holloway Road.
- 10.65 Refuse collection would be carried out via loading provisions on Holloway Road, as is the existing arrangement. Full details of arrangements for collection, including locations for the collection vehicles would be required by condition. A Local Level Travel Plan for the development would be secured within the S106 legal agreement.
- 10.66 The development would provide a policy compliant 23 secure and covered cycle parking spaces for future residents (one space per bedroom).



10.67 The heads of terms attached to the report include provision for 1 accessible parking space, removal of eligibility for residents parking permits and submission of a travel plan. A condition requiring the submission of Construction Method Statement is also recommended.

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

10.68 The following Heads of Terms are necessary in order to mitigate the impacts of the proposed development:

- Contribution of £25, 295 towards off site provision of Affordable Housing including viability review, should the development not be commenced within 1 year from the date of the permission.
- Compliance with the Code of Employment and Training.
- Facilitation of one work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £5,000 to be paid to LBI (£5,000 per work placement not provided). Developer/ contractor to pay wages (must meet London Living Wage). London Borough of Islington Construction Works Team to recruit for and monitor placements.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £1, 200 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of 1 accessible parking bays or a contribution of £2,000 towards bays or other accessible transport initiatives.
- Submission of a Green Performance Plan.
- Submission of a draft Local Level Travel Plan for council approval prior to occupation, and of a full Local Level Travel Plan for council approval six months from first occupation of the development.
- Removal of eligibility for residents' parking permits.
- Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

10.69 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL) would be chargeable on the proposed development. This would be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London CIL Charging

Schedule 2012. The CIL charges would be payable to the London Borough of Islington after implementation. Based on the floorspace figures provided with the application, and an assumption that the existing buildings have been occupied for six months within the last three years, an Islington CIL of **£264, 750.00** and a Mayoral CIL of **£52, 950.00** would apply to the proposed development. This is an estimate at this stage and would require formal confirmation under the CIL Regulations.

### **National Planning Policy Framework**

- 10.70 Paragraph 17 of the NPPF sets out 12 core planning principles that should underpin decision-taking. The application is largely in compliance with these principles. It is strong in its contribution towards the delivery of good quality housing, utilising an existing building.
- 10.71 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The principle of the proposed change of use, given the state of repair of the existing building and the planning benefits of the scheme, including its contribution towards the delivery of housing in the borough, is acceptable and in compliance with policy DM3.8B of the Development Management Policies.
- 11.2 The proposal is also acceptable in terms of the quality of the proposed accommodation, dwelling mix, transport, sustainability, energy and trees and landscaping, subject to conditions and to an appropriate Section 106 agreement, the Heads of Terms of which have been agreed with the applicant.
- 11.3 Justification for the lack of onsite affordable housing has been evidenced through the applicant's financial viability appraisal. This has been independently assessed and the conclusion of the evidence, that the development is financially unable to support affordable housing, is accepted, in compliance with policy CS12 of the Core Strategy. A financial contribution of £25, 295 towards affordable housing in the borough is included as a head of term attached to this report.
- 11.4 The constraints of the existing building have dictated some areas of non compliance, which in each case have been justified.

### **Conclusion**

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

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

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

- Contribution of £25, 295 towards off site provision of Affordable Housing including a viability review, should the development not be commenced within 1 year from the date of the permission.
- Compliance with the Code of Employment and Training.
- Facilitation of one work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £5,000 to be paid to LBI (£5,000 per work placement not provided). Developer/ contractor to pay wages (must meet London Living Wage). London Borough of Islington Construction Works Team to recruit for and monitor placements.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £1, 200 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of 1 accessible parking bays or a contribution of £2,000 towards bays or other accessible transport initiatives.
- Submission of a Green Performance Plan.
- Submission of a draft Local Level Travel Plan for council approval prior to occupation, and of a full Local Level Travel Plan for council approval six months from first occupation of the development.
- Removal of eligibility for residents' parking permits.
- Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

That, should the **Section 106** Deed of Planning Obligation not be completed within 10 weeks from the date when the application was presented at planning committee and a resolution secured, 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 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 the following conditions:

### List of Conditions:

<b>1</b>	<p><b>Commencement (Compliance)</b></p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of two years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<p><b>Approved plans list (Compliance)</b></p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Location plan, OS01, OS.02, E.01, E.02, E.03, E.04, E.05, E.08, E.09, E.06, E.07, P.01D, P.02, P.03, P.04, P.05, P. 08, P.09, P.06, P.07</p> <p>Planning Statement ref JE/ZE/11/119 dated 13<sup>th</sup> August 2014  Design and Access Statement ref DA.01 dated March 2014  Lifetime Home Criteria and Inclusive Design in Islington Checklist  BREEAM Domestic Refurbishment Pre- Assessment  Sustainable Design and Construction Statement dated 1<sup>st</sup> October 2014  Green Performance Plan  Health Impact Screening Assessment  Mix of Units  Loss of C2 Floorspace</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<p><b>Construction Method Statement &amp; Logistics Plan (Details)</b></p> <p>CONDITION: No development shall take place, including any works of demolition, unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p>

	<ul style="list-style-type: none"> <li>i. the parking of vehicles of site operatives and visitors</li> <li>ii. loading and unloading of plant and materials</li> <li>iii. storage of plant and materials used in constructing the development</li> <li>iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate</li> <li>v. wheel washing facilities</li> <li>vi. measures to control the emission of dust and dirt during construction</li> <li>vii. a scheme for recycling/disposing of waste resulting from demolition and construction works</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity.</p>
4	<p><b>Sound Insulation and Noise Control (Details)</b></p>
	<p>CONDITION: Full particulars and details of a scheme for sound insulation between the proposed ground floor gym and plant rooms and the residential use of the building shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In order to ensure that all new residential accommodation would provide an acceptable standard of amenity for future occupiers.</p>
5	<p><b>Sound Insulations (Details)</b></p>
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB <math>L_{Aeq,8\text{ hour}}</math> and 45 dB <math>L_{max\text{ (fast)}}</math>  Living Rooms (07.00-23.00 hrs) 35 dB <math>L_{Aeq, 16\text{ hour}}</math>  Dining rooms (07.00 –23.00 hrs) 40 dB <math>L_{Aeq, 16\text{ hour}}</math></p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p>

	<p>REASON: In order to ensure that all new residential accommodation would provide an acceptable standard of amenity for future occupiers.</p>
<b>6</b>	<p><b>Mechanical Ventilation (Details)</b></p> <p>CONDITION: Details of any mechanical ventilation including suitable NOx filtration shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any construction works. The development shall be completed in strict accordance with the approved details prior to the first occupation of the development and maintained as such thereafter.</p> <p>REASON: In order to ensure that all new residential accommodation would provide an acceptable standard of amenity for future occupiers.</p>
<b>7</b>	<p><b>Roof-level structures (Details)</b></p> <p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any works 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.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding area.</p>
<b>8</b>	<p><b>Inclusive Design (Compliance)</b></p> <p>CONDITION: The residential dwellings hereby approved within the development, shall be constructed to the standards for Flexible Homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
<b>9</b>	<p><b>Wheelchair Housing (Details)</b></p> <p>CONDITION: The 1 wheelchair / wheelchair adaptable dwellings, in accordance with the Access Statement and plans hereby approved, shall be provided prior to the first occupation of the development.</p> <p>REASON: To secure provision of the appropriate number of wheelchair accessible units in a timely fashion and to: address the backlog of and current unmet accommodation needs; produce a sustainable mix of accommodation; and provide appropriate choices and housing opportunities for wheelchair users and their families, in accordance with</p>

	policy 7.2 of the London Plan 2011 and policies: H3; H7 and H10 of the Islington Unitary Development Plan 2002, policy CS12H of the Islington Core Strategy 2011 and the Accessible Housing in Islington Supplementary Planning Document 2009.
10	<b>Landscaping (Details)</b>
	<p>CONDITION: Details of a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>• Proposed trees, including their location, species, size, and confirmation that existing and proposed underground services would not intrude into root protection areas;</li> <li>• Soft planting, including details of any grass and turf areas, shrub and herbaceous areas;</li> <li>• Vertical planting on elevations of buildings;</li> <li>• Planting on green / brown roofs;</li> <li>• Topographical survey, including details of any earthworks, ground finishes, any topsoiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</li> <li>• Boundary treatments, enclosures, including types, dimensions and treatments of any walls, fences, screen walls, barriers, rails, retaining walls and hedges;</li> <li>• Hard landscaping, including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and synthetic surfaces;</li> <li>• Confirmation that all areas of hard landscaping, together with the communal amenity and playspace areas have been designed in accordance with Islington's Inclusive Landscape Design SPD or Islington's successor SPD or policy;</li> <li>• Details of how the landscaping scheme includes and integrates measures to enhance biodiversity and sustainable urban drainage solutions and has been designed in accordance with Development Management Policy DM6.6 and London Plan policy 5.13;</li> <li>• A Landscaping Management Plan describing how the landscaping would be maintained and managed following implementation;</li> <li>• Rainwater butts</li> <li>• Any other landscaping feature(s) forming part of the scheme.</li> </ul> <p>All landscaping so approved shall be completed/planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a maintenance/watering provision following planting and any trees or shrubs which die, become severely damaged or diseased shall be replaced with the same species or an approved alternative and to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details</p>

	<p>(including the Landscape Management Plan) so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of sustainability, to ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, to ensure the development is of an inclusive design, and to ensure that a satisfactory standard of visual amenity is provided.</p>
11	<p><b>Delivery and Servicing Management Plan (and Waste Management Plan)</b></p> <p>CONDITION: A Delivery and Servicing Management Plan (DSMP), including a Waste Management Plan (WSP), shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>The DSMP shall include details of all servicing and delivery requirements, including details of how waste (including recyclable waste) would be transferred and collected, and shall confirm the timings of all deliveries and collections from service vehicles.</p> <p>The development shall be occupied and operated strictly in accordance with the DSMP so approved.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
12	<p><b>BREEAM (compliance)</b></p> <p>CONDITION: The residential use and refurbishment of this building hereby approved shall achieve a BREEAM Ecohomes rating (2011) of no less than 'excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
13	<p><b>Refuse/Recycling Provided (Compliance)</b></p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
14	<p><b>Water Consumption (Compliance)</b></p> <p>CONDITION: The residential use hereby approved shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p>



	REASON: To ensure the sustainable use of water
15	<b>Energy Strategy (Compliance)</b>
	<p>CONDITION: The energy efficiency measures/features and PV panels, which shall provide for no less than 20.7% on-site total CO<sub>2</sub> reduction as detailed within the ' Energy Strategy ' shall be installed and operational prior to the first occupation of the development.</p> <p>Should, following further assessment, the approved renewable energy option be found to be no-longer suitable:</p> <p>a) a revised scheme of renewable energy provision shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site, The final agreed scheme shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO<sub>2</sub> emission reduction targets by energy efficient measures/features and renewable energy are met</p>

**List of Informatives:**

1	<b>S106</b>
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	<b>Superstructure</b>
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<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.</p>

	<p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p> <p><b>Pre-Commencement Conditions:</b></p> <p>These conditions are identified with an ‘asterix’ * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	<p><b>Car-Free Development</b></p> <p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people, or other exemption under the Council Parking Policy Statement.</p>
5	<p><b>Water Infrastructure</b></p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
6	<p><b>Working in a Positive and Proactive Way</b></p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council’s website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>

## **APPENDIX 2: RELEVANT POLICIES**

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

1. **National Guidance** The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
2. **Development Plan** The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

## **A) The London Plan 2011 - Spatial Development Strategy for Greater London**

### **1 Context and strategy**

Policy 1.1 Delivering the strategic vision and objectives for London

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

Policy 2.9 Inner London

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

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

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

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

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

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

Policy 3.13 Affordable housing thresholds

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

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

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.4 Retrofitting

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

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

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.13 Parking

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

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature

Policy 7.20 Geological conservation

Policy 7.21 Trees and woodlands

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

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

Policy 8.4 Monitoring and review for London

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

### **Strategic Policies**

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

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

Policy CS12 (Meeting the Housing Challenge)

### **Infrastructure and Implementation**

Policy CS18 (Delivery and Infrastructure)

Policy CS19 (Health Impact Assessments)

Policy CS20 (Partnership Working)

## **C) Development Management Policies June 2013**

### **Design and Heritage**

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

### **Housing**

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

### **Health and open space**

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

### **Energy and Environmental Standards**

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

### **Transport**

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

### **Infrastructure**

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

## **4. Designations**

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

- Nags Head and Upper Holloway Key Area

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

The following SPGs and/or SPDs are relevant:

### **Islington Local Plan**

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

### **London Plan**

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

## APPENDIX 3: APPEAL DECISION FOR P2014/1792/FUL



---

### Appeal Decisions

Hearing held on 11 February 2014

**by Bridget M Campbell BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 February 2014

---

**Appeal A : APP/V5570/C/12/2186699**  
**602A Holloway Road, London N19 3PH**

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
  - The appeal is made by Zeus Estates Limited against an enforcement notice issued by the Council of the London Borough of Islington.
  - The notice was issued on 10 October 2012.
  - The breach of planning control as alleged in the notice is without the necessary planning permission the change of use from a residential care home to 30 self-contained flats.
  - The requirements of the notice are to cease the use of the property as self-contained flats.
  - The period for compliance with the requirements is six months.
  - The appeal is proceeding on the grounds set out in section 174(2) (d), (f) and (g) of the Town and Country Planning Act 1990 as amended. Since the prescribed fees have not been paid within the specified period, the appeal on ground (a) and the deemed application for planning permission have lapsed.
- 

**Appeal B: APP/V5570/A/13/2198935**  
**602A Holloway Road, London N19 3PH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Zeus Estates Limited against the decision of the Council of the London Borough of Islington.
  - The application Ref P2013/0074/FUL, dated 20 December 2012, was refused by notice dated 16 May 2013.
  - The development proposed is the reconfiguration of the existing building to provide 16 self-contained flats.
- 

#### Decision

**Appeal A : APP/V5570/C/12/2186699**

1. The appeal is dismissed and the enforcement notice is upheld.

**Appeal B: APP/V5570/A/13/2198935**

2. The appeal is dismissed.

**Appeal A, ground (d)**

3. The ground of appeal is that at the time the notice was issued it was too late to take action. In this respect no action could be taken four years after the breach of control alleged began, that is use as 30 self contained flats (s171B(2))

of the Act). The Council brings no evidence of its own but simply says that the Appellant's case is not made out and suggests that the property has been used as a hostel. The onus is on the Appellant to establish his case on the balance of probability.

4. The building was erected in the late 1980s as a care home and was initially used as such. In June 2007 a lease was granted to Arundel Square Developments Limited subject to a covenant not to use the premises for any purpose other than as residential flats and bedsits. A counterpart under lease to the Single Homeless Project in September 2007 contained the same restriction. The Appellant acquired the building in April 2008 and the Single Homeless Project ceased occupation on 20 July 2009. From July 2009 until the present date the building has been occupied as 30 self contained flats. On the basis of this information the Appellant claims that the building has been used as 30 self contained flats since September 2007 so that on the date the notice was issued the use would have been carried on for some five years.
5. The covenant in the superior lease is worded "Not to use the Premises for any other purpose than as residential flats and bedsits with communal living and dining facilities." The under lease indicates that all terms, conditions and provisos of the superior lease apply. A letter from the Chief Executive of the Single Homeless Project confirms that the appeal building was used to accommodate homeless people with mental health problems in compliance with the lease. It does not elaborate further on the way the property was used.
6. At the hearing Mr Theodoru (on behalf of the Appellant) said he first visited the premises in late 2007 or early 2008 but that he had not gone into any of the units as they were occupied. However, he said that since acquisition, only minor changes had been undertaken such as removing the laundry on the ground floor. His recollection was not completely clear but he thought Flat 1 might have comprised a communal area.
7. I find insufficient evidence from which to be able to conclude that it is more likely than not that the property was in use as 30 self contained flats when occupied by the Single Homeless Project. As no one inspected the units there can be no certainty that there were 30. Indeed it seems more likely than not that there were less than 30 since reference is made in both the lease and in the letter from the Chief Executive to communal living and dining facilities. There is no indication of where these facilities might have been and it seems likely that they would have occupied space now subsumed within the 30 flats.
8. Taking on board Mr Theodoru's oral evidence that only minor changes have been undertaken since acquisition one might assume that all units were already provided with the necessary facilities for day to day living but in reality that is an assumption with nothing to support it. If minor changes since acquisition include removing the ground floor laundry then they might equally have included, for example, the installation of the odd kitchenette where a unit might have been missing one.
9. Moving on from the uncertainty about the historic physical layout of the building, there is also no information available as to how it was in fact used by the Single Homeless Project. Communal living and dining facilities are referred to but no indication is given as to what use was made of them. It might be, for example, that all meals were taken together by residents in the communal

dining area and that residents were expected to mix and socialise in the living area for a portion of each day – there is simply no information.

10. I conclude that there is insufficient evidence to enable me to conclude on the balance of probability that the property was in use as 30 self contained flats during the period of September 2007 to July 2009. Whilst Mr Theodoru can confirm that it has been so used since that time, that does not amount to a continuous period of four years before the notice was issued. The Appellant's case has not been made out and the appeal on ground (d) fails.

### **Appeal B – the proposal for 16 self contained flats**

11. The main issues are the effect of the mix of units proposed on the Council's housing strategy for the area; whether the development would provide a suitable living environment for future occupiers; and whether the development would be sufficiently accessible and inclusive.

#### ***Issue 1 – mix of units***

12. The mix of flats proposed is 3 x 2 bedroom, 3 person flats, 5 x 1 bedroom, 2 person flats and 8 x studio flats. Only three of the 16 proposed would be suitable for families which would not accord with the policies of the Development Plan. Policy 3.9 of the London Plan requires a more balanced mix of tenures to be sought in all parts of London with the aim of achieving more mixed and balanced communities. Islington's Core Strategy policy CS 12 (criterion E) requires "a range of unit sizes within each housing proposal to meet needs in the Borough including maximising the proportion of family accommodation in both affordable and market housing" In particular Islington's Development Management policy DM3.1 says all sites should provide a good mix of housing sizes. The mix required is based on Islington's *Local Housing Needs Assessment* and, for market housing, table 3.1 included in the supporting text to the policy requires 75% of the units to be 2 bed, 15% 3 bed and 10% one bed to redress the shortage of family sized accommodation.
13. At the hearing, the Council agreed that some flexibility in the required mix was appropriate in this case given the nature of the existing building. Its view was that 3 bedroom units would not be insisted upon and, whilst the preference would be for no studio units, some might be accepted if need be given the constraints of working within an existing building. I agree that some flexibility would be appropriate but nonetheless the aim should be to accord with the policy requirement if the imbalance in the mix of accommodation within the Borough is to be addressed. To depart from the policy requirements without sufficient justification would be to undermine the policy objective. With only three out of 16 units proposed providing two bedrooms the scheme falls woefully short of the policy requirement.
14. At the hearing it was argued for the Appellant that if a larger number of 2 bed units were included then the scheme would not be viable. National guidance in the National Planning Policy Framework (NPPF) at paragraph 173 suggests development should not be subject to such policy burdens that viability is threatened. However, I do not believe that the assertion made about viability has been satisfactorily demonstrated. The viability assessment undertaken was to determine the capacity of the development to make a financial contribution towards affordable housing and not to assess the viability of schemes offering an alternative housing mix.



15. I do not accept that more small family sized units should not be provided in this location because it is on a busy road or because there are family houses along the side streets. The policy requirements are clear and there is no justification for departing from them to the degree proposed in this case. Without such justification, acceptance of the mix of units proposed would undermine the Council's housing strategy for the area making it difficult to resist other proposals which are in conflict with the Development Plan policies. The cumulative effect would be a failure to meet the housing mix required as identified in the needs assessment.

**Issue 2 – living environment**

16. The Council's concerns about the living environment for future occupiers address:
- the size of some of the proposed units, notably nos.4, 8, 12 and 16;
  - the single aspect of some units resulting in poor ventilation, lack of daylight and/or sunlight to units facing north east and to flat 4 on the ground floor, and no respite from traffic noise and pollution for those facing the Holloway Road;
17. The Appellant favourably compares what is proposed with the existing layout, but that does not seem to me to be an appropriate comparison given that the existing layout is not lawful and that an appeal against a refusal of planning permission for it has been dismissed. It is also pointed out by the Appellant that although issues of daylight and sunlight, noise and air pollution were argued in front of the previous appeal Inspector, his decision did not find those aspects unacceptable. It is true he did not, but neither did he find that they were acceptable. His decision does not address those matters at all.
18. Policy CS 12 (criterion A) seeks a good quality of life for residents by significantly increasing residential space and design standards from current levels. The detail is given in the Development Management Policies. Policy DM3.4 and DM3.7 in particular address those matters of concern to the Council set out above. The small size of some of the units and the single aspect of many with the identified drawbacks arising therefrom do not meet the requirements as set out in the policies.
19. Looking at Flat 4 as perhaps the worst example, this flat would not meet the minimum space standard. It would be narrow and deep, lit only by a single window facing Holloway Road and located beside the doors to the bin store serving the whole block. It would suffer noise and pollution from the road, intrusion and noise from people passing by close to the window on their way to and from the bin store. The living and kitchen area, set well back within the flat, would be dark and uninviting with only a distant outlook to the far side of the bedroom. There would also be potential for disturbance from the adjoining lift motor room and switch room. The flat would not provide a good quality of life that Development Plan policies are seeking to achieve.
20. Whilst ideally all the Council's concerns throughout the block should be addressed, it is clear that within the confines of an existing building there is a balance to be struck between making efficient use of the space available and achieving the highest living standards possible to drive up the quality of residential accommodation as is required by policy.

21. The appropriate balance is not struck in this development. Flat 4, in particular would not provide a suitable living environment for residents and the accumulation of other shortcomings throughout the building as identified by the Council indicates a layout where insufficient consideration has been given to the living conditions of future residents and to the requirements of the adopted policies of the Development Plan.
22. Given that my conclusion on the first main issue is that the mix of housing proposed is not acceptable, there is an opportunity to reconfigure the proposed layout to address both the mix of units and to achieve as high a standard of living environment as is feasible whilst working within the constraints of the existing building. In this respect there is still likely to be a need for some flexibility in the application of standards. Given the nature of the existing building it seems highly unlikely that a layout which is ideal in all respects can be achieved and this was accepted by the Council. Nonetheless in concluding on the second main issue I find that the proposed layout would not provide a sufficiently suitable living environment for many of its future occupiers.

### ***Issue 3 - accessibility and inclusivity***

23. Policy 3.8 of the London Plan requires all new housing to be built to Lifetime Homes Standards and for 10% to be wheelchair accessible or easily adapted for residents who are wheelchair users (criteria c and d). Policy 7.2 goes on to require all development to achieve the highest standards of accessible and inclusive design. Islington has developed this further and policy CS 12 H requires all new housing to comply with its "flexible homes" standards as set out in its Accessible Housing SPD with at least 10% suited to occupation by a wheelchair user. Policy DM3.4 provides further detailed requirements.
24. The proposed layout does not meet adopted policy requirements in a number of respects. For example the access ramp has too steep a gradient to be continuous and not broken by a level landing; the bathrooms in the wheelchair accessible flats do not comply with the minimum space requirements and the studio flats are, in the main, not visitable or adaptable for wheelchair users or the ambulant disabled.
25. As with concerns about the living environment, ideally the layout should comply with all the requirements as set out in the adopted planning policies of the Development Plan. Nonetheless, and once again, it is possible that a compromise might be necessary given the constraints of the existing building but that would need to be justified by a layout where the benefits of the scheme outweighed the identified shortcomings. That is not demonstrated here and on the third issue I conclude that the development would not provide inclusive and accessible development for all and that in failing to do so it would conflict with the relevant policies of the Development Plan.

### ***Conclusion – Appeal B***

26. Adopted housing policies seek to provide an appropriate mix of housing sizes to meet the identified need in the Borough and to drive up the quality of accommodation. The proposed layout does not provide such a mix and there are no clear benefits arising from that layout which warrant a different mix or which justify lower standards than those sought by the Development Plan in relation to the quality of the living environment and its accessibility for all. The design and layout of the accommodation should accord with the provisions of

the Development Plan. It does not do so. Whilst some flexibility might well be necessary in achieving a workable layout of flats within the constraints of the existing building, it has not been demonstrated that an alternative which would better comply with the relevant policies is not achievable. The site is in a highly sustainable location where the most efficient use of the existing building should be sought but not at the cost of compromising the Council's housing strategy nor in driving down the standard of development sought. There is nothing of sufficient weight to indicate that the development should be determined otherwise than in accordance with the Development Plan. Appeal B fails.

**Appeal A, ground (f)**

27. The ground of appeal is that the requirements of the notice are excessive. This ground of appeal was brought on the basis that if planning permission was granted for the scheme the subject of Appeal B then, rather than requiring the use as flats to cease, the steps could be varied to require alterations to bring the development into line with the permission granted. However, since Appeal B is to be dismissed this is not an option.
28. No other lesser steps have been suggested and indeed, in order to remedy the breach that has occurred, it is necessary to require the use to cease. The appeal on ground (f) fails.

**Appeal A, ground (g)**

29. The ground of appeal is that the time given to comply with the notice is too short. Six months has been given. The Appellant is asking for a year to enable time for the resubmission of an application for an alternative scheme and to give existing residents time to look for alternative accommodation.
30. I can see no reason why the continued occupation of the building should be necessary whilst an alternative layout is negotiated with the Council and indeed it is likely that the building would need to be vacated in order to implement any future scheme that might be approved. With regard to existing residents, I appreciate that they are going to lose their homes but I consider 6 months to be a sufficient period within which alternative accommodation might be sought and to be of sufficient length to strike the appropriate balance between the competing public and private interests. The appeal on ground (g) fails.

*Bridget M Campbell*

Inspector

## APPENDIX 4: BPS APPRAISAL

602A Holloway Road, N19 3PH

P2014/1792

Independent Review of Viability

Further Correspondence

10 February 2015



### Summary & Conclusions

- 1.1 BPS Chartered Surveyors has been appointed by the London Borough of Islington to review a viability submission provided by Adam Roberts Consultancy on behalf of Zeus Estates Ltd. The application is in respect of the reconfiguration of the existing building comprising 30 residential units to provide 12 self-contained flats, and alterations to the building to provide cycle storage. There will be 3 x one bed, 8 x two beds and 1 x three beds flats.
- 1.2 This document reports and comments on additional correspondence that has taken place since production of our report dated 20 August 2014 and our subsequent addendum report dated 20 October 2014.
- 1.3 Following our concerns regarding the valuation of the existing use a new valuation was commissioned by the applicant and prepared by Coping Joyce and set out in the report dated 17 December 2014.
- 1.4 In essence we now accept the conclusions and valuation of the EUV set out in the report at a figure of £[REDACTED]. This figure when used to benchmark the most recent appraisal shows a modest deficit of £30,000.
- 1.5 Our first report acknowledged acceptance of the proposed sales values, our addendum report confirmed our acceptance of the proposed construction costs and this document confirms our acceptance of the proposed benchmark land value.
- 1.6 Based on the findings of our reports and analysis to date we accept that this scheme cannot viability deliver affordable housing.
- 1.7 In considering the new valuation of the existing use we raised a number of questions. These questions, together with the responses received are set out in Appendix A below.

## Appendix A - E-mail Correspondence

**From:** Adrian Judge [<mailto:AJudge@coppingjoyce.co.uk>]  
**Sent:** 05 February 2015 12:09  
**To:** Luke  
**Subject:** RE: 602A HOLLOWAY ROAD - VIABILITY

Hello Luke.

My internal refurbishment cost was derived from BCIS. I selected current refurbishment costs for Islington Borough for old people's homes. This produced £40 sq. ft. I accounted for the current good condition of the interior of the property. This produces a sum of [REDACTED], which should be more than enough to carry out the required works.

I hope that this assists with the matter.

Regards,

Adrian Judge BSc (Hons) MRICS | Director

RICS Registered Valuer  
Copping Joyce Surveyors Limited  
27 Phipp Street, LONDON. EC2A 4NP  
M: 07540 123 805 | T: 020 7749 1051 | F: 020 7749 1042  
[ajudge@coppingjoyce.co.uk](mailto:ajudge@coppingjoyce.co.uk) | <http://www.coppingjoyce.co.uk>



**From:** Andrew Jones [<mailto:andrew@bps-surveyors.co.uk>]  
**Sent:** 29 January 2015 09:40  
**To:** Fraser, Sally  
**Subject:** RE: 602A HOLLOWAY ROAD - VIABILITY

Sally

I have considered the comments below and the plans of the existing premises and note there is a WC and wash basin currently within each of the studios. I also acknowledge the point about available provision and the existence of demand. I think therefore my one remaining question relates to the proposed works.

My comment regarding works was that it would be helpful if these could be identified so that the cost estimate of £40psf could then be seen in an appropriate context. All I had noted from the valuation report was reference to provision of white goods in this respect hence my comment. I note there are 3 photographs within the report that give some indication of condition but some further detail on

what is envisaged and how this has been referenced back to BCIS. TO be clear I am not necessarily disputing this allowance but would welcome some further detail on this point.

Kind regards

Andrew

**From:** Adrian Judge [<mailto:AJudge@coppingjoyce.co.uk>]

**Sent:** 23 January 2015 08:13

**To:** 'Luke'

**Subject:** RE: 602A HOLLOWAY ROAD - VIABILITY

Hello Luke as discussed yesterday I have the following replies to the points that BPS have raised.

The first point was in regard to WC's. I stated on page 22 of my report that there will be one bathroom for every eight residents in line with the care home regulations. A bathroom is exactly that with an assisted bath, WC and basin. No residents will have to share WC's. Every room will have its own WC and basin.

The proposed weekly rate is not optimistic it is realistic if not on the lower side of what could be charged. The rates for modern care home rooms start at this level in this location. There is limited care home provision in the local area and the rooms can easily be let for £[REDACTED] a week. From my investigations with the local care homes they were all at effective full capacity with waiting lists. The rooms could probably be let for [REDACTED] a week but I believed it would be appropriate to be conservative in my valuation. This is evidenced by the rates in table at the top of page 18.

The next point is in regard to the internal works. The building is in good order but it will require internal works to provide the proposed number of residents rooms and other accommodation. The adopted rate of £40 per sq. ft. is realistic having regard to BCIS current cost data. I am not sure what the comment is about white goods but yes they will need supplying to the proposed kitchen on the ground floor.

The next point has already been covered as each room will have its own WC and basin.

The next point raised is about the quality of the comparables compared to the proposed subject home. The comparables do not offer a substantially higher level of facilities and comfort. The subject home will be newly developed internally and will have suitable lounge and dining facilities. It has a lift. There can be a library

provided in the lounge, a hairdresser can visit each week and anything else that residents require. In any case I have adopted a fee rate at the lower end of the parameters compared to the comparables.

Again, I must point out that there is limited care provision in the area for the size of the population. There is increasingly demand for care homes and all the local homes. The existing few are at or very close to full capacity. I have all faith that the subject home would be filled quickly at the proposed fee rate.

I hope that this offers some assistance, but please feel free to contact me if you have any queries.

Regards,

Adrian Judge BSc (Hons) MRICS | Director

RICS Registered Valuer

Copping Joyce Surveyors Limited

27 Phipp Street, LONDON. EC2A 4NP

M: 07540 123 805 | T: 020 7749 1051 | F: 020 7749 1042

[ajudge@coppingjoyce.co.uk](mailto:ajudge@coppingjoyce.co.uk) | <http://www.coppingjoyce.co.uk>

**From:** Fraser, Sally [<mailto:Sally.Fraser@islington.gov.uk>]

**Sent:** 20 January 2015 17:31

**To:** Fiona Dalitis

**Subject:** FW: 602A HOLLOWAY ROAD - VIABILITY

Hi John

Please see below response from BPS with regards the red book value.

I have highlighted the main points in yellow.

Kind regards

Sally Fraser  
Principal Planning Officer  
Major Applications Team  
Development Management  
Planning and Regeneration Division  
Environment and Regeneration Department  
London Borough of Islington,  
P O Box 333, 222 Upper Street, London, N1 1YA

Tel: (020) 7527 2493  
Fax: (020) 7527 2731

---

**From:** Andrew Jones [<mailto:andrew@bps-surveyors.co.uk>]  
**Sent:** 19 January 2015 17:45  
**To:** Fraser, Sally  
**Cc:** Ching, Ricky  
**Subject:** RE: 602A HOLLOWAY ROAD - VIABILITY

Sally

Having researched this report in further depth, the care homes that are used as comparable evidence by Copping Joyce to establish room rates, 6 have all en-suite rooms and 3 have mostly en-suite rooms.

Breakdown

Home	Rooms	En-suite?
Alvington House	22	Most
Maplehurst Nursing Home	38	No information
Abbey Rose Care Home	24 single rooms	All
Belford House	27 - 24 single 3 shared rooms	23 (most)
Albany Park, Enfield	37 - 35 single 2 shared rooms	All
Three Willows	18 - 15 single and 3 shared rooms	All
Cloisters Care Home	56 - 55 single 1 shared	Most
Eastbourne Grange Care Home	20 single	All
Victoria Grand Care Home	26 single	10
Albany Park, Enfield	30	All
Patcham Nursing Home	30 single	All



In setting the room rate of [REDACTED] per week specific reference was made to the following three

**Lennox house N7** - All ensuite and advertised as large rooms

The description of other facilities includes:

Whether residents at Lennox House want to socialise with friends or have some quiet relaxation time, they can choose from a range of inviting lounges. There's also a dining room, a café, and Lennox House even has a 'corner shop'. Bookworms are well catered for too as we have a library and Islington mobile library calls in weekly. The home has a lift and both the home and our large, secure gardens are fully accessible to wheelchair users

**Barchester - Chevington Lodge N19** - All ensuite

This home is described as a quiet residential location offering private dining, landscape garden and sensory garden,

**Ash Court Care Home NW5** All single rooms (62) offer ensuite WC and hand basin

The home offers a private garden for residents

It is clear that none of the comparators offer as few facilities as would be provided by this property. The concept of sharing 1 WC between 8, especially for elderly care is clearly not compatible with modern standards whether this be mandatory or market driven. The general level of other amenities must also be called into question. I firmly expect we would struggle to find rents for properties as deficient as this in this respect consequently I believe the proposed rents to be very optimistic and I am of the view that the authors of the report should be asked to consider this deficiency and evidence the impact of shared facilities in their proposed rents.

I previously noted that the assessment concludes the building is in good condition but would require a refurbishment and there is an assumption of £40 per sq ft to allow for this. There is an indication that some white goods might need replacement but a fuller explanation would be beneficial.

One possible consideration is whether the building could theoretically be adapted to provide ensuite facilities by reducing the number of rooms if so these works should be considered as part of this estimate.

Although well put together I remain to be convinced that the room rates reflect the true value of this property given the much higher levels of comfort and amenity of the homes on which they are based.