

PLANNING COMMITTEE REPORT

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

PLANNING COMMITTEE		
Date:	17th November 2015	

Application number	P2015/2900/FUL
Application type	Full Planning Application
Ward	Finsbury Park Ward
Listed building	n/a
Conservation area	n/a
Development Plan Context	Local Cycle Route (Tollington Way)
Licensing Implications	None
Site Address	52 Tollington Way, London, N7 6QX
Proposal	Demolition of existing single storey nursery building (D1 use class) and erection of four storey residential (C3 use class) building comprising 15 units (3 x 1 bed, 11 x 2 bed and 1 x 3 bed) with associated landscaping and cycle parking.

Case Officer	Nathaniel Baker
Applicant	Rosemarie Jenkins – Islington Housing Strategy and Regeneration
Agent	Harry Dodd - HTA Design LLP

1 RECOMMENDATION

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

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

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE



Photograph 1: Aerial View of Site



Photograph 2: View from Tollington Way

4

SUMMARY

- 4.1 The planning application proposes the demolition of a vacant nursery building (D1 use class) and the erection of a part three and part four storey residential building comprising 15 flats.
- 4.2 The applicant has submitted evidence to show a lack of demand for the nursery use and marketing evidence. The loss of the social infrastructure use has been justified and the redevelopment of the site for wholly residential use is acceptable in principle.
- 4.3 The scheme delivers good quality housing including 55.8% of affordable housing by habitable rooms and 53.3% by units (all social rent tenure) and accessible accommodation to address housing needs within the borough. The tenure mix proposed is supported by a financial viability assessment which has factored in an element of public subsidy.
- 4.4 Residents' concerns predominantly relate to issues surrounding the loss of the nursery use, scale and design, density, loss of a tree and loss of daylight/sunlight and overshadowing. The design and scale of the proposal are appropriate to the locality and while the density of the scheme is above the London Plan policy figures the proposal would provide high quality accommodation, private amenity space above minimum standards and provide much needed affordable housing.
- 4.5 The proposal would introduce a building of a good quality design with an appropriate scale and which successfully references the surrounding context. Although a mature tree would be removed, five medium trees would be planted on site.
- 4.6 There are identified effects and losses of daylight receipt to neighbouring properties as a result of the development, which are slightly in excess of the BRE recommendations. The losses are considered to be acceptable within the context of the urban location, and the appropriate scale, massing and site layout of the proposal.
- 4.7 Sustainability measures are proposed and while the CO2 reduction is not in accordance with policy, the Council's Energy Officer has considered the overall strategy for the site and considers this to be the highest achievable reduction at the site. A carbon off-set contribution is secured in the Directors' Agreement to off-set emissions to 'zero'. The proposed SUDS strategy is acceptable.

- 4.8 Residential occupiers of the new units would not be eligible to obtain on-street car parking permits and the proposed cycle parking accords with policy requirements. The Directors' Agreement secures a contribution towards the provision of two on-street wheelchair accessible spaces.
- 4.9 Although the proposal includes the provision of only one family unit, due to site constraints the provision of further family units is severely limited. Furthermore, changes to housing legislation to address under occupation of social housing have created a greater demand for smaller social housing units. For these reasons it is considered that on balance the proposed dwelling mix is acceptable in this case and will still meet an identified need.
- 4.10 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and the completion of a Directors' Agreement to secure the necessary mitigation, alongside CIL payments.

5 SITE AND SURROUNDING

- 5.1 The site is located on the south side of Tollington Way with Bryett Road running along the eastern side of the site and consists of a single storey building with pre-cast concrete elevations and a hipped tiled roof. To the rear the building has a lean-to canopy with a hardsurfaced play space beyond this, which incorporates two large trees. To the front of the site are two street trees fronting onto Tollington Way.
- 5.2 The site has been vacant since 2013 but was previously in use as an early years nursery provider.
- 5.3 The properties to the east and west of the site comprise late 20th century three storey terraced housing rows with brick facades, faux stucco lower ground floors and pitched roofs. Opposite the site to the north is a four storey, brick built, flat roofed council block (Shaw Court), while a traditional terraced row extends to the west of this. To the south and south east of the site are a number of modern, brick built three and four storey residential blocks with pitched roofs above.

6 PROPOSAL (IN DETAIL)

- 6.1 The proposal comprises of the demolition of the vacant single storey nursery building (D1 use class) and the erection of a part three and part four storey residential building comprising 15 units (3 x 1 bed, 11 x 2 bed and 1 x 3 bed) with associated landscaping and cycle parking.
- 6.2 The building would have an 'L' shaped footprint with a three storey brick built façade and a recessed metal clad fourth floor. Reconstituted Portland stone faux stucco would extend across part of the front elevation, around the north east corner and part way along the east elevation at ground floor level.
- 6.3 The proposed landscaping largely consists of private gardens with a mature tree at the south of the site removed and five medium sized trees planted. Two cycle stores would be provided at the southern end of the site with direct access from Bryett Road.

Revision 1

- 6.4 The landscape plan was amended on 23/09/2015 to relocate a proposed tree following comments from the Tree and Landscape Officer.

Revision 2

- 6.5 The plans were amended on 14/10/2015 to respond to the Access and Inclusive Design Officer's comments and to address daylight/sunlight issues. Additional daylight/sunlight testing was also carried out on the revised design and details were submitted alongside the amended plans.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **900767** – Retention of single storey building to be used for staff work place nursery (observations to Islington Health Authority on Crown Development) – No objections (06/12/1991)

Former Royal Northern Hospital, 580 Holloway Road (adjoining the site):

- 7.2 **962157** – Demolition of hospital buildings (excluding locally listed building), houses on Tollington Way and Gloucester House. Construction of 205 flats and 35 houses and layout of new public open space – Granted Conditional Permission subject to legal agreement (22/08/1998)

- 7.3 **961111** – Demolition of hospital buildings (retaining locally Listed Building on Holloway Road) and Nos.20-54 (even) Tollington Way. Redevelopment by the erection of 126 flats and 30 houses, conversion of existing hospital building to provide 20 flats, and layout of one acre of public open space – Granted Conditional Permission subject to legal agreement (13/06/1997)

PRE-APPLICATION ADVICE:

- 7.4 **Q2014/4336/MJR** – The proposal has been subject to detailed pre-application discussions. The key points which required further consideration during the pre-application process were:
- Further detail and evidence was required to support the loss of the nursery use;
 - Design and Materials;
 - Amenity Space provision for family units; and
 - Daylight/sunlight testing;

ENFORCEMENT

- 7.5 None relevant.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 44 adjoining and nearby properties at Bryett Road, Ingleby Road, Freeman Court and Tollington Way on 29th July and further letters were sent on 17th August 2015 to the properties at Shaw Court. A site notice and press advert were displayed on 30th July 2015. The public consultation of the application therefore expired on 7th September 2015, however it is the Council's practice to continue to consider representations made up until the date of a decision.

- 8.2 At the time of the writing of this report a total of 11 objections had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- The four storey height is not in keeping with the three storey height of the surrounding properties (para 10.19);
- The design of the proposal is not in keeping with the character of the area (para 10.19 - 10.25);
- The scheme would result in a sense of enclosure and overlooking to neighbouring properties (para 10.43 – 10.45);
- Concern raised regarding the number of units on the site and density (para 10.26 - 10.31);
- The addition of 15 residential units would create further noise pollution (para 10.46);
- There is no need for more social housing in this area (para 10.12 and 10.83 – 10.85);
- There is no need for open market housing (para 10.89 – 10.93);
- This proposal will bring more people in from outside the borough that will force our those in the borough waiting for social housing (para 10.88);
- The affordable housing is not affordable (para 10.88);
- The nursery use should be replaced (para 10.5 - 10.9);
- There would be more traffic on the already busy road and higher levels of parking (para 10.111 – 10.113);
- Concern raised regarding loss of light and overshadowing to neighbouring properties (para 10.51 - 10.58);
- The proposal would result in a window tunnel effect (para 10.121); and
- Objection to the loss of a tree and open space at the site (para 10.14 - 10.15 and 10.38 - 10.41).

Non-planning Issues:

- Concerns raised regarding loss of views (para 10.120).

Applicant's consultation

- 8.3 The applicant, Islington Housing Strategy and Regeneration has carried out a consultation exercise with residents close to the site. This has encompassed letters being sent to local residents, feedback forms and a consultation event.
- 8.4 Of the 26 respondents to the consultation exercise 20 were in favour of the proposal. However, the key issues the consultation identified were:
- Concern regarding daylight/sunlight levels and privacy;
 - Loss of Nursery Places;
 - The height is not in keeping with the locality;
 - Loss of a tree; and
 - Parking concerns.

External Consultees

- 8.5 **Thames Water** – No response received.
- 8.6 **London Fire and Emergency Planning** – No response received.

Internal Consultees

- 8.7 **Planning Policy** – The requirements of policy DM4.12 have been satisfied and therefore the loss of the social infrastructure (nursery use) is acceptable in this case.
- 8.8 **Design and Conservation Officer** – Has been involved throughout the pre-application process and supports the proposal.
- 8.9 **Access and Inclusive Design Officer** – Has been involved through the pre-application process. The layout of the proposed units is acceptable. Questions raised regarding the scale of the mobility scooter store and the proposal should include details of a safe drop off point and accessible cycle storage.
- 8.10 **Energy Conservation Officer** – No objection.
- 8.11 **Lead Local Flood Authority** – No objection subject to conditions.
- 8.12 **Highways** – No objection subject to a contribution of £7500 for the laying out of the two accessible parking bays on Tollington Way.
- 8.13 **Tree Preservation / Landscape Officer** – No objection to the removal of the Sycamore tree. Mitigating planting is feasible on the adjacent highway and/or within the site. The retained trees would be adequately protected. Recommend condition requiring Arboricultural Method Statement to be submitted.
- 8.14 **Refuse and Recycling** – No response received.
- 8.15 **Public Protection** – No objection subject to sound insulation condition.
- 8.16 **Biodiversity and Nature Conservation** – No response received.
- 8.17 **Camden and Islington Public Health** – No objection.

9

RELEVANT POLICIES

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.1 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.2 Under the Ministerial Statement of 18 December 2014, the government seeks to increase the weight given to SuDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).
- 9.3 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via
- Written Ministerial Statement issued 25th March 2015

- Deregulation Bill (amendments to Building Act 1984) – to enable ‘optional requirements’
- Deregulation Bill received Royal Assent 26th March 2015

Development Plan

9.4 The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

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

- Local Cycle Route (Tollington Way)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Environmental Impact Assessment

9.7 An EIA screening was not submitted. However the general characteristics of the site and proposal are not considered to fall within Schedule 1 or 2 development of the EIA Regulations (2011), in particular the site is significantly less than 0.5 hectares in size and it is not in a sensitive area as defined by the regulations. As such, the proposal is not considered to be EIA development but no formal decision has been made to this effect.

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

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

Land-use

10.2 The site has previously been used as a staff work place nursery (D1 use) associated with the now demolished Royal Northern Hospital, before being taken over in July 2000 by ‘Kidsunlimited’, an early years (ages 0-5) nursery provider. The nursery use of the site ceased in September 2013 and the building has remained vacant since then.

- 10.3 The proposal would result in the loss of a nursery (D1) use at the site and the introduction of a residential (C3) use.

Loss of Social Infrastructure:

- 10.4 Policy DM4.14 of the Development Management Policies resists the loss or reduction in social infrastructure, such as a nursery use, unless a replacement facility is provided that would meet the need of the local population for the specific use; or where the specific use is no longer required on site, it should be demonstrated that the proposal would not lead to a shortfall in provision for the specific use and that there is either no demand for another suitable social infrastructure use on site or that the site/premises are no longer appropriate for such a use.
- 10.5 The applicant has submitted Ofsted Inspection reports from 2004, 2008 and 2012 which detail the take-up of places at the nursery. In July 2004 there were 72 pupils on the roll; by July 2012 there were 40 pupils on the roll, a reduction of 44%, although it should be noted that all three reports indicated a 'Good' rating. The lease for the property expired in November 2013 with the nursery operator (Kidsunlimited) deciding not to renew the lease due to their view that the location was commercially unviable.
- 10.6 The submitted Planning Statement considers the level of early years provision in the vicinity of the site, with the borough's Family Information Services confirming that the N7 (postcode) area in which the site is located has, since at least 2010, continued to have amongst the best level of provision of childcare services within the borough. The evidence provided via the Ofsted reports of continuously falling enrolment despite the 'Good' rating in combination with the good supply of early years provision in the local area confirms that the proposal would not lead to a shortfall in provision for nursery use within the area.
- 10.7 In addition to the information provided on falling pupil numbers/above average provision of nursery places in the local catchment area, the applicant has submitted marketing evidence to demonstrate a lack of demand for another suitable social infrastructure use on the site, which has been considered against the criteria set out in Appendix 11 of the Development Management Policies.
- 10.8 The site was placed on the Office of Government Commerce e-PIMS (electronic Property Information Mapping Service) register, as is standard with the disposal of public sector land, firstly on the restricted access page (limited to Government bodies and organisations) for 40 working days and thereafter on the publically accessible portal of the website. The site was live on the website for a total of 10 months, during which time the only offer received was from the applicant. The applicant has submitted evidence of the e-PIMS records and a sales board displayed at the property included, which confirm that the marketing exercise was carried out in accordance with the requirements of Appendix 11 as relating to evidencing a lack of demand for another suitable social infrastructure use on site.
- 10.9 Taking account of the evidence provided that the site was marketed via a well-known public-sector property disposal site for 10 months, and that during this time only one offer was received, in this instance it is accepted that there is no demand for another suitable social infrastructure.
- 10.10 Policy DM4.14 requires any replacement facility to provide an equal level of accessibility and standard of provision. The nursery use has not been relocated and the proposal does not include its re-provision.
- 10.11 The requirements of DM4.12 have therefore been satisfied, and the loss of social infrastructure is accepted and redevelopment of the site for wholly residential use is acceptable in principle.

Housing:

- 10.12 Policy CS12 of the Islington Core Strategy 2011 provides a clear direction of seeking new housing of good quality to meet identified and pressing housing needs, particularly affordability and inclusivity needs. The development on Council land of housing that maximises affordable housing provision is key to delivering these policy aims.
- 10.13 The proposal would introduce 15 residential units to the site and provide 8 affordable housing units.

Open Space:

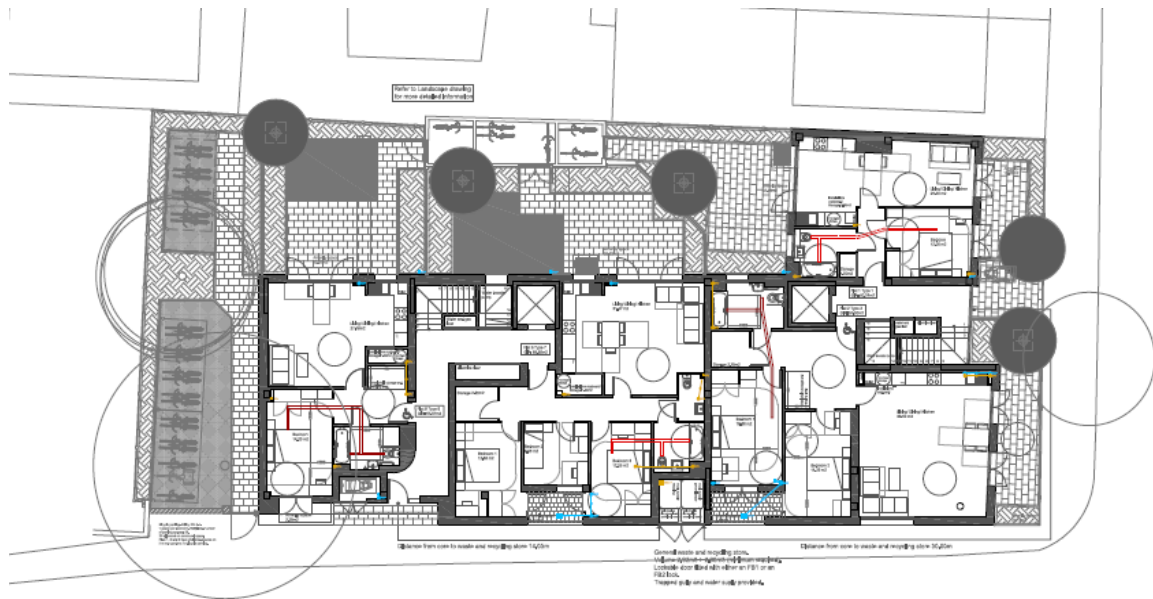
- 10.14 Policy DM6.3 of the Development Management Policies 2013 resists development on private open space where there would be a significant loss of open space / open aspect and/or where there would be a significant impact upon amenity, character and appearance, biodiversity, ecological connectivity, cooling effect and/or flood alleviation effect.
- 10.15 The proposal would result in a loss of 27 square metres of non-designated private amenity space at the site, which is not considered to be a significant loss. Notwithstanding this, the space lost is predominantly formed of a hardsurfaced play area to the rear of the site with an access route to the north and a hardsurfaced forecourt area, which does not represent a well-designed space and is of little biodiversity, ecological or amenity value. The proposal would introduce high quality landscaped open space to the site in the form of a number of private gardens that would include soft landscaping and trees, representing a better quality of private amenity space. With regard to openness, although the proposal would introduce a four storey building to the site, dual fronted buildings are typical of corner plots throughout the borough, while historically (from at least 1896) the site incorporated an end of terrace dwelling with a significant rear projection. The proposal would introduce a landscaped area to the front of the site and retain an open area to the side and rear.

Conclusion:

- 10.16 The loss of the social infrastructure use of the site has been adequately justified through the submission of unsuccessful marketing evidence and lack of demand information and the proposal would introduce new affordable housing (8 units) to address housing needs within the borough. As such, it is considered that the proposal is acceptable in land use terms, subject to an assessment of all other relevant policy and any other relevant material planning consideration

Design

- 10.17 The proposal would demolish the existing single storey building at the site and introduce a four storey residential block. The existing building at the site is of little architectural merit and no statutory or local protection exists to protect it from demolition, as such its loss is not resisted.
- 10.18 The proposed building would have an 'L' shaped footprint with the widest part fronting onto Tollington Way. While the proposed building would have a significantly deeper footprint than the surrounding properties, this was historically the case with the former terraced property at the site and the design of the flank elevation continues that of the front elevation, addressing the highway and reflecting the unbroken terraced frontages prevalent in the locality. The image below details the proposed layout:



10.19 The neighbouring properties are predominantly three storeys high with pitched roofs projecting above, while opposite the site on Tollington Way is a four storey flat roof, residential block. The proposal would introduce a four storey flat roof building to the site, with a recessed top floor clad in aluminium. The highest point of the building would be set below the ridge height of the neighbouring properties and the flat roof design would be comparable to the development opposite and to the north east of the site. Although the proposed building would not strictly match the scale and massing of the nearby Georgian terraces and late 20th century interpretations of these, the modest height of the three storey brick element, together with the set back of the top floor would ensure that the proposed building would not be obtrusive in views along Tollington Way and would represent a contemporary form of an appropriate scale within the mixed local context. The image below shows the two building frontages:



10.20 With regard to materiality, the proposed building would have yellow/grey coloured brick elevations with a recessed top floor consisting of glazing and aluminium clad elevations with a projecting canopy. The front elevation would have a centrally located recessed glazed break, which would help to articulate the front façade while at ground floor level there would be a faux stucco projection that would wrap around the north east corner of the site, extending along the flank elevation. The flank elevation onto Bryett Road would have inset balconies while to the rear two properties would have projecting balconies and the majority of the rear windows would have projecting planters. While the second floor and third floor elements of the proposal would partially project above the front roof slope of the adjoining property, these elements would be minimal and only visible in limited views from the west along Tollington Way.

- 10.21 With the exception of the faux stucco projection, the front elevation building line of the proposal would align with the main front elevation building line of the terraced row that would be set 1 metre to the west of the proposed building. The projecting faux stucco element would reference the repeated ground floor bay windows and in some cases projecting stucco elements that are prevalent along Tollington Way and would also reference both the historic and modern examples of ground floor stucco on the immediately neighbouring properties.
- 10.22 The repeated fenestration design, deep window reveals, employment of recessed balconies and the use of complimentary light bronze aluminium for the window frames and metal cladding would add depth and articulate the frontages onto Tollington Way and Bryett Road.
- 10.23 The southern and western elevations of the building would be visible from Bryett Road, Ingleby Road and Freeman Court, and although secondary elevations, it is important that these elevations are detailed to a high standard. The southern and western elevations that face onto the proposed rear gardens at the site would include the same quality materials as the elevations fronting the highways and have regular window openings and projecting planters to articulate the façade. The most southern elevation, while predominally facing brickwork, would include recessed brickwork and window openings to articulate the façade. The images below detail these elevations:

Bryett Road elevation:



Rear elevation:



- 10.24 Notwithstanding the above, the projecting balustrade at roof level would detract from the quality of the design and appear prominent in views of the building. As such, a condition (4) is attached requiring this element to be omitted from the scheme.
- 10.25 The proposal would introduce a building of a good quality design with an appropriate scale and which successfully references the surrounding context. The overall quality of materials and

finishes is considered to be key to the success of the proposal. A condition (3) is attached with regard to window reveals and materials to ensure that a development of an appropriate high quality would be delivered. The proposal is therefore in accordance with Policies CS7 and CS9 of the Core Strategy (2011) and DM2.1, DM2.2, DM2.3 and DM2.5 of the Development Management Policies (2013).

Density

- 10.26 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The development proposes a total of 15 new residential dwellings comprised of 43 habitable rooms (hr).
- 10.27 Density is expressed as habitable rooms per hectare (hr/ha) and is calculated by dividing the total number of habitable rooms by the gross site area. The site covers an area of approximately 0.0703 hectares.
- 10.28 In assessing density it is necessary to consider that the London Plan policy notes that it would not be appropriate to apply these limits mechanically with local context and other considerations to be taken into account when considering the acceptability of a specific proposal.
- 10.29 The site has a public transport accessibility level (PTAL) of 3 (Moderate). In terms of the character of the area, this would be defined as Urban by the London Plan. The London Plan for areas of this PTAL rating identifies the suggested residential density range of 200-450 hr/ha or 70-170 u/ha.
- 10.30 The proposed development has a residential density of 611.6 hr/ha and 213 u/ha, both of which are above the density range of the London Plan policy.
- 10.31 As has been detailed above, the scale of the development is considered to be in keeping with the local context in terms of scale and character. Furthermore, the proposal would provide high quality accommodation, private amenity space above the minimum standards to each unit and a significant proportion of affordable housing. It is considered that the benefits of the proposal, together with the good accessibility level of the site, proximity to local services at Archway and Finsbury Park and the good quality of the accommodation provided would ensure compliance with London Plan policy 3.4 and paragraph 1.3.41 of the London Housing SPG (2012) and the slightly higher density of development on the site is not unduly harmful to the surrounding area nor the overall quality of development.

Accessibility

- 10.32 As a result of the changes introduced in the Deregulation Bill (Royal Assent 26th March 2015), Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor local wheelchair housing standards.

A new National Standard

- 10.33 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning must check compliance and condition the requirements. If they are not conditioned, Building Control will only enforce Category 1 standards which are far inferior to anything applied in Islington for 25 years.
- 10.34 Planners are only permitted to require (by condition) that housing be built to Category 2 and or 3 if they can evidence a local need for such housing i.e. housing that is accessible and

adaptable. The GLA by way of Minor Alterations to the London Plan 2015, has reframed LPP 3.8 Housing Choice to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London. In this regard, as part of this assessment, these emerging revised London Plan policies are given significant weight and inform the approach below.

Accessibility Assessment:

- 10.35 The proposal provides 2 wheelchair accessible units (Category 3) amounting to 11.6% of the total number provided as measured by habitable rooms, which is in accordance with policy requirements. These units would be served by two on-street accessible parking bays to be secured in the Directors' Agreement and safe drop-off points have been identified to the front of the site on Tollington Way. All of the remaining units would meet Category 2 requirements and this is secured by condition (12).
- 10.36 The plans detail the provision of a mobility scooter store/charging point next to the entrance from Bryett Road which provides sufficient space for the storage of a standard sized mobility scooter and has detailed a potential future location of a mobility store on the Tollington Way elevation should this be required.

Landscaping, Trees and Biodiversity

- 10.37 Policy DM6.5 states that development should protect, contribute to and enhance the landscape, biodiversity and growing conditions of the development site and surrounding areas, which expands on the aims of Core Strategy Policy CS15. Developments are required to maximise provision of soft landscaping, including trees, shrubs and other vegetation. The proposal includes extensive landscaping works across the entire estate and the provision of new amenity space.
- 10.38 The site currently has a play area to the rear and two raised planters fronting Tollington Way. The existing private open space is of limited amenity and biodiversity value and the proposal would introduce well considered and proportioned landscaped areas, including three large rear gardens, two garden areas fronting Tollington Way, planting across the site and a relatively open area to the rear, separating the site from the boundary. A condition (6) is recommended requiring full details of the landscaping to be submitted to ensure a satisfactory standard of visual amenity is provided and maintained.
- 10.39 The site currently includes two mature trees within the rear of the site, while there is also a tree and a tree grouping beyond the southern site boundary and a street tree set to the north of the site. The proposal would result in the loss of a self-set mature Sycamore Tree (T2) to the south of the site, that although displaying some form defects, is of moderate amenity value (Category B of British Standard BS 5837:2012 '*Trees in relation to design, demolition and construction*').
- 10.40 The submitted landscape plan details the planting of five medium sized trees, two fronting onto Tollington Way and three within the proposed rear gardens. Although the loss of the sycamore tree is regrettable, the retained trees to the south of the site would maintain a good level of amenity to this part of the site, while the additional tree planting is considered to be sufficient mitigation. The proposed trees to be planted are secured by condition (6).
- 10.41 A condition (10) is recommended requiring the submission of an Arboricultural Method Statement that would provide adequate protection for the tree to be retained on site and those surrounding the site as well as a proposal to secure site supervision of works (condition 11).

Furthermore, a condition is recommended requiring the submission of details of bird and/or bat nesting boxes.

Neighbouring Amenity

- 10.42 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. Policy DM2.1 of the Development Management Policies Document 2013 states that satisfactory consideration must be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.
- 10.43 Overlooking/Privacy: policy identifies that ‘to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy’. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm.
- 10.44 With regard to scale, the main bulk of the proposal would be adjacent to the blank side elevations of the properties to the east and west, and would be of a comparable scale. Whilst it would introduce a four storey projection to the south; to the east the building would front a highway and to the west it would be set back from the neighbouring boundary, such that it would not be overbearing to neighbouring occupiers. Notwithstanding this, the part three and four storey height of the building would be clearly visible from the rear gardens of the properties to the west. However, the closest properties to the east have modest size gardens, would be set across the highway from the proposed development and would retain a relatively open aspect to the south. Furthermore, these gardens are currently overlooked from the adjoining properties.
- 10.45 To the north and east the windows in the proposal would face over a highway and therefore would not result in unacceptable overlooking. The south elevation includes three windows and while these would face back towards the properties at Ingleby Road, these windows are secondary windows and are conditioned (5) to be obscurely glazed to ensure there would not be any unacceptable overlooking. Although the proposal would introduce west facing windows facing back towards the rear gardens of the properties to the west, the primary outlook would be over a parking area, the views towards the rear elevations of these properties would be at oblique angles, the gardens of these properties are currently overlooked from the properties on the south side of Freeman Court and the proposed windows are detailed to be set back over 6.5 metres from the site boundary. As such, it is considered that the proposal would not result in unacceptable overlooking to the neighbouring occupiers.
- 10.46 Noise and Disturbance: A nursery use has associated noise and disturbance from the dropping off and collection of children, together with noise from the outdoor play area. The proposal would introduce a residential use to the site, which in comparison would be likely to have less noise disturbance than a nursery use. Notwithstanding this, the area is predominantly residential and therefore the proposed use would be in keeping with the established local character.
- 10.47 Daylight and Sunlight: The application has been submitted with a sunlight and daylight assessment. The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to policy DM2.1 identifies that the BRE ‘provides guidance on sunlight layout planning to achieve good sun lighting and day lighting’.

10.48 Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

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

And

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

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

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

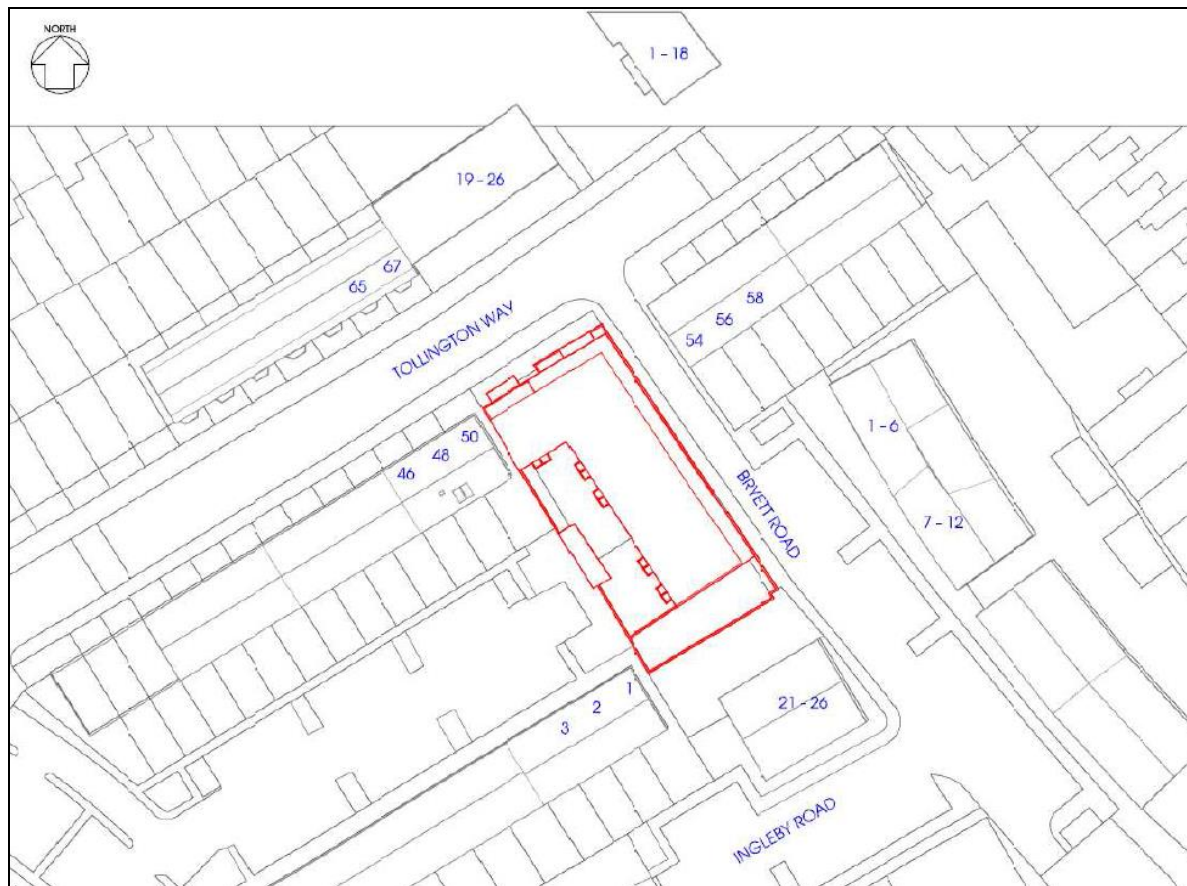
In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.

10.50 Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines, the document though emphasizes that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

Sunlight and Daylight Losses for Affected Properties Analysis

10.51 Residential dwellings at the following properties listed and detailed on the map below have been considered for the purposes of sunlight and daylight impacts as a result of the proposed development:

- 46 - 50 (even), 54 - 58 (even) and 65 - 67 (odd) Tollington Way;
- 19 - 26 Shaw Court;
- 1 - 3 Freeman Court;
- 1 - 12 Bryett Road; and
- 21 - 26 Ingleby Road.



- 10.52 46 - 50 (even), 54 - 58 (even) and 65 - 67 (odd) Tollington Way: The Daylight Sunlight Report demonstrates that although there would be reductions in VSC these would all be within BRE Guidelines (i.e. receiving greater than 27% VSC or with a loss of less than 20% their former value). With regard to Daylight Distribution, the assessment details that there would be almost no loss at all in NSL, with four windows experiencing losses of 0.1 – 0.4%. While there would be reductions in sunlight to some windows/properties, these would be within acceptable levels, i.e. less than 20%.
- 10.53 19 - 26 Shaw Court: The submitted assessment details that although there would be losses in daylight and sunlight these would all be within the BRE Guidelines.
- 10.54 1 - 3 Freeman Court: The relevant windows in Freeman Court are not within 90 degrees of due south and therefore do not require testing for levels of sunlight. Although the BRE assessment details that there would be losses in VSC and NSL these would be within the BRE Guidelines.
- 10.55 1 - 12 Bryett Road: The Daylight Sunlight Report details that, with the exception of one window, the windows at these properties would all be within BRE Guidelines. While a ground floor window serving a habitable room would have a reduction in VSC of 20.91% and two ground floor rooms would have losses to NSL of 22% and 26.7% respectively, reductions in VSC and NSL of this degree in this context are considered to be a lesser/minor infringement and while noticeable, would not be unduly harmful. Although there would be reductions in sunlight to some windows/properties, these would be within the BRE Guidelines.
- 10.56 21 - 26 Ingleby Road: The relevant windows in Ingleby Road do not face within 90 degrees of due south and therefore do not require testing for levels of sunlight. The Daylight Sunlight Report details that, with the exception of three windows that would have reductions in VSC in excess of 20%, while there would be reductions for other windows/rooms in VSC and NSL these would all be within BRE Guidelines. Three north facing ground floor windows would experience a reduction in VSC of 23.91%, 25.92% and 24.51% respectively. However, one of

these openings is formed of large glazed doors and the resulting NSL (daylight within the rooms these windows serve) would comply with BRE and the losses are not considered excessive.

- 10.57 Taking into account the points set out above it is considered that the impact upon these properties can be accepted.
- 10.58 Overshadowing The BRE guidelines state that to appear adequately sunlit throughout the year at least half of an amenity space should receive at least 2 hours of sunlight on 21st March (the spring equinox, when day and night are roughly the same length of time). The Daylight/Sunlight and Overshadowing Report submitted details that the existing and proposed amenity spaces would receive sufficient daylight in accordance with the BRE Guidelines.

Quality of Resulting Residential Accommodation

- 10.59 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life, the residential space and design standards will be significantly increased from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing standards.
- 10.60 Unit Sizes: All of the proposed residential units comply with the minimum unit sizes as expressed within this policy.
- 10.61 Aspect and outlook: All of the proposed units would have a dual aspect as required by Policy DM3.4. Although three ground floor bedroom windows (at Flat 2 and 9) would have an outlook into recessed amenity spaces, due to their ground floor location fronting onto a pavement this would ensure a greater level of privacy to the occupiers from street level views. Furthermore, the amenity space would also provide defensible space and an outlook that is comparable to a lightwell, which is considered to be acceptable.
- 10.62 Daylight: Policy DM3.4 requires all residential development to maximise natural light enabling direct sunlight to enter the main habitable rooms for a reasonable period of the day. The BRE Guidelines detail the level of light rooms should receive through the assessment of Vertical Sky Component (VSC) and Average Daylight Factor (ADF), as well as sunlight (APSH).
- 10.63 There are a number of windows (25), particularly at ground and first floor level that would fail the BRE Guidelines for VSC. The majority of these windows are either set within recessed balconies and/or form secondary windows to the rooms they serve. Notwithstanding this, although VSC models the extent of daylight received at the centre point of a window, it does not take into account window size, room layout or room size. The ADF test inputs these variables to provide a more representative model of actual daylight received within a defined space. Of the 25 rooms that would fail the BRE Guidelines for VSC, 23 of these would exceed the minimum ADF requirements.
- 10.64 The two rooms that fall below BRE Guidelines for both VSC and ADF have windows facing onto recessed balcony areas on the east elevation of the proposed building and serve bedrooms, one at ground floor level and one at first floor level. The BRE Guidelines details that living rooms and kitchens need more daylight than bedrooms and suggests locating these rooms in the areas with most daylight. While the two bedrooms fall marginally below the BRE Guidelines for ADF, however applying the Daylight Distribution test, these rooms would both have high levels of daylight (reaching 89.5% and 67.4% of the working plane within the respective rooms)
- 10.65 Furthermore, as set out in paragraph 10.61 the recessed balcony areas have been specifically designed to protect the privacy of the occupiers and provide adequate defensible space and amenity space. Additionally, the balcony opening sizes have been designed to match the

openings of the upper floor windows/balconies, and were larger openings be introduced this would compromise both the design and privacy of the affected ground floor rooms.

- 10.66 With regard to sunlight, with the exception of one room, all of the proposed rooms would receive adequate levels of sunlight. While a ground floor living room/kitchen/dining room would fall marginally below the Winter Probable Sunlight Hours it would exceed the minimum Annual Probable Sunlight Houses test. However, this room would have a dual outlook, three windows and a high level of ADF.
- 10.67 Taking into account the points set out above it is considered that the proposed residential units would provide for acceptable levels of amenity for future occupiers.
- 10.68 Amenity Space: Policy DM3.5 of the Development Management Policies identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'. The minimum requirement for private outdoor space is 5 square metres on upper floors and 15 square metres on ground floor for 1-2 person dwellings. For each additional occupant, an extra 1 square metre is required on upper floors and 5 square metres on ground floor level with a minimum of 30 square metres for family housing (defined as 3 bed units and above). Each of the units would exceed the minimum requirements for private amenity space.
- 10.69 Overlooking/Privacy: A ground floor window in Flat 2 would face and open directly onto the rear garden area serving Flat 1 and at first and second floor level a window in a similar position would face onto the proposed balconies serving Flats 3 and 5. However, these windows serve bathrooms and as such a condition (5) is recommended requiring these windows to be obscurely glazed and fixed shut.
- 10.70 While the first and second floor balconies would have some views back towards the west elevation of the proposal, views towards windows would be at oblique angles and would not result in unacceptable overlooking.
- 10.71 Ground floor windows would have appropriate defensible space and/or would be positioned to restrict views from street level.
- 10.72 Noise: A condition (9) is recommended requiring all residential units to include sufficient sound insulation to meet British Standards and a condition (20) is recommended regarding plant noise.
- 10.73 Refuse: A shared dedicated refuse and recycling store would be provided on Bryett Road.
- 10.74 Play Space: The proposal would result in a child yield of approximately 9, which requires 45 square metres of play space to be provided based on Islington's requirement of 5 square metres per child (including semi-private outdoor space, private outdoor space and gardens suitable for play). All of the units would allow sufficient private areas for child play space, with all amenity areas measuring over 5 square metres and the family unit having a large rear garden.

Dwelling Mix

10.75 The scheme proposes a total of 15 residential units with an overall mix comprised of:

Dwelling Type	Social Rent (No. units / %)	Policy DM3.1 Target Mix	Private (No. units / %)	Policy DM3.1 Target Mix
One Bedroom	1 / 12.5%	0%	2 / 28.6%	10%
Two Bedroom	6 / 75%	20%	5 / 71.4%	75%
Three Bedroom	1 / 12.5%	30%	0 / 0 %	15%
Four Bedroom or more	0 / 0%	50%	0 / 0%	0%
TOTAL	8	100%	7	100%

- 10.76 Part E of policy CS12 of the Islington Core Strategy requires a range of unit sizes within each housing proposal to meet the needs in the borough, including maximising the proportion of family accommodation in both affordable and market housing. In the consideration of housing mix, regard has to be given to the constraints and locality of the site and the characteristics of the development as identified in policy DM3.1 of the Development Management Policies.
- 10.77 The social rent dwelling mix, when compared to the target social rent dwelling mix departs in as much as an over provision of 1 and 2 bedroom units and an under provision of large family units. The private dwelling mix has an over provision of 1 bedroom units, a generally acceptable level of 2 bedroom units and no family units.
- 10.78 Although, the proposal includes the provision of only one family unit, regard has to be given to the constraints of the site and characteristics of the development. At upper floor level the provision of family units would be restricted by the available space and design implications of providing adequately sized amenity space. Furthermore, the provision of upper floor wheelchair accessible units is restricted by the requirement to provide two lifts to each core. Subsequently the proposed family units and wheelchair accessible units have been located at ground floor level. These characteristics, together with the layout of the development and the requirement for private amenity space provisions restricts the area available for the provision of larger family units. As such, the characteristics of the development and site constraints restrict the provision of family units.
- 10.79 The supporting text of Development Management policy DM3.1 relates to the objectives of Core Strategy Policy CS12, stating *'there may be proposals for affordable housing schemes that are being developed to address short term changes in need/demand as a result of specific interventions (for example, efforts to reduce under-occupation). In these situations deviation from the required policy housing size mix may be acceptable. In such cases registered providers will need to satisfy the council that the proposed housing size mix will address a specific affordable housing need/demand and result in an overall improvement in the utilisation of affordable housing units in Islington'*.

- 10.80 Since the adoption of policy DM3.1, which was informed by Islington's *Local Housing Needs Assessment* (2008) changes to housing legislation (the Welfare Reform Act 2012) to address the under occupation of social housing have created a greater demand for smaller social housing units. This is reflected by the higher proportion of 1 and 2 bedroom units proposed that will allow for mobility within the social housing sector to accommodate these national changes to the welfare system. The provision of smaller units will allow for mobility within the borough which would help to address under occupation.
- 10.81 For the reasons set out above it is considered that on balance the proposed dwelling mix is acceptable in this case.

Affordable Housing and Financial Viability

- 10.82 The London Plan, under policy 3.11 identifies that boroughs within their LDF preparation should set an overall target for the amount of affordable housing provision needed over the plan period in their area and separate targets for social rented and intermediate housing and reflect the strategic priority accorded to the provision of affordable family housing. Point f) of this policy identifies that in setting affordable housing targets, the borough should take account of *"the viability of future development taking into account future resources as far as possible."*
- 10.83 Policy CS12 of the Islington Core Strategy sets out the policy approach to affordable housing. Policy CS12G establishes that *"50% of additional housing to be built in the borough over the plan period should be affordable and that provision of affordable housing will be sought through sources such as 100% affordable housing scheme by Registered Social Landlords and building affordable housing on Council own land."* With an understanding of the financial matters that in part underpin development, the policy states that the Council will seek the *"maximum reasonable amount of affordable housing, especially social rented housing, taking into account the overall borough wide strategic target. It is expected that many sites will deliver at least 50% of units as affordable subject to a financial viability assessment the availability of public subsidy and individual circumstances on the site."*
- 10.84 Policy CS12 confirms that an affordable housing tenure split of 70% social rent housing and 30% intermediate housing should be provided.
- 10.85 LB Islington Housing New Build Programme: The proposal forms part of a wider LB Islington Housing New Build programme to provide affordable housing to meet identified needs within the borough. The current programme includes investigation and progression of some 33 sites across the borough at various stages of progress (including on-site, pre-contract, pre-planning & feasibility/design) with the aim of delivering 500 new affordable social rented units within the borough by 2019. The programme factors in Right to Buy receipts, S106 funding, GLA grant and recycles returns from the sale of private sale units back into the programme. This then informs the amount of Housing Revenue Account (HRA) subsidy required to balance the financing of the programme. In the case of Major schemes (those proposing over 10 residential units) these often require significant HRA subsidy to address the shortfall between any revenues generated by the development through the sale of private tenure units (which are reinvested into the programme) and the costs of providing it. However, the wider programme currently enables Minor schemes (those proposing less than 10 residential units) to provide 100% affordable housing. All Major proposals forming part of the programme achieve an affordable housing level of over 50%, which together with the Minor schemes in the programme helps to deliver the Planning Policy target of 50% of additional housing within the borough being affordable, through Council New Build schemes.
- 10.86 This scheme forms the first proposal by Islington Housing and Regeneration Team where land has been purchased from the open market for the purposes of redevelopment to provide affordable housing.

- 10.87 The Affordable Housing Offer: The proposed development would provide a total of 15 residential units (both for private sale and affordable housing). Of the 15 units (43 habitable rooms, hr), 8 of these units (24 hr) would comprise affordable housing (social rent tenure). The scheme provides 53.3% affordable housing if measured by units and 55.8% affordable housing by habitable rooms.
- 10.88 Within affordable housing provision there is a policy requirement for 70% of provision to be social rent and 30% as intermediate/shared ownership. Although the proposal does not include any intermediate housing, a higher percentage provision of social rent tenure is not considered to be of concern given the identified significant housing needs for this type of accommodation and the emphasis of the policy for the provision of social rented housing. Additionally there remain affordability concerns with respect of shared ownership tenures. The Council will have 100% nomination rights in perpetuity on the proposed Social Rented units and these will be let through the local lettings policy.
- 10.89 The proposal fails to provide 100% affordable housing as sought by policy CS12 for developments on Council's own land. The proposed mix includes private housing to financially support the delivery of the affordable housing element, and cover some of the costs of purchasing the land.
- 10.90 Viability Review: In accordance with policy requirements, a financial viability assessment has been submitted with the application to justify the proportion of affordable housing offered. In order to properly and thoroughly assess the financial viability assessment, the documents were passed to an independent assessor (BPS) to scrutinise and review (Appendix 3).
- 10.91 The applicant's Viability Assessment identified that the development as proposed is unviable in a purely commercial sense as it still requires an amount of public subsidy to address the shortfall between the revenues generated by the development and the costs of providing it. While the BPS Report notes that the applicant's benchmark land value, based on residential value (assuming a compliant development) was broadly in keeping with expectations, the price paid for the site by the applicant was in excess of this, which could impact upon the delivery of affordable housing. However, allowing that a commercial developer would need to provide for a profit and financial charges within a standard viability assessment, which the Housing new Build Team as applicant does not, the sale price can be considered to be acceptable in this case.
- 10.92 BPS has considered the viability information submitted, carried out their own research and costing analysis and while the figures differ from those in the applicant's submission BPS have advised that the scheme would be unviable without a publicly subsidy. The BPS Report is attached at Appendix 3.
- 10.93 In conclusion it is apparent that in a typical commercial sense, the proposed scheme and level of affordable housing is unviable. However the applicant, LBI Housing is not a commercial developer and in line with Council corporate objectives, is primarily seeking to deliver affordable housing.
- 10.94 Though Core Strategy Policy CS12 seeks 100% affordable housing schemes from development on Council land, it is not considered that a failure to provide 100% affordable housing on Council owned land is contrary to that policy where it is shown that considerable public subsidy is required to support the lower provision. In this case, it is not considered that it would be reasonable to require (in planning terms) an additional amount of public subsidy/grant funding to be committed to this scheme to provide a 100% affordable scheme.
- 10.95 The offer of 53.3% affordable (social rent) housing (by units) is considered to deliver good quality homes, a good mix of tenures and as it is supported by a financial viability assessment is considered the maximum reasonable amount of affordable housing deliverable within this

scheme and thus is considered to accord with policy. This provision is secured with a Directors Level Agreement.

Sustainability Energy Efficiency and Renewable Energy

- 10.96 The London Plan (2015) Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 10.97 All development is required to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). Developments should achieve a total (regulated and unregulated) CO₂ emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically all remaining CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock (CS10).
- 10.98 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.
- 10.99 Carbon Emissions: The applicant proposes a reduction in total CO₂ emissions of 20.93%, compared to a 2013 Building Regulations baseline. While this falls below the policy target reduction of 27%, the Council's Energy Officer has considered the overall strategy for the site and considers this to be the highest achievable reduction at the site. Notwithstanding this, the development does exceed the London Plan policy requirement of 35% reduction on regulated emissions, which is supported. In order to mitigate against the remaining carbon dioxide emissions generated by the development a financial contribution of £29, 799 will be secured in the Directors' Agreement.
- 10.100 Efficiency: The proposal would include high performance building fabric, appropriate air tightness and 100% energy efficient lighting. This would result in highly efficient and well-insulated buildings.
- 10.101 Heating and CHP: Policy DM7.3 of the Development Management Policies document identifies that major development should connect to a Shared Heating Network linking neighbouring development and existing buildings, unless it can be demonstrated that this is not reasonably possible. There is no network within 500 metres of the site and there are no opportunities for a shared network in the vicinity. In such cases, policy 5.6 of the London Plan and Islington's Environmental Design SPD set out that a site wide CHP should be provided, or where not feasible then a communal heating (and cooling where relevant) system should be installed.
- 10.102 The base load heat demand (primarily water heating) is very low for the site and as such the provision of CHP is not feasible. The submitted Energy Statement details that due to

insufficient space for a boiler room, the installation of a communal heating system is also not feasible. However, the applicant has also submitted a strategy for how the site and/or proposed individual systems may be future-proofed for connection to a shared network. This has been assessed by the Council's Energy Conservation Officer and is considered to be acceptable in this case. Condition 19 secures the implementation of the proposal, inclusive of this future proofed design, in accordance with the submitted Energy Strategy.

- 10.103 Renewables: The proposal includes the provision of a solar photovoltaic panel array on the roof of the development with a total capacity of 15.75kWp. This is supported as it maximises the potential of a green sustainable form of energy and is secured by condition 19.
- 10.104 Overheating and Cooling: The energy strategy and overheating analysis do not propose artificial cooling for the flats, and this approach is supported. The overheating modelling and cooling hierarchy is acceptable.
- 10.105 Sustainability: The proposed dwellings are detailed to be equivalent to the former Code for Sustainable Homes Level 4, which is in accordance with policy.
- 10.106 Green Performance Plan: This is secured by the Directors' Agreement.
- 10.107 Sustainable Urban Drainage: The SUDS strategy has been reviewed and accepted by the Lead Local Flood Authority subject to maintenance details being approved. The details are secured by condition (Condition 18) and the responsibility of maintenance placed on the applicant, in this case Islington Housing.
- 10.108 Green Roofs and Water Usage: The proposal includes an extensive biodiverse green roof, which is secured by condition 17. The water usage of the proposal is secured by condition 16.
- 10.109 The energy and sustainability measures proposed are, on balance, considered to be acceptable, and accord with London Plan and Islington Policies.

Highways and Transportation

- 10.110 The site has a Public Transport Accessibility Level (PTAL) of 3, which is 'Moderate'. The site is located in close vicinity to a number of bus routes and Upper Holloway Overground Station.
- 10.111 Public Transport Implications: Although currently vacant, the previous use of the site as a nursery would have resulted in high numbers of people coming to and leaving the site at peak times. The proposal would be likely to result in additional demands on transport infrastructure in terms of the introduction of residential occupiers and their visitors relative to the existing situation. However, due to the moderate level of accessibility at the site and the provision of cycle parking, the proposal would not detrimentally impact upon the surrounding transport infrastructure. A Travel Plan is secured in the Directors' Agreement.
- 10.112 Vehicle Parking: The site does not currently include any parking and no parking is proposed within the site as part of the application. Residential occupiers of the new units would not be eligible to attain on-street car parking permits for the surrounding Controlled Parking Zone (CPZ) in the interests of promoting the use of more sustainable forms of transport and tackling congestion and overburdened parking infrastructure, this is secured in the Directors' Agreement. The exceptions to this would be where, in accordance with Council parking policy, future persons occupying the residential development are currently living in residential properties within Islington prior to moving into the development and they have previously held a permit for a period of 12 months consecutive to the date of occupation of the new unit. These residents are able to transfer their existing permits to their new homes. Residents who are 'blue badge' (disabled parking permit) will also be able to park in the CPZ.

- 10.113 Notwithstanding this, the application proposes the laying out of two accessible parking bays on Tollington Way serving the two wheelchair accessible units within the proposal. The submitted Transport Statement and Parking Beat Survey Results document detail that the local Controlled Parking Zone (CPZ) and more specifically Tollington Way have spare capacity within the existing number of parking spaces to accommodate these spaces. The Highways Team have considered these spaces and raise no objection subject to a contribution to the cost of providing the bays. This is secured by the Directors' Agreement. The applicant has also detailed two areas directly to the front of the site for safe drop-off/pick-up and while Bryett Road is a private road, it would provide another area for safe drop-off/pick-up.
- 10.114 Delivery and Servicing Arrangements: Currently all servicing and delivery occurs on-street to the front of the site and it is proposed to continue this. While introducing a residential use to the site, this would be less likely to generate as much need for deliveries and servicing as the former nursery use.
- 10.115 Cycle Parking: The proposal would provide 29 cycle parking spaces, inclusive of accessible spaces, in accordance with the requirements of Appendix 6 of the Development Management Policies 2013. The majority of these spaces would be provided across two communal stores within an open area to the south of the site, with three of the ground floor units having cycle stores within their rear gardens. Details of the external bicycle stores are required by condition (13).
- 10.116 Construction: The Directors' Agreement ensures the repair and re-instatement of the footways and highways adjoining the development; and that the development would be constructed in compliance with the Code of Construction Practice and secures a monitoring fee. Condition 7 secures details of the construction methods to minimise disruption to surrounding streets and residential amenity.

Planning Obligations, Community Infrastructure Levy and local finance considerations

Community Infrastructure Levy:

- 10.117 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014. The affordable housing is exempt from CIL payments and the payments would be chargeable on implementation of the private housing.

S106:

- 10.118 This is an application by the Council and the Council is the determining local planning authority on the application. It is not possible legally to bind the applicant via a S106 legal agreement. It has been agreed that as an alternative to this a letter and memorandum of understanding between the proper officer representing the applicant LBI Housing and the proper officer as the Local Planning Authority will be agreed subject to any approval. The agreed heads of terms are set out in Appendix 1 to this report. All of those listed obligations are considered to meet the three tests set out above, including the updated requirements restricting the pool of more than five contributions towards a single project.

National Planning Policy Framework

10.119 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth. The NPPF requires local planning authorities to boost significantly the supply of housing and require good design from new development to achieve good planning.

Other Matters

10.120 A representation has been received regarding the loss of views. Although the loss of a view is not a material planning consideration, all of the surrounding properties would retain acceptable outlook and the proposal would not be overbearing in views from these properties.

10.121 Representations have been received raising concern over the proposal resulting in a wind tunnel along Bryett Road. Due to its modest height, it is unlikely that the proposal would result in a material impact upon the wind flow in the locality or detrimentally impact upon the neighbouring occupiers.

10.122 Representations have been received that raise concern over security following the development. Although the proposed building would visually narrow the opening at Bryett Road, the proposal would help to define this corner and replace a currently vacant building. Furthermore, the activity association with additional dwellings and the perceived and actual outlook from these windows would act as a deterrent to anti-social behaviour.

11 SUMMARY AND CONCLUSION

Summary

11.1 A summary of the proposal and its acceptability is provided at paragraphs 4.1 – 4.8 of this report.

Conclusion

11.2 It is recommended that planning permission be granted subject to conditions and Director Level Agreement securing the heads of terms as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- On-site provision of affordable housing in line with submission documents including a provision of 56% affordable housing (Social Rent) measured by habitable rooms or of 59.7% affordable housing measured by units.
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Removal of eligibility for residents' on-street parking permits.
- Compliance with the Code of Employment and Training
- Facilitation of 1 work placement during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £5000 to be paid to LBI. Developer / contractor to pay wages (must meet national minimum wage). London Borough of Islington Construction Works Team to recruit for and monitor placements.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £1500 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
- A contribution towards the provision of two accessible parking bays on Tollington Way of £7500.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920); Total amount to be confirmed by the Council's Energy Conservation Officer (£29 799).
- Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
- Submission of a draft framework Travel Plan with the planning application, of a draft Travel Plan for Council approval prior to occupation, and of a Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the Directors Agreement and officer's fees for the preparation, monitoring and implementation of the Directors Agreement.

That, should the Director Level Agreement not be completed prior to the expiry of the planning performance agreement the Service Director, Planning and Development / Head of Service – Development Management may refuse the application on the grounds that the proposed development, in the absence of a Directors' Level Agreement is not acceptable in planning terms.

RECOMMENDATION B

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

List of Conditions:

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Planning Statement (ref: LBI-MSE-PS), Design and Access Statement (dated 17th July 2015), Statement of Community Involvement, Sustainable Design and Construction Statement (ref: 84873), Arboricultural Impact Assessment (ref: 02240Rv2), Health Impact Assessment (dated: July 2015), Statement on Safe drop-off point (dated 29th September 2015), Daylight and Sunlight Report (ref: 42245/IM/SJK dated 15th July 2015), additional Daylight and Sunlight Report (ref: 42245/IM/SJK dated 4th September 2015), Internal Daylight Distribution Analysis (dated August 2015), Internal Average Daylight Factor Analysis (dated August 2015), Internal Annual Probable Sunlight Hours (dated 2nd April 2015), 001, 002, 003, 004 Rev 4, 005 Rev C, 006 Rev C, 007 Rev C, 008 Rev C, 009 Rev C, 010 Rev C, 011 Rev A, 012 and 0132 Rev B.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials and Samples (Details)
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work of the relevant phase commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none">a) Sample panels of the facing brickwork, as detailed above, showing the colour, texture, pointing and textural brickwork including the boundary walls shall be provided on site;b) window reveals, soldier courses, balconies and shadow gaps;c) Faux stucco;c) Metal cladding;d) Roof capping;e) Doors;f) Glazing;g) Canopies;h) Balustrades;i) Roofing materials;j) Green procurement plan; andk) Any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	<p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard</p>
4	Balustrade (Details)
	<p>CONDITION: Notwithstanding the plans hereby approved no planning permission is granted for the proposed roof railings.</p> <p>Further details regarding the exact location, finish and method of fixing of any roof railings shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented prior to the first occupation of the residential units of the hereby approved scheme and maintained to the satisfaction of the Local Planning Authority thereafter.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is of a high standard</p>
5	Obscure Glazing (Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, the west facing windows serving the bathrooms in Flat 2, 4, 6 and 7, and the first, second and third floor windows in the south facing elevation closest to Ingleby Road shall only be obscurely glazed and non-opening and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking within the development itself and to protect the future amenity and privacy of residents.</p>
6	Landscaping/Tree Planting/Play Space (Details)
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The landscaping scheme shall include the following details:</p> <p>a) soft plantings: including grass and turf areas, 5 medium sized trees, shrub and herbaceous areas;</p> <p>b) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>c) hard landscaping;</p> <p>d) lighting: including specification of all lamps and light levels/spill; and</p> <p>e) any other landscaping feature(s) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>REASON: In the interests of residential amenity and ecological and biodiversity value.</p>
7	Construction Environmental Management Plan (Details)
	<p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted</p>

	<p>to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In the interests of residential and local amenity, and air quality, in accordance with policies 7.14 and 7.15 of the London Plan 2011, policy CS12 of Islington's Core Strategy 2011, and policy DM2.1 of Islington's Development Management Policies 2013.</p>
8	Site Waste Management Plan (Details)
	<p>CONDITION: Full particulars and details of a Site Waste Management Plan (SWMP) which ensures waste produced from any demolition and construction works is minimised shall be submitted to and approved in writing by the local planning authority before the development hereby permitted is commenced and the development shall not be carried out otherwise than in accordance with the particulars so approved.</p> <p>The SWMP shall identify the volume and type of material to be demolished and or excavated and include an assessment of the feasibility of reuse of any demolition material in the development. The SWMP shall also consider the feasibility of waste and materials transfer to and from the site by water or rail transport wherever that is practicable.</p> <p>REASON: To maximise resource efficiency and minimise the volume of waste produced, in the interest of sustainable development.</p>
9	Sound Insulation (Compliance)
	<p>CONDITION: The residential units hereby approved shall employ sound insulation and noise control measures to achieve the following internal noise targets:</p> <ul style="list-style-type: none"> - Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast) - Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour - Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour <p>The sound insulation and noise control measures shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
10	Tree Protection (Details)
	<p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the appropriate working methods (the arboricultural method statement, AMS) in accordance with British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained prior to the any</p>

	works being carried out which could impact the trees.
11	Site Supervision (Details)
	<p>CONDITION: No works or development shall take place until a scheme of supervision and monitoring for the arboricultural protection measures in accordance with para. 6.3 of British Standard BS5837: 2012 – Trees in Relation to design, demolition and construction – recommendations has been approved in writing by the local planning authority.</p> <p>The scheme of supervision shall be carried out as approved and will be administered by a qualified Arboriculturist instructed by the applicant. This scheme will be appropriate to the scale and duration of the works and will include details of:</p> <p>A: Prior to Commencement:</p> <ul style="list-style-type: none"> a. Induction and personnel awareness of arboricultural matters; b. Identification of individual responsibilities and key personnel; c. Statement of delegated powers; d. Timing and methods of site visiting and record keeping, including updates e. Procedures for dealing with variations and incidents. <p>B: Prior to Completion of Development:</p> <p>This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction.</p> <p>REASON: In the interest of protecting retained and proposed tree health, biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained prior to the any works being carried out which could impact the trees.</p>
12	Accessible Housing (Compliance)
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, 13 of the residential units shall be constructed to meet the requirements of Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2) and 2 units shall be constructed to meet the requirements of Category 3 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Wheelchair user dwellings' M4 (3).</p> <p>A total of 1 x 1-bed and 1 x 2-bed unit shall be provided to Category 3 standards. The 1 bed unit shall be fully fitted out and ready for a wheelchair user at handover and the 2 bed unit shall be adaptable for a wheelchair users at the time of handover.</p> <p>A total of 2 x 1-bed, 10 x 2-bed and 1 x 3-bed units shall be provided to Category 2 standards.</p> <p>Building Regulations Approved Plans and Decision Advice Notice, confirming that these requirements will be achieved, shall be submitted to and approved in writing by Local Planning Authority prior to any superstructure works beginning on site.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to</p>

	meet diverse and changing needs, in accordance with London Plan (FALP) 2015 policy 3.8 (Housing Choice).
13	Cycle stores (Details)
	<p>CONDITION: Details of the external bicycle stores, including plans and elevations, shall be submitted to and approved in writing by the Local Planning Authority. The approved bicycle stores shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking and mobility scooter storage is available and easily accessible on site, to promote sustainable modes of transport and to secure the high quality design of the structures proposed.</p>
14	Refuse Store (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the plans hereby approved shall be provided prior to the first occupation of the relevant part of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
15	Sustainability (Compliance)
	<p>CONDITION: The residential units hereby approved shall achieve the credits detailed in the 'Code for Sustainable Homes Pre-Assessment Report' (Job No. 26456 dated 13th January 2015).</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
16	Water Usage (Compliance)
	<p>CONDITION: The development shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
17	Green Roofs (Details)
	<p>CONDITION: The biodiversity (green/brown) roof(s) shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with the plans hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats, valuable areas for biodiversity and minimise run-off</p>
18	Sustainable Urban Drainage System (Details)

	<p>CONDITION: No development shall take place unless and until a detailed implementation, maintenance and management plan of the approved sustainable drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Those details shall include:</p> <ol style="list-style-type: none"> I. a timetable for its implementation, and II. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. <p>No building(s) hereby approved shall be occupied unless and until the approved sustainable drainage scheme for the site has been installed/completed strictly in accordance with the approved details.</p> <p>The scheme shall thereafter be managed and maintained in accordance with the approved details.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
19	Energy Efficiency – CO2 Reduction (Compliance/Details)
	<p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy (ref: 84873) which shall together provide for no less than a 20.93% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2013 as detailed within the Sustainable Design and Construction Statement shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, the following shall be submitted prior to the commencement of the development:</p> <p>A revised Energy Strategy, which shall provide for no less than a 20.93% onsite total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2013.</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
20	Plant Machinery (Compliance)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014. This shall include noise from any strategy adopted to mitigate poor air quality.</p>

	REASON: To ensure that an appropriate standard of residential accommodation is provided.
21	Nesting Boxes (Details)
	<p>CONDITIONS: Details of bird and bat nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The nesting boxes/bricks shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
22	No Plumbing or Pipes (Compliance/Details)
	<p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
23	Rainwater Butts (Details)
	<p>CONDITION: Details of rainwater butts shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the relevant units.</p> <p>The details as approved shall be brought into use prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: To ensure the sustainable use of water and in accordance with sustainability policy.</p>

List of Informatives:

1	Planning Obligations Agreement
	You are advised that this permission has been granted subject to the completion of a director level agreement to secure agreed planning obligations.
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
4	Car-Free Development
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people, or other exemption under the Council Parking Policy Statement.</p>
5	Working in a Positive and Proactive Way
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
6	Materials
	<p>INFORMATIVE: In addition to compliance with condition 4, materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>

APPENDIX 2: RELEVANT POLICIES

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

National Guidance

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

Development Plan

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

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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

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

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

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

Policy 3.7 Large residential developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.13 Affordable housing thresholds

Policy 3.14 Existing housing

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

CS7 Bunhill and Clerkenwell

Policy CS13 Employment Spaces

Policy CS14 (Retail and Services)

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS15 (Open Space and Green Infrastructure)

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

Infrastructure and Implementation

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage
DM2.5 Landmarks

Housing

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

Shops, cultures and services

DM4.1 Maintaining and promoting small and independent shops
DM4.7 Dispersed shops
DM4.8 Shopfronts
DM4.12 Social and strategic infrastructure and cultural facilities

Health and open space

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

Health and open space

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

Energy and Environmental Standards

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

Transport

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

Infrastructure

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

Designations

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

- Local Cycle Route (Tollington Way)

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

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

London Plan

- Accessible London: Achieving an 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: Independent Viability Appraisal (REDACTED)

52 Tollington Way, London, N7 6QX



Independent Viability Review

Planning application Reference: P2015/2900/FUL

5 November 2015

1.0 INTRODUCTION

1.1 BPS Chartered Surveyors has been instructed by the London Borough of Islington to review a viability assessment of the proposed scheme at 52 Tollington Way submitted by the Council, which is also the developer in this instance. The submission is informed by a report prepared by JLL.

1.2 The proposed scheme comprises:

“Demolition of existing single storey nursery building (D1 use class) and erection of four storey residential (C3 use class) building comprising 15 units (3 x 1 bed, 11 x 2 bed and 1 x 3 bed) with associated landscaping and cycle parking.”

1.3 The site lies just off the Holloway Road and the surrounding area is formed predominately of residential dwellings. The site currently contains a single storey building which has operated as a nursery (D1) since approximately 1991, however, has been unoccupied since November 2013.

1.4 The proposal allows for 8 social rent units which equates to 55.81% affordable housing by habitable rooms. ICS Policy CS12 Part G states that all sites capable of delivering 10 or more units should provide on-site affordable housing. It seeks 50% of all new housing in the borough to be affordable over the specified plan period.

1.5 CS12 sets out the Council's tenure split requirement of 70% social housing and 30% intermediate housing. The applicant is providing 100% of the affordable units as Social Rent which therefore exceeds the target for this tenure.

1.6 Allowing for the proposed delivery of 55.81% affordable housing, the scheme appears to produce a development deficit of circa -£1.76 million. The applicant therefore concludes that no further affordable housing contributions can be made.

1.7 Our review is based primarily on the following submissions:

- Valuation report prepared by JLL, dated September 2015
- Excel valuation prepared by the applicant, undated
- Order of cost estimate prepared by Walker Management Construction Consultants, undated.

In an email dated 30th October 2015, we received:

- Update note prepared by the applicant, dated 29th October 2015
- Revised report prepared by JLL
- Revised Excel valuation prepared by the applicant, undated

- Build cost estimate summary prepared by Walker Management, dated 28th October 2015

- An updated summary of the Councils financial appraisal, dated 29th October 2015.

- 1.8 We have reviewed the relevant information and carried out additional market research in order to reach a view as to whether the proposed scheme delivers the maximum reasonable amount of affordable housing.

2.0 CONCLUSIONS AND RECOMMENDATIONS

- 2.1 Whilst policy CS12 sets a borough wide target for delivery of 50% it is inherent within this target that some sites are assumed capable of delivery in excess of this level. Therefore even though the scheme delivers in excess of 50% it is still relevant to question whether delivery above this level is feasible.

Benchmark Land Value

- 2.2 The valuation model includes a site value figure of £2,080,000 which appears to reflect the price paid by the Council when it acquired the property from NHS Estates in April 2015.

- 2.3 JLL states their opinion that that the exiting use value of the site is £600,000. This figure has been based on one comparable transaction. JLL has also provided estimates of the site's value on a "market value" basis reflecting RICS Guidance Note - Viability in Planning 2012 which assumes residential development potential. On this basis JLL place a value of £1.8m on the site.

- 2.4 We have estimated site value as nursery premises at circa £700,000 without an inclusion of a land owner's premium. However, we are of the view that the subject site has clear development potential so the "market value" approach has some legitimacy in this context provided its calculation reflects the basis set out in the Council's emerging SPG i.e. to reflect compliance with planning policy, other than where site specific factors mitigate against this contingency.

- 2.5 We accept JLL's assessment of market value at £1.8m as it appears to represent the site's realistic development value on a policy compliant basis.

Private Residential Unit Values

- 2.6 On the basis of the evidence provided by JLL and our own market research we are of the view that the proposed two bed units have been valued at a level which is slightly lower than would be indicated by current market transactions. Furthermore, we would also expect to see income from capitalised ground rents chargeable on the private flatted element to be included within scheme revenue.

- 2.7 We have adjusted the two bed unit values and included ground rent revenue within our appraisal. In total, our adjustments increase revenue from private housing by approximately £370,000.

Affordable Residential Unit Values

- 2.8 The social rented units are valued at a total sum of £1,285,200. We have been provided with the rent, cost and cashflow assumptions adopted to reach this figure. We have tested this value by using our own cashflow model using standard assumptions and reflecting the impact of the Chancellors proposed changes to rent

accumulators generating a total value of approximately £1.0 million. We are therefore satisfied the council's figure does not understate this value.

Build Costs

- 2.9 Our Cost Consultant Neil Powling has reviewed the updated build cost information and concludes that the latest costs in both the estimate and the appraisal are reasonable.
- 2.10 No allowance for normal developer profit has been included within the provided financial valuation. In running our own appraisal we have applied market standard profit allowances for the market and social units at 20% and 6% of sales revenue respectively.
- 2.11 No finance cost allowances have been included and this serves to enhance viability. We have calculated land and construction finance costs using industry recognised Argus software.

Conclusions

- 2.12 We have made adjustments to reflect the following:
 - a) JLL's estimate of market value for the site at £1.8m
 - b) Increase in revenue from private housing
 - c) Inclusion of finance costs
 - d) Inclusion of standard developer profit allowances.
- 2.13 Based on our own appraisal including the adjustments outlined above we identify a scheme deficit of circa -£1.6 million which is not dissimilar to the applicants calculation of -£1.76 million. On this basis, we conclude that the scheme cannot provide further affordable housing contributions.

3.0 BENCHMARK LAND VALUE

Viability Benchmarking

- 3.1 Development appraisals work to derive a residual value. This approach can be represented by the simple formula below:
$$\text{Gross Development Value} - \text{Development Costs (Including Developer's Profit)} = \text{Residual Value}$$
- 3.2 The residual value is then compared to a benchmark land value. Existing Use Value (EUV) and Alternative Use Value (AUV) are standard recognised approaches for establishing a land value as they help highlight the apparent differences between the values of the site without the benefit of the consent sought.
- 3.3 The rationale for comparing the scheme residual value with an appropriate benchmark is to identify whether it can generate sufficient money to pay a realistic price for the land whilst providing a normal level of profit for the developer. In the event that the scheme shows a deficit when compared to the benchmark figure the scheme is said to be in deficit and as such would be unlikely to proceed.

- 3.4 In general we prefer EUV as a basis for benchmarking development as this clearly defines the uplift in value generated by the consent sought. We find the Market Value approach as defined by RICS Guidance Viability in Planning 2012 as providing an essentially circular reasoning. The RICS Guidance promotes use of a modified standard definition of “market value” by reference to an assumption that the market values should reflect planning policy and should disregard that which is not within planning policy. In practice we find that consideration of compliance with policy is generally relegated to a minor consideration compared to evidencing market transactions and underbids. On this basis and recognising the essentially competitive land market, if developers are encouraged to believe they will be able to offset a requirement to provide affordable housing by virtue of a higher price paid for land, the use of this benchmark becomes circular and will lead to negligible affordable housing provision.
- 3.5 The NPPF recognises at 173, the need to provide both land owners and developers with a competitive return. This is to encourage land owners to release land for development. This has translated to the widely accepted practice which consists of an EUV benchmark plus a premium (typically in the range of 5-30%). Guidance indicates that the scale of any premium should reflect the circumstances of the land owner. We are of the view that where sites represent an ongoing liability to a land owner and the only means of either ending the liability or maximising site value is through securing a planning consent this should be a relevant factor when considering whether a premium is applicable.
- 3.6 We note that the Council’s emerging Development Viability SPG sets how the council’s approach to each of the relevant methods for benchmarking sites and we have taken this into consideration.

The Benchmark

- 3.7 JLL ascribe an existing use value of £600,000 to the site. We understand that this is based on the lease details of a nearby youth centre which equates to £9.93 sq.ft / £106.76 sq.m. The calculated total rental value has been capitalised at a yield of 7% which is not evidenced.
- 3.8 JLL also offer an estimation of the site’s market value at a figure of £1.8 million on the assumption of a planning consent for the proposed development. However, the applicant has adopted a site acquisition cost of £2,080,000 which reflects the price paid and associated acquisition costs. In running our appraisal we have adopted the figure of £1.8m as the site value.
- 3.9 The application form details that the GIA of the existing nursery measures 324.4 sq.m (3,491.81 sq.ft). Our analysis assumes that this floor area is correct.
- 3.10 In order to establish a general picture of site sales for community space, we have had reference to market evidence. We acknowledge that many of these comparables are some distance from the subject site therefore they should be approached with caution.
- 3.11 The Councils valuation spreadsheet includes the footnote “the market valuation of any proposed D1 use would be calculated based on an 8% yield.” We are of the view that this is a reasonable assumption. We have identified the following market rental evidence:
- Arkansas House, N19 3SZ was let in May 2015 for £35,000 pa for a term of 20 years (£18.66 sq.ft / £201.15 sq.m). Arkansas House is located near to the

junction of Hornsey Rise and Hornsey Lane. The property occupies the ground floor of a residential block and comprises a self-contained ready to occupy day nursery

- 333 High Street, Wood Green, London, N22 8JA was let for £12.90 sq.ft (£139 sq.m). In use as a nursery. Modern building in good condition. In less central location than the application site
- 93 Camberwell Station Road, SE5 9JJ is a three storey building with adjacent car park located in Camberwell. The unit has planning permission for nursery, youth and community space. Total gross internal floor area equals approximately 8,356 sq.ft (776 sq.m) and the annual rent is £100,000 (£12 sq.ft / £129 sq.m)

- 3.12 We have applied the rental amount of £16 sq.ft and capitalised this at a yield of 8% to achieve a freehold value of £700,000. This figure excludes a typical land owner premium.
- 3.13 We have had regard to nursery fee charges for the locality and note these are typically £13,500 per annum based on a single place for 5 days a week 12 months a year. Even allowing for the optimistic assumption that all attendees attend on this basis and that the building could accommodate 50 children we cannot see turnover exceeding £700,000 per annum.
- 3.14 JLL has not provided any analysis or calculations in support of their market value assessments of £1.8m.
- 3.15 Land Registry Deed information confirms that the land was purchased by the Council in March 2015 for £2,000,000. We understand that the NHS chose to seek a price of £2,000,000 based on the advice given by GVA Grimley.
- 3.16 Given that we know the property was purchased from the NHS we can be reasonably certain the property was properly marketed and that the price was a fair reflection of market value at the time, given the duties on the NHS as a public body to secure best consideration from the disposal.
- 3.17 Analysis of land sales evidence is problematic since we are aware that the Council acquired this property expressly for the purpose of this development, therefore it is reasonable to assume the bid at the very least reflected planning policy requirements, albeit tempered by the special circumstances of the Council, specifically:
 - a) There is no reflection of finance charges
 - b) There is no profit requirement
- 3.18 Allowing for the fact that commercial developers would need to provide for both these factors we would expect the sale price of the property to have been below the £2,000,000 bid by the Council had it not been in the market for this property. Therefore JLL's estimate of £1.8m appears to broadly tie in with our expectations, assuming a compliant development. However it is fair to say that there is limited market evidence which helps support this estimate given both the relatively unique nature of the property and the relative scarcity of pure development sites in this locality. We understand that GVA Grimley offered a valuation for the site of between £1,730,000 and £2,000,000.
- 3.19 On the basis of our analysis, we do not dispute the proposed EUV or market valuation.

4.0 PRIVATE UNIT VALUES

- 4.1 The proposed scheme provides 7 private residential units (2x one bed and 5x two bed flats). The applicant has valued the one and two bed units at £425,000 and £525,000 each respectively.
- 4.2 The total income from the proposed private residential units totals £3,475,000 using these figures. The design and access statement notes the GIA of the one bed units as 50.24 sq.m and the average floor area of the private two bed units as 81.84 sq.m.
- 4.3 We understand that the units will not have the benefit of car parking spaces, however, the site is well located for public transport links and is in close proximity to Upper Holloway underground station.
- 4.4 No allowance has been made in the appraisal for the value of capitalised ground rental income from the private units. In undertaking our own appraisal we have allowed for ground rents of £500 per private unit and a yield of 6%. We have deducted purchaser's costs of 5.80% in line with standard market assumptions.
- 4.5 In undertaking our own estimate of unit values we have considered sales evidence of properties sold in the near locality as well as current asking prices.

One Bed

- 4.6 JLL has provided market evidence for one bed sales. A unit at 433 Holloway Road sold for £495,000 and a unit in Devonshire Court sold for £370,000.
- 4.7 We have also had reference to the following advertised information:
- A unit in the Beaux Art Building is advertised for sale for £549,999 (£659 sq.ft / £7,097 sq.m). This is a duplex apartment situated in a Grade II Listed Building. Benefits include a 24 hour porter, on-site gym and communal gardens and roof terraces. Another unit on the 3rd and 4th floors is advertised for £475,000 (£718 sq.ft / £8,636 sq.m). We do not anticipate the subject units to achieve values higher than this
 - A unit on Axminster Road is advertised for £425,000 (£726 sq.ft / £7,820 sq.m). this unit has been refurbished within an art-deco style building
 - A unit on Tufnell Park Road is advertised for £395,000 (£653 sq.ft / £7,020 sq.m). The unit is situated on the third floor of a purpose-built apartment block.
- 4.8 We have compiled the following sales evidence for second hand flats within close proximity of the subject site.

Address	Built	Sale Price +HPI	Sale Date	sq.m (sq.ft)	£sq.m (£sq.ft)	Details
9 Devonshire Court	2002	£383,072	11/14	59 (635)	£6,493 (£603)	1 st floor
8 Compton House	2012	£361,395	12/14	44 (474)	£8,214 (£762)	Good condition with balcony
29 Hollyfield	2012	£371,188	06/15	46 (495)	£8,069 (£762)	Private balcony
9 Hollyfield	2012	£351,730	01/15	46 (495)	£7,646 (£711)	1 st floor unit with balcony

22 School House	2004	£411,316	06/15	58 (624)	£7,092 (£659)	Over two floors in excellent condition
82 Cornwallis Sq.	2000	£362,573	11/14	48 (519)	£7,554 (£699)	2 nd floor, parking & communal gardens
19, 5 Tiltman Place	2009	£425,000	07/15	45 (484)	£9,477 (£881)	Mid-floor flat
6, 6 Tiltman Place	2009	£392,555	04/15	47 (506)	£8,352 (£776)	Ground floor flat
3, Thane Mansions	1990	£428,400	08/15	56.8 (612)	£7,543 (£699)	Refurbished period property
Average		£387,633		50 (538)	£7,827 (£727)	

- 4.9 The table above reflects sales values of second property and we would generally expect to see a premium over these values for new build units. We concede that a valuation of £425,000 per unit is reasonable.

Two Bed

- 4.10 The proposed value of the two bed units is £525,000 each. JLL have provided sales evidence for a single two bed unit. The unit on Tollington Way is described as a Victorian terrace conversion and sold for £499,995 (£876 sq.ft). The remaining evidence provided comprises asking prices.
- 4.11 We have also had regard to the following advertised information:
- A unit on Axminster Road is advertised for £580,000 (£733 sq.ft / £7,902 sq.m). The unit has been refurbished and is situated above retail space. There is also a private terrace area
 - A unit in Manor Gardens is on the market for £550,000 (£769 sq.ft / £8,283 sq.m). This unit is situated on the 1st floor of a modern development and is well presented. Another unit in this complex is advertised for £625,000 (£732 sq.ft / £7,872 sq.m)
 - Empire Square is a modern warehouse development situated just off Holloway Road. A two bed unit with the benefit of a balcony is currently advertised for £520,000 (£611 sq.ft / £6,574 sq.m).
- 4.12 We have compiled the following information for recently sold two bed units within close proximity of the subject site.

Address	Built	Sale Price	Sale Date	sq.m (sq.ft)	£sq.m (£sq.ft)	Details
13 Opera Court	2002	£616,941	10/14	84 (904)	£7,345 (£682)	Converted factory & private balcony
16,7 Tiltman Place	2009	£475,144	04/15	64 (689)	£7,424 (£690)	Ground floor & 2 Roof terraces
43, 7 Tiltman Place	2009	£506,902	01/15	67 (721)	£7,566 (£703)	4 th floor with private balcony
55 Kinver House	2006	£426,717	10/14	62 (667)	£6,882 (£640)	Good specification
14 Rosefield	2012	£481,541	06/15	65 (700)	£7,408 (£688)	1 st floor, Excellent condition & balcony

15, 71F Drayton Park	2008	£534,748	11/14	68 (734)	£7,864 (£728)	2 nd floor, good condition & balcony
11 Travers House	2002	£476,252	11/14	66 (710)	£6,970 (£648)	1 st floor, good condition & balcony
50,13 Hornsey St.	2007	£595,023	03/15	73 (786)	£8,151 (£757)	Large development & balcony
78 Garand Court	2005	£506,621	06/15	72 (775)	£7,036 (£654)	2 nd floor unit in excellent condition
Average		£513,321		69 (743)	£7,433 (£690)	

4.13 JLL suggest that a reasonable range of achievable values for the two bed units is £525,000 - £615,000. Whilst we accept this suggested range, the proposed values in the appraisal have been placed at the bottom end of this spectrum and as such we are of the view that the two bed units have been slightly under valued in light of the additional market evidence.

4.14 In undertaking our own appraisal we have adopted values just under £590,000 per unit as opposed to the adopted £525,000.

Summary

4.15 On the basis of our adjustments of the two bed unit valuations and the addition of ground rent revenue we calculate total revenue from private units of circa £3.8 million.

5.0 SOCIAL UNIT VALUES

5.1 The proposed scheme comprises of 8 social rent units (1x one bed, 6x two bed and 1x three bed flats). The total proposed value of all units is £1,285,000.

5.2 We have compared the proposed rents to LHA figures for the subject location as shown below.

Unit type	Target Rent p.w.	LHA rates	Target rents as % of LHA rates
One bed	£149.40	£260.64	57%
Two bed	£176.36	£302.33	58%
Three bed	£204	£354.46	58%

5.3 We have valued the social rent units based on the target rents and allowed for reasonable cost and fee assumptions using a 30 year cash flow model. We have also allowed for the impact on rental growth arising from the Chancellors statement. Based on a yield of 5% yield, we calculate a value of £1 million. It is likely that the difference between our calculation and that of the applicants is the adopted cost assumptions. We are of the view that the proposed social rent valuations are reasonable on the basis of the provided target rental values.

6.0 BUILD COSTS

- 6.1 Our Cost Consultant Neil Powling has reviewed the order of cost estimate prepared by Walker Management dated 15th April 2015. Neil's original report suggested that the appraisal costs could be reduced by £810,265 mainly because of differences between Walker Management costs and the construction costs in the appraisal. Neil's full preliminary report is set out in Appendix 1.
- 6.2 We have subsequently received additional cost information contained in the Walker Management estimate summary dated 28th October 2015 as well as further justification for the proposed costs. The applicant notes that the updated estimate produced by Walker Management shows a slight saving on costs.
- 6.3 Neil has added the latest Walker Management costs into the updated elemental analysis (appendix 2). The full measured estimate increases confidence in the estimated total. It is also current to 4Q2015 based on a TPI¹ of 274 whereas the original indicative cost plan was April 2015 based on a TPI of 261. Our Cost Consultant concludes that the latest costs in both the estimate and the appraisal are reasonable.
- 6.4 The appraisal includes professional fees of approximately 12% of base build costs. This is a reasonable assumption. Furthermore, proposed sales and marketing fees appear to also be reasonable
- 6.5 The financial appraisal includes an allowance for 'developer profit' however, in this instance the allowance may be reflective of internal costs incurred by the Council. The proposed allowances differ from what we would accept to be standard profit allowances for private developments as shown below.

Unit type	Proposed 'profit'	% of associated revenue	Market norm	Calculated allowance
Private units	£128,430	4%	20%	£758,815
Social rent	£156,481	12%	6%	£100,950

- 6.6 In running our own appraisal we have allowed for industry norm levels of developer profit applying a 20% target on private sales revenue and 6% on revenue arising from the social rent units.
- 6.7 No allowance for construction and land finance has been made in the appraisal. In running our own appraisal we have allowed for standard finance costs at a rate of 7%.

¹ Tender Price Index which is then adjusted by the relevant location for Islington