## PLANNING COMMITTEE REPORT

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

<table>
<thead>
<tr>
<th>PLANNING COMMITTEE</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date:</strong></td>
<td>19th January 2016</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Application number</th>
<th>P2015/3989/FUL</th>
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<tbody>
<tr>
<td>Application type</td>
<td>Full Planning Application</td>
</tr>
<tr>
<td>Ward</td>
<td>Caledonian</td>
</tr>
<tr>
<td>Listed building</td>
<td>No listed building on site. Adjacent to Grade II listed Caledonian Road Methodist Chapel</td>
</tr>
<tr>
<td>Conservation area</td>
<td>No.</td>
</tr>
<tr>
<td>Development Plan Context</td>
<td>Vale Road / Brewery Road Locally Significant Industrial Site</td>
</tr>
<tr>
<td>Licensing Implications</td>
<td>None</td>
</tr>
<tr>
<td>Site Address</td>
<td>423-425, 429-435 [odd] Caledonian Road; 1-11 Balmoral Grove; , 4-6 [even] Brewery Road &amp; Grove House 1 Market Road, London, N1</td>
</tr>
<tr>
<td>Proposal</td>
<td>Demolition of all existing buildings on site to provide a mixed use development within new buildings ranging from 1-10 storeys; providing 252 residential units [use class C3]; flexible employment [use class B1a-c]; flexible retail [use class A1-A3]; and community [use class D1] floorspace; together with the creation of a new central vehicular and pedestrian access route through the site from Market Road to Brewery Road and associated highway works; basement car parking; cycle parking; creation of a new pedestrian access into the site from Caledonian Road; and provision of open space and associated works of hard and soft landscaping.</td>
</tr>
<tr>
<td>Case Officer</td>
<td>Simon Greenwood</td>
</tr>
<tr>
<td>Applicant</td>
<td>London Square [Caledonian Road] Ltd.</td>
</tr>
<tr>
<td>Agent</td>
<td>DP9 Limited - Mr Tim Holtham</td>
</tr>
</tbody>
</table>
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 Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;

3. subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

2. SITE PLAN (site outlined in red)
3. PHOTOS OF SITE/STREET

Photograph 1: Aerial view of Site looking North

Photograph 2: Aerial view of wider Site context looking North

Photograph 3: Aerial view of Site looking West
Photograph 4: Aerial view of wider Site context looking West

Photograph 5: Site 1 - British Transport Police building from the north

Photograph 6: Site 2 – Caledonian Road frontage
Photograph 7: Site 2 - Balmoral Grove entrance on Brewery Road

Photograph 8: Site 2 from Market Road

Photographs 9 & 10: Grade II listed Caledonian Road Methodist Church (left) and locally listed ‘Cally’ public house (right), both which adjoin Site 2.
4. SUMMARY

4.1 The 0.89ha application site comprises 2 sites on the western side of Caledonian Road. Site 1 comprises a three storey office and storage building currently occupied by the British Transport Police. Site 2 comprises several industrial buildings in varying condition which are presently either vacant or occupied for a mixture of workshop, storage, office, training and industrial uses. It is considered that, overall, the existing buildings have a neutral or negative impact in character terms.

4.2 The application proposes the redevelopment of the site to provide 252 residential dwellings including 102 units of affordable housing; 7,672m² (GIA) of employment floorspace (Use Class B1a-c) including affordable workspace; 569m² (GIA) of retail (Use Class A1/A2/A3) floorspace; 62m² (GIA) of community (Use Class D1) floorspace; basement car parking providing a total of 26 spaces; 540 long stay and 34 short stay cycle parking spaces; a publicly accessible route through the site and a double height pedestrian link from Caledonian Road; and hard and soft landscaping.

4.3 The proposal involves the introduction inappropriate uses, including housing, onto a Locally Significant Industrial Site (LSIS), which is designated for Use Class B1(c), B2 and B8 uses only. The proposal therefore represents a departure from Development Plan policy and raises significant concerns in this regard. There are further concerns relating to issues including building heights, loss of light at some nearby residential properties and the impact on trees within Market Road Gardens. However, the proposal will deliver significant benefits in planning terms that can be weighed in its favour, including 252 new dwellings with a substantial proportion (40.5% by units and 44.6% by habitable rooms) of affordable housing; an equivalent quantum of employment floorspace built to modern standards with the potential to support a significantly increased number of jobs and improvements to the character and appearance of the area including through a new area of landscaped public realm.

4.4 The proposal has been the subject of comprehensive pre-application discussions with Officers and, overall, is considered acceptable in design terms subject to conditions securing appropriate materials. The application is this thus considered to be in accordance with London Plan Policy 7.6, Islington Core Strategy Policy CS7 and Islington’s Development Management Policy DM2.1.

4.5 The proposal is not considered to have an unacceptable impact on neighbouring amenity in terms of loss of sunlight, daylight, privacy, air quality or an increased sense of enclosure. An appropriate landscaping scheme can be secured by condition to ensure a high quality public realm.

It is considered that the benefits of the scheme are substantial and, on balance, outweigh the harm resulting from the conflict with Development Plan policy and all other identified harm.
5. **SITE AND SURROUNDING**

5.1 The 0.89ha site lies immediately to the west of Caledonian Road and is split into two parts. The smaller (0.18ha) part of the site (‘Site 1’) is located immediately south of Brewery Road at its junction with Caledonian Road, whilst the larger (0.71ha) part of the site (‘Site 2’) is located immediately north of Brewery Road and extends up to the junction of Market Road and Caledonian Road.

5.2 The sites currently provide approximately 7,600m² (GIA) accommodation within a mixture of employment generating uses. Site 1 comprises a three storey office and storage building which is currently occupied by the British Transport Police.

5.3 Site 2 comprises several industrial buildings in varying condition which are presently either vacant or occupied for a mixture of workshop, storage, office, training and industrial uses. These include the Balmoral Grove estate comprising 7 single storey units arranged around a central courtyard which were erected in the late 1970s for light and general industrial use. Located immediately to the south are 2 three storey buildings fronting Balmoral Grove (4 and 6 Brewery Road) which were constructed at the same time and provide basic office and studio space. 1-9 Market Road is located north of Balmoral Grove and comprises a detached single storey warehouse building with a 2 storey office pod to the front. 431 Caledonian Road is located east of Balmoral Grove fronting Caledonian Road and comprises a basic 3 storey 1970s office building. 433 & 435 Caledonian Road is a single storey industrial/warehouse building with mezzanine floors providing storage and office accommodation with pedestrian access from Caledonian Road and vehicle servicing from Balmoral Grove.

5.4 The present occupancy of the buildings is as follows:

- 1 Balmoral Grove (186m² GIA) – United House Ltd (Warehouse)
- 3 Balmoral Grove (104m² GIA) – Vacant
- 5-7 Balmoral Grove (247m² GIA) – Hertz (Warehouse)
- 6 Balmoral Grove (270m² GIA) – Penhaligan Silverware (Workshop/Office)
- 8 Balmoral Grove (178m² GIA) – Angel Drinking Water (Workshop/Office)
- 9 Balmoral Grove (125m² GIA) – Ace Group (Warehouse)
- 11 Balmoral Grove (125m² GIA) – MCT Car Repair (Warehouse)
- 423-425 Caledonian Road (2444m² GIA) British Transport Police (Office/Warehouse)
- 431 Caledonian Road (575m² GIA) – Taxi Trade (taxi driver training) / Femura Trading (Office)
- 433 Caledonian Road (671m² GIA) – Workspace Co. (Warehouse)
- 435 Caledonian Road (458m² GIA) – Vacant (Warehouse/Office)
- 1-9 Market Road (1652m GIA) – Europcar (Office/Storage)
- 4 Brewery Road (348m² GIA) – Vacant (Warehouse/Office)
- 6 Brewery Road (280m² GIA) – The Voice (Office/Workshop).

5.5 The north east corner of Site 2 adjoins the Grade II listed Caledonian Road Methodist Chapel which was built in 1870 and restored in 1953. The locally listed
‘Cally’ public house also adjoins Site 2 and is located immediately to the north of the junction of Brewery Road and Caledonian Road.

5.6 In the surrounding area, there are commercial buildings within the Brewery Road industrial estate to the west of Site 1 with a two storey parade of retail/residential buildings immediately to the south. Pentonville Prison (Grade II listed) is located to the east on the opposite side of Caledonian Road. Market Road Gardens, a Council owned public open space and designated Site of Importance for Nature Conservation (SINC), is located immediately to the west of Site 2, with Lumpy Hill adventure playground and Islington Tennis Centre beyond. There are residential buildings ranging from 3 to 5 storeys in height on the opposite side of Caledonian Road to the east, including the 5 storey Carrick House which is part of the Grade II listed Caledonian Road Estate. There are recently developed 5-6 storey residential buildings to the north.

5.7 The site does not lie within a Conservation Area, neither is it adjacent to a Conservation Area.

5.8 The Site has a Public Transport Accessibility Level (PTAL) of 6a (Excellent).

6. PROPOSAL (IN DETAIL)

6.1 It is proposed to redevelop the site to provide 252 residential dwellings (Use Class C3) including 102 units of affordable housing; 7,672m² (GIA) of employment floorspace (Use Class B1a-c) including affordable workspace; 569m² (GIA) of retail (Use Class A1/A2/A3) floorspace; 62m² (GIA) of community (Use Class D1) floorspace; basement car parking providing a total of 26 spaces; 540 long stay and 34 short stay cycle parking spaces; a publicly accessible route through the site and a double height pedestrian link from Caledonian Road; and hard and soft landscaping.

6.2 The commercial floorspace within the development would predominantly occupy the ground and mezzanine floors of the development, with the exception of a seven storey office building that is proposed within the south west corner of Site 2, immediately adjacent to the Brewery Road industrial estate. Site 1 would accommodate buildings providing retail and employment floorspace at ground floor level with 59 social rented affordable dwellings above. The upper floors on Site 2 comprise a combination of market and affordable housing, providing a total of 193 units.
6.3 The buildings are arranged and identified as follows:

![Diagram showing key building numbers for Sites 1 and 2]

6.4 The scheme would provide a one way shared surface route through a central courtyard linking Brewery Road and Market Road which would provide access to both the residential and commercial units. Residential accesses to the buildings would be provided on the Caledonian Road, Market Road and Brewery Road frontages of the buildings.

6.5 The proposed buildings would be provided as nine separate parcels featuring different façade treatments for the courtyard facing and street facing aspects and an individual façade treatment for the central residential block.

6.6 The building occupying Site 1 would be arranged in an ‘L’ shape around a courtyard and would step up in height from 5 to 7 storeys on the Caledonian Road frontage and would step down to 6 storeys on the Brewery Road frontage.

6.7 The buildings on Site 2 would be arranged around the perimeter of the site with a centrally located residential block addressing the courtyard and adjoining open space. The Caledonian Road frontage would comprise four separate buildings arranged over 5, 6, 7 and 5 storeys from south to north. There would be two buildings to the south of Market Road on Site 2 arranged over 7 and 8 storeys with two buildings north of Brewery Road arranged over 6 and 7 storeys.

6.8 The central building within Site 2 (Building 8) would be 10 storeys in height and is intended to be the signature element of the development, incorporating a glass rain screen cladding system.

6.9 The overall plan of the buildings to address Caledonian Road are largely rectangular in nature with the central feature residential building (Building 8) of a more irregular form.
6.10 Buildings 1-7 and 9 will be clad in one of three different brick types to reflect the vernacular of the surrounding townscape in this area of Islington. The application of materials will be such as to denote the different elements of the buildings with the heavier elements at ground floor and mezzanine level to reflect the commercial uses, with materials and colours of lighter appearance as the building goes higher. The brickwork reveals further emphasise the change in use throughout the building with increased reveals at the base and an ‘ostriched’ (random bricks pulled forward to provide an ‘ostrich skin’ appearance) brickwork pattern at the top of the building to further lighten its appearance.

6.11 The non-residential floorspace within the development would be provided as follows:

<table>
<thead>
<tr>
<th>Use</th>
<th>GEA (m²)</th>
<th>GIA (m²)</th>
<th>NIA (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment (B1a-c)</td>
<td>7,744</td>
<td>7,278</td>
<td>6,872</td>
</tr>
<tr>
<td>Affordable Workspace (B1a-c)</td>
<td>425</td>
<td>394</td>
<td>394</td>
</tr>
<tr>
<td>Retail (A1/A2/A3)</td>
<td>599</td>
<td>569</td>
<td>558</td>
</tr>
<tr>
<td>Community (D1)</td>
<td>77</td>
<td>62</td>
<td>N/A</td>
</tr>
<tr>
<td>Car Parking / Plant</td>
<td>2,063</td>
<td>1,959</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>10,908</strong></td>
<td><strong>10,262</strong></td>
<td><strong>7,824</strong></td>
</tr>
</tbody>
</table>

6.12 In terms of the commercial accommodation, 7,672m² (GIA) of floorspace will be provided across ground and mezzanine levels, with the exception of a dedicated 7 storey office building located in the south west corner of Site 2 (Building 7). It is proposed the units will be finished to shell and core with services brought into a central point, thus providing flexibility to accommodate a range of uses. The new employment accommodation has been designed to be flexible and offer a variety of unit sizes in order to respond to demand. The units will cater for a variety of business and will be particularly well suited to small and medium start-up businesses looking to serve central London from a cost effective location with good transport links.

6.13 The scheme has been designed to provide active frontages to Caledonian Road with employment units which are well suited to artisan businesses who can utilise workshop space to manufacture products towards the rear of the units and use the front of the unit for an ancillary retail element benefitting from a prominent street frontage. The ground floor retail units within Building 1 have been designed with a floorplate that is flexible and suitable for a number of potential incoming tenants.

6.14 The affordable housing will be delivered and managed by the Registered Provider Family Mosaic. The unit and tenure mix is broken down as follows:
### Unit Size

<table>
<thead>
<tr>
<th></th>
<th>1 Bed</th>
<th>2 Bed</th>
<th>3 Bed</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. Units</td>
<td>43</td>
<td>107</td>
<td>0</td>
<td>150 (59.5%)</td>
</tr>
<tr>
<td>%</td>
<td>28.6%</td>
<td>71.4%</td>
<td>0</td>
<td>100%</td>
</tr>
<tr>
<td>Social Rent</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. Units</td>
<td>2</td>
<td>59</td>
<td>21</td>
<td>82 (32%)</td>
</tr>
<tr>
<td>%</td>
<td>2.4%</td>
<td>72%</td>
<td>25.6%</td>
<td>100%</td>
</tr>
<tr>
<td>Intermediate</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. Units</td>
<td>5</td>
<td>15</td>
<td>0</td>
<td>20 (8%)</td>
</tr>
<tr>
<td>%</td>
<td>25%</td>
<td>75%</td>
<td>0%</td>
<td>100%</td>
</tr>
<tr>
<td>Summary</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Total Affordable</td>
<td>7</td>
<td>74</td>
<td>21</td>
<td>102 (40.5%)</td>
</tr>
<tr>
<td>Total Units</td>
<td>50</td>
<td>181</td>
<td>21</td>
<td>252 (100%)</td>
</tr>
<tr>
<td>%</td>
<td>19.6%</td>
<td>72%</td>
<td>8.4%</td>
<td>100%</td>
</tr>
</tbody>
</table>

The tenure split by habitable rooms is as follows:

<table>
<thead>
<tr>
<th></th>
<th>Habitable Rooms</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private</td>
<td>407</td>
<td>55.4%</td>
</tr>
<tr>
<td>Social Rent</td>
<td>273</td>
<td>37.1%</td>
</tr>
<tr>
<td>Intermediate</td>
<td>55</td>
<td>7.5%</td>
</tr>
<tr>
<td>Total</td>
<td>735</td>
<td>100%</td>
</tr>
</tbody>
</table>

6.15 A single storey community use building directly adjacent the Grade II listed Methodist Chapel fronting Market Road will provide new modern facilities for local community groups, including the Methodist Chapel to use. The building has been designed to abut the west elevation of the existing Chapel without the need to connect into the existing structure (therefore not requiring listed building consent), but also has the ability to form an extension to the existing Chapel building should this be required in the future.

6.16 The Development will be car free with the exception of 26 disabled parking bays located at basement level. The basement car park will be accessed via two vehicle lifts located within the central courtyard.

6.17 Cycle parking will be provided in accordance with Islington’s minimum standards. 540 long stay cycle spaces will be provided with 456 allocated to the residential use and 84 allocated to the employment uses. 34 short stay spaces would be integrated into and around the public realm. Cycle parking for Site 1 will total 117 spaces, located at ground floor level, with 339 spaces at ground floor level for Site 2.

6.18 Private amenity space will be provided in the form of balconies and winter gardens, as well as semi-private communal landscaped terraces, including under 5’s play space, being provided at podium level within both Sites 1 and 2. The landscaped terraces are located either side of Building 8 within Site 2 and to the rear of Building 1 on Site 1. These terraces would feature landscaped gardens and are intended to provide a visual connection with Market Road Gardens immediately to the west.
6.19 The development will incorporate a gas fired combined heat and power unit with additional heating provided by back up boilers. Photovoltaic (PV) panels will provide renewable electricity.

Revision 1

6.20 Amended details were received on 13 November 2015 in response to the Design Review Panel meeting of 30 September 2015 and a further meeting with Officers on 30 October 2015. The amendments involved revisions to the brickwork on the flank walls of buildings 1 and 6, revisions to the design and materiality of the proposed community building and an amended composition featuring 3 different bricks for building 1.

7. RELEVANT HISTORY

7.1 There is a very limited planning history relating to the buildings occupying the sites further to their original construction.

Planning Applications

423 – 425 Caledonian Road

7.2 981966 - Extensions of the existing building at front, rear and roof level to provide a building of five storeys providing a hotel of 81 rooms and 7 hotel suites with ancillary function/conference room, restaurant and two retail units and associated car and coach parking (granted approval February 1999).

1 Market Road

P060747 - Change of use of premises from B1 to flexible use of either B1 or B8 or Timber Merchant yard (sui generis) (granted approval in May 2006).

Pre-application Advice

7.3 The proposal is the result of extensive pre-application discussions with Officers which commenced in January 2013 and have included 7 formal pre-application meetings. The following drawings and photographs illustrate the earliest proposals:
The scheme has evolved significantly in response to feedback and comments from Officers as well as in response to presentations to three Design Review Panels, which are detailed within the following section.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 1323 adjoining and nearby properties at The Drive, Ewe Close, Conistone Way, Bradley Close, Burness Close, Blundell Street, Kerwick Close, Caledonian Road, Lockhart Close, Brewery Road, Market Road, Rydston Close, Mackenzie Road, Armour Close, Wellington Mews, Roman Way, Sutterton Street, Sophia Close, Yoke Close and Balmoral Grove on 29 September 2015. A site notice and a press advert were displayed on 1 October 2015. A further consultation exercise was carried out on 3 December 2015 publicising the application as a departure from the development plan with respect to Policy DM5.3. The public consultation of the application therefore expired on 22 October 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 12 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):

Objections
- Excessive height, in the particular highest building on Caledonian Road frontage and the 11 storey building to the rear (paragraphs 11.43-11.48)
- Overdevelopment / excessive density (paragraphs 11.63-11.67)
- Out of character, in particular as the surrounding area predominantly comprises lower height buildings (paragraphs 11.39-11.62)
- Design of buildings is somewhat formulaic (paragraphs 11.39-11.62)
- Buildings fronting Caledonian Road will not be set back as they are presently (paragraph 11.42)
- Increased pressure on local infrastructure and services, in particular GP services, buses and Caledonian Road Underground Station (paragraphs 8.8, 11.205-11.217, 11.220)
• Loss of light, visual impact and loss of views at No. 453 Caledonian Road (Flats 15 and 17) (paragraphs 11.118-11.119)
• Loss of light, loss of outlook, overbearing visual impact and increased sense of enclosure at Carrick House (paragraphs 11.125-11.128)
• Loss of privacy at Carrick House (paragraphs 11.141-11.142)
• Increased traffic (paragraphs 8.8, 11.205-11.217)
• Area does not need more retail units – there are retail units in the locality that have been vacant for 7-8 years (paragraphs 11.32-11.37)
• Increased noise as a result of tunnelling effect from buildings on Caledonian Road (paragraphs 11.153-11.154)
• Possible effect on TV / radio signal (paragraphs 11.143-11.144)
• Affordable housing provision may be inadequate / affordable housing may not be affordable to those in need (11.163-11.185)
• Policy framework provides robust protection of the site for redevelopment for B Class use only – Berkmann Wine Cellars has been looking for a site to accommodate a new warehouse – if application is permitted it will undermine the ability of this and neighbouring businesses from growing and remaining in the area (paragraphs 11.2-11.28)
• Residential building on Brewery Road will feature windows to flank walls which will prejudice future development of adjacent industrial estate and compromise employment generation – it should be reduced in height and habitable room windows should be removed on flank elevations (paragraph 11.28)
• Conflict with ongoing 24 hour operation of businesses on industrial estate (paragraphs 11.28)
• Monies should be secured for local area, including Caledonian Park clock tower and railing repair (paragraph 11.220)
• Council should secure high quality materials and high standards of sustainability (paragraphs 11.52-11.58, 11.186-11.201)
• Commercial uses should be properly managed to ensure success (paragraph 11.219).

8.3 A representation has been received from the Play Co-ordinator for the Hayward Adventure Playground and is summarised as follows:

• Hayward Adventure Playground has been providing a unique dynamic space for children and young people with disabilities and special needs to play for over 40 years - it is heavily used and much loved
• Users range from 5-25 years old and include children on the autistic spectrum, those with mild to severe learning difficulties, young people with emotional and behavioural issues as well as a variety of physical disabilities and conditions
• Facility allows children and young people unable to access main stream play facilities with a place where they can play through providing a safe, secure environment with experienced management and staff to provide necessary support
• Residential block will directly overlook the playground resulting in a loss of privacy for the children and young people within the playground whilst there may be complaints from residents, particularly as some users will behave in a
challenging way (e.g. attempting to remove clothes, urinate and defecate outside, throw stones or other objects, etc)

- We are keen to work in partnership to look for creative solutions with positive outcomes for all parties - we would require a wall along the eastern side of the playground to provide a visual and physical barrier between the playground and the lower floors of the main residential block and, potentially, adaptation of the area of the playground east of our building to provide extra cover, such as through a sheltered area or canopy.

8.4 The applicant has held a meeting on-site with the Play Co-ordinator and it has been agreed that off-site mitigation measures to be provided within the playground, including a wall along the eastern side of the playground, would be secured through the Section 106 agreement. The Play Co-ordinator has indicated verbally that this will address their concerns.

8.5 The representations received included 9 representations in support of the scheme which are summarised as follows:

- Scheme will deliver wide range of benefits to the area
- Proposal is well thought out, of high quality design and will undoubtedly improve this section of Caledonian Road
- Positive contribution to Methodist Church
- Scheme proposes space for local art and design and small businesses rather than franchise retail
- Scheme will enhance residential community and support local shops and businesses
- Affordable and start-up commercial units and affordable housing is welcomed
- Higher proportion of shared ownership accommodation should be provided.

**Applicant’s Consultation**

8.6 The applicant has provided details of their consultation exercise within a Statement of Community Involvement which accompanied the planning application. The consultation included a public exhibition which took place on 25 and 27 July 2015 and was attended by around 50 individuals, and the delivery of 1,650 leaflets to local addresses. The Statement details positive responses in relation to job creation, delivery of new homes including affordable housing, and public realm improvements. Whilst there was positive feedback in relation to the design of the buildings, concerns were expressed in relation to their height and potential loss of light and loss of privacy.

**External Consultees**

8.7 Greater London Authority – the application was referable to the Greater London Authority as it falls under the categories 1A.1 (development including the provision of over 150 flats) and 1C(c) (building over 30m high outside of the City of London) of the schedule to the Town and Country Planning (Mayor of London) Order 2008. It should be noted that the applicant has since submitted further information to demonstrate that the proposal does not exceed 30m in height. The Council received
the Mayor of London’s Stage 1 response on 18 November 2015 which is summarised as follows:

**Principle of development**
- Significant increase in job opportunities, retention and improvement to B1 floorspace, provision of housing and improvement to quality of space at the site, align to London Plan policy.
- Introduction of residential uses onto industrial sites and placement of uses will require careful management in amenity terms and appropriately worded conditions will need to be imposed and potentially covenants, so as not to fetter the continued operation of industrial uses.
- Employment Management Strategy should be secured, which sets out unit sizes, how movement between units will be managed for tenants and how servicing/access requirements will be addressed.

**Housing**
- Provision of 252 units would make a 20% contribution towards Islington’s London Plan housing targets and is welcomed in principle.
- Scheme proposes 40.5% affordable housing based on units and is considered acceptable in principle subject to the outcome of an independent review of financial viability demonstrating that the affordable housing provision is the maximum that the scheme can reasonably support.
- Further discussion would be appropriate to establish whether further affordable housing could be provided if an alternative tenure split (providing a greater proportion of intermediate housing) were proposed.
- 8.4% provision of family sized units is low, although it is noted that 25% of the rented units would be 3 bedroom – it is understood that the scheme has been developed in consultation with Family Mosaic and therefore meets an identified local need
- Children’s play space for under 5s is in accordance with the Mayor’s SPG and is welcomed – older children would be accommodated in nearby parks and financial contributions towards these spaces may be appropriate (*Officer note – this would be secured through the Islington Community Infrastructure Levy*)

**Urban Design**
- Overall design approach is generally supported – its height and massing has been carefully considered in relation to the adjacent listed buildings and the scheme fits in well with the surrounding area – proposed Balmoral Grove is well activated by both residential foyers and commercial units, ensuring this space feels safe, active and well used, providing a welcome addition to the public realm network in the area.
- Residential quality of the scheme appears high, with a generous number of residential cores ensuring a high proportion of dual aspect units, limited shared circulation space and good overall outlook.
- The varying brick types emphasise the individual blocks and contrast the stand alone feature building which features rainscreen cladding.
- Western edge of the site fronts onto Market Road Gardens and there is concern that the development would not create a good enough park edge or provide access to residents from the development to the park – the development has the potential to significantly improve the use of this edge of the park in a future scenario where the use of this edge of the park changes
(Applicants response - the relationship of the development with the Gardens changes along the shared boundary and it is not possible to provide an uninterrupted interface due to the need to provide natural daylighting within the ground level employment accommodation. Furthermore, the eastern end of Market Road Gardens is used as a landscaping maintenance area, as well as by the Hayward’s Adventure Playground care facility, and requires vehicular access from Market Road through the Gardens and, as such, has a reduced amenity value to that of the rest of the park. The proposal has therefore been designed to ensure the boundary between the publicly accessible park and the new development is respected, whilst seeking to maximise the visual connection between the two).

**Inclusive Design**
- Scheme is acceptable in terms of inclusive design – 25 disabled car parking spaces are welcomed and mechanisms should be secured in the Parking Management Plan to enforce and monitor the supply and future demand of the blue badge bays to ensure the development is accessible to disabled people who rely on a car.

**Sustainability**
- Applicant has assumed zero heat loss between the dwellings and corridors due to gains from distribution pipes and lighting – this approach is not supported as heat gains should be minimised as far as possible and the applicant should review the SAP models accordingly (Applicants response - the corridors will be internal spaces and as a result will have a negligible heat loss. If background heating in the form of radiators was to be provided, the radiators would be sized to provide the same heat gain as the heat loss of the space, therefore there is no requirement for radiators to maintain a comfortable temperature. There will be hot water pipework along the corridors with other heat gains which will heat the space. This approach has been accepted by Building Control on a number of other similar schemes.)
- Applicant should provide evidence to demonstrate that the cooling demand has been reduced for the commercial/ retail elements of the proposal (the applicant has submitted further evidence).
- Combined Heat and Power unit would be significantly short of meeting the heating baseload and the applicant should review the CHP sizing (the applicant has submitted further information to the GLA demonstrating that the CHP size is correct)
- Projected reduction in carbon savings from the photovoltaic array appear optimistic and the applicant should review the savings and update the carbon emission figures accordingly (updated calculations have been provided to the GLA whilst the applicant will make a financial contribution to offset carbon emissions).

**Conclusion**
- On balance, the application does not yet comply with the London Plan, however the remedies set out could address these deficiencies.

8.8 Transport for London - are satisfied overall that the development proposals are unlikely to have a negative impact on the capacity of either public transport or the Strategic Road Network/TLRN (Transport for London Route Network) and have commented as follows:
• Delivery and Service Plan (DSP) and a Construction Logistics Plan (CLP) should be secured by condition.

• Long stay cycle parking for the B1 uses should be increased to 90 spaces to comply with London Plan (2015) standards whilst an appropriate amount of cycle parking needs to be agreed for the D1 use. Cyclist facilities (showers, lockers and changing areas) should be provided for staff of the non-residential uses. *(Applicant’s response – there are varying standards for B1a-c uses and the end users for the proposed flexible commercial space are currently unknown – it is confirmed that cycle parking for each unit will be provided in accordance with the respective use class and this can be secured by condition – showers and changing facilities will be provided on site).*

• Subject to appropriate details TfL is supportive of the north-south route through the site which would improve permeability.

• £30,000 should be secured through a Section 106 agreement for the upgrade of bus shelters (4 bay London Landmark model) at Stops H and G which are located along Caledonian Road. It is suggested that the applicant also extends Bus Cage H to allow 2 buses at any one time and these works must be completed as part of a S278 agreement. *(The applicant has confirmed their agreement).*

• The proposed development is car free (except for 25 disabled spaces) which is supported by TfL. The parking provision for disabled people (for wheelchair accessible housing and lifetime homes flats) and its appropriate management should be secured by condition. Electric vehicle charging points (EVCPs) should also be secured by condition. Residents should be exempt from applying for parking permits (except for blue badge holders). *(The applicant has confirmed their agreement).*

• Travel Plan should be secured through the Section 106 agreement. It should contain ambitious targets particularly relating to the uptake of cycling and should be secured, enforced, monitored and reviewed as part of the S106 agreement.

### 8.9 Metropolitan Police (Crime Prevention) – no objections raised.

### 8.10 Thames Water – No objection raised and the drainage strategy is agreed. The developer is required to provide a piling method statement to mitigate the impact on underground sewage infrastructure.

### 8.11 Environment Agency – no objections raised.

### 8.12 London Fire and Emergency Planning Authority: Proposal is satisfactory subject to the development meeting the requirements of Approved Document B5 of the Building Regulations.

### 8.13 London Underground: No objections subject to conditions to safeguard London Underground tunnels and infrastructure.

**Internal Consultees**
8.14 **Housing Officer** – no comments received *(it is understood that the Council’s Housing Division provided input on the proposed affordable housing provision at pre-application stage).*

8.15 **Access Officer** – concerns are expressed in relation to the location of the underground car parking. Accessibility matters can be addressed through appropriate conditions.

8.16 **Design and Conservation Officer** – although the proposal pushes boundaries in terms of height it is broadly supported from a design point of view subject to securing a high standard of materials and detailing through appropriate conditions. The materials to Block 1 should be reconsidered and this can be dealt with though the materials condition. An appropriate maintenance regime for the glass clad building should be secured by condition.

8.17 **Energy Conservation Officer** - welcomes the financial contribution towards carbon off-setting and supported the objective of achieving a BREEAM rating of ‘Excellent’. The energy efficiency measures and renewable energy proposed are considered appropriate and in accordance with policy. Although connection to a DEN is not currently proposed, the development would need to be future-proofed to enable connection in the future.

8.18 **Tree Preservation / Landscape Officer** – objects to the proposal due to the impact on trees within Market Road Gardens including post development pressure on these trees.

8.19 **Ecology Officer** - no objections to the proposal, subject to conditions securing bird and bat boxes.

8.20 **Parks Officer** - Overshadowing of Market Road Gardens and increased pressure on local parks *(the development will be liable for an Islington Community Infrastructure Levy payment which can be allocated to the improvement of local parks)*.

8.21 **Public Protection Division (Air Quality)** – planning permission should be subject to a condition securing an Air Quality Report identifying potential exposure to air pollution levels exceeding the national air quality objectives and demonstrating how this exposure will be addressed. *(Condition no. 24).*

8.22 **Public Protection Division (Noise Team)** – the site is heavily affected by noise from Caledonian Road. The Acoustic Report recommends a noise insulated glazing system with mechanical ventilation to provide appropriate internal noise levels. Planning permission should be subject to a condition securing sound insulation and noise control measures to ensure that noise within habitable rooms would be under specified levels. Conditions to control plant noise and to secure appropriate sound insulation between the commercial and residential uses are also requested. *(Condition nos. 20,21,22).*

8.23 **Public Protection Division (Land Contamination)** – the site has had a number of potentially pollution uses on-site. Planning permission should be subject to a
condition securing a land contamination investigation and a programme of any necessary remediation works (condition 25).

8.24 **Spatial Planning and Transport (Transport Officer)** – no objections subject to relevant conditions.

8.25 **Street Environment Division** – no comments received.

8.26 **Sustainability Officer** – no objections raised subject to relevant conditions.

**Other Consultees**

8.27 **Design Review Panel** - At pre-application stage the proposal was considered by the Design Review Panel on 5 March 2015 and 14 July 2015 and during the application stage on the 30 September 2015. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The panel’s most recent observations of 30 September 2015 are attached at Appendix 3 and are detailed below:

**Massing:** The Panel reiterated its concern that the height of the proposed block immediately south of the chapel is too tall and that that this listed building deserved a better backdrop. Panel members also highlighted discrepancy between the plan and the CGI, which showed balconies on the wall as the backdrop for the chapel.

In addition, the Panel expressed concern over the poor massing and materiality of the proposed community building, which it felt did not add to the chapel or the rest of the development. Overall the Panel felt that the community building was a missed opportunity.

The Panel noted the sharp contrast in height between the south block (building 1) and the adjacent buildings on Caledonian Road and argued that the resultant large blank wall must have the right treatment and quality of detail.

**Officer’s comments:** The scheme has been amended following a meeting with Officers on 30 October 2015. The amendments involved revisions to the brickwork on the flank walls of buildings 1 and 6, revisions to the design and materiality of the proposed community building and an amended composition featuring 3 different bricks for Building 1. It is recommended that details of materials be secured by condition should planning permission be granted. It was considered that a reduction in the height of the proposed block to the south of the Chapel (Building 6) would not be appropriate as it would require corresponding reductions in the heights of the adjoining buildings to maintain a satisfactory appearance, which would have significant implications in terms of the delivery of affordable housing. It is therefore considered that the additional detailing to the flank elevation of Building 6 satisfactorily improves the backdrop to the chapel. The amendments are considered to satisfactorily address the concerns of the Design Review Panel.

**Elevations:** The Panel argued that there was a lack of differentiation in the detailing on the Caledonian Road elevation and that variation in the colour of the brick between the various buildings was not sufficient. Panel members recommended that
additional distinction in the detailing of windows and balconies of the different buildings was needed. In addition, the Panel argued that the differentiation on the front elevation must be reflected across the back elevation but that currently the four buildings looked very similar.

**Officer’s comments:** The applicant has submitted amended details indicating that each brick type will be paired with a different metal finish to window frames and balcony detailing to ensure that each building appears more distinct. The amendments are considered to satisfactorily address the concerns raised by the Design Review Panel. It is recommended that details of materials, including balconies and windows, are secured by condition.

**Amenity:** The Panel expressed concerns over the internal street, which it argued still felt like a road and a linear route through the development. Panel members argued that there was a need for further elements that signalled that it is a yard, such as trees (existing tree proposals were too ornamental), seating and differentiation in paving. The Panel argued that to withstand the commercial use, the internal courtyard must be of sufficiently high quality and robustness.

The Panel argued that the landscaping on the podium needed further detailing, particularly in relation to the provision of play space.

Panel members questioned the lack of amenity space, beyond play space provision, for all parts of the development and particularly in the southern part the suitability of the lower roofs for amenity space should be explored.

**Officer’s comments:** The applicant has submitted amended details of landscaping indicating more distinction for the ground floor courtyard to place greater emphasis on pedestrian movement over vehicular – it is proposed to lay rumble strip zones at the entrance ramps and to provide granite monolith seating among the sculptural birch tree planting. An update on landscaping and amenity space will be provided at the meeting and it is recommended that details of hard and soft landscaping are secured by condition to ensure a satisfactory landscaping scheme.

9. **RELEVANT POLICIES**

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

**National Guidance**

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

9.2 Since March 2014 Planning Practice Guidance for England has been published online.
9.3 Under the Ministerial Statement of 18 December 2014, the government seeks to increase the weight given to SuDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA’s will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

9.4 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**

9.5 The Development Plan is comprised of the London Plan 2015, Islington Core Strategy (2011) and Development Management Policies (2013). The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

**Designations**

9.6 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011 and Development Management Policies 2013
- Vale Road / Brewery Road Locally Significant Industrial Site.

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

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

10. **ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**

10.1 The proposed development falls within the margins of Category 10(b) of Schedule 2 of the Regulations and is therefore a development which may require an EIA. A request for an EIA screening opinion was submitted on 11 September 2015 (ref. 2015/2979/EIA). An assessment was carried out against the criteria within Schedule 3 of the regulations it was considered that the impacts arising from the development were not of more than local significance and that the impacts of demolition, construction and end scale / use were not considered to have significant environmental or wider reaching impacts. It was therefore considered that these impacts could be readily assessed from the scope of relevant supporting statements that would normally be expected to accompany a planning application of this scale and nature. Accordingly, the applicant was advised that the planning application would not be required to be accompanied by an EIA by letter dated 11 September 2015.

11. **ASSESSMENT**
11.1 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.

**Land-use**

11.2 The application proposes a mixed use redevelopment of the site which would include 7,672m² (GIA) of employment floorspace (B1(a-c)), 569m² retail floorspace (A1-A3), 62m² community floospace (D1) and 252 residential dwellings (C3). The site lies within the Vale Royal / Brewery Road Locally Significant Industrial Site (LSIS) wherein there is a presumption against development which does not fall within the B1(c), B2 and B8 Use Classes. In this regard, the proposal represents a departure from the Development Plan.

11.3 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should normally approve applications for residential development, provided that there are not strong economic reasons why such development would be inappropriate.

11.4 The London Plan identifies a minimum target of 42,389 net additional homes to be provided within London each year. In order to assist in meeting this target Islington has been set a target to deliver a minimum of 12,641 homes to be delivered during the period 2015-2025. Core Strategy Policy CS12 ‘Meeting the housing challenge’ seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets.

11.5 It is therefore the case that there is a strong policy presumption in favour of the delivery of new housing and the scheme would deliver 252 units, including 102 affordable units, which would make a significant contribution towards the Borough’s targets. However, as residential development is inappropriate within an LSIS, careful consideration of the proposal in terms of employment land supply is required.

11.6 Policy CS13 of Islington’s Core Strategy sets out how the Council will provide and enhance employment space throughout the Borough. New business space will be required to be flexible to meet future business needs and will be required to provide a range of unit types and sizes, including those suitable for SMEs. Development
should provide jobs and training opportunities, including a proportion of small, micro and/or affordable workspace or affordable retail space.

11.7 The Core Strategy states at paragraph 3.4.6 that the Vale Royal/Brewery Road LSIS is the last remaining industrial zone which has already seen a significant shift away from traditional industrial activities and that ‘the aim is not to shore up dying industries as this would lead to economic inefficiencies identified in the Treasury’s Barker Report, but to protect a variety of employment spaces’.

11.8 Core Strategy policy CS6D states that the LSIS will be retained as the only locally significant concentration of industrial/warehousing/employment land in the borough.

11.9 The Mayor’s London Land for Industry and Transport SPG (2012) identifies that the LSIS is strategically located to provide capacity for responsive ‘just in time’ logistics in proximity to the Central Activities Zone to support the financial and business services sector and growth in other services, including culture, leisure, tourism and hospitality (para. 5.13 and Annexe 4).

11.10 Islington’s industrial land is afforded the strongest level of protection under Policy 4.4 (‘Managing Industrial Land and Premises’) of the London Plan (2015) which identifies that there should be a ‘restricted transfer’ of industrial land to other uses. The Mayor’s Land for Industry and Transport SPG confirms that boroughs within the ‘restricted transfer’ category typically have low levels of industrial land relative to demand. Policy 4.4 states, inter alia, that:

‘The Mayor will work with boroughs and other partners to:

a) adopt a rigorous approach to industrial land management to ensure sufficient stock of land and premises meet the future needs of different types of industrial and related uses in different parts of London, including for good quality affordable space
b) plan, monitor and manage release of surplus industrial land where this is compatible with a) above, so that it can contribute to strategic and local planning objectives, especially those to provide more housing…’

Part B of the policy also identifies that locally significant industrial sites should be planned and managed taking account of a range of factors inter alia, the quality and fitness for purpose of sites and integrated strategic and local assessments of industrial demand to justify retention and inform release of industrial capacity in order to achieve efficient use of land.

11.11 Development Management policy DM5.3 states that:

‘Within the Vale Royal/Brewery Road Locally Significant Industrial Site:

a. The council supports the retention and intensification of uses appropriate to the role of the Locally Significant Industrial Site (i.e. within the B1(c), B2 and B8 Use Classes).
b. Proposals that would result in a loss or reduction of floorspace in the B1(c), B2 or B8 Use Classes will be refused unless the
applicant can demonstrate exceptional circumstances, including through the submission of clear and robust evidence related to the continuous marketing of vacant floorspace for a period of at least two years.

c. Notwithstanding (b), the loss or reduction of business floorspace will be resisted where the proposal would have a detrimental individual or cumulative impact on the area’s primary economic function (including by constraining future growth of the primary economic function).

d. Planning permission will be refused for the introduction of non-business uses (i.e. which fall outside the B Use Classes) except for services and facilities that are clearly ancillary to, and support the economic and employment function of, the Locally Significant Industrial Site.’

11.12 The current uses on the site fall within Classes B1(a) (offices), B1(c) (light industrial) and B8 (warehouses) and according to the applicant’s schedule are in use as follows: offices – 575m²; workshop/offices – 728m²; warehouse/offices - 3,250m²; warehouse – 1,354m²; offices/storage – 1,652m²; vacant – 104m².

11.13 The policy framework places a strong emphasis on the protection of a dwindling supply of industrial land and Policy DM5.3 anticipates the redevelopment of the site for uses falling within the B1(c), B2 and B8 Use Classes. It is acknowledged that, if planning permission were granted, it would effectively amount to de-designation of strategically recognised industrial land (LSIS). This is contrary to the approach outlined in the London Plan Land for Industry and Transport SPG which states that release should be managed on a plan-led basis in a Borough of restricted transfer. However, the GLA Stage 1 response presents support for the proposal on the basis that an Employment Management Strategy is produced and there are covenants on the residential occupiers to protect the operation of industrial uses.

11.14 The proposal is contrary to Policy DM5.3 by virtue of the inclusion of 252 residential units, 569m² flexible retail (A1-A3) floorspace and 62m² community (D1), which fall outside of the appropriate uses included in DM5.3(a). The proposed 7,672m² replacement business floorspace would marginally exceed the 7,600m² business floorspace on the site presently, and would fall within Use Class B1(a-c). Class B1(c) (light industry) floorspace is appropriate within an LSIS but due to the flexible nature of the employment floorspace there can be no assurances as to the amount of floorspace that will fall under this use class. The proposal would be contrary to DM5.3(b) as it involves the loss of B8 (warehouse) floorspace without re-provision. Furthermore, the proposal would result in harm to the primary economic function of the area protected by DM5.3(C) by reason of the loss of the opportunity for comprehensive redevelopment of the site for B1(c), B2 or B8 use, whilst the proposal is categorically precluded by DM5.3(D).

11.15 The proposal represents a departure from Development Plan policy therefore, if the proposal is to be considered acceptable in planning terms, there should be significant material considerations that outweigh the identified harm from the conflict with Policy DM5.3.
11.16 The application is accompanied by a Market Report in support of the proposal. The report provides an assessment of the current site including the following points:

- Configuration of the units around the Balmoral Estate cul-de-sac restricts vehicle movements, particularly for HGV’s which have to reverse in from Brewery Road with only enough space for one such delivery at a time.
- 4-6 Brewery Road provide very basic office/studio space - these units now look very dated and the arrangement of the accommodation makes it inefficient to occupy.
- 1-9 Market Road has a limited yard area for loading and parking which results in HGVs having to park in Market Rd.
- Age, specification and poor image of 431 Caledonian Road means these offices will only appeal to budget driven occupiers looking for short lease terms offering the landlord weak covenants.
- 423-425 Caledonian Road is now looking very dated and offers a basic specification which is now out of step with occupier requirements.

11.17 The Market Report notes that the Brewery Road Industrial area was traditionally home to a large number of manufacturing businesses, particularly the fashion industry. However, manufacturing activity declined both locally and nationwide from the 1970s, whilst the service and warehouse sectors expanded. The last 10 years has seen warehouse operators move to more efficient buildings closer to the national motorway network and their replacement by smaller scale ‘last mile’ distribution companies and by companies within the creative sector. The latter generally bring with them a higher ratio of desk based workspace and therefore a higher density of employment which requires a higher quality working environment with good natural light and a good quality fit out.

11.18 The report provides details of the marketing and letting history of the buildings on Site 2 since they were acquired by the present owner in 2003 and concludes that there have been significant voids despite extensive marketing. It states that the evidence highlights a lack of demand from the industrial sector, for which the units were originally designed, and a lack of interest from occupiers in the warehouse and creative sectors seeking modern, high quality and efficient space. The report also notes that rents on the estate have stagnated and in some cases fallen since 2003 against a backdrop of an improving wider market.

11.19 423-425 Caledonian Road has remained occupied by the British Transport Police since its acquisition by the site owner in 2011 and therefore has not been the subject of marketing.

11.20 The Market Report provides a market commentary which includes the following points:

- There has been a steady improvement within the commercial property market since 2011 and more recently there has been a significant up-take in commercial space
- Improving economic conditions and increased business confidence has fuelled demand for commercial floorspace - so long as political and economic
stability continues it would seem that current market conditions will prevail for some while

- Increased demand has been frustrated by a lack of supply, particularly of good quality space - new industrial development has been limited and almost non-existent within inner London boroughs whilst supply within the Brewery Road Estate is at an all-time low
- There is currently very strong demand for accommodation in this locality from an increasingly wide range of occupiers from sectors including music production and recording, set production, film production, sound and light equipment hire, telecoms, computer services and publishing.

11.21 The provision of office floorspace is supported by London Plan Policy 4.2 which promotes mixed use development of office provision, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises.

11.22 It can be acknowledged that there is potential to utilise the land more efficiently than at present, in particular given its relatively central and accessible location. The application states that the site currently supports approximately 43 full time equivalent jobs. The applicant suggests that the employment potential of the proposed business floorspace is between 184 and 641 full time equivalent jobs based upon the Homes and Communities Agency Employment Densities Guide 2nd Edition (2010). This represents a significant increase in the number of jobs that the site could support.

11.23 It can therefore be accepted that the proposal has the potential to support new jobs and the economic function of the area whilst it is noted that the proposal would result in a small increase in employment floorspace (GIA). The employment floorspace would be provided as a mix of business (B1a-c) and retail (A1-3) uses which is intended to be flexible and would offer a variety of unit sizes to respond to anticipated demand. The units will be provided to shell and core specification thereby allowing incoming occupiers to fit out to their specific needs, ensuring the units will cater for a variety of business needs, particularly those of small/medium start-up businesses.

11.24 The Market Report provides an assessment of the likely demand for the proposed business floorspace, noting that the scheme would:

- Be attractive to small and medium businesses looking to serve central London from a cost effective location with good transport links - many smaller business are being squeezed out of more central locations due to rising rents.
- Help fill a gap in the current supply of high quality business space within the area which is evident from the take-up at the Tile Yard office scheme to the south west corner of the Brewery Road Estate - this is the only scheme to provide modern B1 space and over recent years and has proved with companies from the creative and media sectors as well as traditional office occupiers and is now fully occupied.
- Attract the media, creative and arts sectors, as well as more traditional service providers including financial services, business equipment, office supplies, telecommunications, light production and assembly.
11.25  The Report concludes that the future of the existing estate is bleak with the prospect of further voids, a volatile letting profile and falling rents and it will therefore make a diminishing contribution to the vitality of the area and the provision of employment. The proposed commercial scheme will provide a much needed supply of high quality space with a range of unit sizes between 50m² and 712m², and approximately 2,288m² within the office building (Building 7), offering efficient floor plates and good natural light, with an up to date communication infrastructure to suit changing demands/needs in the Borough.

11.26  Islington’s Employment Study (published in 2008 and reviewed in 2012) identifies a change in the market dynamic with a projected overall net decline in demand for industrial and warehousing land during the period 2006-2026 with the majority of demand for B1 floorspace, including light industrial (B1c) (paragraph 6.13). The report also notes that there will be a continuing demand for good quality smaller (up to 10,000m²) logistics, warehousing and storage facilities in accessible locations to provide ‘just-in-time’ logistics for the CAZ.

11.27  The applicant has provided evidence within the Market Report to support its case for a move from more industrial to general employment/B1 flexible floorspace to meet current demand. It can be accepted that the provision of higher specification employment floorspace in this location will be likely to lead to a significant increase in job opportunities. This benefit alone would not outweigh the harm in policy terms that would result from the introduction of non-conforming land uses within an LSIS. However, significant weight can be attached to the delivery of new housing in a highly accessible location, particularly given that 40.5% of the total units will be affordable housing. The proposal will also result in the replacement of buildings that can be considered to have a neutral or negative impact in character terms with a development which would result in a significant improvement to the visual amenities of the area (this issue is considered in more detail in the Design and Appearance section below). On balance, the significant regeneration benefits and housing benefits of the scheme could be considered sufficient to outweigh the harm in policy terms that will result from the conflict with Policy DM5.3. It is recommended that a management plan for the business units is secured through the Section 106 agreement to ensure that the residential and B1 uses within the development are compatible.

11.28  The characteristics of the site and its surroundings as well as the design and layout of the proposal are such that it is considered that the proposal would not set a precedent for further residential development within the Vale Royal/Brewery Road LSIS contrary to Policy DM5.3. The sites front Caledonian Road which has a residential character both directly opposite and adjoining to the south, as well as opposite along Market Road. Market Road Gardens and Building 7 (which would comprise entirely B1(a) office floorspace) would act as a buffer to the remainder of the LSIS. In this respect, the proposal makes a transition and can sit comfortably in this location subject to covenants preventing future residents from registering complaints regarding to noise and disturbance. Accordingly, it is considered that, in view of the benefits of the scheme identified above, there is justification for housing to be introduced on the site whilst it could be maintained that it would be inappropriate elsewhere in the LSIS.
11.29 Affordable workspace: Policy 2.7 of the London Plan identifies that the Mayor and boroughs should manage and improve the stock of industrial capacity to meet both strategic and local needs, including those of small and medium size enterprises, start-ups and businesses requiring more affordable workspace, including flexible, hybrid office/industrial premises.

11.30 Policy DM5.4 sets out the size and affordability of workspace that will be required as part of new commercial developments, and requires that major development proposals for employment floorspace within Employment Growth Areas must incorporate an appropriate amount of affordable workspace and/or workspace suitable for occupation by micro and small enterprises.

11.31 The scheme would meet the requirement of Policy DM5.4 through the provision of 394m² (GIA) of the B1 (a-c) accommodation as affordable workspace as small managed units (90m² or less), which equates to 5% of the overall employment floorspace. The affordable units are located at ground floor level within a physically separate unit with a frontage to both Caledonian Road and the internal courtyard.

11.32 Retail: Policy CS14 (Retail and services) and Policy DM4.4 (Promoting Islington’s Town Centres) seek to maintain and enhance the retail and service function of the borough’s town centres through focussing major new retail and proposals in designated town centres. Policy DM4.4 requires a sequential approach to proposals for more than 80sqm of floorspace within the A Use Classes, which should be located within town centres, and where suitable sites within Town Centres are not available, Local Shopping Areas or edge-of-centre sites should be chosen.

11.33 The NPPF states at paragraphs 24-26 that:

‘When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m²).

11.34 The National Planning Policy Guidance (NPPG) further advises that the impact test should be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. The NPPG makes clear the test only applies to proposals exceeding 2,500m² of floorspace, unless a different locally appropriate threshold is set.

11.35 Policy DM4.1 identifies that proposals for major housing developments are to incorporate small shop units where there is no accessible provision of essential daily goods available within a short walking distance (within 300m). Policy DM4.4 requires applications for more than 80m² of A-class retail uses to be located within designated town centres and where suitable town centre locations are not available, Local Shopping Areas or edge of centre sites should be chosen. Out of centre sites may be acceptable where
i) alternative sites within town centres, local shopping areas and edge-of-centre locations have been thoroughly investigated
ii) the development would not individually or cumulatively with other development have a detrimental impact on the vitality and viability of town centres and local shopping areas
iii) the development would be accessible to all by a sustainable choice of transport.

11.36 The proposed development provides ground floor retail units on site 1 comprising approximately 569m² (GIA) of flexible Class A1-A3 uses fronting Caledonian Road. The site is not located within a designated town centre, but is located immediately adjacent the Caledonian Road Local Shopping Area which is directly north of Market Road.

11.37 The applicant argues that the proposal will meet the requirement of Policy DM4.1 in that the retail element within the proposals is being provided to serve the wider residential and commercial elements within the development. The retail use is therefore location specific which is required to serve a specific need that will be created within the immediate area.

11.38 The applicant has not carried out an impact assessment as required by the NPPF whilst the application does not address the requirement of Policy DM4.4 for a sequential assessment. In view of the findings of the Market Report and given the strength and complexity of the inner London economy it can be reasonably anticipated that there will be significant demand for the proposed office (B1a) and flexible (A1-A3) floorspace. The NPPF guidance is provided at a national level and is equally applicable to, say, a rural market town. It is intended to protect the vitality and viability of town centres which have, in recent times, been threatened by out-of-town development, often more dependent on car use. It may be argued that the approach required by the NPPF is less relevant to the complex, dynamic and successful inner London economy which comprises network of town centres in close geographical proximity, all served by a comprehensive public transport network. Given these economic indicators detailed within the Market Report a subjective assessment may conclude that the provision of the proposed office and retail floorspace in this location with a PTAL of 6a (excellent) would be unlikely to affect demand in the wider locality such that there will be substantive harm to the vitality and viability of town centre or sequentially preferable sites. Furthermore, it should be noted that B1(c) Class uses are considered appropriate within the Brewery Road LSIS and these are not precluded by the 4,482m² of the proposed employment floorspace. It is also the case that active street frontages are generally sought by provision of retail uses to bring activity and vitality to routes such as Caledonian Road. Accordingly, concern is not raised that the applicant has not carried out a town centre impact assessment or a sequential approach in respect of the retail uses.

11.39 Community Facility: Paragraph 70 of the NPPF supports the delivery of social, recreational and cultural facilities that meet community need. The single storey building proposed directly adjacent the Grade II listed Methodist Chapel will provide new modern facilities for local community groups, including the Methodist Chapel to use. The new facility has also been designed with the ability to form an extension to
the existing Grade II Methodist Chapel in the future if necessary. The proposed community building represents an inappropriate use within the LSIS. However, in view of the community benefits and the overall benefits of the scheme which are considered to outweigh the harm from the conflict with Policy DM5.3, the community building is considered acceptable in land use terms.

**Design & Appearance**

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

11.41 The scheme has been the subject of extensive pre-application discussions with Officers and it is considered that this process has resulted in significant improvements to the initial proposals in design terms.

11.42 **Site Layout / Building Lines:** The proposed development would promote a traditional street pattern with buildings fronting Caledonian Road, Brewery Road and Market Road, which is considered appropriate. The more irregular shaped ‘feature’ building will be located to the rear of the site, enclosed by the remainder of the Site 2 development and backing onto Market Road Gardens. In this location it is considered that there is an opportunity for the building to create its own character to an extent and the shape of the footprint of the building is considered appropriate.

11.43 A local objection raised concerns that the buildings fronting Caledonian Road will not be set back as they are presently. The front boundary of the site is in line with the Methodist Church and ‘Cally’ public house which bookend the Caledonian Road frontage of the northern part of the site. Accordingly, a 4m wide strip of the pavement along this part of Caledonian Road is within the ownership of the applicant and it is proposed that this would be retained as pavement. This stretch of pavement would be between 7m and 8m wide, which is considered generous. The remaining buildings on comply with established building lines.

11.44 **Height/Massing:** Policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington’s built environment, making it safer and more inclusive. Part (E) states that:

‘New buildings and developments need to be based on a human scale and efficiently use the site area, which could mean some high density developments. High densities can be achieved through high quality design without the need for tall buildings. Tall buildings (above 30m high) are generally inappropriate to Islington’s predominantly medium to low level character, therefore proposals for new tall buildings will not be supported.’

11.45 Whilst not directly applicable to the proposal site, the supporting text to Finsbury Local Plan Policy BC9 provides some guidance on the application of the above policy at paragraph 11.2.7, which states that:
'The 30 metre limit identified within Policy BC9 should be taken to mean the distance between the average ground level of the site and the highest point of the building or structure.'

11.46 The applicant has submitted an additional plan detailing the ground levels within Site 2 and demonstrating that Building 8 would be less than 30m above the average ground level. Accordingly, and subject to a condition regarding datum levels (condition no. 38), it is considered that the proposal complies with Policy CS9.

11.47 Building 8 is proposed as a ‘feature’ building to the rear of the site and will be 10 storeys in height. The building is intended to represent the centre piece of the development. The height of the building should be carefully considered in view of the fact that it is approaching 30m in height, and there is a presumption against buildings over 30m in this part of the borough. The building is considered to be of high quality design and it would occupy a relatively spacious setting within Site 2. It will be enclosed within the site by Buildings 2-7 and 9 and would relate primarily to the proposed buildings within the site and the adjacent parkland as opposed to existing development in the locality, and in this regard there is an opportunity for the building to create its own character. It is also the case that the building will not be unduly visible from Caledonian Road and Brewery Road whilst it will be screened by trees when viewed from Market Road. It is therefore considered that, on balance, the height of Building 8 is acceptable.

11.48 The Design Review Panel expressed reservations in relation to building heights following earlier presentations of the scheme. However, it is noted that building heights were not raised as a concern at the most recent Design Review Panel.

11.49 The highest building on the Caledonian Road frontage will be 8 storeys (including the mezzanine), and it is noted that the highest existing buildings along this part of Caledonian Road is the 6 storey block to the north of the junction with Market Road. It is considered that the stepping up in height of the adjoining buildings on the Caledonian Road frontage succeeds in achieving a satisfactory relationship with neighbouring development to ensure that these buildings would sit comfortably on the street scene and relate satisfactorily to the adjacent listed buildings. The heights of the buildings fronting on Market Road and Brewery Road are considered to relate satisfactorily to their surroundings.

11.50 Detailed Architectural Design: The street facing elevations of the buildings would comprise a ground floor (with mezzanine) commercial base with residential above. The buildings are intended to appear as distinct, individual blocks whilst the development would be unified through clear visual commonalities, as illustrated below:
The brickwork and fenestration treatment is intended to provide a heavier appearance to the base of the building and lighter appearance to the top. The base will feature a corduroy brickwork pattern (alternate courses pulled forward) and soldier course brickwork to emphasise the heavy appearance. An ‘ostrich skin’ brickwork technique involving random bricks pulled forward is proposed to the upper floors and is intended to soften the appearance of the residential elements. These treatments are indicated below.
11.52 The elevational detailing including the brickwork techniques and the varied fenestration proposed will serve to add interest to the elevations of the building, particularly when viewed close up. It is considered that the frontages to Caledonian Road would appear well articulated.

11.53 **Materials:** The development will incorporate contrasting bricks are intended to give ‘personality’ to the individual buildings and a ‘sense of depth of the composition’ of the development:

- **Type A** – Foreground coloured multi-stock brick (Klinkerwerke Muhr - Borghees + 7 Westfalisch Bunt Mix)
- **Type B** – Neutral middle ground brick (floren polaris)
- **Type C** – Background monochrome brick (Wienerberger - Bemmel Blue Stock).

11.54 However, in order to achieve a high quality appearance it is considered essential that the buildings incorporate a high quality of materials and detailing. It is considered that alternatives to the bricks indicated within the illustrative details of materials may be preferable and these can be secured by condition (condition no. 3).

11.55 Concerns have been expressed by officers regarding the unrelieved and overbearing appearance on the street scene of the proposed block on Site 1, in particular given its bulk and massing and the choice of dark coloured materials, which is not contextual. The following CGIs provide an indication of the appearance of the block on the street scene:
In response, the applicant has amended the proposed palette of materials to be more in keeping with the buildings on Site 2, as illustrated on the following drawing.

This approach would succeed in breaking up the elevation of the building and thereby address concerns regarding its unrelieved and overbearing appearance. However, it would detract from the individual appearance of the building and it would read very much as part of the same development as that proposed on Site 2. It is considered that the brickwork requires careful consideration to ensure a satisfactory appearance on the street scene. This matter can be addressed through a condition securing details of materials to ensure an appropriate façade to the Site 1 building (condition 3).

Building 8 will feature a glass rainscreen cladding system which is intended to provide a distinct appearance within its parkland setting and to contrast with its brickwork surroundings. The cladding has been selected for its 'lightness and reflective qualities' and its proposed appearance is indicated below.
11.59 The applicant has provided details of other buildings which have used the ‘rainscreen’ cladding system and it would appear to be a successful material, although a suitable regime for cleaning and maintenance would appear appropriate to ensure an ongoing high standard of appearance. It would appear that this material has not been used extensively for residential buildings, although the applicant has provided the example below. It can be considered that the proposed building would not have a typically residential character. However, on the basis of
the information provided it is considered that the ‘feature’ building has the potential to represent a successful, striking and vibrant centrepiece in a location which, due to the backdrop of the parkland and the surrounding development within the application proposal, has the potential to create its own character. Planning permission would be subject to a materials condition therefore the specific appearance of the cladding would be subject to the Council’s approval.

Almere residential building, Holland

11.60 **Impact on Heritage Assets:** Policy DM2.3 specifically considers heritage and sets out requirements for development proposals that will impact heritage assets or Islington’s historic environment. It states that heritage assets will be conserved and enhanced in a manner appropriate to their significance, and that development which makes a positive contribution to the Borough’s local character and distinctiveness will be encouraged.

11.61 The existing buildings to be demolished are of no architectural merit, and as viewed in the context of both the Grade II listed Methodist Chapel and the locally listed Public House, detract from the quality of the setting and thereby damage the significance of the heritage assets.

11.62 The adjacent 5 storey building fronting Caledonian Road would appear somewhat overbearing by reason of its height and massing immediately adjacent to the Church. This relationship is evident from the CGI below:
Any reduction in the height of the adjacent block would necessitate a corresponding reduction in the height of the remainder of the blocks on the Caledonian Road frontage within Site 2. It is considered that this would result in significant implications for the scheme overall, including the delivery of affordable housing. It is therefore considered that the impact of the development on the setting of the listed building is acceptable in planning terms.

Summary: The applicant has responded to Officer input and the scheme has been further informed by Design Review Panel feedback and is considered to represent a good standard of design which responds to its context on Caledonian Road whilst creating its own character through the ‘feature’ building. Overall, the development would be sympathetic in both scale and appearance to the local context and complementary to the local identity. The benefits of the scheme in terms of design and improvements to the character of the surrounding area are considered to weigh in favour of the proposed development. It is considered that the public realm to the rear of the site would be well activated by both residential foyers and commercial
units and the proposed hard and soft landscaping will result in a high quality public realm which will benefit the area.

**Density**

11.64 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The development scheme proposes a total of 252 new residential dwellings.

11.65 In assessing the appropriate housing density for the application site it is necessary to consider the Density Matrix (Table 3.2) within the London Plan, which notes that it would not be appropriate to apply these limits mechanistically. In particular, the local context as well as design considerations should be taken into account when considering the acceptability of a specific proposal.

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

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

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

11.67 Whilst the site’s surroundings may be considered to possess some of the characteristics of a central location they are closer to meeting the definition of an urban location. It is appropriate to calculate the residential density on a net basis as follows:

Total area of the site = 0.89ha.
Total residential GIA = 25,382m² (75%)
Total non-residential GIA = 8,303m² (25%)
Total habitable rooms = 735
Net site area = 0.67ha

**Density = 1,097 habitable rooms per hectare**

11.68 The residential density would therefore fall within the London Plan Density Matrix parameters for a central site but would exceed the density range for an urban site. However, it should be noted that the site adjoins an area of open space and that the spatial standards within the rear part of Site 2 are reasonably generous for an urban location. Furthermore, the site has an excellent PTAL rating and good access to local shops and services whilst the scheme is considered to represent an acceptable quantum of development from a design point of view. Accordingly, the proposed development is considered acceptable in density terms.
11.69 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, ensuring that developments can be used safely, easily and with dignity by all regardless of disability, age gender ethnicity or economic circumstances.

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

11.71 Development Management Policy DM2.2 requires all new developments to demonstrate inclusive design whilst Policy DM3.4 provides housing standards for all types of residential developments. The Council's Inclusive Design SPD sets out guidelines for the appropriate design and layout of dwellings, including wheelchair accessible units.

11.72 The recent Housing Standards Review was followed by a Deregulation Bill on 16 March 2015 which was implemented on 1 October 2015. The Bill introduced a new National Standard for Housing Design as an enhancement of Part M of the Building Regulations which will be enforced by Building Control or an Approved Inspector. The new National Standard is broken down into 3 categories: Category 1 (Visitable Dwellings), Category 2 (Accessible and Adaptable Dwellings, similar to Lifetime Homes) and Category 3 (Wheelchair Accessible dwellings, similar to Islington’s present wheelchair accessible housing standard).

11.73 The GLA have introduced a Minor Alterations to the London Plan which reframes London Plan Policy 3.8 (Housing Choice) to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London.

11.74 With regard to external space, open space and landscaping should comply with the principles of inclusive design, with particular consideration for surfaces and seating. All areas should have step-free access and access to amenity facilities such as the bin store will also need to be fully accessible. In the event of planning permission being granted, the above measures would be secured by planning condition to ensure that the proposed development is genuinely accessible and inclusive.

11.75 The application states that all of the units are designed to meet the Lifetime Homes Standards as defined by the Lifetime Homes Design Guide and Islington’s Flexible Homes Criteria (Section 51 of the Inclusive Design in Islington SPD). 10% of the units (25 units) have also been designed to be easily adaptable to meet the needs of a wheelchair user. The submission of the application preceded the new National Standard for Housing detailed above and the residential units will therefore instead be secured as Category 2 and 3 units in order to reflect the new legislation. An appropriate condition is recommended (condition no.13).
11.76 The Council’s Accessibility Officer has expressed some concern regarding the location of the disabled / blue badge parking and has suggested that some on-street disabled car parking is provided close to the site. This has been explored with the Council’s Highways Officer who advised that Market Road has established waiting and loading restrictions to prevent the road from becoming obstructed around the boundary of the site and there are no opportunities for disabled bays. Brewery Road is predominantly light industrial units along with an ambulance depot and there are commercial size crossovers at many locations which puts parking at a premium. The on-street parking is a mixture of permit holders, pay and display and shared use and there is very limited opportunity for disabled bays.

**Landscaping and Trees**

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

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

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

11.80 Policy DM6.5 goes on to state that trees, shrubs and other vegetation of landscape and/or environmental significance must be considered holistically as part of the landscape plan. The following requirements shall be adhered to:

i) **Developments are required to minimise any impacts on trees, shrubs and other significant vegetation.** Any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits, must be agreed with the council and suitably reprovided. Developments within proximity of existing trees are required to provide protection from any damage during development. Where on-site re-provision is not possible, a financial contribution of the full cost of appropriate re-provision will be required.

ii) **The council will refuse permission or consent for the removal of protected trees (TPO trees, and trees within a conservation area) and for proposals that would have a detrimental impact on the health of protected trees.**
11.81 The site contains a line of mature plane trees along the frontage with Caledonian road (T11 –T19) and a small group of trees (T20, T21 and T22) in the centre of the site. The small group provides very limited amenity. The Caledonian Road trees form a visually important loose avenue with trees of similar size and species along Caledonian Road.

11.82 There are street trees on the footpaths adjacent to the sites, including three Alders on Market Road and a Maple on Brewery Road which are managed by the Council’s Highways Division. Two of the alders (T7 and T9) along Market road are large mature trees which make a significant contribution to the street scene whilst T8 is a much smaller alder (T8) and makes a limited contribution.

11.83 There is a mixed line of mature Lime and London Plane trees within Market Garden Park and Haywards Adventure Playground to the west of Site 2. These trees are directly adjacent to the boundary and their canopies partly over sail the site. The trees within Haywards Adventure Playground (T1, T2 and T3) are managed by Children’s services and the remaining trees (T4, T5 and T6) by Islington Parks.

11.84 The London plane trees are part of the historic landscape dating back over a century to the initial layout of the park. They have enjoyed unobstructed canopy growth since then and remain relatively un-pruned. The Council’s Trees Officer notes that the large London planes are majestic in scale and, aside from T6 which has been heavily pruned in response to declining health, the trees are of good form and vigour. The Trees Officer further advises that the historic, landscape and amenity value of these trees is very significant borough and London wide and that there are very few trees of this scale within Islington.

11.85 The large trees on and adjacent to the site are considered to contribute materially to the amenities of the locality and to play an important role in providing a sense of scale, maturity and textural diversity to the immediate locality. The trees also provide important environmental benefits.

11.86 None of the above trees are protected by TPOs. However, this is due to the fact that they have not been threatened by inappropriate works or removal previously and therefore a TPO has not been necessary. The Council’s Trees Officer advises that the London Planes (T1, T2 and T4) are worthy of the imposition of a TPO.

11.87 The development would require the removal of three trees onsite (T20, T21 and T22) and two street trees (T9 and T23). The three trees in the middle of the site (T20, T21 and T22) are small, of poor quality and provide very limited amenity. Accordingly, they are not considered a constraint to development.

11.88 T9 is a large, mature alder tree and its removal would be detrimental to the amenity of the street scene. T23 is a mature (13m) maple on a very narrow stretch of pavement on Brewery Road and is the only street tree on this stretch of the road.

11.89 The Arboricultural Assessment accompanying the planning application argues that the removal of T9 is justified by the requirement to provide the service road in the proposed location. It further advises that the tree is in poor health and, having been hit numerous times by servicing vehicles, has a limited remaining life span. The
Assessment states that T23 is a low quality tree and its loss can be adequately mitigated through a suitable replacement tree within the landscaping scheme. The Council’s Trees Officer disagrees with the categorisation of these two trees and advises that they their benefits to the locality should not be undervalued and that there are no justifiable arboricultural reasons for their removal. In order that their removal is considered acceptable the applicant is required to make a financial contribution equivalent to the full CAVAT (Capitol Asset Value of Amenity Trees) value of the trees to secure mitigating tree planting in the Borough. Suitable re-planting sites should be sought as close to the lost trees as practicable. Alternatively, appropriate sites should be identified within the ward. The applicant has indicated that they are agreeable to make a financial contribution equivalent to the CAVAT value of the trees to be secured through the Section 106 agreement.

11.90 The retention of the large London plane trees on the Caledonian Road frontage (T11 –T19) is considered to be ambitious due to the limited space in this area which will result in the loss of roots and canopy reduction to facilitate the construction of the foundations of Building 3, 4, 5 and 6. However, the proposed measures to ensure the retention of these trees are broadly accepted subject to the submission of further satisfactory details relating to methods of construction.

11.91 It is noted that the proposals will have a minimal impact on the roots of trees within Haywards Adventure Playground and Market Road Gardens. However, there are significant concerns relating to the impacts to the canopies of these trees due to the locations of buildings 8 and 9 in relation to trees T1, T2, T4 and T5. It is considered that the proposal will result in an inappropriate level of pruning to facilitate construction as well as post development conflicts. There will be residential windows within two metres of the trees branches and it is noted that vigorous re-growth will require annual pruning to prevent damage to the property. The inappropriately frequent and expensive pruning works would represent a significant financial burden on Children’s services and the Parks Service. Conflicts would also result from the movement of the upper canopy in extreme weather events adding to a perception that the tree is dangerous in windy conditions as well as ground conditions too shady or dry for planting, repeated failed lawns, seasonal nuisance of leaf litter and honey-dew. The construction of the proposed building will also block previously unobstructed sunlight to the trees.

11.92 At the time of writing a detailed survey of trees T1, T2, T4 and T5 was being carried out to provide a more accurate indication of the degree of pruning required to facilitate the development and any further comments from the Council’s Trees Officer will be provided at the meeting. The applicant has also indicated that they agree to cover the cost of the annual pruning of these trees, with the monies to be secured through the Section 106 agreement.

11.93 At the time of writing the Council’s Tree Officer recommends that planning permission should be refused on grounds of the excessive pruning and post development pressures on trees T1, T2, T3 and T4 identified above. Whilst there will be clear and identified material harm from a trees point of view, this harm should be balanced against the wider benefits of the scheme. It is considered that the harm to the character and visual amenities of the area that will result from the initial and ongoing pruning of these trees is outweighed by the substantial regeneration
benefits that the scheme will deliver. A comprehensive arboricultural method statement is required to ensure that the impacts on the trees to be retained are minimised and this can be secured by condition.

11.94 The site itself has no meaningful landscaping or tree planting. The loss of the small onsite trees can be mitigated by the through re-planting within the proposed landscaping.

11.95 Landscaping: The landscaping proposals include a comprehensive landscaping strategy which includes indicative details of hard and soft landscaping and which include several key features as follows:

- Improved public realm along Caledonian Road
- Illuminated covered walkway into courtyard
- Landscaped enclosed courtyard space
- Resident’s gardens and children’s play space at podium levels.

11.96 The Council’s Tree Officer notes that it is proposed to plant a small number of relatively small scale trees, with very limited growth potential due to the inadequate provision of soil. It is considered that this is inappropriate if the tree planting is to achieve a meaningful purpose and function. The trees will be expected to have a stunted and reduced useful lifespan and may need to be replaced as they repeatedly fail to establish and die. The Council’s Trees Officer has made proposed measures which would address these concerns.

11.97 A landscaping condition is recommended to ensure that the applicant’s landscaping proposals can be reviewed as appropriate in order to secure the delivery of a high quality scheme of hard and soft landscaping.

**Biodiversity**

11.98 The site adjoins the Market Road Gardens Site of Importance for Nature Conservation (SINC).

11.99 The application is accompanied by an Ecology Assessment (including Bat Survey) and its conclusions are summarised as follows:

- Scale and nature of the proposals will not give rise to any negative impacts upon designated sites for nature conservation
- Potential for all protected species to be on-site was considered negligible or low and there are therefore no ecological constraints over development other than a requirement to avoid impacting nesting birds
- If the proposed ecological enhancements are incorporated then the development will have a positive impact on the biodiversity value of the site and local area

11.100 The Council’s Nature Conservation Officer has raised no objections to the proposal, subject to conditions securing bird and bat boxes.

**Neighbouring Amenity**
11.101 The Development Plan contains policies which seek to appropriately safeguard the
amenities of residential occupiers when considering new development. London Plan
policy 7.6 identifies that buildings should not cause unacceptable harm to the
amenity of in particular, residential buildings in respect of matters including privacy
Document 2013 identifies that satisfactory consideration shall be given to noise and
the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy,
direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.

11.102 Daylight and Sunlight: In general, for assessing the sunlight and daylight impact of
new development on existing buildings, Building Research Establishment (BRE)
criteria is adopted. In accordance with both local and national policies, consideration
has to be given to the context of the site, the more efficient and effective use of
valuable urban land and the degree of material impact on neighbours.

11.103 In terms of sunlight, a window may be adversely affected by a new development if a
point at the centre of the window receives in the year less than 25% of the annual
probable sunlight hours including at least 5% of annual probable sunlight hours
during the winter months and less than 0.8 times its former sunlight hours during
either period. It should be noted that BRE guidance advises that sunlight is only an
issue to a neighbouring property where the new development is located within 90
degrees of due south.

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

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

\[
\text{The area of the working plane in a room which can receive direct skylight is not reduced to less than 0.8 times its former value. (No Sky Line / Daylight Distribution).}
\]

11.105 Average Daylight Factor (ADF) is another daylight measurement which requires 1%
for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where
one room serves more than one purpose, the minimum ADF should be that for the
room type with the higher value. It should be noted that this test is normally applicable to proposed residential units, but in some cases is used as supplementary
information (rather than key assessment criteria) to provide a clearer picture
regarding impacts upon existing properties.

11.106 Daylight is also measured by the no sky-line or daylight distribution contour which
shows the extent of light penetration into a room at working plane level, 850mm
above floor level. If a substantial part of the room falls behind the no sky-line contour,
the distribution of light within the room may be considered to be poor.

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

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

11.108 Where these guidelines are exceeded then daylighting and/or sunlighting may be adversely affected. The BRE Guidelines provides numerical guidelines, the document though emphasizes that advice given here is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

11.109 The application site is located within an accessible location, where the potential of sites and density should, according to policy, be maximised where possible. Urban design considerations are also important when applying the guidance quoted above.

11.110 It is widely acknowledged that daylight and sunlight are fundamental to the provision of a good quality living environment and for this reason people expect good natural lighting in their homes. Daylight makes an interior look more attractive and interesting as well as to provide light to work or read by. Inappropriate or insensitive development can reduce a neighbour’s daylight and sunlight and thereby adversely affect their amenity to an unacceptable level.

11.111 The Report identifies that due to the relatively low scale of development on the existing site that many of the surrounding properties have a relatively open outlook due to the undeveloped nature of the site and as such enjoy uncharacteristically high existing levels of daylight for an urban location of this type. As a result, the implementation of any massing which comes close to matching the scale of the surrounding context will result in reductions of daylight and sunlight that exceed the BRE Guidelines recommendations. Therefore in order to evaluate the daylight and sunlight position it is necessary to examine the retained levels of daylight and sunlight amenity in the surrounding properties and evaluate whether they are reasonable. A detailed examination of the daylight and sunlight position taking this approach shows that whilst there are properties that experience relative reductions that are in excess of the BRE Guidelines recommendations, the retained levels of daylight and sunlight amenity accord with those that are typical for a dense urban environment of this type. The report also concludes that the vast majority of the proposed accommodation will receive good levels of daylight amenity that are in excess of the BRE Guidelines and that all amenity spaces within the site will also meet the BRE Guidelines.
11.112 Daylight and Sunlight Losses for Affected Properties Analysis: Residential dwellings within the following properties have been considered for the purposes of daylight and / or sunlight impacts as a result of the proposed development:

- 1-47 Xchange Point
- 12 Market Road
- 453 Caledonian Road
- 430-434 Caledonian Road
- 420-426 Caledonian Road
- Carrick House
- 419 & 419A Caledonian Road
- Fulbeck House
- Methodist Church
- Pavilion Building in Market Road Gardens.

11.113 1-47 Xchange Point: The BRE assessment indicates that 9 windows will experience reductions in VSC in excess of 20% contrary to BRE Guidelines. Of these 9 windows, 3 would have reductions of between 20-30% which is considered to be a lesser/minor infringement in urban areas. 6 windows would experience reductions in VSC of between 30-40%. Some of these windows are either secondary side windows or are located underneath balconies and therefore have a restricted daylight potential due to the inhibitions from the property’s own design. The BRE acknowledge that where windows are restricted by balconies, alternative analysis can be undertaken which removes the balconies as an obstruction when assessing the losses of daylight and sunlight. Additional analysis has been undertaken which demonstrates that the reduction in VSC to 4 of these windows would be between 20-30% if the balconies were not in place and this level of reduction would generally be considered acceptable in an urban area. 2 windows would have a reduction in VSC of 33% and 36% which would result in a proposed VSC of 21% and 19% respectively.

11.114 The daylight distribution analysis demonstrates that 95 windows would experience nil loss of daylight distribution whilst a further 5 windows would experience a 1% or less reduction in daylight distribution. In view of the fact that the daylight distribution to these rooms would meet BRE Guidelines it is considered that the daylight impact upon 1-47 Xchange Point is acceptable.

11.115 The sunlight analysis demonstrates that all of the windows and rooms in this property except for two will meet the BRE Guidelines recommendations in respect of sunlight. The two windows which do not meet the Guidelines are located underneath balconies at first and second floor level and have restricted sunlight potential due to the design of the property. Additional sunlight analysis has also been undertaken which removes the balcony as an obstruction when assessing the sunlight potential. This analysis demonstrates that the windows would meet the Guidelines if the balconies were not in place.

11.116 12 Market Road: This property faces directly south over the taller element of the proposed development and there is presently a very open outlook over a low rise building. Accordingly, the property currently benefits from high levels of daylight
close to the maximum VSC value of 40% VSC. It would therefore be anticipated that
the introduction of higher density development that would be more typical of the
site’s context would be likely to result in VSC reductions in excess of the 20%-30%
that would normally be considered acceptable. The proposed development would
result in 12 windows to 12 Market Road having a 30-40% reduction in VSC whilst a
further 8 windows would have a 40-50% VSC reduction and 3 windows would have a
51-52% reduction. Whilst there will be significant VSC reductions it should be noted
that the retained levels for these windows would be over 20% for 14 of the windows
and between 15-20% for a further 8 windows, whilst 1 window would have a VSC
level of 13%. The retained VSC levels are therefore generally typical of a dense
urban location and the relative reductions can be considered an inevitable
consequence of redeveloping the site to a density more appropriate to its context.

11.117 Of the 17 windows within this property, 5 will experience a reduction in daylight
distribution of 20-30%, 3 will have a 30-40% reduction and a further 4 will have a 40-
50% reduction. 2 windows will have a 50-60% reduction and a further 2
experiencing a 60-70% reduction in daylight distribution. This significant reduction is
due to the high levels of daylight currently received whereas the daylight distribution
following redevelopment would be more typical of a building within a more densely
built urban context.

11.118 The sunlight analysis demonstrates that all but one of the windows and rooms in this
property will meet the BRE Guidelines recommendations. The only window which
does not meet the recommendations is at lower ground floor level and will receive
4% of APSH (marginally short of the recommended minimum of 5% of APSH) but
will receive 37% of APSH overall, which is in excess of the recommended minimum
of 25%.

11.119 453 Caledonian Road: The NSL analysis demonstrates that one room within the
property would fall marginally outside of the BRE Guidelines recommendations with a
daylight distribution reduction of 23% which is considered acceptable within a built
up urban context. The VSC analysis demonstrates that 6 of the windows in this
property would experience reductions in daylight above BRE Guidelines. Three of
these windows would experience a reduction of between 20-30% which is generally
considered acceptable in a built up urban area. The remaining three windows would
experience 33%, 41% and 48% reductions in VSC. However, these windows are
located underneath balconies which restrict their daylight potential. Additional
analysis which assumes a scenario with the balconies removed demonstrates that all
three of these windows would all meet the BRE Guidelines if the balconies were not
present. It is also noted that these windows serve rooms that experience very little
reduction in skylight in the NSL assessment, with only 1 window experiencing a loss
of daylight distribution of greater than 20% (23.3%). It is therefore considered that
this property will retain adequate daylight amenity.

11.120 All of the rooms in this property will meet the BRE Guidelines recommendations in
respect of the sunlight assessment.

11.121 430-434 Caledonian Road: The BRE assessment demonstrates that while there
would be reductions in daylight these would be within the BRE Guidelines and are
considered acceptable. There would be nil loss of daylight distribution with the exception of 1 window which would experience a 0.2% loss.

11.122 None of the windows in these properties with the potential to be affected by the proposed development face within 90° of due south and therefore no sunlight assessment is considered necessary.

11.123 **420-426 Caledonian Road**: These properties currently have a relatively open outlook due to the low existing buildings on the site and the existing VSC levels are all in excess of 27%. The proposal would result in 14 of the 31 windows having a 20-30% reduction in VSC whilst a further 4 windows would have a reduction of 30-40%. The retained VSC for 12 of these windows would be over 20% whilst the remaining 2 windows would have a retained VSC of over 18%. The VSC reductions that will exceed the 20% recommendation within the BRE Guidelines are considered to be a consequence of redeveloping a site which is currently occupied by relatively low rise buildings to a density more typical of its urban context. The retained levels of daylight to the affected rooms are considered to be reasonable in view of the site’s urban context.

11.124 23 of the 27 windows will experience a reduction in daylight distribution within the BRE Guidelines. 2 windows to No. 420 Caledonian Road will have a daylight distribution reduction of 44.2% and 49.6% whilst 2 windows to No. 422 Caledonian Road will experience reductions of 20.4% and 36.2%. This level of reduction is considered a result of the relatively open outlook currently enjoyed by the occupants of these properties.

11.125 The majority of the rooms within these properties would meet the BRE Guidelines recommendations in respect of the sunlight assessment. Three rooms at ground floor level would experience reductions that technically exceed the Guidelines recommendations. However, these rooms are obstructed by the entrances to the properties which project immediately to the south of the windows and significantly limit the sunlight potential available to the rooms. Two of the rooms record in excess of 19% APSH annually which is close to the recommended 25% target value and is considered reasonable within an urban context. The remaining room would experience a more significant impact and would receive 14% APSH annually. However, this is considered acceptable in view of the context of the site and the limitations imposed upon the windows by the design of the affected property.

11.126 **Carrick House**: This property faces west and the existing VSC values are generally in excess of 30%. The majority of the windows would have VSC levels of over 20% with the proposed development in place, whilst 20 windows would have VSC levels of 15-20% and this is partly due to adjacent projections in the façade of the building. It is therefore again the case that the relative reductions in VSC levels are a result of the low rise characteristics of the existing buildings on the site and the proposed redevelopment of the site to a density more typical of its urban context.

11.127 The applicant has undertaken an additional analysis of Irvine House which is located to the rear of Carrick House and is of similar design. The existing levels of VSC for Irvine House are typically under 20% and on the lower two floors are closer to 10-15%. It is therefore noted that the daylight potential in Carrick House with the
proposed development is in place will be higher than the existing levels of daylight in Irvine House. On this basis the Report suggests that a retained VSC level of around 20% is commensurate for a dense urban environment of this type and that the retained daylight potential within Carrick House accords with levels in other residential accommodation in this locality.

11.128 26 of the 28 ground floor windows to Carrick House would experience a reduction in daylight distribution in excess of BRE Guidelines with the vast majority having a reduction of between 40% and 60%. It should be noted that a similar reduction in daylight distribution to these windows would occur if there was a ‘mirror image’ building on the development site which would be considered appropriate in height and bulk in this context. Most of the first floor windows would experience daylight distribution reductions of between 30% and 50% whilst the second floor windows would be less affected with around half of the windows experiencing a reduction of generally between 20% and 40%. A further 7 windows would experience reductions of up to 32% at third floor level and above.

11.129 The vast majority of rooms in this property meet the BRE Guidelines recommendations in respect of sunlight, and those which fall short of the 25% APSH recommendation generally fall marginally short. Several rooms would experience more noticeable reductions and this is due to their location next to areas of the façade which project immediately to the south and limit their sunlight potential. It is therefore the case that the effect of the proposed development on these rooms is more pronounced due to the design of Carrick House itself. Overall, the retained sunlight potential would be reasonably high for an urban location.

11.130 419 & 419A Caledonian Road: Most of the windows in these properties meet the BRE Guidelines recommendations in respect of the VSC form of assessment. However there are two windows that record reductions that are slightly in excess of the recommended 20% margin in the Guidelines. One window will experience a 43% reduction in its VSC level but this is a secondary window to an otherwise well lit room. The other room would experience a 29% reduction in VSC but the retained VSC level is 26.3% and is therefore fractionally below the recommended 27% recommendation. It is therefore considered that, in view of the urban context of the site, adequate levels of daylight would be retained at these properties.

11.131 There would be a nominal impact on the daylight distribution to these properties with the exception of 1 window which would experience a 41.1%.

11.132 All the windows in these properties that are relevant for sunlight assessment meet the BRE Guidelines recommendations.

11.133 Fulbeck House: This property is comprised of duplex residential units with an external corridor providing access to the accommodation at ground and second floor levels. The arrangement of the property is such that the windows at ground and second floor level are significantly recessed underneath an overhang and have very limited sky-view. Accordingly, the existing VSC for the ground and second floor windows are below 10%, whereas those at first and third floor level which are not restricted by the overhang are above 30% VSC. The VSC reductions to the windows affected by the overhang would exceed the recommendations in the BRE
Guidelines. The applicant has undertaken an alternative assessment of the daylight impact with the overhangs removed which demonstrates that all of the windows within Fulbeck House would meet the BRE Guidelines recommendations with the windows removed. The NSL form of analysis also demonstrates that the loss of daylight would be well within the recommendations of the BRE Guidelines where the windows are not obstructed by the overhangs. It is therefore considered that the daylight impact to this property is acceptable.

11.134 Around half of the windows would experience reductions in daylight distribution in excess of BRE Guidelines with reductions between 20% and 40% with the exception of one window which would have a 62.4% reduction.

11.135 None of the windows in this property which face the site are relevant for sunlight analysis due to their orientation.

11.136 Methodist Church: The Report states that this property does not necessarily have a material expectation of sunlight as the windows are not stained glass. However, the windows serving the church hall have been assessed for completeness. It has been demonstrated that, whilst the individual south facing windows will experience reductions in sunlight that are beyond the recommendations in the BRE Guidelines, the total retained sunlight to the church hall will be reasonable and meet the Guidelines recommendations.

11.137 Pavilion Building in Market Road Gardens: The Report states that the specific use of this building is unclear, but the windows facing the proposal site have been included within the analysis to provide a comprehensive approach. The analysis demonstrates that there will be some reductions in VSC to individual east facing windows in this building that exceed the Guidelines recommendations. However, overall the retained levels of daylight for the building as a whole will be reasonable. The NSL analysis shows that the building will meet the Guidelines recommendations and the ADF analysis also shows the retained daylight amenity will be in excess of the recommended threshold for a living room.

11.138 The sunlight analysis shows that this property as a whole will retain high levels of sunlight that exceed the BRE Guidelines recommendations.

11.139 Outlook / sense of enclosure: The impact of a development on outlook can be considered a material planning consideration if there is an undue sense of enclosure for neighbouring residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard with any assessment subjective as opposed to empirical with key factors in this assessment being the local context and arrangement of buildings and uses.

11.140 The nearest residential dwellings are Nos. 419 and 419A Caledonian Road. There would be no significant loss of outlook from the rear facing windows to No. 419 whilst the outlook from the rear windows to No. 419A is currently significantly impaired by No. 421 and the proposed development would not result in a significant increase in harm to outlook from this property. There is a north facing side window to No. 419 which would be approx. 7m from Building 1. In view of the urban context of the application site and the requirement of Policy DM2.1(iii) to make efficient use of the
site it is considered that the impact upon the accommodation served by this window would not be unduly harmful.

11.141 The proposed development would have separation distances in excess of 20m to the remaining nearby residential properties. In view of this degree of separation it is considered that the proposal would not result in an unduly harmful loss of outlook to nearby dwellings.

11.142 **Overlooking / Privacy:** Development Management Policy 2.1 identifies that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm. Habitable rooms provide the living accommodation of the dwelling. Habitable rooms are defined as any room used or intended to be used for sleeping, cooking, living or eating purposes. Enclosed spaces such as bath or toilet facilities, service rooms, corridors, laundries, hallways, or similar spaces are excluded from this definition. However, service/utility/store rooms larger than 8sqm within single dwellings will normally be considered as habitable rooms.

11.143 There would be no direct overlooking of any windows to Nos. 419 and 419A Caledonian Road whilst all of the remaining windows to habitable rooms would be overlooked across a public highway, and accordingly would not result in a harmful loss of privacy. The proposal is considered acceptable in terms of overlooking and privacy.

11.144 **Construction Impacts:** In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is required to comply with the Council’s Code of Construction Practice. Compliance would need to be secured as part of a section 106 agreement together with a payment towards the monitoring of the site to ensure its neighbourliness. This payment is considered be an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project. The submission of a method statement for the construction phase and a construction logistics plan would also be required (conditions 4, 26).

11.145 To further address any concerns over noise and disturbance resulting from the construction of the development, a planning condition would be required to secure details to address the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception).

**Quality of Resulting Residential Accommodation**

11.146 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life, residential space and design standards will be significantly increased and enhanced from their current levels. The Islington Development Management Policies
DM3.4 sets out the detail of these housing standards. In accordance with this policy, all new housing is required to provide functional and useable spaces with good quality amenity space, sufficient space for storage and flexible internal living arrangements.

11.147 It is noted that there will be a generous number of residential cores, limited shared circulation space and good overall outlook.

11.148 **Unit Sizes:** All of the proposed residential units would comply with the minimum unit sizes as detailed within Policy 3.4 and within London Plan Policy 3.5, and the majority of units would exceed the minimum sizes. The proposal is therefore considered acceptable in terms of unit sizes.

11.149 **Aspect/Daylight Provision:** Policy DM3.4 part D states that ‘new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated’. The subtext at paragraph 3.47 advises that ‘Dual aspect design is key to maximising natural light, cross ventilation and access to quiet parts of the home. In exceptional circumstances where single aspect dwellings may be acceptable, they must not be exposed to noise exposure categories C or D, or comprise family housing (3 or more bedrooms).

11.150 114 of the units will be single aspect, and of these 5 units will be north facing. The layout and design of the buildings have arisen, in part, from a requirement that the scheme should be acceptable in townscape terms. In order to achieve an efficient layout it is the case that some of the units will back onto the residential cores and it can be accepted that it is perhaps inevitable that a significant proportion of the units will be single aspect. None of the single aspect units will comprise family accommodation whilst the Council's Environmental Health Officer is satisfied that suitable noise mitigation measures can be incorporated into the development. Whilst the 5 north facing units are undesirable from a residential amenity point of view, these represent a small proportion (less than 2%) of the overall units and it can be accepted that, in view of the scale of the development, it may be, again, inevitable that a small number of single aspect units will be north facing in order that the scheme is acceptable in townscape terms.

11.151 **Amenity Space:** Policy DM3.5 of the Development Management Policies Document 2013 within part A identifies that ‘all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens’. The policy in part C then goes on to state that the minimum requirement for private outdoor space is 5 square metres on upper floors and 15 square metres on ground floor for 1-2 person dwellings. For each additional occupant, an extra 1 square metre is required on upper floors and 5 square metres on ground floor level with a minimum of 30 square metres for family housing (defined as 3 bed units and above). All of the units will meet and in many cases exceed the minimum requirements for private amenity space as set out in Policy DM3.5 through the provision of balconies, winter gardens and private gardens at ground floor level. Communal landscaped terraces, including under 5’s play space, would be provided at podium level to the rear of Building 1 on Site 1 and either side of Building 8 within Site 2.
11.152 **Air Quality**: Policy 7.14 of the London Plan states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)). Policy DM 6.1 of the Development Management Policies document requires that development should not cause significant harm to air quality, cumulatively or individually. The application is accompanied by an Air Quality Management Plan which details an assessment identifying that the proposed development is a high to medium risk site for dust deposition and for fine particulate matter (PM10) concentrations and a medium to low risk site for ecological receptors. The Plan states that through good site practice and the implementation of suitable mitigation measures, the effect of dust and PM10 releases would be significantly reduced. The residual effects of dust and PM10 generated by construction activities on air quality are therefore considered to be insignificant. The residual effects of emissions to air from construction vehicles and plant on local air quality is considered to be insignificant.

11.153 The Council’s Environmental Health Officer has raised no objections to the proposal in terms of air quality, subject to a condition (condition x) securing a further, detailed air quality report and air pollution mitigation measures. The proposal is therefore considered acceptable in terms of air quality.

11.154 **Noise**: Development Management Policy DM6.1 states that noise sensitive developments should be separated from major sources of noise, and that noise generating uses within new developments should be sited away from noise sensitive uses. The application is accompanied by an Acoustic Report which was undertaken to establish the indoor ambient noise levels and examine compliance with external plant noise emissions criteria. The report provides recommendations in terms of room use planning and façade design in order to meet the adopted indoor ambient noise level design targets.

11.155 The Council’s Environmental Health Officer has raised no objections to the proposal in terms of noise, subject to conditions securing sound insulation and noise control measures. The proposal is considered acceptable in terms of noise.

11.156 **Playspace**: Policy DM3.6 requires Children’s play space to be provided in line with the standards for provision published in the Mayor’s Play and Informal Recreation. The total requirements for the development are 1,145sqm as follows:

- Ages 0-4 – 595sqm (within 100m)
- Ages 5-11 – 344sqm (within 400m)
- Ages 12-18 – 206sqm (within 800m).

11.157 The proposed development will provide several play spaces suitable for use by children aged 0-4 years old. There will be a total of 605m² informal play space on site which is in excess of the policy requirement for this particular age group.

11.158 The application states that the communal open space and play space provision has been designed to be inclusive and accessible for all and to be safe and overlooked by the development in accordance with the principles of Secured by Design. The application indicates that play space provision for children between ages of 5-11
cannot strictly be met by the development as the informal play areas proposed do not meet the standards within the Mayors SPG. The application notes that the site is well located within easy access of a number of areas of open space suitable for play and physical activity, with 8 open spaces, play areas and sport facilities within an 800m of the site.

11.159 Should planning permission be granted the applicant will be required to make an Islington Community Infrastructure Levy (CIL) payment upon commencement of development, in accordance with the Charging Schedule (2014). CIL monies are allocated to the improvement of parks and play spaces across the borough, including the nearby Caledonian Park. In view of the availability of off-site open space, play areas and sports facilities for children aged 5+ and given the monies that will be secured for the improvement of parks and play areas it is considered that, overall, the scheme is acceptable in terms of play space. Details of the play space provision will be secured through the landscaping condition should planning permission be granted.

11.160 **Dwelling Mix:** The scheme proposes a total of 252 residential units with an overall mix comprised as follows:

<table>
<thead>
<tr>
<th>Dwelling Type</th>
<th>Social Rent (Units / %)</th>
<th>Policy DM3.1 Target Mix</th>
<th>Shared Ownership (Units / %)</th>
<th>Policy DM3.1 Target Mix</th>
<th>Private (Units / %)</th>
<th>Policy DM3.1 Target Mix</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bed</td>
<td>2 / 2.4%</td>
<td>0%</td>
<td>5 / 25%</td>
<td>65%</td>
<td>43 / 28.6%</td>
<td>10%</td>
</tr>
<tr>
<td>2 Bed</td>
<td>59 / 72%</td>
<td>20%</td>
<td>15 / 75%</td>
<td>35%</td>
<td>107 / 71.4%</td>
<td>75%</td>
</tr>
<tr>
<td>3 Bed</td>
<td>21 / 25.6%</td>
<td>30%</td>
<td>0 / 0%</td>
<td>0%</td>
<td>0 / 0%</td>
<td>15%</td>
</tr>
<tr>
<td>4 Bed +</td>
<td>0 / 0%</td>
<td>50%</td>
<td>0 / 0%</td>
<td>0%</td>
<td>0 / 0%</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>82</strong></td>
<td><strong>20</strong></td>
<td><strong>150</strong></td>
<td></td>
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</tbody>
</table>

11.161 Policy CS12(e) requires a range of unit sizes within each housing proposal to meet the needs in the borough, including maximising the proportion of family accommodation in both affordable and market housing. Policy DM3.1 advises that new development should provide a good mix of unit sizes based upon Islington’s Local Housing Needs Assessment. Paragraph 3.14 states that the mix of dwelling sizes appropriate to specific developments will also be considered in relation to the character of the development, the site and the area.

11.162 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.
The application states that the proposed mix has been designed to best accord with policy requirements whilst the proposed affordable housing has been developed in consultation with the registered provider Family Mosaic and the Council’s Housing Division. The proposed housing mix is informed by the need to make the best and most efficient use of the site whilst ensuring that the development is sympathetic to its immediate context. The development would provide a significant proportion of social rented 3 bedroom family sized units whilst the provision of 2 bedroom private units would be close to the target requirement. Overall, whilst the proposed unit mix is not ideal within the context of Policy 3.1 it is considered that, given the requirement to ensure a good standard of layout and accommodation throughout the development, the unit mix is considered acceptable. The affordable housing offer on this site in terms of the quantity, quality and mix is considered to make a positive contribution to the housing needs of the borough.

**Affordable Housing and Financial Viability**

Paragraph 47 of the NPPF states that, to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. Paragraph 173 states that to ensure viability, “the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”.

London Plan policy 3.12 states that the “maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes. It adds that negotiations on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation (‘contingent obligations’), and other scheme requirements”.

ICS policy CS12 (part G) states that Islington will meet its housing challenge, to provide more affordable homes by:

- requiring that 50% of additional housing to be built in the borough over the plan period should be affordable.
- requiring all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough.
- seeking the maximum reasonable amount of affordable housing, especially Social Rented housing, from private residential and mixed-use schemes, taking account of the overall borough-wide strategic target of 50% provision.
- delivering an affordable housing tenure split of 70% social housing and 30% shared ownership housing.
11.167 The London Plan Housing SPG (2012) requires that for schemes with a shorter development term, consideration should be given using s106 clauses to trigger a review of viability, if a scheme is not substantially complete by a certain date. These approaches are intended to support effective and equitable implementation of planning policy while also providing flexibility to address viability concerns such as those arising from market uncertainty.

11.168 The Affordable Housing Offer: Of the 252 residential dwellings proposed, 102 units will be provided as affordable housing. This represents 40.5% of the total residential units and 44.6% on a habitable room basis. The affordable housing element will be delivered and managed by the Registered Provider Family Mosaic. A total of 82 units will be provided as social rented units, equating to 80% of the overall affordable housing provision by units and 83% by habitable rooms. This represents a significant quantum of social rented housing which is in excess of the Council’s policy requirements. The application is subject to a viability assessment to determine the maximum reasonable amount of affordable housing is being provided.

11.169 Within the affordable housing provision there is a policy requirement for 70% of the provision to be social rent and 30% as intermediate/shared ownership. 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 housing needs for this type of accommodation and the emphasis of the policy for the provision of social rented housing.

11.170 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 Council appointed BPS Chartered Surveyors (BPS) to undertake a review of financial viability for this scheme. The assessment sought to determine the deliverability and viability of the proposed scheme.

11.171 The concept of viability testing is to determine the potential amount of planning obligations that can be sought before the return to the landowner and developer falls below a “competitive return”. Firstly, a Residual Land Valuation (RLV) is calculated to ascertain the amount that can be paid for the site. This is calculated from the total value of the completed proposed development minus any development costs. Secondly, a Benchmark Land Value is established (based on the EUV of the current site), which is the measure against which the RLV is compared with to determine whether the scheme is viable.

11.172 The submitted financial viability assessment has been scrutinised by BPS and Council officers. The following provides a summary of the conclusions of the review of the financial viability assessment. However, given the detailed and comprehensive way that the BPS report deals with financial viability it is not attempted to fully summarise the report here and a redacted copy is provided at Appendix 4. The conclusions of the report are summarised as follows:

- The benchmark land value is based on the current use value (CUV) of the site to which a 20% premium has been added - BPS consider the CUV of the site to be reasonable but disagree with the 20% premium added to the CUV given
the relatively poor condition of a number of the buildings on site - it is suggested that a 10% premium would be more appropriate.

- The costs have been reviewed by BPS’ Cost Consultant who has advised that the applicant’s build costs for the delivery of the scheme appear reasonable.
- A review of the comparable evidence of sales values suggests that the values applied to the private units are reasonable and, given that the value of the affordable units would be based upon an offer from a registered provider, these are also considered reasonable.
- The assumptions relating to the retail and commercial spaces are generally considered realistic although BPS suggest that the void period for the retail space should be reduced and that the commercial rental values should be increased.
- The applicant’s assumptions relating to ground rent are considered reasonable.
- The scheme currently produces a deficit, although less than the deficit suggested by the applicant’s valuers. A sensitivity analysis demonstrates that the apparent deficit is capable of being bridged through a net increase in the value of the market housing of less than 5%. This margin is considered to be an acceptable commercial risk and it is therefore considered that the proposal could not realistically seek to adjust the level of affordable housing proposed with any credibility through subsequent challenge.
- Overall, as the scheme would remain in deficit, it cannot reasonably deliver any additional affordable housing.

11.173 Officers subsequently expressed concern that the scheme is shown to be in deficit given that the proposal is considered to be finely balanced in planning terms. Specifically, significant weight in planning terms could not be attached to an affordable housing offer which was not demonstrated to be deliverable. This concern was amplified following a recent appeal decision in Southwark (PINS ref. APP/A5840/S/15/3121484, Land at 2-2A Crystal Palace Road, East Dulwich, London SE22 9HB) whereby planning permission was granted for a scheme demonstrating a deficit and was immediately appealed made under Section 106BC of the Planning Act. The Inspector determined that the scheme could not viably deliver any affordable housing and the obligation was removed.

11.174 The applicant has sought to provide further clarification and assurances, in writing, of their intention to deliver the scheme as proposed. They advise that, given anticipated overall sales value growth across the timespan of the development, the scheme will be viable to deliver, returning an acceptable profit. The applicant explains that their business plan involves speculation, on a well informed basis, on future market movements to ascertain a current day position on the acceptability of development projects. This goes beyond the realms of the requirements under the NPPG and NPPF and London Plan guidance for viability assessments which promote a current day assessment.

11.175 The Council would normally assess viability using current day costs and values, Planning Practice Guidance (PPG) indicates that for phased schemes, changes in the value of development and costs of delivery may be considered at application stage. Officers have therefore accepted that it is appropriate to approach viability on a growth basis.
11.176 The applicant has provided an updated viability appraisal that specifically includes a 9.5% growth in residential sales values that is demonstrated to be required for the scheme to break even. The applicant has confirmed in writing that, ‘On the basis of the inputs included in the appraisal, the scheme will be viable and given the size, formation, development sequencing and affordable housing position of this scheme, not only do we consider it deliverable, we are intending to commence development in line with the conditions of the legal agreement, as soon as it can be secured and certainly during the course of 2016.’

11.177 It is considered that, having regard to recent and long term trends, as a well as market residential value forecasts, an assumption of 9.5% value growth (as a minimum) is not unrealistic for this location over the development programme. This approach is considered particularly appropriate as the applicant’s viability assessment includes build cost inflation at 7.17% and it is considered appropriate that sales value growth is factored in alongside this.

11.178 A 9.5% growth scenario would ensure that the applicant can make the full carbon offsetting payment of £793,040 required by the Council can be secured. The applicant has requested that for cashflow reasons this payment is deferred until the project is substantially advanced and this is considered acceptable. On this basis it is considered that the applicant has satisfactorily demonstrated that the planning obligations set out later in this report, including the proposed affordable housing, are viable.

11.179 It should be noted that the projected sales value growth is based upon the viability position set out by the applicant’s valuers, rather than the views of the BPS. Accordingly, a slightly lower level of sales growth would be required to break even based upon BPS’ viability position.

11.180 Family Mosaic have also provided written confirmation of their agreement to acquire the 102 affordable units and that they are at an advanced stage of finalising the legal agreements and that they are assured by the applicant of the intention to implement the scheme (should planning permission be granted) and to deliver the affordable units as proposed.

11.181 A redacted draft contract with Family Mosaic has been provided and it is anticipated that this will be signed by the Committee date resulting in a legally binding position between the parties. An update will be provided at the meeting. Family Mosaic will be in contract with London Square before the Section 106 agreement is signed and therefore will be a party to the agreement. Whilst this does not guarantee the delivery of the affordable housing in itself, it would ensure that the agreement cannot be varied without Family Mosaic’s consent.

11.182 The applicant has sought to provide further assurance of their intention to progress with the development as proposed by advising that the agreement to purchase the land will result in vacant possession being achieved on the majority of the site by end of January 2016, and across the whole site by March 2016 (the Site 1 lease expires later than the rest of the site). Accordingly, there is significant financial liability as soon as the income stream from the existing site is extinguished and, from a
commercial point of view the motivation to develop is high, and the penalty for not
doing so is onerous.

11.183 It is recommended that the viability of the scheme will be subject to a review
mechanism which would require the submission of an updated viability appraisal if
the development has not been substantially implemented within 12 months of the
grant of planning consent. An updated assessment will enable the viability of the
scheme to be reconsidered in the event that the scheme is delayed to ensure that
the proposals are based on an assessment of viability that is accurate at the point of
delivery. The review will also help to ensure that the scheme provides the maximum
reasonable level of affordable housing in line with Development Plan policy. The
applicants have confirmed in writing that they agree to a review mechanism.

11.184 It is considered that, given the written assurances and the viability position
demonstrated by the applicant along with the anticipated signing of a contract with
Family Mosaic, the applicant has done all that could reasonably be expected to
demonstrate their intention to deliver the scheme as proposed. It is further
considered that the potential for a successful appeal under Section 106BC of the
considered minimal.

11.185 In conclusion, the offer of 40.5% affordable housing by units (44.6% by habitable
rooms) is considered to deliver a good mix of tenures and as supported by a
financial viability assessment including further written assurances from the developer
is considered the maximum reasonable amount of affordable housing and thus is
considered to accord with policy.

11.186 The GLA Stage 1 report suggests that the affordable housing offer should be
reviewed to assess whether further affordable housing could be delivered if
affordable rented accommodation were also considered and if a London Plan tenure
split of 60% social/affordable rent and 40% intermediate were proposed. Family
Mosaic have advised that they have spent a year working with the applicant on the
proposal and have advised on the mix and layouts of the affordable units whilst also
liaising with the Council’s Housing Division in relation to the size and mix of units
required, in particular for the social rented units. On the basis that the affordable
housing offer has been developed in consultation with the Council and Family
Mosaic the proposed tenure split is considered to reflect an identified need and is
considered appropriate.

Sustainability, Energy Efficiency and Renewable Energy

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.
11.188 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).

11.189 The London Plan and Core Strategy require development proposals to make the fullest possible contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy; be lean, be clean, be green. Policy 5.2 of the London Plan requires the submission of a detailed energy assessment setting out efficiency savings, decentralised energy options and renewable energy production.

11.190 Policy CS10A of Islington’s Core Strategy requires onsite total CO2 reduction targets (regulated and unregulated) against Building Regulations 2013 of 27% where connection to a decentralised energy network is not made and 40% where connection to a decentralised energy network is possible. The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010.

BE LEAN
Energy efficiency standards
11.191 The council’s Environmental Design SPD states ‘The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified’. ‘U values’ are a measure of heat loss from a building and a low value indicates good insulation. The proposed U-values are: walls = 0.18, roof = 0.18, floors = 0.18 and glazing = 1.1 and these values are considered to be generally very good. The air tightness of the proposed building would be 3m3/m2/hr @ 50pa and this value is accepted. Low energy lighting is also proposed. These measures are supported and further details will be secured by condition should planning permission be granted.

BE CLEAN
District heating
11.192 DM7.3A requires all developments to be designed to be able to connect to a District Energy Network (DEN) if and when such a network becomes available. Specific design standards are set out in the council's Environmental Design SPD. DM7.3B and C state that where there is an existing or future DEN within 500m of the site, the development should connect. There is no available local DEN network to link up to within 500m of the site at present.

11.193 DM7.3D states that where there is no existing or proposed future DEN within 500m of the site, where possible developments should connect to a shared heating network, unless not reasonably possible. No shared heat network (SHN) is proposed and the council is satisfied that there are no current buildings or pending developments which could provide an opportunity for importing or exporting low carbon heating to the proposed development at this time. The applicant proposes that the system will be future-proofed for connection to a local heat network. This is
strongly supported, as this is an area where the Council envisages the further development of heat networks in the coming years.

**Combined Heat and Power**

11.194 The energy strategy proposes a gas fired combined heat and power (CHP) unit with additional heating provided by back up boilers which would deliver a 18% reduction in regulated carbon emissions.

**BE GREEN**

**Renewable energy technologies**

11.195 The Energy Strategy Report proposes a roof mounted solar photovoltaic (PV) installation which would generate kWh/year, equivalent to an annual CO2 emissions saving of 6 tonnes CO2 per year. The use of a solar photovoltaic array is supported. Further details of renewable energy technologies will be secured by condition should planning permission be granted.

11.196 The Proposed Development has been designed to achieve optimum overall energy performance with the commercial elements designed to achieve a BREEAM rating of ‘Excellent’ and the residential elements to follow the principles of the Code for Sustainable Homes level 4 (albeit following the de-regulation Bill a formal assessment will not be undertaken).

11.197 **Carbon Emissions:** The applicant proposes a reduction in overall emissions of 31.2%, compared to a 2013 Building Regulations baseline. This falls slightly short of the London Plan’s reduction target of 35% (vs. regulated emissions) and a bit further short of Islington’s 27% target (for all emissions). In order to mitigate against the remaining carbon emissions generated by the development a financial contribution of £793,040 will be sought by way of section 106 agreement.

11.198 **Overheating and Cooling:** DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control.

11.199 Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance. The thermal modelling submitted addresses this issue to the satisfaction of the councils Energy team.

11.200 The applicant is not currently proposing artificial cooling for the residential element, and this is supported. The non-residential elements are being designed as shell and core and therefore there is a possibility that tenants may wish to install cooling during the fit-out. (The BRUKL documents / energy modelling have assumed that artificial cooling is installed.) The applicant may wish to address this within the terms of any lease (subject to the findings of any overheating analysis), as avoidance of artificial cooling within the commercial units would further reduce emissions.
11.201 The Council’s Energy Officers have reviewed the applicant’s comments regarding the cooling hierarchy, and are broadly happy with the approaches outlined. Less information has been provided for the commercial units, as full details of these are not yet known.

11.202 In summary, the proposal is considered broadly acceptable from a sustainable development and renewable energy point of view and any outstanding issues could be satisfactorily dealt with through appropriate conditions and a Section 106 agreement.

11.203 **Sustainable Urban Drainage System (SUDS):** The application is accompanied by a Drainage Management Plan which proposes measures including living roofs and rainwater harvesting to reduce surface water runoff to 50% of the existing rate. The proposal is considered acceptable from a drainage point of view subject to a condition securing details of a Sustainable Urban Drainage System.

11.204 **Contaminated Land:** The application is accompanied by a Land Contamination Assessment which identifies a moderate risk of significant contamination from on-site uses, although such contamination is expected to be isolated in nature and is considered standard within this inner city environment. It is recommended that an intrusive investigation is carried out which will include an allowance for contamination sampling and testing.

11.205 The Council’s Environmental Health Officer has raised no objections to the proposal in terms of contaminated land subject to a condition securing a land contamination investigation and a programme of any necessary land contamination remediation works. The proposal is therefore considered acceptable in terms of land contamination.

**Highways and Transportation**

11.206 The site has a Public Transport Accessibility Level (PTAL) of 6a (excellent)

11.207 **Pedestrian access:** It is intended that the proposed access route through the development would take the form of a shared surface for the purposes of pedestrians, cyclists, private vehicles, and delivery and servicing vehicles. It is intended that the absence of a formal carriageway would encourage motorists to enter the area more cautiously and negotiate the right of way, thereby promoting an environment in which pedestrians can move freely and do not feel vulnerable. As part of the landscape design, areas are also shown delineated for pedestrians.

11.208 A 10mph speed limit is intended to promote priority to pedestrians and this would be devised by signage and vehicle calming initiatives. It is also intended for there would be a change in road alignment and surface treatment, and this will in turn emphasise distinctness from the local highway network, thereby calming vehicular movements and encouraging low speeds.

11.209 **Cycle access and parking:** Development Management Policy DM8.4 (Walking and cycling), Part D requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking. Appendix 6 of the
Development Management Policies document requires cycle parking for the residential use to be provided at a rate of 1 space per 1 bedroom.

11.210 The applicant proposes 475 cycle parking spaces for the residential component of the scheme. The residential cycle parking spaces would be provided within secure store rooms in a central location at each of the sites. The cycle store for Site 1 will be accessed from Brewery Road, from where access to the building core is convenient. The central store for Site 2 would be located from the proposed access route within the site, via the rear of concierge reception, in order to ensure a high level of security for residents using the cycle store. All residents can then reach their respective core from within the site accordingly.

11.211 It is recommended that specific numbers and details of cycle parking for the development will be secured by condition should planning permission be granted.

11.212 **Servicing, deliveries and refuse collection** Delivery and servicing arrangements have been considered in the context of the two parcels of land, with Site 1 being serviced from Brewery Road and Site 2 serviced on site. In accordance with London Plan requirements the development will incorporate 26 car parking spaces, all of which will be made suitable for disabled users. Given the Site’s high PTAL rating it is expected that users travelling to and from the site will use sustainable transport methods which would not necessitate car parking.

11.213 Vehicular servicing access to Site 1 is to be from Brewery Road, which has been demonstrated through the accompanying Transport Assessment to be non-detrimental to the operation of the adjacent highway network, with no net loss in on-site parking provision. Site 2 allows for all delivery and servicing activity to be facilitated on site, where it is intended that all deliveries are to be received in a controlled manner. A delivery and servicing management plan will be implemented to manage deliveries more effectively, in particular, controlling deliveries outside of network peak hours.

11.214 The application includes a Waste and Refuse Strategy which indicates that refuse collection will take place on the access road with no requirement for reversing of refuse vehicles. All of the residential refuse storage areas will be accessed from the individual cores within the buildings and will be within 10m of the collection points on the access road.

11.215 At the time of writing comments were awaited from the Council’s Street Environmental Services Division and any comments received will be reported verbally at the Committee meeting.

11.216 **Vehicle parking**: Core Strategy Policy CS10 (Sustainable development), Part H, requires car free development. Development Management Policy DM8.5 (Vehicle parking), Part A (Residential parking) requires new homes to be car free, including the removal of rights for residents to apply for on-street car parking permits.

11.217 Wheelchair accessible parking should be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking).
11.218 The Council’s Spatial Planning and Transport Officer has advised that the proposal is considered acceptable from a Highways point of view, subject to appropriate conditions and measures to be secured through the Section 106 agreement.

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

11.219 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.

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

- On-site provision of 40.5% affordable housing (102 units), or 44.6% by habitable rooms comprised of 82 social rent and 20 intermediate units representing an 83%/17% split by (by habitable rooms)
- Prevention of wasted housing supply. All dwellings required to be fully furnished and equipped for use as a home, and not to be left unoccupied for any continuous period of 3 consecutive months or more (plus other requirements as per Islington’s Wasted Housing Supply SPD). The applicant agrees to include these obligations in sales and marketing information and in any head lease or subleases that may be granted.
- Contribution of £793,040 (TBC) towards offsetting projected residual CO2 emissions of the development.
- The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation of 21 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £105,000 to be paid to LBI.
- Contribution of £44,976 towards employment and training for local residents.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £33,503.
- Contribution of £30,000 to be paid to TfL for bus stop improvements.
- Provision of 8 additional accessible parking bays or a contribution of £16,000 towards provision of on-street bays or other accessible transport initiatives.
- Future proofing in order that the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a Green Performance Plan and a post occupation Green Performance Plan
- Submission of a final Travel Plan.
- Submission of a final post occupation Green Performance Plan.
• Payment of Council’s fees in preparing and monitoring the S106.
• Submission of an updated viability appraisal if the development has not been substantially implemented within 12 months of the grant of planning consent. Updated appraisal to be submitted prior to substantial implementation with surplus profit used to provide additional onsite affordable housing in accordance with the additional affordable housing schedule forming part of the S106 agreement.
• Removal of eligibility for residents’ parking permits (additional units only).
• Timing and delivery and management of affordable workspace.
• Off-site mitigation measures to address concerns relating to the Haywards Adventure Playground
• Section 278 agreement to be entered into with TfL to extend bus cage H to allow 2 buses at any one time
• Covenants imposed on residential occupiers requiring them not to issue complaints relating to ongoing commercial operations within and adjoining the site
• Employment Management Strategy to ensure compatibility of commercial and residential uses
• Pruning of Trees T1, T2, T4 and T5 and monies to cover the costs of further, annual pruning
• Financial contribution equivalent to CAVAT value of street trees to be removed.

11.221 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.

National Planning Policy Framework

11.222 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.

12. SUMMARY AND CONCLUSION

Summary

12.1 The 0.89ha application site comprises 2 sites on the western side of Caledonian Road. Site 1 comprises a three storey office and storage building currently occupied by the British Transport Police. Site 2 comprises several industrial buildings in varying condition which are presently either vacant or occupied for a mixture of workshop, storage, office, training and industrial uses. It is considered that, overall, the existing buildings have a neutral or negative impact in character terms.
12.2 The application proposes the redevelopment of the site to provide 252 residential dwellings including 102 units of affordable housing; 7,672m² (GIA) of employment floorspace (Use Class B1a-c) including affordable workspace; 569m² (GIA) of retail (Use Class A1/A2/A3) floorspace; 62m² (GIA) of community (Use Class D1) floorspace; basement car parking providing a total of 26 spaces; 540 long stay and 34 short stay cycle parking spaces; a publicly accessible route through the site and a double height pedestrian link from Caledonian Road; and hard and soft landscaping.

12.3 The proposal involves the introduction of inappropriate uses, including housing, onto a Locally Significant Industrial Site (LSIS), which is designated for Use Class B1(c), B2 and B8 uses only. The proposal therefore represents a departure from Development Plan policy and raises significant concerns in this regard. There are further concerns relating to issues including building heights, loss of light at some nearby residential properties and the impact on trees within Market Road Gardens. However, the proposal will deliver significant benefits in planning terms that can be weighed in its favour, including 252 new dwellings with a substantial proportion (40.5% by units and 44.6% by habitable rooms) of affordable housing; an equivalent quantum of employment floorspace built to modern standards with the potential to support a significantly increased number of jobs and improvements to the character and appearance of the area including through a new area of landscaped public realm.

12.4 The proposal has been the subject of comprehensive pre-application discussions with Officers and, overall, is considered acceptable in design terms subject to conditions securing appropriate materials. The application is thus considered to be in accordance with London Plan Policy 7.6, Islington Core Strategy Policy CS7 and Islington’s Development Management Policy DM2.1.

12.5 The proposal is not considered to have an unacceptable impact on neighbouring amenity in terms of loss of sunlight, daylight, privacy, air quality or an increased sense of enclosure. An appropriate landscaping scheme can be secured by condition to ensure a high quality public realm.

12.6 It is considered that the benefits of the scheme are substantial and, on balance, outweigh the harm resulting from the conflict with Development Plan policy and all other identified harm.

Conclusion

12.7 The proposal would deliver a package of benefits that are considered to weigh in its favour and justify a departure from Development Plan Policy DM5.3 whilst in all other respects the proposal is considered to comply with local, regional and national planning policy and guidance. It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 and subject to any direction by the Mayor of London – RECOMMENDATIONS.
APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

a. allow the draft decision to proceed unchanged; or
b. direct the Council under Article 6 to refuse the application; or

RECOMMENDATION B

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

1. On-site provision of 40.5% affordable housing (102 units), or 44.6% by habitable rooms comprised of 82 social rent and 20 intermediate units representing an 83%/17% split by (by habitable rooms)
2. Prevention of wasted housing supply. All dwellings required to be fully furnished and equipped for use as a home, and not to be left unoccupied for any continuous period of 3 consecutive months or more (plus other requirements as per Islington’s Wasted Housing Supply SPD). The applicant agrees to include these obligations in sales and marketing information and in any head lease or subleases that may be granted.
3. Contribution of £793,040 (TBC) towards offsetting projected residual CO2 emissions of the development.
4. The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required.
5. Compliance with the Code of Employment and Training.
6. Facilitation of 21 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £105,000 to be paid to LBI.
7. Contribution of £44,976 towards employment and training for local residents.
8. Compliance with the Code of Local Procurement.
9. Compliance with the Code of Construction Practice, including a monitoring fee of £33,503.
10. Contribution of £30,000 to be paid to TfL for bus stop improvements.
11. Provision of 8 additional accessible parking bays or a contribution of £16,000 towards provision of on-street bays or other accessible transport initiatives.
12. Future proofing in order that the development can be connected to a local energy network if a viable opportunity arises in the future.
13. Submission of a Green Performance Plan and a post occupation Green Performance Plan
16. Payment of Council’s fees in preparing and monitoring the S106.
17. Submission of an updated viability appraisal if the development has not been substantially implemented within 12 months of the grant of planning consent. Updated appraisal to be submitted prior to substantial implementation with surplus profit used to provide additional on-site affordable housing in accordance with the additional affordable housing schedule forming part of the S106 agreement.
18. Removal of eligibility for residents’ on-street parking permits (additional units only).
20. Off-site mitigation measures to address concerns relating to the Haywards Adventure Playground
21. Section 278 agreement to be entered into with TfL to extend bus cage H to allow 2 buses at any one time
22. Covenants imposed on residential occupiers requiring them not to issue complaints relating to ongoing commercial operations within and adjoining the site
23. Employment Management Strategy to ensure compatibility of commercial and residential uses
24. Pruning of Trees T1, T2, T4 and T5 and monies to cover the costs of further, annual pruning.
25. Financial contribution equivalent to CAVAT value of street trees to be removed.

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

**ALTERNATIVELY** should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.
RECOMMENDATION C

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

**List of Conditions:**

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<tr>
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<th>Commencement (Compliance)</th>
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<tr>
<td></td>
<td>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. 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).</td>
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<td>2</td>
<td>Approved plans list (Compliance)</td>
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<tr>
<td></td>
<td>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</td>
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</tbody>
</table>
|   | 830-010-1B; 830-010-1M; 830-010-00; 830-010-01; 830-010-02; 830-010-03; 830-010-04; 830-010-05; 830-010-06; 830-010-07; 830-010-08; 830-010-09; 830-010-10; 830-010-1B.1; 830-010-00.1; 830-010-00.2; 830-010-00.3; 830-010-00.4; 830-010-00.5; 830-010-1M.1; 830-010-1M.2; 830-010-1M.3; 830-010-1M.4; 830-010-01.1; 830-010-01.2; 830-010-01.3; 830-010-01.4; 830-010-01.5; 830-010-02.1; 830-010-02.2; 830-010-02.3; 830-010-02.4; 830-010-02.5; 830-010-03.1; 830-010-03.2; 830-010-03.3; 830-010-03.4; 830-010-03.5; 830-010-04.1; 830-010-04.2; 830-010-04.3; 830-010-04.4; 830-010-04.5; 830-010-05.1; 830-010-05.2; 830-010-05.3; 830-010-05.4; 830-010-05.5; 830-010-06.1; 830-010-06.2; 830-010-06.3; 830-010-06.4; 830-010-06.5; 830-010-07.1; 830-010-07.2; 830-010-07.3; 830-010-07.4; 830-010-08.1; 830-010-09.1; 830-010-10.1; 01-01-01; 01-01-02; 01-01-06; 01-01-10; 01-01-11; 01-01-12; 01-02-10; 01-02-12; 02-01-01; 02-01-02; 03-01-01; 03-01-02; 03-01-03; 05-01-01; 05-01-02; 05-01-03; 06-01-04; 08-01-01; 08-01-02; 08-01-03; 08-01-04; 08-01-05; 08-01-06; 9a-01-01; 9b-01-02; 9b-01-03; 9b-01-04; 9b-01-05; 830-020-20; 830-020-21; 830-020-22; 830-020-23; 830-020-24; 830-020-25; 830-020-26; 830-020-27; 830-020-28; 830-020-29; 830-020-30; 830-020-31; 830-020-32; 830-020-33; 830-020-34; 830-020-35; 830-020-36; 830-020-37; 830-020-38; 830-020-39; 830-020-40; 830-020-41; 830-020-42; 830-020-43; 830-020-44; 830-020-45; 830-020-46; 830-050-01; 830-050-02; 830-050-03; 830-050-04; 830-050-05; 830-050-06; 830-050-07; 830-050-08; 830-050-09; 830-050-10; 830-050-11; 830-050-12; 830-050-20; 830-050-21; 830-050-22; 830-050-23; 830-050-24; 830-050-25; 830-050-26; 830-050-27; 830-050-28; 830-050-29; 830-050-30; 830-050-31; 830-050-32; 830-050-33; 830-050-34; 830-050-35; 830-050-36; 830-050-37; 830-050-38; 830-050-39; Design and Access Statement (September 2015); Construction Management Plan (including Site Waste Management Plan) (September 2015); Drainage Management Plan (September 2015); Structural Engineering Report (September 2015); Energy Statement (September 2015); Sustainability Statement (Including BREEAM Assessment and Green Performance Plan) (September 2015); Transport Assessment (September 2015); Residential and Commercial Travel Plans (September 2015); Ecology Assessment (including bat survey) (September 2015); Acoustic Report (September 2015); Land Contamination Assessment (September 2015); Arboricultural Impact Assessment and Tree Protection Plan (September 2015).
Notwithstanding the documents approved, details of materials shall be submitted for approval under condition 3 of this planning permission. shall be agreed including bond, mortar, colour texture etc (I can provide a detailed condition later). We also need to condition soffits, reveals the ground floor, signage.

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.

### 3 Materials and Samples (Compliance and Details)

Details and samples of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:

- a) Brickwork, bond and mortar courses;
- b) Window and doors;
- c) roofing materials;
- d) Balcony materials (including winter gardens);
- e) green procurement plan for sourcing the proposed materials;
- f) soffits;
- g) ground floor signage;
- h) any other materials to be used.

The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.

The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

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.

### 4 Demolition and Construction Management Plan and Demolition and Construction Logistics Plan (Details)

CONDITION: No demolition shall take place unless and until a Demolition and Construction Management Plan (DCMP) and a Demolition and Construction Logistics Plan (DCLP) have been submitted to and approved in writing by the Local Planning Authority.

The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.

The development shall be carried out strictly in accordance with the approved DCMP and DCLP throughout the construction period.

REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets, and to mitigate the impacts of the development.
<table>
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<tr>
<th>5</th>
<th><strong>Site Waste Management Plan (Details)</strong></th>
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</table>
| **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.

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.

**REASON:** To maximise resource efficiency and minimise the volume of waste produced, in the interest of sustainable development.

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<tr>
<th>6</th>
<th><strong>Piling Method Statement (Details)</strong></th>
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</table>
| **CONDITION:** No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

**REASON:** The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

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<tr>
<th>7</th>
<th><strong>Tree Protection (Details)</strong></th>
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</table>
| **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.

Development shall be carried out in accordance with the approved AMS.

**REASON:** In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.

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<th>8</th>
<th><strong>Site Supervision (Details)</strong></th>
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</table>
| **CONDITION:** No works or development shall take place until a scheme of supervision and monitoring for the arboricultural protection measures in accordance with para. 6.3 of British Standard BS5837: 2012 – Trees in Relation to design, demolition and construction – recommendations has been approved in writing by the local planning authority.

The scheme of supervision shall be carried out as approved and will be administered by a qualified Arboriculturist instructed by the applicant. This scheme will be appropriate to the scale and duration of the works and will include details of:

A: Prior to Commencement:
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.

B: Prior to Completion of Development:

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.

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.

9 Landscaping/Tree Planting (Details)

CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:

a) a scaled plan showing vegetation to be retained and trees and plants to be planted;
b) specification to ensure successful establishment and survival of
c) new planting.
d) a schedule detailing sizes, species and numbers of all new trees/plants;a biodiversity statement detailing how the landscaping scheme maximises biodiversity;
e) existing and proposed underground services and their relationship to both hard and soft landscaping;
f) proposed trees: their location, species and size;
g) soft plantings: including grass and turf areas, shrub and herbaceous areas;
h) topographical survey: including earthworks, ground finishes, topsoiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;
i) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;
j) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and
k) any other landscaping features forming part of the scheme.

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.
The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

**REASON:** In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.

### Playspace Provision (Details)

**CONDITION:** Details of the onsite children’s playspace provision, which shall provide for no less than 605 m² of playspace contained within the site, shall be submitted to and approved in writing by the Local Planning Authority prior to any landscaping works commencing on the site and prior to the first occupation of the development. The details shall include the location, layout, design of the playspace, its proposed equipment/features and an ongoing management and maintenance plan.

The children’s playspace shall be provided strictly in accordance with the details so approved, installed/erected prior to the first occupation of the residential dwellings and shall be managed and maintained in accordance with the approved management and maintenance plan.

**REASON:** To secure the appropriate provision and design of children’s playspace.

### Lighting Plan (Details)

**CONDITION:** Full details of the lighting across the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved development.

The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, hours of operation and technical details on how impacts on bat foraging will be minimised. The lighting measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.

**REASON:** To ensure that any resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as protecting the biodiversity value of the site.

### Disabled Parking Spaces

**CONDITION:** The disabled parking spaces shown on drawing no 010-1B hereby approved shall be provided prior to the first occupation of the building and the disabled parking bays shall be appropriately line-marked and thereafter kept available for the parking of vehicles at all times. The car parking spaces shall only be occupied by vehicles displaying blue badges.

A parking management plan, which shall include details of the proposals for the allocation car parking spaces and details of the installation of Electric Vehicle Charging Points (EVCPs) shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.
<table>
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<tr>
<th>REASON: In the interest of securing the provision of an appropriate number and standard of disabled parking spaces.</th>
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<tr>
<td><strong>13 Accessible Housing – Major Schemes (Details)</strong></td>
</tr>
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</table>
| CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, 226 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 26 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).

A total of 10 1-bed, 12 2-bed and 4 3-bed units shall be provided to Category 3 standards.

A total of 40 1-bed, 169 2-bed and 17 3-bed units shall be provided to Category 2 standards.

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.

The development shall be constructed strictly in accordance with the details so approved.

REASON - To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs, in accordance with London Plan (FALP) 2015 policy 3.8 (Housing Choice). |
| **14 Combined Heat and Power (Details)** |
| CONDITION: Details of the Combined Heat and Power facility and associated infrastructure, which shall provide for no less than 16% total CO\textsubscript{2} reduction shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include:

a) location, specification, flue arrangement, operation/management strategy; and

b) the method of how the facility and infrastructure shall be designed to allow for the future connection to any neighbouring heating and cooling network

The Combined Heat and Power facility and infrastructure shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.

REASON: To ensure the facility and associated infrastructure are provided and so that it is designed in a manner which allows for the future connection to a district system. |
| **15 Energy Efficiency – CO\textsubscript{2} Reduction (Compliance/Details)** |
| CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy which shall together provide for no less than a 20% on-site total CO\textsubscript{2} reduction in comparison with total emissions from a building which complies with Building Regulations 2013 as detailed within the Sustainability Statement shall |
be installed and operational prior to the first occupation of the development.

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:

A revised Energy Strategy, which shall provide for no less than a 40% onsite total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2010. This shall include the details of any strategy needed to mitigate poor air quality (such as mechanical ventilation).

The final agreed scheme shall be installed and in operation prior to the first occupation of the development.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: In the interest of addressing climate change and to secure sustainable development.

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<tr>
<th>16</th>
<th><strong>Renewable Energy (Compliance)</strong></th>
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<tr>
<td><strong>CONDITION:</strong> The energy efficiency measures/features and renewable energy technology (solar PV panels), which shall provide for no less than 1% on-site total CO2 reduction as detailed within the 'Energy Strategy' shall be installed and operational prior to the first occupation of the development.</td>
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<td>Should, following further assessment, the approved renewable energy option be found to be no-longer suitable:</td>
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<tr>
<td>a) a revised scheme of renewable energy provision, which shall provide for no less than 1% onsite CO2 reduction, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The final agreed scheme shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</td>
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<tr>
<td>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by energy efficient measures/features and renewable energy are met</td>
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<tr>
<th>17</th>
<th><strong>Solar Photovoltaic Panels (Details)</strong></th>
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<tr>
<td><strong>CONDITION:</strong> Prior to the commencement of the development hereby approved, details of the proposed Solar Photovoltaic Panels at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</td>
<td></td>
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<tr>
<td>- Location;</td>
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<td>- Area of panels; and</td>
<td></td>
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<tr>
<td>- Design (including elevation plans).</td>
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<td>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</td>
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</table>
REASON: In the interest of addressing climate change and to secure sustainable
development and to secure high quality design in the resultant development.

18 Cycle Parking Provision (Details)

CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage areas shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than 475 cycle spaces for the residential use and 120 cycle spaces (or a lesser amount as agreed in writing by the Local Planning Authority) for the commercial and community uses.

The bicycle storage areas shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.

REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.

19 Visitor Cycle Parking Provision

CONDITION: Details of the visitor’s cycle parking, which shall comprise no less than 38 spaces shall be submitted to and approved in writing by the Local Planning Authority, and installed, prior to the first occupation of the development hereby approved.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: To ensure adequate visitor cycle parking is available to support the resulting use(s) and to promote sustainable modes of transport.

20 Sound Insulation (Details)

A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):

- 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

The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To secure an appropriate internal residential environment.

21 Fixed Plant (Compliance)

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
22 **Sound Insulation (Details)**

Full particulars and details of a scheme for sound insulation between the neighbouring public house and proposed B1/A1-3/D1 and residential use of the building shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.

The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

**REASON:** To ensure satisfactory living conditions for future occupants of the development.

23 **Delivery Servicing Plan (Details)**

**CONDITION:** A delivery and servicing plan (DSP) detailing servicing arrangements for the flexible retail/professional services units and the community centre including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL) prior to the first occupation of the relevant commercial/community units development hereby approved.

The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

**REASON:** To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.

24 **Air Quality Report**

Before commencement of the development, an air quality report shall be submitted to and agreed by the Local Planning Authority. The report shall detail:

- the area within the boundary of the site, which may exceed relevant national air quality objectives.
- specify how the detailed application will address any potential to cause relevant exposure to air pollution levels exceeding the national air quality objectives.
- identify areas of potential exposure.
- detail how the development will reduce its impact on local air pollution.

Regard shall be had to the guidance from the Association of London Government “Air quality assessment for planning applications – Technical Guidance Note” and the GLA’s “Air Quality Neutral” policy in the compilation of the report.

**Reason:** To ensure that the proposed development will minimise its impact on local air pollution.
<table>
<thead>
<tr>
<th>25</th>
<th><strong>Land Contamination (CIL Pre-commencement condition)</strong></th>
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<tr>
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<td>Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority</td>
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<td>a) A land contamination investigation.</td>
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<td>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</td>
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<td>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</td>
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<td>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</td>
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<td>Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b).</td>
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<td>REASON: Given the history of the site the land may be contaminated, investigation and potential remediation is necessary to safeguard the health and safety of future occupants.</td>
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<tr>
<th>26</th>
<th><strong>Construction Environmental Management Plan</strong></th>
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<td>A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</td>
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<td>THE CEMP should pay reference to BS5228:2009, LBI’s Code of Construction Practice, the GLA’s SPG on construction dust and emissions (including the Non-Road Mobile Machinery register) and any other relevant guidance.</td>
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<td>REASON: In the interests of residential and local amenity, and air quality.</td>
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<th>27</th>
<th><strong>Flues and Extraction – Flexible Commercial Units</strong></th>
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<td>CONDITION: Should the flexible commercial units be taken up for A3 use details of proposed flues / extraction systems for the units shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on the unit to which they relate.</td>
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<td>The filter systems of the approved flue / extraction units shall be regularly maintained and cleaned; and any filters and parts requiring cleaning or</td>
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replacement shall be easily accessible.

The flues/extraction systems shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the commercial units to which they relate and maintained as such thereafter.

**REASON:** In the interest of protecting future residential amenity and the appearance of the resulting buildings.

### 28 Hours of Operation (Compliance)

**CONDITION:** The ground floor commercial units hereby approved shall not operate outside the hours of 8am to 7pm unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

### 29 Waste Management Strategy (Details)

**CONDITION:** Details of the site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The details shall include:

a) the layout, design and appearance (shown in context) of the dedicated refuse / recycling enclosures;

b) a waste management plan

The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development and shall be maintained as such thereafter.

**REASON:** To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.

### 30 BREEAM (Compliance)

**CONDITION:** The commercial element of the development shall achieve a BREEAM rating of no less than ‘Excellent’.

**REASON:** In the interest of addressing climate change and to secure sustainable development.

### 31 Green/Brown Biodiversity Roofs (Details)

**CONDITION:** Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:

a) biodiversity based with extensive substrate base (depth 80-150mm); and

b) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).

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.

REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.

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<tr>
<th>32</th>
<th>Sustainable Urban Drainage System (Details)</th>
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<tr>
<td>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:</td>
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<tr>
<td>i.</td>
<td>a timetable for its implementation, and</td>
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<tr>
<td>ii.</td>
<td>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.</td>
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</tbody>
</table>

No building(s) hereby approved shall be occupied unless and until the approved sustainable drainage scheme for the site has been installed/completed strictly in accordance with the approved details.

The scheme shall thereafter be managed and maintained in accordance with the approved details.

REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.

<table>
<thead>
<tr>
<th>33</th>
<th>Water Use (Compliance)</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td></td>
</tr>
</tbody>
</table>

REASON: To ensure the sustainable use of water.

<table>
<thead>
<tr>
<th>34</th>
<th>Nesting Boxes (Details)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONDITION: Details of bird and bat nesting boxes shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</td>
<td></td>
</tr>
</tbody>
</table>

No less than 6 house sparrow nesting boxes, 4 swift nesting boxes and 8 bat boxes shall be provided and the details shall include the exact location, specification and design of the habitats.

The nesting boxes 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.

REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.
<table>
<thead>
<tr>
<th>35</th>
<th><strong>Car Park Management Plan</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>CONDITION:</strong> A Car Park Management Plan to implement the monitoring and supply of the 26 on site car parking spaces is to be submitted and approved by the Local Planning Authority prior to occupation of the development. The management plan is to identify how car parking spaces will be offered to the 26 wheelchair accessible/adaptable units in the first instance and any Blue Badge holders thereafter.</td>
</tr>
<tr>
<td></td>
<td><strong>REASON:</strong> In the interest of securing appropriate provision and allocation of disabled and Blue Badge parking spaces.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>36</th>
<th><strong>Building cleaning and maintenance plan</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>CONDITION:</strong> Details of a programme for cleaning and maintenance of the exterior of the ‘rainscreen’ clad building (Building 8) shall be submitted to and approved in writing by the Local Planning Authority. The building shall be cleaned and maintained strictly in accordance with the approved programme thereafter.</td>
</tr>
<tr>
<td></td>
<td><strong>REASON:</strong> In the interest of maintaining a satisfactory appearance for the building and in the interest of the character and appearance of the area.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>37</th>
<th><strong>Method Statement (London Underground)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:</strong></td>
</tr>
<tr>
<td></td>
<td>- provide details on all structures</td>
</tr>
<tr>
<td></td>
<td>- accommodate the location of the existing London Underground structures and tunnels</td>
</tr>
<tr>
<td></td>
<td>- accommodate ground movement arising from the construction thereof</td>
</tr>
<tr>
<td></td>
<td>- and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.</td>
</tr>
<tr>
<td></td>
<td><strong>The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Reason:</strong> To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1 and Land for Industry and Transport Supplementary Planning Guidance 2012.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>38</th>
<th><strong>Datum Levels</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Details of the datum levels of the site and the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The highest point of Building 8 shall be less than 30m above the average ground level of Site 2.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Reason:</strong> In the interests of the visual amenities of the area and in order that the development complies with Policy CS12 of the Islington Core Strategy.</td>
</tr>
<tr>
<td></td>
<td>List of Informatives:</td>
</tr>
<tr>
<td>---</td>
<td>--------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1</td>
<td><strong>Planning Obligations Agreement</strong></td>
</tr>
<tr>
<td></td>
<td>You are advised that this permission has been granted subject to a legal</td>
</tr>
<tr>
<td></td>
<td>agreement under Section 106 of the Town and Country Planning Act 1990.</td>
</tr>
<tr>
<td>2</td>
<td><strong>Superstructure</strong></td>
</tr>
<tr>
<td></td>
<td>DEFINITION OF ‘SUPERSTRUCTURE’ AND ‘PRACTICAL COMPLETION’</td>
</tr>
<tr>
<td></td>
<td>A number of conditions attached to this permission have the time restrictions ‘prior</td>
</tr>
<tr>
<td></td>
<td>to superstructure works commencing on site’ and/or ‘following practical completion’.</td>
</tr>
<tr>
<td></td>
<td>The council considers the definition of ‘superstructure’ as having its normal or</td>
</tr>
<tr>
<td></td>
<td>dictionary meaning, which is: the part of a building above its foundations. The</td>
</tr>
<tr>
<td></td>
<td>council considers the definition of ‘practical completion’ to be: when the work</td>
</tr>
<tr>
<td></td>
<td>reaches a state of readiness for use or occupation even though there may be</td>
</tr>
<tr>
<td></td>
<td>outstanding works/matters to be carried out.</td>
</tr>
<tr>
<td>3</td>
<td><strong>Community Infrastructure Levy (CIL) (Granting Consent)</strong></td>
</tr>
<tr>
<td></td>
<td>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and</td>
</tr>
<tr>
<td></td>
<td>Community Infrastructure Levy Regulations 2010 (as amended), this development</td>
</tr>
<tr>
<td></td>
<td>is liable to pay the Mayor of London’s Community Infrastructure Levy (CIL). This</td>
</tr>
<tr>
<td></td>
<td>will be calculated in accordance with the Mayor of London’s CIL Charging Schedule</td>
</tr>
<tr>
<td></td>
<td>2012. One of the development parties must now assume liability to pay CIL by</td>
</tr>
<tr>
<td></td>
<td>submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>.</td>
</tr>
<tr>
<td></td>
<td>The Council will then issue a Liability Notice setting out the amount of CIL that is</td>
</tr>
<tr>
<td></td>
<td>payable.</td>
</tr>
<tr>
<td></td>
<td>Failure to submit a valid Assumption of Liability Notice and Commencement Notice</td>
</tr>
<tr>
<td></td>
<td>prior to commencement of the development may result in surcharges being imposed.</td>
</tr>
<tr>
<td></td>
<td>The above forms can be found on the planning portal at:</td>
</tr>
<tr>
<td></td>
<td><a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></td>
</tr>
<tr>
<td></td>
<td>Pre-Commencement Conditions:</td>
</tr>
<tr>
<td></td>
<td>These conditions are identified with an ‘asterix’ * in front of the short description.</td>
</tr>
<tr>
<td></td>
<td>These conditions are important from a CIL liability perspective as a scheme will not</td>
</tr>
<tr>
<td></td>
<td>become CIL liable until all of these unidentified pre-commencement conditions have</td>
</tr>
<tr>
<td></td>
<td>been discharged.</td>
</tr>
<tr>
<td>4</td>
<td><strong>Car-Free Development</strong></td>
</tr>
<tr>
<td></td>
<td>INFORMATIVE: (Car-Free Development) All new developments are car free in</td>
</tr>
<tr>
<td></td>
<td>accordance with Policy CS10 of the Islington Core Strategy 2011. This means that</td>
</tr>
<tr>
<td></td>
<td>no parking provision will be allowed on site and occupiers will have no ability to</td>
</tr>
<tr>
<td></td>
<td>obtain car parking permits, except for parking needed to meet the needs of</td>
</tr>
<tr>
<td></td>
<td>disabled people.</td>
</tr>
<tr>
<td>5</td>
<td><strong>Thames Water Trade Effluent Consent</strong></td>
</tr>
<tr>
<td></td>
<td>A Trade Effluent Consent will be required for any effluent discharge other than a</td>
</tr>
<tr>
<td></td>
<td>‘Domestic Discharge’. Any discharge without this consent is illegal and may result</td>
</tr>
<tr>
<td></td>
<td>in prosecution. Pre-treatment, separate metering, sampling access etc, may be</td>
</tr>
<tr>
<td></td>
<td>required before the Company can give its consent. Applications should be made at</td>
</tr>
<tr>
<td></td>
<td><a href="http://www.thameswater.co.uk/business/9993.htm">http://www.thameswater.co.uk/business/9993.htm</a> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ.</td>
</tr>
<tr>
<td>6</td>
<td><strong>Roller Shutters</strong></td>
</tr>
<tr>
<td>---</td>
<td>-------------------</td>
</tr>
<tr>
<td><strong>ROLLER SHUTTERS</strong></td>
<td></td>
</tr>
<tr>
<td>The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council’s formal consideration.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7</th>
<th><strong>Groundwater Risk Management Permit</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing <a href="mailto:wwriskmanagement@thameswater.co.uk">wwriskmanagement@thameswater.co.uk</a>. Application forms should be completed on line via <a href="http://www.thameswater.co.uk/wastewaterquality">www.thameswater.co.uk/wastewaterquality</a></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8</th>
<th><strong>Protection of Groundwater</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>In order to protect groundwater from further deterioration:</td>
<td></td>
</tr>
<tr>
<td>- No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution</td>
<td></td>
</tr>
<tr>
<td>- Piling or other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8</th>
<th><strong>Sustainable Sourcing of Materials</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>9</th>
<th><strong>London Underground Safeguarding</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation and construction methods</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:
## 1 Context and strategy
Policy 1.1 Delivering the strategic vision and objectives for London

## 2 London's places
Policy 2.9 Inner London

## 3 London's people
Policy 3.1 Ensuring equal life chances for all
Policy 3.2 Improving health and addressing health inequalities
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.6 Children and young people’s play and informal recreation facilities
Policy 3.7 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 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 3.13 Affordable housing thresholds
Policy 3.15 Coordination of housing development and investment
Policy 3.16 Protection and enhancement of social infrastructure

## 4 London's economy
Policy 4.1 Developing London’s economy
Policy 4.2 Offices
Policy 4.3 Mixed use development and offices
Policy 4.4 Managing industrial land and premises
Policy 4.8 Supporting a successful and diverse retail sector
Policy 4.10 New and emerging economic sectors

## 5 London's response to climate change
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater infrastructure
Policy 5.15 Water use and supplies
Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land

## 6 London's transport
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.12 Road network capacity
Policy 6.13 Parking

## 7 London's living places and spaces
Policy 7.1 Lifetime Neighbourhoods
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 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
Policy 4.12 Improving opportunities for all

8 Implementation, monitoring and review
Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

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

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

C) Development Management Policies June 2013

Design and Heritage
DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

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

Shops, culture and services
DM4.1 Maintaining and promoting small and independent shops
DM4.3 Location and concentration of uses
DM4.7 Dispersed shops
DM4.8 Shopfronts
DM4.12 Social and strategic infrastructure and cultural facilities

Employment
DM5.1 New business floorspace
DM5.3 Vale Royal / Brewery Road Locally Significant Industrial Site
DM5.4 Size and affordability of workspace

Health and open space
DM6.1 Healthy development
DM6.5 Landscaping, trees and biodiversity

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  

5. **Designations**  
The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:  
- Vale Royal / Brewery Road Locally Significant Industrial Site  

6. **Supplementary Planning Guidance (SPG) / Document (SPD)**  
The following SPGs and/or SPDs are relevant:  
- Islington Local Development Plan  
- Environmental Design  
- Inclusive Design in Islington  
- Inclusive Landscape Design  
- Planning Obligations and S106  
- Urban Design Guide  
- Regenerating King’s Cross Neighbourhood Framework Document  
- Preventing Wasted Housing Supply  
- London Plan  
- Accessible London: Achieving and Inclusive Environment  
- Housing  
- Social Infrastructure  
- The Control of Dust and Emissions during Construction and Demolition  
- Shaping Neighbourhoods: Character and Context  
- Sustainable Design & Construction  
- Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy  
- Shaping Neighbourhoods: Play and Informal Recreation  
- Land for Industry and Transport
Appendix 3 – Design Review Panel Response

Dear Tim Holtham,

ISLINGTON DESIGN REVIEW PANEL
RE: 423-425 Caledonian Road

Thank you for attending Islington’s Design Review Panel meeting on 30 September 2015 for a third review of the above scheme. The proposed scheme under consideration is for a mixed-use development to provide retail and commercial uses, B1 offices and residential units (officer’s description).

Review Process
The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Dominic Papa (chair), Richard Brown, Philip Cave, Michael Richter, Sarah Featherstone, and Simon Foxel on 30 September 2015 including a presentation from the design team followed by a question and answers session and deliberations at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel’s discussions as an independent advisory body to the council.

Panel’s observations
The Panel appreciated the improvements made to the scheme since the first and second reviews, but argued that further improvements and detailing of the elevations and amenity areas were needed.

Massing
The Panel reiterated its concern that the height of the proposed block immediately south of the chapel is too tall and that that this listed building deserved a better backdrop. Panel members also highlighted discrepancy between the plan and the CGI, which showed balconies on the wall as the backdrop for the chapel.

In addition, the Panel expressed concern over the poor massing and materiality of the proposed community building, which felt did not add to the chapel or the rest of the development. Overall the Panel felt that the community building was a missed opportunity.
The Panel noted the sharp contrast in height between the south block (building 1) and the adjacent buildings on Caledonian Road and argued that the resultant large blank wall must have the right treatment and quality of detail.

Elevations

The Panel argued that there was a lack of differentiation in the detailing on the Caledonian Road elevation and that variation in the colour of the brick between the various buildings was not sufficient. Panel members recommended that additional distinction in the detailing of windows and balconies of the different buildings was needed. In addition, the Panel argued that the differentiation on the front elevation must be reflected across the back elevation but that currently the four buildings looked very similar.

Amenity

The Panel expressed concerns over the internal street, which it argued still felt like a road and a linear route through the development. Panel members argued that there was a need for further elements that signalled that it is a yard, such as trees (existing tree proposals were too ornamental), seating and differentiation in paving. The Panel argued that to withstand the commercial use, the internal courtyard must be of sufficiently high quality and robustness.

The Panel argued that the landscaping on the podium needed further detailing, particularly in relation to the provision of play space.

Panel members questioned the lack of amenity space, beyond play space provision, for all parts of the development and particularly in the southern part the suitability of the lower roofs for amenity space should be explored

Summary

In conclusion, the Panel found that the fundamental concept for the scheme had improved, but that further detailing was needed in relation to the elevations and amenity areas.

Thank you for consulting Islington’s Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that since the scheme is at planning application stage, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,

[Signature]

Luciana Grave
Design Review Panel Coordinator
Design & Conservation Team Manager
Application Ref: 2015/3989

Independent Review of Assessment of Economic Viability

17 November 2015

1.0 Introduction

1.1. BPS Chartered Surveyors has been instructed by the London Borough of Islington (‘the Council’) to review a viability assessment prepared by DS2 on behalf of London Square (Caledonian Road) Limited (‘the applicant’) in respect of the proposed redevelopment of the site at Caledonian Road.

1.2. The subject site is located on the west hand side of Caledonian Road and is largely rectangular in shape and extends to some 0.89 hectares in area. The site is split into two portions by Brewery Road. The Site is currently occupied by buildings at 423-435 Caledonian Road, 1-9 Market Road, 4-6 Brewery Road and 1-11 Balmoral Grove which is an Internal road at the centre of the Site.

1.3. The current application proposals are described below;

‘Demolition of all existing buildings on site to provide a mixed use development within new buildings ranging from 1-11 storeys; providing 252 residential units [use class C3]; flexible employment [use class B1a-c]; flexible retail [use class A1-A3]; and community [use class D1] floor-space; together with the creation of a new central vehicular and pedestrian access route through the site from Market Road to Brewery Road and associated highway work; basement car parking; cycle parking; creation of a new pedestrian access into the site from Caledonian Road; and provision of open space and associated works of hard and soft landscaping.’

1.4. The proposed development includes 252 residential units consisting of 50 x one bed units, 181 x two bed units and 21 x three bed units. 150 of the proposed units are for private sales with 102 units for affordable housing, representing 40% by unit. This can be broken down as follows:

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Private Market</th>
<th>Intermediate (S-O)</th>
<th>Rented (Social Rent)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bed</td>
<td>43</td>
<td>5</td>
<td>2</td>
<td>50</td>
</tr>
<tr>
<td>2 Bed</td>
<td>107</td>
<td>15</td>
<td>59</td>
<td>181</td>
</tr>
<tr>
<td>3 Bed</td>
<td>51</td>
<td>21</td>
<td></td>
<td>21</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>150 (40%)</strong></td>
<td><strong>20 (8%)</strong></td>
<td><strong>82 (32%)</strong></td>
<td><strong>252</strong></td>
</tr>
</tbody>
</table>

1.5. The viability assessment seeks to demonstrate that the current affordable housing offer results in a deficit against that viability benchmark, which has been based on CUV, and the offer therefore exceeds the maximum reasonable contribution appropriate in viability terms.

1.6. Our review has sought to scrutinise the cost and value assumptions that have been applied in the DS2 viability appraisal in order to determine whether the current affordable housing offer represents the maximum that can reasonably be delivered given the viability of the proposed development.
2.0 Conclusion and Recommendations

2.1. Based upon our review of the viability assessment, we are of the view that the proposed scheme is currently producing a deficit of [REDACTED] opposed to the [REDACTED] deficit suggested by DS2.

2.2. We have undertaken a sensitivity analysis and this demonstrates that the apparent deficit is capable of being bridged through a net increase in the value of the market housing of under 5%. We consider this margin to be an acceptable commercial risk and therefore the proposal could not realistically seek to adjust the level of affordable housing proposed with any credibility through subsequent challenge.

2.3. The benchmark land value is based on the current use value of the site to which a 20% premium has been added. We are of the opinion that the CUV of the site, as determined by Strettons, is indeed reasonable based on the site's current condition. However, we do not agree with the 20% premium added to the CUV given the relatively poor condition of a number of the buildings on site. We are of the opinion that a 10% premium would be more suitable case.

2.4. The costs have been reviewed by our Cost Consultant, Neil Powling, and he is of the opinion that the Applicants costs are reasonable and he concludes the following:

'The results of our benchmarking show that Block B is in line with the adjusted benchmark. Blocks A, C & D are below benchmark. This is most probably because of the scale of the project that is a significantly higher cost than the ones included in the average BCIS database with resultant economies of scale. The commercial works are slightly less than BCIS shell only offices. We are satisfied that the Applicants costs for all these sections are reasonable.'

2.5. The private unit sales values for the proposed scheme have been determined by CBRE. We have reviewed the comparable evidence provided by CBRE and supplemented further by DS2 and we are of the opinion that the values applied are reasonable given the local new build and second hand evidence.

2.6. The affordable housing values have been provided by DS2 with little evidence as to how they were calculated. We would expect, especially given the quantum of affordable housing in the proposed scheme, that the values would be based upon an offer from a Registered Provider, especially given currently uncertainty surrounding affordable housing values following the Chancellors statement concerning modifications to rent escalators. We have reviewed the values applied and we are of the opinion that the values applied in the appraisal are reasonable.

2.7. The assumptions attributed to the retail and commercial spaces are in the main realistic though although we have identified some areas of disagreement. Firstly we would suggest that the void period for the retail space is too long and should be reduced to 12 months. Secondly we are of the opinion that the commercial rental values are on the conservative side and that they should be increased to reflect a rate of [REDACTED] per m².

2.8. Ground Rent income of [REDACTED] has been included in the appraisal and is based on an assumption of [REDACTED] per unit capitalised at 5% less purchaser costs. These assumptions are in line with current market trends and are therefore reasonable.
2.9. Overall we are of the opinion that the viability position can be improved as shown in the table below, but that this shows the scheme remains in deficit and cannot therefore reasonably deliver any additional affordable housing:

<table>
<thead>
<tr>
<th>Viability Assessment</th>
<th>Residual Value</th>
<th>Benchmark</th>
<th>Surplus/Deficit</th>
</tr>
</thead>
<tbody>
<tr>
<td>DS2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BPS Updated Values</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BPS Updated Value and Premium</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BPS Basement Impact</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3.0 Planning Policy

3.1. We have had reference to National Planning Policy including the National Planning Policy Framework. We have also had regard to the local planning policy context including the London Plan’s (2011) Housing Policies and the Council’s Core Strategy.

3.2. The Mayor of London’s Housing SPG states that development appraisals should be carried out in conjunction with a RP of social housing and that RPS should be engaged at the pre-app stage with the value assumed for the affordable housing element should be based on an RP offer. If an offer is not forthcoming then evidence of calculations should be provided including details of rental and capital receipts.

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

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

3.5. The Council’s Local Plan: Development Management Policies (adopted June 2013) set out the Council’s requirement with regards to employment floorspace in the borough. Policy EA5.1 concerns the provision of new business floorspace:

   "Within Town Centres and Employment Growth Areas... proposals for the redevelopment or Change of Use of existing business floorspace are required to incorporate:

   i) the maximum amount of business floorspace reasonably possible on the site, whilst complying with other relevant planning considerations, and

   ii) a mix of complementary uses, including active frontages where appropriate."
3.6. The Core Strategy defines business floorspace as "B-use classes, i.e. offices as well as industrial and warehousing space", thus the B8 Storage space within the existing building falls within this category. DM5.1 F also states that,

"New business floorspace must be designed to:

i) Allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation, particularly for small businesses..."

4.0 Principles of Viability Assessment

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

4.2. A fundamental issue in considering viability assessments is whether an otherwise viable development is made unviable by the extent of planning obligations or other requirements.

4.3. Existing Use Value has been generally recognised by many LPA’s and the GLA as the standard recognised basis for establishing viability as it clearly defines the uplift arising from the grant of the planning consent sought and is currently referred to as the preferred basis for benchmarking schemes in the Council’s recently adopted planning policies.

4.4. RICS Guidance suggests that “the site value benchmark should equate to the market value subject to the following assumptions: that the value has regard to development plan policies and all other material planning considerations and disregards that which is contrary to the development plan”. The purpose of a viability appraisal is to assess the extent of planning obligations while also having regard to the prevailing property market.

4.5. In this context it is highly relevant to consider the degree to which planning policy has been reflected in the land transactions promoted and whether they are themselves considered to represent market value as distinct from overbids.

4.6. Viability appraisals work to derive a residual value to indicate viability. This approach can be represented by the simple formula set out below:

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4.7. Development costs include elements such as planning obligations, professional fees, finance charges and contingencies as well as the necessary level of ‘return’ that would be required to ensure developers are capable of obtaining an appropriate market risk adjusted return for delivering the proposed development.

4.8. Residual appraisals are used either to assess a return from the proposed project (where the cost of acquiring the site is an appraisal input) or to establish a residual land value after taking account of the level or return (profit) required.

4.9. A scheme’s residual value is then compared to the site value benchmark figure and if the residual value equals or exceeds this benchmark then the scheme can be said to be viable. It is therefore important in assessing viability for the site value benchmark (“base value”) to be set at a figure which can be substantiated.

5.0 Viability Benchmark

5.1. The Viability Benchmark Sum (VBS) has been based on the Existing Use Value (EUV) of the numerous buildings currently on site. The buildings are in use either as office, light industrial and warehouse. The EUV is given as [value] and is taken from Strettoms report at appendix 11 of the DS2 viability assessment. DS2 have added a further 20% premium to the EUV to arrive at a proposed benchmark of [value].

<table>
<thead>
<tr>
<th>Building</th>
<th>Planning Use</th>
<th>M² (GIA)</th>
<th>FT² (GIA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>423-425 Caledonian Road</td>
<td>B1</td>
<td>2,444</td>
<td>26,307</td>
</tr>
<tr>
<td>431 Caledonian Road</td>
<td>B1</td>
<td>575</td>
<td>6,189</td>
</tr>
<tr>
<td>438 436 Caledonian Road</td>
<td>D2</td>
<td>1,120</td>
<td>12,163</td>
</tr>
<tr>
<td>4 &amp; 6 Brewery Road</td>
<td>B1/B2</td>
<td>629</td>
<td>6,771</td>
</tr>
<tr>
<td>1-11 Balmoral Grove</td>
<td>B2</td>
<td>1,237</td>
<td>13,315</td>
</tr>
<tr>
<td>1-9 Market Road</td>
<td>B1/B2</td>
<td>1,652</td>
<td>17,782</td>
</tr>
<tr>
<td>Total (GIA)</td>
<td></td>
<td>7,667</td>
<td>82,527</td>
</tr>
</tbody>
</table>

5.2. We have looked at the individual components of this valuation below:

Office Buildings

5.3. 423-425 Caledonian Road is a large 3 storey office block and is situated to the south of Brewery Road and is the only building on this parcel of the site. The offices are currently let to the British Transport Police until May 2016. This building has been
valued at rates of £ per ft² with a capitalisation rate of 6% and an 18 month void period post expiry comprising 6 months marketing period and a 12 month rent free letting incentive.

5.4. 4 & 6 Brewery Road are two separate three storey buildings on the northern side of Brewery Road and are separated by Balmoral Grove. Both of these units offer light industrial accommodation on the ground floor with office space over the 1st and 2nd floors. No.4 is currently vacant and No. 6 is subject to a lease expiring December 2015. These two units have been valued at £ per ft² with a capitalisation rate of 6% and a 12 month void period comprising 3 months marketing period and a 9 month rent free letting incentive.

5.5. We note Lambert Smith Hampton had been marketing No 6 in 2012 on the basis of a lease subject to a landlord only rolling break at a rental level of £ per ft². This is significantly below the level currently proposed however the market has clearly moved on and the limited term offered would in our view substantially impact the rent achievable.

5.6. 431 Caledonian Road is a three storey purpose built office building built in the 1970s with an extensive shop front style fenestration at street level. The upper floors have separate access from street level. The floors provide a mix of open plan and smaller cellular offices. We note that internal specification of this building is rather poor, for example limited there is limited underfloor trunking, some localised heating provision and isolated ceiling mounted comfort cooling cassettes. This building has been valued at £ per ft² with a capitalisation rate of 6% and a 12 month void period comprising 3 months marketing period and a 9 month rent free letting incentive.

5.7. The table below summarised the market evidence provided and it suggests that rents in the local area range from lower levels of around £ to over £. Apart from location a key factor in the rental level would appear to be the quality of the space on offer. In this case the relative condition of each building supports the rental levels assumed by Strettons given that it would appear that no refurbishment allowance has been made.

<table>
<thead>
<tr>
<th>Address</th>
<th>Size m² (ft²)</th>
<th>£/m² (£/ft²)</th>
<th>Asking Rent</th>
</tr>
</thead>
<tbody>
<tr>
<td>103 Copenhagen Street, N1 0JN</td>
<td>88 (944)</td>
<td>£170 (£16)</td>
<td>£15,000</td>
</tr>
<tr>
<td>Waterloo Gardens, Hiller Sq., N1 1TY</td>
<td>103 (1,111)</td>
<td>£310 (£29)</td>
<td>£31,997</td>
</tr>
<tr>
<td>Business Units, Cedar Way, N1C 4PD</td>
<td>139 (1,500)</td>
<td>£144 (£13)</td>
<td>£20,000</td>
</tr>
<tr>
<td>The Studios, 3 Hornsey Street, N7 8GR</td>
<td>105 (1,125)</td>
<td>£356 (£33)</td>
<td>£37,193</td>
</tr>
<tr>
<td>7 Downley Close, NW5 28P</td>
<td>115 (1,238)</td>
<td>£135 (£12.5)</td>
<td>£15,475</td>
</tr>
</tbody>
</table>

5.8. With regards to the capitalisation yields assumed by Strettons we note that CBRE research suggests an all office yield of 5.26% with prime London space achieving sub 5%. With regards to this particular space we agree with the proposed approach which reflects the secondary location and condition of the space available.

5.9. The rental void periods stated, comprising marketing period and a rent free period as a letting incentive would appear to be reasonable given the absence of refurbishment assumptions. We note that the smaller units at Brewery Road have a

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2 CBRE Limited, Marketview UK Prime Rent and Yield, Q3 2015
relatively short void of 6 months which is perhaps optimistic but the rental level suggested would in our view represent an appealing rate and therefore it would not be unreasonable to suggest a 6 month void for this space.

Light industrial

5.10. 433 & 435 Caledonian Road are adjoining two storey buildings that were constructed as warehouse space. Both buildings are stated as being in need of internal refurbishment and we expect this to be reflected in Strettons assumptions. This space has been valued at £ per ft² for the ground floors with the lower rate of £ per ft² and £ per ft² applied to the mezzanine floor space in 435 and 433 respectively. A void period of 12 months comprising 4 months for marketing and 8 months’ rent free letting incentive has been assumed.

5.11. Balmoral Grove is the internal road into the site and the units comprise purpose built business space accommodating light industrial use along the east and west side of the roadway. The rents have been applied at rates between £ per ft² depending on the repair, position and size of the respective unit. All of the rents have been capitalised at a rate of 7.5%.

5.12. The comparable evidence provided for the industrial space in the Strettons report is extensive and our own research has shown limited further relevant data available. This market evidence would suggest that the rents applied to the light industrial space are in line with current market expectations.

5.13. The yields applied of 7.5% would appear to be reasonable although we note that the capital values per ft² of the comparable evidence provided, ranges from £ per ft² for an inferior site to £ per ft² for what is a broadly similar site in terms of location but slightly superior quality. The capital value rates of the light industrial units by contrast appear realistic. Research suggests that current industrial yields are nationally at levels averaging £ per ft² and £ per ft² for space in London, although we would expect these rates to apply to premium accommodation. However this space is of fairly poor quality and as such we are of the opinion that £ per ft² is broadly in line with expectations.

5.14. The six month void period with three months marketing and three months’ rent free is a reasonable assumption for this type of space given that they would most probably be let on a shorter term basis given the site’s evident redevelopment potential.

Warehouse

5.15. The warehouse unit at 1-9 Market Road is on the south side of Market Road to the west of the junction of Caledonian Road. The unit backs onto Balmoral Grove and is a purpose built warehouse with a two storey extension with office accommodation fronting Market Road. The space is currently occupied with the tenants due to vacate the premises in December 2015. A rental value of £ per ft² has been applied to this space with a capitalisation yield of 7.5%. A void period of 9 months has been allowed with 3 months for marketing and the remaining 6 as a rent free period.

5.16. The space at Market Road would appear to be of a reasonable standard and given the comparable warehouse evidence provided it would not appear to be
unreasonable to assume a 4.00 per ft\(^2\) rent. The yield at 6% is supported by the evidence provided and as such we see no reason to alter this figure.

**Premium**

5.17. A premium of 20% has been added to the EULV which, in our opinion is optimistic given the overall site condition and apparent parity with prevailing market values. The scale of the uplift must be proportionate to the impact of the change of use and relative to what the market would pay for this site on a policy compliant basis for its development potential.

5.18. The buildings on site are generally in a tenantable condition and it would be expected that the tenant would expend money on a limited refurbishment. However longer term, the landlord would be expected to undertake more far reaching refurbishment to maintain income flows given the relatively poor condition and as such one must consider the potential costs that could be associated with such refurbishment. Therefore based on the current condition of the site we are of the opinion that a 10% premium is reasonable in this case as in effect the existing use valuation already makes an assumption that income will be protected into the future without allowing for investment to do this.

5.19. On this basis we calculate an alternative benchmark value of 34.15.

**6.0 Costs**

6.1. Our Cost Consultant, Neil Powling, has reviewed the Faithful and Gould Cost Estimate and he is of the opinion that the costs benchmark well against relevant BCIS indices. Neil’s full report is set out in Appendix 1.

6.2. Professional Fees have been included at a rate of 12% of total construction costs which reflects the upper end of the usually considered scale but we accept that this figure appears reasonable in this context.

6.3. An additional cost for National House-Building Council (NHBC) guarantees has been included at a rate of £2,000 per unit for all of the residential units. A total payment of £504,000 has therefore been included in the appraisal.

6.4. Commercial Fees have been calculated on the Sale, Letting and Marketing of the commercial space. Sales agent fees have been included at 1% of commercial Net Development Value with sales Legal fees at 0.5% of the annual rental income and purchasers costs. Letting agent and legal fees have been included at 10% and 5% respectively on rental value. Commercial marketing fees have been calculated at £2.5 per ft\(^2\) on gross commercial area.

6.5. Residential Fees have been included on the market GDV at a rate of 1.5% for marking and agents’ fees and 0.5% for legal fees.

6.6. Finance has been included at an ‘all in’ rate of 6.75% which is a realistic assumption given current market conditions.

6.7. Profit on costs has been calculated at different rates across the different components. A rate of 25% has been used for the private market housing, a rate of 20% for the commercial element and a rate of 6% for the affordable housing
6.8. Planning Obligations have been included for both Mayoral and Borough CIL at £1,074,799 and £3,474,456 respectively.

7.0 Residential Values

7.1. The residential values have been provided on a unit by unit basis by CBRE and are briefly summarised below:

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Count</th>
<th>Average Price</th>
<th>Average Area m² (ft²)</th>
<th>£/m² (ft²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bed</td>
<td>43</td>
<td></td>
<td>55.5 (597)</td>
<td></td>
</tr>
<tr>
<td>2 Bed</td>
<td>107</td>
<td></td>
<td>79.4 (890)</td>
<td></td>
</tr>
</tbody>
</table>

7.2. CBRE has based the sales values on a number of transactions and asking prices together with an adjustment to reflect the key aspects of this site. We discuss the sales evidence provided by CBRE in further detail below.

7.3. The Harper Building on Holloway Road is approximately a mile to the northeast of the subject site next to Holloway Road Underground station. The building was converted from office space under permitted development rights and has been refurbished to a reasonably high standard. There are 8 units currently listed and comprise 2 x studios, 2 x one beds and 4 x two beds. The average asking prices per unit and by floor area are as follows:

<table>
<thead>
<tr>
<th>No. of Bedrooms</th>
<th>Area m² (ft²)</th>
<th>Asking Price</th>
<th>£ per m² (ft²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>27 (294)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Bedroom</td>
<td>49 (527)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Bedrooms</td>
<td>69 (742)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

7.4. 400 Caledonian Road is approximately 0.2 miles to the south of the subject site and is situated next to Caledonian Road & Barnsbury overground station. The development comprises 25 new homes and some commercial space. There are a number of one, two and three bedroom units listed and we summarise the average prices for the one and two bedroom units below:

<table>
<thead>
<tr>
<th>No. of Bedrooms</th>
<th>Area m² (ft²)</th>
<th>Asking Price</th>
<th>£ per m² (ft²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bedroom</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Bedrooms</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
7.5. 321 Holloway Road is close to the junction of Caledonian Road with Holloway Road and is under a mile from the subject site. It would appear that a number of the units were sold off site sometime in late 2014. The average values achieved are given as £706 per ft². We have located a listing from September 2014 for a one bedroom flat at the scheme for £440,000 which reflects a price of £8,800 per m² (£818 per ft²).

7.6. The Barratt Homes development at Queensland Terrace is in relatively close proximity to The Harper Building and is in-between Holloway Road and Drayton Park Stations. There are currently a number of one and two bedroom units listed for sale and we note that asking prices per m² would appear to be fairly high but we highlight that most of these units have private balconies and that the scheme also has a resident's gym. The average asking prices are as follows:

<table>
<thead>
<tr>
<th>No. of Bedrooms</th>
<th>Area m² (ft²)</th>
<th>Asking Price</th>
<th>£ per m² (ft²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bedroom</td>
<td>46 (490)</td>
<td>£466,188</td>
<td>£10,244 (£552)</td>
</tr>
<tr>
<td>2 Bedrooms</td>
<td>80 (860)</td>
<td>£671,667</td>
<td>£8,489 (£789)</td>
</tr>
</tbody>
</table>

7.7. Xchange Point is, in location terms, the closest of the comparable developments listed as it is situated on the north side of Market Road and opposite Market Road Gardens which borders the north and west of the subject site respectively. According to CBRE a recent 2 bed resale achieved £7,858 per m² (£730 per ft²) and we note that there are currently two one bedroom units listed with an average asking price of £8,744 per m² (£812 per ft²).

7.8. The conclusions and proposed residential pricing produced by CBRE is, in our opinion, reasonable in light of the available evidence. It has been further supported by relevant evidence provided by DG2 of new build and second hand transactions which reinforce the values applied.

8.0 Affordable Values

8.1. It is proposed to provide a total of 102 affordable units on site which represents a 40% provision. The units size and tenure are shown below:

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Shared Ownership</th>
<th>Social Rent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bed</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>2 Bed</td>
<td>15</td>
<td>59</td>
</tr>
<tr>
<td>3 Bed</td>
<td>0</td>
<td>21</td>
</tr>
<tr>
<td>Total</td>
<td>20</td>
<td>82</td>
</tr>
</tbody>
</table>

8.2. The 20 shared ownership units have been valued at £75,000 which has been assessed using Pro Val appraisal software. We assume, based on our own analysis, that this is calculated on the basis of a 25% equity sale with a 1.5% rent on the unsold equity. The value could be increased further if an element of staircasing were assumed but we note that this would take the values towards the upper end of the Mayoral income brackets and would impact overall affordability.
8.3. Social Rented values have similarly been calculated by D51 using the Pro Val appraisal software and are stated at. Again no valuation assumptions have been provided. Using the rent caps set out by the government in its Guidance on Rents for Social Housing we estimate rates of £198 per m² which suggests that the value proposed is broadly reasonable.

9.0 Ground Rents

9.1. A total ground rent income of has been included in the appraisal and is based on the assumption that the unit capitalised at 5% less purchaser costs. These assumptions are in line with current market trends.

10.0 Commercial Values

10.1. The proposed development is set to include 8,241 m² (88,709 ft²) (GIA) of commercial floorspace. This consists of a mix of retail (A1-3) use, Employment (B1a-c) and Affordable Employment (B1a-c) space.

10.2. We note that the void periods stated by Strettons have not been included in the capitalisation calculations in the Argus appraisal provided but have been included within the Argus development cash flow.

Retail Space

10.3. The retail floor space has been valued at £18psf with a capitalisation rate of 6% and a 15 month void period. Further to the evidence supplied in the Strettons Market Revenue Report we have considered the following local transactions and listings.

<table>
<thead>
<tr>
<th>Address</th>
<th>Date</th>
<th>Area m² (ft²)</th>
<th>Rent</th>
<th>£/m² (£/ft²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>627-635 Holloway Rd, N19</td>
<td>08/04/15</td>
<td>518 (5,574)</td>
<td>£102,500</td>
<td>£198 (£18)</td>
</tr>
<tr>
<td>136-138 Kentish Town Rd, NW1</td>
<td>01/07/15</td>
<td>328 (3,533)</td>
<td>£93,993</td>
<td>£152 (£14)</td>
</tr>
<tr>
<td>298 Holloway Rd, N7</td>
<td>01/03/15</td>
<td>246 (2,653)</td>
<td>£36,000</td>
<td>£146 (£14)</td>
</tr>
<tr>
<td>3 Brecknock Road, N7</td>
<td>Asking</td>
<td>94 (1,015)</td>
<td>£20,000</td>
<td>£213 (£20)</td>
</tr>
<tr>
<td>2 Cottage Road, N7</td>
<td>Asking</td>
<td>279 (3,000)</td>
<td>£75,000</td>
<td>£269 (£25)</td>
</tr>
<tr>
<td>282 Caledonian Road, N1</td>
<td>Asking</td>
<td>40 (436)</td>
<td>£16,000</td>
<td>£400 (£38)</td>
</tr>
<tr>
<td>457-463 Caledonian Road, N7</td>
<td>Asking</td>
<td>71 (762)</td>
<td>£22,000</td>
<td>£310 (£29)</td>
</tr>
</tbody>
</table>

10.4. We note that the proposed space is intended for single occupancy and that it is larger than the sales evidence provided by Strettons and identified by ourselves and listed above. We would expect asking prices to be above the level of achieved prices and it should be noted that the above transaction relate to second hand stock, although this factor is much less of an issue in respect of retail property. The quality of the stock in some of the cases is offset by superior locations either closer to transport hubs or on more prominent roads. Overall we take the view that the rent applied of £18 per ft² appears realistic in light of the available evidence.

10.5. With regards to retail yields we note that there is limited local evidence available. The ground and basement space at 212-220 Essex Road was sold on a long leasehold for £670,000 in late 2014 with a rent of £48,000 p.a. reflecting a yield of 7.16%. Slightly further east 535-537 Kingsland Road was sold earlier this year with an asking price of £1.55million and a rent passing of £85,250 reflecting a yield of 5.5%
although it should be noted that this premises included residential space on the upper floors. It would appear that the yield applied of 6% falls within the range set by the available evidence given the size, location and quality of space on offer.

10.6. The assumed void period of 15 months, is in our opinion overly long given that the unit will be sited in what Streitons call a ‘high profile and sizable residential scheme’. The comparable evidence provided also suggests shorter rent free periods of 3 to 6 months. We note that the rent free in this case is assumed to be longer due to the intention to handover the unit in shell condition and therefore the fit out costs would be carried by the tenant and reflected in the longer rent free period. Overall we are of the opinion that a 12 month void would be more reasonable.

**Commercial Space**

10.7. The commercial space on site has been valued at \( m^2 \) (\( \text{£} \) per \( ft^2 \)) for the open market space with a 50% deduction for the affordable floor space. The assumptions applied can be summarised as follows:

<table>
<thead>
<tr>
<th>Commercial Tenure</th>
<th>Rent per ( m^2 ) (( \text{£} ) per ( ft^2 ))</th>
<th>Yield</th>
<th>Void</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment (B1a-c) Affordable</td>
<td></td>
<td>5%</td>
<td>3 months</td>
</tr>
<tr>
<td>Employment (B1a-c) Building Seven</td>
<td></td>
<td>6.25%</td>
<td>9 months</td>
</tr>
<tr>
<td>Employment (B1a-c) Ordinary</td>
<td></td>
<td>5%</td>
<td>6 months</td>
</tr>
</tbody>
</table>

10.8. The comparable evidence provided in the Streitons report is fairly comprehensive but it does not include what are, in our opinion, some important transactions. In particular the space available at Hornsey Street. The table below contains local transactions that have occurred in the last year that were not referred to by Streitons:

<table>
<thead>
<tr>
<th>Address</th>
<th>Date</th>
<th>Size ( m^2 ) (( ft^2 ))</th>
<th>Rent</th>
<th>£/m(^2) (( ft^2 ))</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit 38 (Grd), 6 Hornsey Street, N7</td>
<td>01/09/15</td>
<td>97 (1,042)</td>
<td>£23,455</td>
<td>£242 (£23)</td>
</tr>
<tr>
<td>1st floor, 144 Liverpool Road, N1</td>
<td>01/09/15</td>
<td>131 (1,410)</td>
<td>£42,000</td>
<td>£321 (£30)</td>
</tr>
<tr>
<td>8th floor, King's Cross Central, N1C</td>
<td>01/08/15</td>
<td>68 (729)</td>
<td>£32,805</td>
<td>£484 (£45)</td>
</tr>
<tr>
<td>Unit 2b, 6 Hornsey Street, N7</td>
<td>01/03/15</td>
<td>51 (549)</td>
<td>£19,940</td>
<td>£391 (£36)</td>
</tr>
<tr>
<td>Unit 29a, 6 Hornsey Street, N7</td>
<td>01/03/15</td>
<td>51 (540)</td>
<td>£23,997</td>
<td>£470 (£44)</td>
</tr>
<tr>
<td>Grd &amp; 1st, 168 Cloudesley Street, N1</td>
<td>01/01/15</td>
<td>82 (887)</td>
<td>£35,480</td>
<td>£431 (£40)</td>
</tr>
</tbody>
</table>

10.9. With regards to the space available at Hornsey Street, known as The Studios N7, we appreciate that the location is marginally superior to the proposed site being in close proximity to Holloway Road but it gives a good indication as to rents for the area for newer stock. The following table is a schedule of space currently available at The Studios:

<table>
<thead>
<tr>
<th>Unit no.</th>
<th>Rent</th>
<th>Floor Size ( m^2 ) (( ft^2 ))</th>
<th>£/m(^2) (( ft^2 ))</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>17,400</td>
<td>40 (435)</td>
<td>431 (40)</td>
</tr>
<tr>
<td>5</td>
<td>57,600</td>
<td>178 (1,917)</td>
<td>323 (30)</td>
</tr>
<tr>
<td>6</td>
<td>33,600</td>
<td>122 (1,040)</td>
<td>276 (32)</td>
</tr>
</tbody>
</table>
10.10. Given the achieved and asking rents of these comparable units it would not be unreasonable to assume higher rents for the new build units at the proposed scheme. The location is fairly good given the distance to both the underground to the north and the overground to the south. We suggest a modest increase to £ per m² (per ft²).

10.11. CBRE research suggests all office yields of 5.26% with Central London at 4.25% and Suburban London at 5.89%. On this basis we are of the opinion that the yields of 6% and 6.25% are largely reasonable given the location of the premises and quality of space available. With regards to the void periods assumed by Strettons we are of the opinion that they are broadly reasonable.

10.12. There is 347m² (3,734 ft²) of affordable workspace. This has been valued at 50% of market rent with a 3 month void period. The quantum of space represents a 5% provision on the total commercial space.

10.13. Overall our suggested changes would increase the GDV of the commercial element to a total of £ when including the rent free period in the calculations.

11.0 Basement Impact

11.1. We have been specifically requested by the Council to examine the impact of removing the basement from the appraisal and the subsequent impact upon viability. The basement itself will contain 26 spaces with 10 allocated to the affordable units and 16 for the market residential units. All of the spaces will be provided for disabled users.

11.2. The private spaces have a GDV of £480,000 whereas the cost of the basement is £4.6 million in the cost plan and £4.6 million in the appraisal, representing an approximate net cost of £ million.

BPS Surveyors

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CBRE Limited, Marketview UK Prime Rent and Yield, Q3 2015
Project: Caledonian Road, N1

Independent Review of Assessment of Economic Viability
Interim Draft Report
Appendix A Cost Report

1 SUMMARY

1.1 We have not included demolitions, external works or external services in our benchmarking - all of these are abnormal costs that are not included in BCIS average build cost rates.

1.2 We have not benchmarked the basement but have reviewed the estimated costs and consider them reasonable.

1.3 The results of our benchmarking show that Block B is in line with the adjusted benchmark, Blocks A, C & D are below benchmark. This is most probably because of the scale of the project that is a significantly higher cost than the ones included in the average BCIS database with resultant economies of scale. The commercial works are slightly less than BCIS shell only offices. We are satisfied that the Applicants costs for all these sections are reasonable.

2 METHODOLOGY

2.1 The objective of the review of the construction cost element of the assessment of economic viability is to benchmark the applicant costs against RICS Building Cost Information Service (BCIS) average costs. We use BCIS costs for benchmarking because it is a national and independent database. Many companies prefer to benchmark against their own data which they often treat as confidential. Whilst this is understandable as an internal exercise, in our view it is insufficiently robust as a tool for assessing viability compared to benchmarking against BCIS.

2.2 BCIS average costs are provided at mean, median and upper quartile rates (as well as lowest, lower quartile and highest rates). We generally use mean or upper quartile for benchmarking depending on the quality of the scheme. BCIS also provide a location factor compared to a UK mean of 100; our benchmarking exercise adjusts for the location of the scheme. BCIS Average cost Information is available on a default basis which includes all historic data with a weighting for the most recent, or for a selected maximum period ranging from 5 to 40 years. We generally consider both default and maximum 5 year average prices; the latter are more likely to reflect current regulations, specification, technology and market requirements.

2.3 BCIS average prices are also available on an overall £ per sqm and for new build work (but not for rehabilitation/conversion) on an elemental £ per sqm basis. We generally consider both. A comparison of the applicants elemental costing compared to BCIS elemental benchmark costs provides a useful insight into any differences in cost. For example: planning and site location requirements may result in a higher than normal cost of external wall and window elements.
2.4 If the application scheme is for the conversion, rehabilitation or refurbishment of an existing building, greater difficulty results in checking that the costs are reasonable, and the benchmarking exercise must be undertaken with caution. The elemental split is not available from the BCIS database for rehabilitation work; the new build split may be used instead as a check for some, but certainly not all, elements. Works to existing buildings vary greatly from one building project to the next. Verification of costs is helped greatly if the cost plan is itemised in reasonable detail thus describing the content and extent of works proposed.

2.5 BCIS costs are available on a quarterly basis - the most recent quarters use forecast figures, the older quarters are firm. If any estimates require adjustment on a time basis we use the BCIS all-in Tender Price Index (TPI).

2.6 BCIS average costs are available for different categories of buildings such as flats, houses, offices, shops, hotels, schools etc. The Applicant's cost plan should keep the estimates for different categories separate to assist more accurate benchmarking.

2.7 To undertake the benchmarking we require a cost plan prepared by the applicant; for preference in reasonable detail. Ideally the cost plan should be prepared in BCIS elements. We usually have to undertake some degree of analysis and rearrangement before the applicant's elemental costs can be compared to BCIS elemental benchmark figures. If a further level of detail is available showing the build-up to the elemental totals it facilitates the review of specification and cost allowances in determining adjustments to benchmark levels. An example might be fittings that show an allowance for kitchen fittings, bedroom wardrobes etc that is in excess of a normal benchmark allowance.

2.8 To assist in reviewing the estimate we require drawings and (if available) specifications. Also any other reports that may have a bearing on the costs. These are often listed as having being used in the preparation of the estimate. If not provided we frequently download additional material from the documents made available on the planning website.

2.9 BCIS average prices per sqm include overheads and profit (OHP) and preliminaries costs. BCIS elemental costs do not include these. Nor do elemental costs include for external services and external works costs. Demolitions and site preparation are excluded from all BCIS costs. We consider the Applicants detailed cost plan to determine what, if any, abnormal and other costs can properly be considered as reasonable. We prepare an adjusted benchmark figure allowing for any costs which we consider can reasonably be taken into account before reaching a conclusion on the applicant's cost estimate.

3 GENERAL REVIEW

3.1 We have been provided with and relied upon the Financial viability Assessment dated September 2015 prepared by D52 LLP together with its appendices including Appendix 10 the Cost Model Rev 02 dated 18th September 2015 prepared by Faithful & Gould (F&G) in the total sum of £ [where text is redacted] including a 5% contingency.

3.2 The appraisal at Appendix 12 includes the following sums:
### Construction costs

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contingency</td>
<td></td>
</tr>
<tr>
<td>Demolition</td>
<td></td>
</tr>
<tr>
<td>External works</td>
<td></td>
</tr>
<tr>
<td>External services</td>
<td></td>
</tr>
<tr>
<td>Chapel</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
</tr>
</tbody>
</table>

3.3 We are therefore satisfied that the estimate and the appraisal are consistent.

3.4 The estimate includes allowances of 14% for preliminaries costs, 5% for profit and overheads and a 5% contingency. We consider all these allowances to be reasonable.

3.5 The estimate has been prepared in broadly BCIS elemental format although elements 2A & B frame and upper floors have been combined, elements 2E & F external walls and windows and external doors have been combined and most of the services elements are combined as mechanical and electrical services. The estimate is in reasonable detail, and divided into separate blocks plus demolitions, basement, external works and services infrastructure. Unfortunately elements have not been sub-totalled which has required a lengthy arithmetic exercise in order to prepare the attached file “Elemental analysis & BCIS Benchmarking.”

3.6 The estimate has added as an inflation adjustment to the construction period mid-point from the base date 3Q2015 but excluding inflation to start on site. This adjustment is 7.17%. PfaG have not shown the basis of their calculation, but our calculation from 3Q2015 (TPI 272) to 1Q2017 (TPI 291) is slightly different at 6.99%. We have added a column to each of the sections with the elemental totals adjusted by +7.17% to provide a comparison to BCIS elemental totals.

3.7 We have downloaded current BCIS data for benchmarking including a location factor for Islington of 125; we have adjusted for this factor in our benchmarking.

3.8 We have not included demolitions, external works or external services in our benchmarking - all of these are abnormal costs that are not included in BCIS average build cost rates.

3.9 We have not benchmarked the basement but have reviewed the estimated costs and consider them reasonable.

3.10 The results of our benchmarking show that Block B is in line with the adjusted benchmark, Blocks A, C & D are below benchmark. This is most probably because of the scale of the project that is a significantly higher cost than the ones included in the average BCIS database with resultant economies of scale. The commercial works are slightly less than BCIS shell only offices. We are satisfied that the Applicants costs for all these sections are reasonable.

BPS Chartered Surveyors  
Date: 5th November 2015