



## PLANNING COMMITTEE REPORT

<b>PLANNING COMMITTEE</b>	<b>AGENDA ITEM NO:</b>
<b>Date:</b> 10 March 2016	

Application number	P2015/4343/FUL
Application type	Full Planning Application
Ward	Junction
Listed building	No
Conservation area	No
Development Plan Context	Archway Core Strategy Key Area, Archway Town Centre, Archway Primary Retail Frontage
Licensing Implications	Require a licence if sale of alcohol or special treatments such as beauty, nail bars etc.
Site Address	798-804 Holloway Road, London N19 3JH
Proposal	Demolition of existing building and redevelopment of the site to provide a part two, part four, part five storey mixed use building (plus basement) comprising 598 sq.m A1 retail floorspace at ground floor and basement level and no.13 (C3) residential units at first to fourth floors (6 x 1 beds, 5 x 2 beds, 2 x 3 bed), with associated amenity space and cycle storage

Case Officer	Amanda Peck
Applicant	c/o Metropolis Planning and Design
Agent	Metropolis Planning and Design

### RECOMMENDATION

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

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

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



**PHOTOS OF SITE/STREET**



**Aerial photograph**



**Holloway Road frontage**



**Giesbach Road frontage**



**Adjacent properties on Giesbach Road**

**1. SUMMARY**

- 1.1 The application site is located on the north eastern side of Holloway Road in a prominent corner location where Giesbach Road joins Holloway Road. The proposal is for the demolition of the existing building and redevelopment of the site to provide a building with

five storeys to the corner stepping down to four storeys on Holloway Road and four and then two storeys on Giesbach Road. To the ground and basement floors 598sqm of A1 retail floorspace is proposed with frontages to Holloway Road and part of Giesbach Road (291sqm at basement and 303sqm at ground floor levels). A total of 13 residential units are proposed with 6 x 1, 5 x 2 and 2 x 3 bedroom units which would be accessed via Giesbach Road. Cycle parking is provided at basement level and refuse storage is provided by the residential entrance at ground floor level. This application follows an approval at appeal for the erection of a four storey building on the site, with 345m<sup>2</sup> of A1 retail floorspace and 9 x residential units (P2014/3815/FUL).

- 1.2 The originally submitted financial viability assessment was based on incorrect floorspace figures and the Alternative Use Value (AUV – being the value attributed to the allowed appeal scheme) needed to be adjusted. An addendum financial viability report was therefore submitted by the applicant and the affordable housing offer was reduced from 3 units to 2 units (1 x1b and 1 x2b shared ownership units). During the course of the application the proposed design has been changed with the top floor parapet reduced in height. Further information has also been submitted with an additional CGI showing the Giesbach Road elevation and relationship with no 2 Giesbach Road. The basement and ground floor plans have been amended to relocate internal stairs towards the rear of the unit and remove internal lightwells that were originally proposed adjacent to the shopfront windows. The wheelchair accessible unit layout has also been amended.
- 1.3 The main issues concern the increased height and amended design when compared to the approved (appeal) scheme. The key reason for refusal of the previous application (which was approved at appeal) related to the amenity impact on the adjacent property at 2 Giesbach Road and specifically on the existing rooflight at the property. The current proposal, whilst being taller than the approved scheme, is set back further from no 2 Giesbach Road and it is considered that there will not be an adverse material impact on residential amenity to neighbouring properties in terms of loss of light, loss of privacy, sense of enclosure, overlooking or noise as a result of the proposed development.
- 1.4 The proposal would introduce a building of a good quality design with an appropriate scale and which successfully references the surrounding context. The proposed retail and residential uses are acceptable and in line with policy. The proposal is now classed as a ‘major’ application with 13 residential units and different affordable housing policies apply when compared to the approved (appeal) ‘minor’ scheme which proposed 9 residential units (the previous scheme was subject to the small sites financial contribution). The financial viability appraisals submitted with the application have been subject to an independent review, and the provision of 2 shared ownership units on site along with a financial contribution of £85,289 is considered to represent the maximum reasonable amount of affordable housing that can be secured on site (with a S106 legal agreement).
- 1.5 The quality of the proposed residential accommodation is considered acceptable as is the dwelling mix. Sustainability measures are proposed and secured by a number of conditions and S106 heads of terms and the remaining CO<sub>2</sub> emissions are agreed to be off-set with a financial contribution of £40,739. Residential occupiers of the new units would not be eligible to obtain on-street car parking permits, a Servicing Management Plan has been submitted and secured by condition with restrictions on the size of vehicles that can use surrounding residential streets and a condition is recommended restricting the hours that servicing can take place. The scheme is considered not to have any undue impact on nearby residential properties or the area in general in terms of transport/servicing.
- 1.6 The application has been considered with regard to the Development Plan and National

Planning Policy Framework (NPPF) and the NPPG and Ministerial Statement dated 28<sup>th</sup> November 2014, including the presumption in favour of sustainable development. The comments made by residents and consultee bodies have been considered.

- 1.7 The proposal is considered to be acceptable and is recommended for approval subject to conditions and a Section 106 (S106) agreement to secure the necessary mitigation alongside CIL payments.

## **2. SITE AND SURROUNDING**

- 2.1 The application site is located on the north eastern side of Holloway Road in a prominent corner location where Giesbach Road joins Holloway Road. The site is bound by Holloway Road to the southwest, Giesbach Road to the northwest, No.2 Giesbach Road to the northeast, and No.796 Holloway Road to the southeast. The existing buildings are three storeys in height and extend across four commercial units to Holloway Road. To Giesbach Road the existing buildings are two storeys in height with a secondary access and frontage.
- 2.2 The site is within the Archway Town Centre and is part of the designated primary retail frontage, with the adjacent properties on Holloway Road forming part of the secondary retail frontage. The site is within the Archway Development Framework Area. The buildings are not listed and the site is not located within a Conservation Area.
- 2.3 The surrounding area is mixed in character and appearance with a strong prevalence of commercial units, predominantly fast food outlets in the immediate vicinity, at ground floor with residential units above along Holloway Road. Giesbach Road and other secondary roads feeding off Holloway Road comprise residential use.
- 2.4 The site adjoins the Archway Gyratory and it has long been an aspiration of the Council and TfL to remove this and improve the area. Consultation was carried out by TfL in November and December 2014 regarding the proposal to remove the gyratory and replace it with a two way road network along with a new shared cycle/pedestrian public space adjacent to the Junction Tavern and the Archway Tower. TfL are currently considering changes to the proposal to include additional segregated cycle routes and widen footways. Their aim is to agree a final design, seek relevant approvals and begin construction in Spring 2016. With regard to this site the northern part of Holloway Road will narrow with more pedestrian space on the opposite side of the road outside the pub, but essentially the road network and location of bus stops remain as existing. Segregated cycle lanes are proposed on either side of this part of Holloway Road.

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

- 3.1 The proposal is for the demolition of the existing building and redevelopment of the site to provide a building with five storeys to the corner stepping down to four storeys on Holloway Road and four and then two storeys on Giesbach Road. To the ground and basement floors 598sqm of A1 retail floorspace is proposed with frontages to Holloway Road and part of Giesbach Road (291sqm at basement and 303sqm at ground floor levels). A total of 13 residential units are proposed with 6 x 1, 5 x 2 and 2 x 3 bedroom units which would be accessed via Giesbach Road. Cycle parking is provided in the basement and refuse storage is provided by the residential entrance at ground floor level.

### **Revisions**

- The originally submitted financial viability assessment was based on incorrect floorspace figures and the Alternative Use Value (AUV – being the value attributed to

the allowed appeal scheme) needed to be adjusted. An addendum financial viability report was therefore submitted by the applicant and the affordable housing offer was reduced from 3 units to 2 units (1 x1b and 1 x2b shared ownership units).

- The top floor parapet has been reduced in height from 0.9m thick to 0.5m thick.
- Further information has been submitted with an additional CGI showing the Giesbach Road elevation and relationship with 2 Giesbach Road.
- The basement and ground floor plans have been amended to relocate internal stairs towards the rear of the unit and remove internal lightwells that were originally proposed adjacent to the shopfront windows.
- The wheelchair accessible unit layout has been amended.

3.2 The current proposal differs from the previous appeal approval for the site in that it is one storey higher to Holloway Road and the corner, provides 4 additional residential units, includes a basement with an increased amount of retail floorspace and the building has been reduced in height at the boundary with 2 Giesbach Road. The main elevations from the appeal scheme are reproduced below for information.



**Giesbach Road elevation (as approved at appeal P2015/3815/FUL)**



**Holloway Road elevation (as approved at appeal P2015/3815/FUL)**

## 4. RELEVANT HISTORY:

### 4.1 Planning applications

- P2015/1681/FUL- Demolition of existing buildings and redevelopment of the site to provide a part three, part six storey mixed use building comprising 337sqm A1 retail floorspace at ground floor and no.13 (C3) residential units at first second, third and fourth floors (6x 1-bed, 4x 2-beds 3x 3-bed), with associated amenity space and cycle storage. **Withdrawn by Agent** on 23 October 2015 (following feedback from DRP).
- P2014/3815/FUL - Demolition of existing buildings and redevelopment of the site to provide a four storey, mixed use building comprising 345m2 of A1 retail floorspace and 9 x (C3) residential units at first, second and third floors (4 x 1 bedroom units; 4 x 2 bedroom units and 1 x 3 bedroom units) with associated amenity space and cycle



storage. Refused by the Council on 12 March 2015 and **Allowed at Appeal** on 9 November 2015.

- P2014/2101/FUL – Demolition of existing buildings and redevelopment of the site to provide a four storey mixed use building comprising 345sqm A1 retail floorspace at ground floor and 9 (C3) residential units at first, second and third floors (4 x 1beds, 4 x 2 beds, 1 x 3 bed), with associated amenity space and cycle storage. **Withdrawn by Agent** on 5 August 2014.

#### 4.2 Pre application advice

- Q2014/3220/MIN – a pre-application meeting was held on the 2 September 2014 for a proposed 4 storey scheme. It was advised that there were detailed design changes required to the shopfront and proposed materials.
- Q2014/0552/MJR - Pre-application advice was provided in July 2014 for a proposed 6 storey scheme (ground + 5 storeys). It was advised that the proposed building was too tall.

4.3 Islington's **Design Review Panel** considered the proposed development soon after application P2015/1681/FUL was submitted on 9 June 2015 (when a 6 storey building was proposed). The Panel's pre-application stage written comments (issued on 25 June 2015) are appended as Appendix 3 to this report for completeness, and in summary these were as follows:

- Massing - The Panel recognised that a good case had been made for a taller building on the corner making a positive contribution to the Archway gyratory regeneration proposals. However the Panel were not convinced about the relationship of the proposed building to the neighbouring terraces and recommended that further options should be explored in terms of the overall massing and how to resolve the relationship with neighbouring buildings. The Panel recognised that the stepping up to a taller corner building could be successful but the composition should be simpler and the junction of the two facades needed to be resolved more comfortably. Officer comment: The scheme has been amended and is now 1 storey lower at 5 storeys.
- Elevations - The Panel felt that the elevations included too many elements and that the end result appeared overly mannered. In particular, the Panel questioned how the two elevations met at the corner and recommended that a design which addressed and turned the corner more positively should be explored. Panel members suggested that the building should have its own identity rather than being broken up into elements and that a simpler and more powerful design should be found that better reflected the prominent site. The Panel also recommended that the building should better reflect the local context of Holloway Road and Giesbach Road. Officer comment: The elevations have been changed and there is a simpler composition now to both elevations with a curved façade to the corner.
- Roof - The Panel felt that the roof was problematic. It appeared too heavy and unrelated to the rest of the building and it had a very uncomfortable relationship to the set back on Holloway Road and to the corner. Panel members suggested that the roof should either be re-designed as a separate element or removed. Officer comment: The top storey has now been designed as a separate element with a simple glazed design.

## 5. CONSULTATION

### Public Consultation

5.1 Letters were sent to occupants of 167 adjoining and nearby properties on 12/11/15. A site notice and press advert were displayed on 19/11/15. The public consultation of the application therefore expired on 10/12/15, however it is the Council's practice to continue

to consider representations made up until the date of a decision.

5.2 At the time of the writing of this report a total of 13 responses had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

#### Principle

- While the previous scheme was approved on appeal, there are serious doubts about the validity of that decision, not least because it was contrary to more than 30 material policies which have not been referred to in the inspector's decision. This scheme would be contrary to the same policies and is therefore still unsuitable for the site (**see paragraph 8.43**)
- This application is far preferable to the previously approved application, even though it will still have an impact on residents (**see paras 8.43**);

#### Design

- The design is not in keeping with the quiet residential road at Giesbach Road and does not improve the character of Holloway Road (**see paras. 8.16 and 8.17**);
- The proposal is too big and is over development (**see paras 8.14 and 8.15**);
- Ugly proposal (**see paras. 8.16 and 8.17**);
- This scheme is even higher than the approved scheme and creates even more of an interruption to the existing street frontage (**see paras. 8.14 and 8.15**);
- Request that the scheme is reduced in height by 1 storey and that the penthouse section is set back from Giesbach Road and Holloway Road (**see para. 8.14**);
- The CGIs include obstructions at the boundary with 2 Giesbach Road with trees, vans and street furniture so it is difficult to assess the proposal (**officer comment**: This has now been submitted and is shown after paragraph 8.13);

#### Residential

- Archway has excessive number of small apartments built on the main road (**see para. 8.29**);
- The developers are trying to build 13 residential units without the required contribution to affordable housing (**see paras 8.20-8.27**);
- The housing remains rather poor quality – outdoor space is on to the highly polluted Holloway Road where pollution levels are permanently above permitted EU levels (**see paras 8.33-8.36**);

#### Amenity

- The new building would cut out much of the direct sunlight to properties on Giesbach Road (**see para. 8.52**);
- The daylight and sunlight report considers only the effect on light to the first floor accommodation at 2 Giesbach Road. The roof light (SP04 in the daylight and sunlight report) is the only window to the ground floor room and this impact has been omitted from the report (**see para. 8.52**);
- There would be an overshadowing impact on the PV panels on the roof at 2 Giesbach Road (**see paras 8.55-8.57**);
- Proposed windows would look directly onto properties on Giesbach Road and reduce privacy (**see paras 8.38 and 8.59**);
- The existing first floor terrace at 2 Giesbach Road has been omitted from the plans. The kitchen window of the proposed flat 3.3 would directly overlook this terrace and the kitchen window of proposed flat 2.3 would have a partial view (**see para. 8.38**);
- The proposed building would block the view from windows and front doors to properties on Giesbach Road and create a sense of enclosure (**see para. 8.45**);
- The previous application was refused by Committee because of the sense of enclosure created within the main first floor living space of 2 Giesbach Road. We clearly demonstrated to Committee on their site visit that the proposal would fill the entire window frame and the Inspector asserted that there would only be a 'glimpse' of the

brick wall. The Inspector failed to take up our written invitation to visit the site property and was unable to accurately assess the reality. The applicant states that the new design “removes the view of the boundary wall that was the cause of the previous refusal” but the view would still be entirely of a brick wall because although the wall has been moved a few metres away it is now one storey higher. Lowering the height of the building by one storey would ameliorate this problem and the overlooking issue above **(see paras. 8.43 and 8.45);**

- Increasing the height will have a negative effect on light and feel of local area **(see paras 8.14-8.15);**
- Additional rubbish to be collected which would be on the street and be a health risk **(see para. 8.70);**
- Construction impact of the scheme and the cumulative impact with other ongoing construction works in Archway **(see para. 8.74);**

#### Retail

- Islington has a ‘smaller stores’ policy and Archway does not need another large store **(see paras. 8.4-8.5);**
- Archway does not need another supermarket **(see paras 8.4-8.5);**
- It features cramped retail at ground level **(officer comment:** The ground floor area is 291sqm);

#### Traffic

- Under the previous application LBI suggested that all construction servicing takes place from Holloway Road but the applicant indicates that TfL do not find this acceptable **(see para. 8.74);**
- Traffic problems with deliveries at the corner of the A1 and noise from night-time deliveries. The previous retail use had minimal deliveries during the daytime. The size of the unit looks suitable for a supermarket or large shop with lots of round the clock deliveries **(see para. 8.70);**
- Traffic problems with deliveries using Giesbach Road **(see para. 8.70);**
- Impact on parking pressure from new residents and large shop **(see paras 8.71-8.72);**
- The existing emergency vehicle turning head on Giesbach Road needs to be kept clear and will be blocked with large lorries **(officer comment;** there are no changes proposed to this turning head);
- There will be an increased traffic impact from this scheme because of the proposed excavation of the basement, increased number of residential units and size of the shop unit **(see paras 8.70-8.76);**
- Request traffic controls for demolition excavation with no works traffic via Giesbach Road **(see para. 8.74);**
- Request that loading/unloading is not allowed via the residential streets of Giesbach, Boothby and Elthorne Roads **(see para. 8.70);**

#### Basement

- The NPPF requires a structural method statement to be submitted with all basement proposals. **(Officer comment:** the new basement SPD requires this and it appears that the resident’s have confused this with the NPPF **(See para. 8.62);**
- The adjacent building is a Victorian Sorting Office constructed without foundations and with a small front basement and excavation will have significant implications for drainage arrangements and stabilisation of the clay base **(see para. 8.62);**
- Request a condition requiring a completion inspection by LBIs own building control section **(see para. 8.62);**
- The proposed basement appears too large and creates a very large retail unit **(see para. 8.6).**

### 5.3 Local groups

**Better Archway Forum** (two sets of comments received which have been merged)



- The new application for all its harmful impact, contrary to policy and guidance, is potentially preferable to the one allowed by the Appeal.
- The site is within the Contextual Area and outside the Core Site of the Archway SPD which requires that “New development should take into account the scale, height and massing of neighbouring buildings either new or old” and “In particular the existing scale of Archway Close should be respected”, this being closer than the Core Site to the application premises (**see para. 8.14**);
- The proposal sits opposite locally listed buildings, facing the Conservation Area in St John’s Way, Archway Close and at the corner of Junction Road which is integral to that Conservation Area. The Conservation Area has been designated incrementally as threats were foreseen, not yet including Giesbach Road or this part of Holloway Road though these are of equal merit (**see para. 8.14**);
- Affordable housing  
There are 13 new dwellings of which 50% should be provided as affordable housing on site. The application wrongly states there to be 4 existing dwellings on site. The Valuation Office website shows none of the premises as residential but all as “shop and premises” for at least ten years, already pre-existing ten years ago when re-valued in 2005. The applicants have to go back to 1948 to find four dwellings occupied, and 39 years (to 1976) to find the last single occupant on the Electoral Roll. This means that the existing Lawful Use throughout is Retail Use Class A1. The proposal is thus for a net increase of 13 dwellings (**see para. 8.2**);
- Retail provision  
The Archway SPD requires that “any proposed retail will need to meet the objective of encouraging sustainable modes of transport and as such should be car free with no single large unit dominating the unit mix”. The applicants should to amend the proposal. This will also allow the drawings correctly to show the retail frontage stepping down between units. The range of goods and services available from local independent shops is frequently quoted as one of the strengths of the area (**see para. 8.4-8.5**);
- Construction traffic  
If approved, we would ask that not only all deliveries for the retail unit but also all construction traffic should be prevented from using through the inappropriate approach along Boothby and Giesbach Roads (**see paras. 8.70 and 8.74**);
- Internal housing layouts  
The open balconies will be of little use and little used for outdoor amenity where directly exposed to the noise and other pollution of the Holloway Road. The two-bedroom four-person units have room for only four at table contrary to the LBI Development Management *Policy DM3.4 Housing standards A* (**see paras. 8.37 and 8.39**);
- Before any determination we do suggest that further information may be requested from the applicants, not least:
  - a) In accordance with the NPPF a structural method statement, especially given the extent of excavation in close proximity to existing adjoining buildings and given the applicants’ report of local detachment of front wall from the party wall to 796 Holloway road (**Officer comment:** conditions 7 and 8 are recommended);
  - b) Daylighting etc. study of all neighbouring habitable rooms including the ground floor room lit by the roof window at 2 Giesbach road not considered by the planning inspector (**see paras. 8.43 and 8.52**);
  - c) Presentation more clearly showing the proposed transition of north-east elevation of the proposals via the former sorting office from the high street scale at the Holloway road junction to the domestic scale of Giesbach road (**Officer comment:** This has now been submitted and is shown after paragraph 8.13);
  - d) Adjustment to omit or to mitigate the effect of the additional storey to the earlier design being higher than advised by the archway SPD or by the LBI urban design

guide (*see paras. 8.14-8.15*);

- On any approval we suggest that necessary conditions should include:
  - 1) Affordable housing should be provided on site in blind tenure and in policy proportion of all of the dwellings proposed. (**Officer comment:** a head of term is recommended in the legal agreement);
  - 2) To accord with the archway SPD, no single retail unit should ever dominate the area (*see paras. 8.4-8.5*);
  - 3) Given the extent of excavation in close proximity to existing adjoining buildings a completion certificate should be obtained from a local authority building control (LABC) inspector. I have in Islington seen shoddy work approved by non-LABC inspectors (*see para. 8.62*);
  - 4) All construction traffic and following occupation all service traffic to commercial units to avoid the local residential access streets of Giesbach road and Boothby road (*see paras. 8.70 and 8.74*).

### **External Consultees**

#### **5.4 Transport for London**

- Transport for London (TfL) has reviewed the application which has frontage to the TfL Road Network (TLRN). Furthermore there is a proposed scheme to change vehicle circulation flow and better accommodate pedestrians/cyclists at the Archway Gyratory. Subject to approval, works at this stage are expected to commence in March 2016.
- Servicing is primarily proposed via Giesbach Road (including refuse collection) which is supported by TfL. A Delivery and Service Plan (DSP) should be secured by planning condition and ensure that servicing from the TLRN is minimised.
- TfL would also expect that a Construction and Logistics Plan (CLP) be secured by condition. A CLP should address any timing implications with TfL's scheme and avoid or mitigate any adverse impacts on the TLRN generally. The applicant should also be reminded that no works can occur on the TLRN without the prior approval of TfL, including any works from the TLRN.
- The development is car free which is supported by TfL. Residents should be exempt from applying for parking permits and this should be secured as part of a Section 106 agreement.
- TfL would also expect that cycle parking accords with London Plan (2015) standards. This includes long stay and short provision, in addition to cyclists changing facilities for staff of the commercial activities proposed on site. A total of 40 cycle spaces need to be provided to the site. To provide a breakdown of these figures; 18 for the proposed retail activity (3 long stay; 15 short stay) and 20 for the residents.

### **Internal Consultees**

#### **5.5 Policy Officer**

- The principle of development for residential-led mixed use is acceptable.
- Affordable housing should be provided on site as there is no justification for a financial contribution.

#### **5.6 Housing Officer**

- Affordable housing should be provided on site as there is no justification for a financial contribution.

#### **5.7 Access Officer**

- Entrance gate should have an opening weight not exceeding 30N. As the entrance corridor and lift are at 90 degrees to the entrance courtyard a mirror or CCTV should be installed.
- Platform lift between basement and ground floor is unacceptable and does not accord

with building regulations, even if public access is not required.

- Disability scooter parking required.
- Safe drop off is required.
- Layout of the wheelchair accessible needs amending.
- There is a requirement for second lift within the scheme.
- Space on street for wheelchair accessible parking bay should be secured with a S106 legal agreement.

#### 5.8 **Design and Conservation Officer**

- There has been consistent advice that a building any higher than four-storeys would harm the townscape. The best solution for this site in terms of townscape is a four-storey building with the upper floor set back, as has been approved at appeal.
- However, should the proposed fifth floor be further set back and more lightweight in appearance (removing the bulky brick parapet) then the harm would be so reduced that you might consider that public benefits weigh in its favour.
- Brick should be yellow stock not pink/red

#### 5.9 **Energy Conservation Officer**

First comments

- Further evidence required regarding the proposed unregulated and total CO2 emission reduction and the offset payment.
- Consideration of approaches to further reduce emissions needed.
- BREEAM assessment required.
- Overheating analysis required.
- Further clarification required regarding communal heating viability and future proofing the site.
- Clarification of current heating proposals for the commercial area needed

Second comments

- Clarification has been received regarding unregulated and total CO2 emission reductions and confirm that the offset payment should be £40,739.
- Revised Energy Strategy received and improvements to reduce emissions are included.
- Overheating analysis has been submitted and the baseline assumptions are reasonable. A need for artificial cooling has been identified in the retail unit and this is acceptable.
- Clarification provided to the applicant on future proofing requirements and these have been incorporated in the revised energy statement and should be secured with a S106 legal agreement.

#### 5.10 **Public Protection**

The Pollution team object to the proposal. If permission is granted due to other planning policy considerations, then the following conditions should be applied to any permission:

- Mechanical ventilation will be required throughout and full details of ventilation for the residential accommodation should be submitted.
- Sound insulation and noise control measures shall be submitted.
- It's not known whether any further plant is required and any new plant should be conditioned to protect the amenity of the new and nearby residential:
- It is possible that the retail unit will be used as a mini supermarket type shop with long opening hours and roll cages of stock coming back and forth. To protect the residential amenity for the occupants of the new flats from noise transfer from the commercial below, sound insulation details should be submitted.
- Hours of operation condition restricting use of the retail unit so as not to impact

residential amenity.

- Hours of operation restriction regarding deliveries only between the hours of 08:00 and 20:00 Monday to Saturday and not at all on Sundays or Bank Holidays.
- 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.

## 6. RELEVANT POLICIES

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

### **National Guidance**

- 6.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals. Since March 2014 planning practice guidance for England has been published online.
- 6.2 Under the Ministerial Statement of 18 December 2014, the government seeks to increase the weight given to SuDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).
- 6.3 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via
- Written Ministerial Statement issued 25th March 2015
  - Deregulation Bill (amendments to Building Act 1984) – to enable 'optional requirements'
  - Deregulation Bill received Royal Assent 26th March 2015

### **Development Plan**

- 6.4 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington's Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

### **Planning Advice Note/Planning Brief**

- 6.5 A document entitled 'Regeneration proposals for Archway' was adopted by the Council's Executive on 5 July 2011. These proposals outline the Council's desire to overcome some of the barriers to physical regeneration, strengthen the local economy and improve the vitality of the town centre. Funding allocations for various regeneration projects were agreed within this document (none of which directly relate to the application site).
- 6.6 Archway Development Framework SPD (adopted 2007). The Core Strategy at paragraph 2.2.1 states that this SPD will remain in place after the adoption of the Core Strategy and that the document adds detail to the Core Strategy Site Allocation (CS1). The site is not within the core area of this document but falls within the 'contextual area'. Development within the wider contextual area should take into consideration the guidance and the following key development principles where "proposals impact upon the regeneration of

Archway and its role as a district centre”:

- Delivery of a beacon sustainable development – delivery of a truly sustainable community and thus contribute to environmental, economic and social sustainability.
- The creation of high quality public spaces to provide an environment where people can visit, shop, relax while providing links to the surrounding areas and uses in Archway. It states that new buildings away from the Archway Tower should generally remain in the height range of 4-5 storeys with scope to rise to 6-8 storeys to mark junctions or gateways where appropriate.
- Delivery of a mixed use development to build upon Archway’s strengths as a district centre and enhance this role.
- The improvement of the pedestrian environment to provide a safe environment and improve the pedestrian links through to the adjoining areas.

### **Designations**

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

#### **Islington Local Plan**

Archway Town Centre  
Archway Core Strategy key area  
Primary Retail frontage  
Within 50m St John’s Grove Conservation Area

#### **London Plan**

Holloway Road TLRN

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

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

## **7. ENVIRONMENTAL IMPACT ASSESSMENT**

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

## **8. ASSESSMENT**

- 8.1 The main issues arising from this proposal relate to:
- Land use
  - Design and Appearance
  - Affordable Housing and Financial Viability
  - Quality of residential accommodation and dwelling mix
  - Amenity impacts
  - Accessibility
  - Highways and transportation
  - Sustainability, Energy Efficiency and Renewable Energy

### **Land-use**

- 8.2 The site is located within the Archway Core Strategy Key Area, Archway Town Centre and Archway Primary Retail Frontage. The proposal seeks to re-provide 598sqm of A1 retail floorspace at ground and basement levels and a total of 13 residential units above. The

ground floor was most recently operated by 'Thomas Bros', a hardware retail store in A1 use (now vacant). For the previous planning application it was accepted that the upper floors were historically in residential use (4. units) along with storage and office space ancillary to the retail use. It actually appears that the residential use ceased in the 1970s and the upper floors were used entirely for ancillary storage and office use. This is confirmed by the forms submitted with the application, business rates records and council tax records.

- 8.3 Core Strategy (2011) policy CS 14 supports the hierarchy of town centres with two 'major' town centres at Angel and Nag's Head and two district centres at Archway and Finsbury Park. Development Management Policies (2013) DM4.4 seeks to maintain and enhance the retail and service function of Islington's Town Centres (which includes Archway). Applications for more than 80sqm of A1 retail use should be located within designated Town Centres in the first instance. The change of use of ground floor units from main town centre uses to other uses within town centres will generally be resisted. Policy DM4.5 states that within Primary frontages proposals to change the use of existing retail premises will not normally be permitted and the supporting text to this policy states that retail should remain the principal and dominant land use within primary retail frontages. The retail use at ground and basement floors is therefore in accordance with policy DM4.4 and the proposal will maintain a continuous retail frontage in accordance with policy DM4.5.
- 8.4 Policy CS 14 includes a requirement in part D for major retail developments to provide smaller retail units. Policy DM4.1 part A ii) requires retail developments which include more than 2,500sqm (GIA) to provide 10% of the floorspace as small retail units. With the provision of 598sqm of A1 retail use these policies are not applicable.
- 8.5 Policy DM4.1 part B prevents the amalgamation of individual A1 retail shop units, where the intensification of use would have material impacts and requires proposals for the redevelopment of small shop units to incorporate adequate re-provision of small units to compensate for any loss. Whilst the application site was constructed as 4 individual shop units they were amalgamated in the 1980s and have been used as a single large retail unit and therefore these policies are not applicable.
- 8.6 Objections have been received regarding the size of the retail unit and the impact on the amenities and traffic of the surrounding area. The previous retail unit included a retail sales area to a large part of the ground floor (approximately 300sqm) with ancillary storage and offices to the rear of the ground floor and the upper floors. The entire building was effectively in use as retail floorspace and it could have all been used as sales area without the need for planning permission (approximately 1,063sqm total with 43sqm basement, 425sqm ground floor, 425sqm at first floor and 170sqm at second floor). The proposal has a total retail floorspace of 594sqm (303sqm at ground floor and 291sqm at basement level) and as such, there is an overall reduction in the amount of retail floorspace at the site, with a smaller retail area at ground floor level (to accommodate the residential entrance core). Condition 3 has been recommended to ensure that the unit remains in retail use and that planning permission would be required for any other uses. This is because permitted development rights currently allow the change of use of a retail unit to a variety of uses including A3 restaurant, A4 takeaway and betting shops and there could be amenity impacts from any of these uses.





8.7 Core Strategy Policy CS 12 (Meeting the Housing Challenge) encourages residential development in the borough, with a range of unit sizes and tenures including affordable housing. The principle of residential use at the site is acceptable. The surrounding area is mixed in use, with residential use along Giesbach Road and the upper floors along most of Holloway Road (please also see paras. 8.28-8.40).

**Design and Appearance**

8.8 The site is surrounded by buildings along Holloway Road of a generally consistent building height and detailing at three storeys, with a taller 6 storey corner building to Elthorne Road and Holloway Road.

8.9 Policy DM2.1 requires high quality, inclusive design for all developments. The Islington Urban Design Guide states that new buildings should reinforce the character of an area by creating an appropriate and durable fit that harmonises with their setting. New buildings should create a scale and form of development that is appropriate in relation to the existing built form so that it provides a consistent / coherent setting for the space or street that it defines.

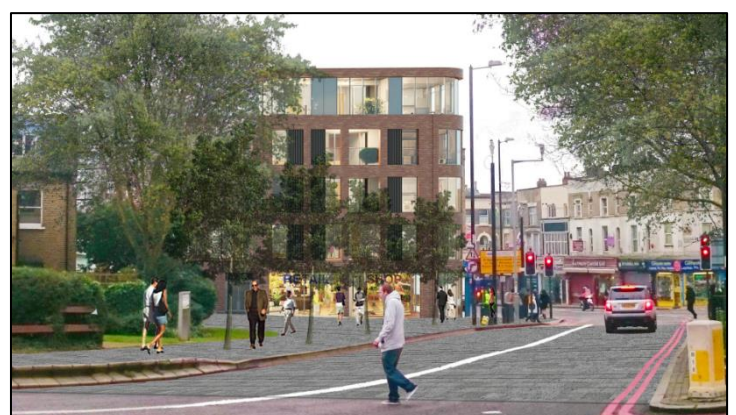
8.10 The Archway Development Framework lists key development principles for the area, which includes the contextual area within which this site sits. The second of these relate to the creation of high quality public spaces and, whilst the associated massing diagram only

shows the core area, states that new buildings away from the Archway Tower should generally remain in the height range of 4-5 storeys with scope to rise to 6-8 storeys to mark junctions or gateways where appropriate.

- 8.11 The site adjoins the Archway Gyratory and as part of the proposals by TfL to remove the gyratory a new hard landscaped public space is to be created adjacent to the Junction Tavern and the Archway Tower. The application site will be visible from this new public space but will not actually front onto the space. The northern part of Holloway Road will narrow with more pedestrian space on the opposite side of the road outside the pub, but essentially the road network and location of bus stops remain as existing. Segregated cycle lanes are proposed on either side of this part of Holloway Road.
- 8.12 The building is not located within a conservation area and there is no policy basis for its retention as the buildings are not locally or statutorily listed. The demolition of the building is therefore not resisted.
- 8.13 The scheme has been subject to pre-application advice in September 2014 and a Design Review Panel (DRP) assessment in June 2015. The proposal has been revised since the most recent DRP review, with a reduction in height by one storey and a more simplified design is now proposed. The DRP comments are addressed in detail at paragraph 4.3. During the course of this application the roof addition has also been amended with a reduction in the parapet height at top floor level (from 0.9m thick to 0.5m thick)



Holloway Road elevation and view



Corner views from north



Giesbach Road elevation



Giesbach Road CGI and view

Height

8.14 The proposed five storey building steps up from the adjacent buildings by two storeys with the top floor having a smaller footprint to the lower floors to both elevations and having a more lightweight, glazed appearance. The design officer has advised that the top floor should be set back from the corner as well and the parapet height reduced in order for it to be more lightweight in appearance. The applicant has amended the parapet thickness, but has not set back the top floor from the corner. This proposal is one storey lower than the scheme reviewed by the DRP and it is considered that further setting back the top storey would not minimise its visibility due to the long views up and down Holloway Road. The height and positioning of the top floor are considered appropriate and acceptable. Objections have been raised regarding the proposed height, design, and impact on the streetscene with requests that the building is reduced in height by one storey. It is considered that the smaller top floor does have a more lightweight appearance than the lower floors without a set back or removal of a storey being necessary. On this corner site, which will become more prominent once the new hard landscaped square has been provided as part of the gyratory improvements, a taller building stepping up to 5 storeys is considered appropriate.

8.15 The building height steps down towards the residential properties along Giesbach Road at 4 storeys and 2 storeys. The building is also set back from the street here to enable the provision of the entrance to the residential units and a courtyard housing the refuse bins and landscaping. These provide a sympathetic height adjacent to the converted sorting office building at 2-4 Giesbach Road.

Elevation design

8.16 Consistent fenestration patterns are a part of the character and appearance of the locality. The proposed building is considered to sit comfortably within its context taking influence

from the adjoining three storey building along this section of Holloway Road.

- 8.17 The ground floor retail unit is predominantly glazed along both frontages with pilasters dividing up the shopfront. This breaks up the ground floor frontage and ties in with the shopfront size along the rest of Holloway Road. The design of the shopfront openings is intended to allow for signage to be incorporated within the opening either behind the glazing or integral to the glazing system. Condition 11 is proposed preventing obscure glazing in order to ensure that an active frontage is provided within this primary retail frontage. Informative 6 is also recommended reminding the applicant that separate planning consent is required for any roller shutters.

#### Materials

- 8.18 The building is proposed to be finished in red brick with grey framed shopfronts and windows. The roof extension would be glazed to provide a lightweight and contemporary addition. The material palette is generally acceptable however the Design and Conservation Officer has recommended that the brick should be yellow stock and not red. Whilst condition 9 is recommended requiring the submission of all materials, including the main brick it is considered that the use of red brick is acceptable in this context. The taller existing building to the next corner of Holloway Road and Elthorne Road is also a redbrick building and it is considered that this approach is also appropriate on this site. A number of balconies are proposed to provide private amenity space to each of the residential units. Details of balustrade and glazing treatment will be secured by condition 9.
- 8.19 The proposal is considered to be in accordance with policies 7.4, 7.6 and 7.8 of the London Plan 2015, CS 1 and CS 9 of the Core Strategy 2011, Policies DM2.1 (Design) and DM2.3 (Heritage) of the Development Management Policies 2013 and the Urban Design Guide.

#### Affordable Housing and Financial Viability

- 8.20 London Plan policies 3.9 (mixed and balanced communities), 3.12 (negotiating affordable housing) and 3.13 (affordable housing thresholds) seek to provide a more balanced mix of tenures in all parts of London and that the maximum reasonable amount of affordable housing should be sought for all planning applications. Policy CS 12 (G) states that Islington will meet its housing challenge to provide more affordable homes by:
- requiring that 50% of additional housing to be built in the borough over the plan period should be affordable.
  - requiring all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough.
  - seeking the maximum reasonable amount of affordable housing, especially Social Rented housing, from private residential and mixed-use schemes, taking account of the overall borough-wide strategic target of 50% provision.
  - delivering an affordable housing tenure split of 70% social housing and 30% intermediate housing'
- 8.21 The previously approved appeal scheme was for 9 residential units in total and therefore the small sites contribution was applicable, with a S106 securing a financial contribution of £250,000 (note it was secured at this level as the presence of 4 existing residential units on site was accepted at that time).
- 8.22 A financial viability assessment was originally submitted with the application that proposed *either* the provision of 3 shared ownership units on site (2 x 1b, 1 x 2b) *or* a financial contribution of £469,000 towards the offsite provision of affordable units. This original



assessment was based on an Alternative Use Value (AUV) being the 'value' of the valid appeal scheme permission (valid until 9 November 2018 and concluded that the on site provision of affordable housing would be £74,000 in deficit. The use of an AUV is in line with the Development Viability SPD, January 2016, as there is a valid planning permission for an alternative scheme on site. This original assessment was however, based on incorrect floorspace for the approved scheme and therefore the AUV needed to be adjusted. An addendum viability report was submitted on 18 January 2016 and this concluded that the provision of *either* 2 shared ownership units on site (1 x 1b and 1 x 2b) plus a remaining financial contribution of £85,289 *or* a financial contribution of £366,000 was viable.

- 8.23 Independent Financial Viability Review: The Council appointed BPS Chartered Surveyors to undertake a review of both financial viability appraisals for this scheme (the original submission and the addendum). The reviews sought to determine the deliverability and viability of the proposed scheme and are attached at Appendix 4.
- 8.24 BPS have reviewed the inputs and assumptions in the original appraisal and the addendum. They have accepted that the AUV is a realistic assessment of the likely residual value arising from the delivery of the appeal permission. BPS also reviewed the submitted cost plan and are of the opinion that costs are set at a realistic market level and are adequately justified. BPS accept the proposed values for the AUV scheme and the proposed scheme except for the value of the top floor 3 bed unit and they have therefore suggested that the value of this unit is increased. They have also suggested that the value of the retail space is increased. The assumptions that BPS have made regarding the affordable housing values accord with the values included in the financial viability appraisal. The changes recommended by BPS mean that they consider the scheme to be more viable than the applicant, as follows:
- For the originally submitted viability appraisal BPS considers that *either* a financial contribution of £515,940 *or* the provision of 3 shared ownership units on site (plus a contribution of £6,337) would be viable
  - For the addendum viability appraisal BPS considers that *either* a financial contribution of £366,000 *or* the provision of 2 shared ownership units on site (plus a contribution of £85,289) would be viable.
- 8.25 The acceptance of an off-site financial contribution on a site where on-site affordable housing provision is triggered and is possible and viable would be contrary to policy CS 12. Only if there is a real affordability issue with shared ownership units would a cash contribution be considered by the Council and this is not applicable on this site. The applicant has included assumptions in their viability assessment regarding the shared ownership units that the average sale prices would be £440,417 for a 1 bed unit and £587,000 for a 2 bed unit, that a 25% equity sale would be possible and that there would be a 1.5% rent on the unsold equity. These assumptions have been tested by BPS and they have accepted the sales values as being reasonable. Housing and Policy Officers are also satisfied that, with these assumptions, the units would be affordable to residents within the Mayor's income bracket range (£71,000 for one and two bedroom units). The assumptions are also in line with Council owned schemes that are providing shared ownership units. Policy officers have also confirmed that a financial contribution of £366,000 would not provide more units overall as this could not realistically provide more than 1 social rent unit on another site. The 2 shared ownership units would be 1 x 2b and 1 x 1b flats at first floor level and equates to an affordable housing offer at 15% by unit numbers and 14% by habitable room numbers.
- 8.26 In conclusion, the provision of 2 shared ownership units on site (1 x 2b and 1 x 1b flats)

with a common core shared with private tenure units, along with a financial contribution of £85,289 is considered acceptable and represents the maximum reasonable amount of affordable housing that can be secured on site and this can be secured with a S106 legal agreement (with a minimum initial equity share of 25% and a maximum 2.5% rent on the unsold equity).

8.27 Viability Review Mechanism: In line with the recently adopted Development Viability SPD a head of term is recommended in the S106 legal agreement requiring a financial viability review mechanism towards the end of the construction process (on sale of 75% of private residential units). Essentially, an updated Financial Viability Assessment would be required to be assessed and agreed by the Council. Any uplift in the viability of the development would be secured to provide an additional financial contribution capped at the equivalent of the Council’s affordable housing target (50%).

**Dwelling Mix and Quality of Resulting Residential Accommodation**

8.28 Core Strategy Policy CS 12 (Meeting the Housing Challenge) encourages residential development in the borough, with a range of unit sizes and tenures including affordable housing. Part E requires a range of unit sizes within each housing proposal to meet the needs in the borough, including maximising the proportion of family accommodation in both affordable and market housing. Policy DM3.1 parts A. and B state that all sites should provide a good mix of housing sizes and the housing mix required on all residential developments will be based on Islington’s Local Housing Needs Assessment, (or any updated assessment prepared by or on behalf of the council). The current Housing Needs Assessment seeks the housing size mix (by habitable rooms) that is indicated alongside the proposed mix table below (referenced as policy DM3.1 target).

8.29 This planning application proposes a total of 13 residential units of which 11 would be for market sale and 2 units would be affordable units (both shared ownership units). The proposal is set out below, with a comparison to the policy target:

<b>Dwelling Type</b>	<b>Social Rent</b>	<b>Policy DM3.1 Target</b>	<b>Inter-mediate</b>	<b>Policy DM3.1 target</b>	<b>Private</b>	<b>Policy DM3.1 Target</b>
Studio	0	0	0	0	0	0
One Bedroom (2 person)	0	0	1 (50%)	65%	5 (45%)	10%
Two Bedroom (3 and 4 person)	0	20%	1 (50%)	35%	4 (36%)	75%
Three Bedroom (4, 5 and 6 person)	0	30%	0	0	2 (18%)	15%
4 bedrooms or more	0	50%	0	0	0	0
<b>TOTAL</b>	<b>0</b>		<b>2</b>		<b>11</b>	

8.30 There are no social rented units proposed and the Housing Needs and Strategy Team have confirmed that this is acceptable given the size of the scheme, the provision of shared ownership units on site and having regard to financial viability. There is an identified strong demand for 1 bed intermediate units and the scheme provides this. There is an identified strong demand for 2 bed units within the market tenure and the scheme provides this, although there is a higher proportion of 1 bed units as opposed to 2 bed units.

8.31 The National Planning Policy Framework acknowledges the importance of planning



positively for high quality and inclusive design for all development, and requires the boroughs to deliver a wide choice of quality homes. The London Plan (2015) recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality. Policy DM3.4 states that all new housing developments are required to provide accommodation of adequate size and layout with consideration of aspect, outlook, noise, ventilation, privacy and light; functional and useable play, amenity and garden space; sufficient space for storage and utility purposes; built to accessible standards.

- 8.32 Policy DM3.4 part D sets out that 'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated'. The policy then goes on to state that 'for sites where dual aspect dwellings are demonstrated to be impossible or unfavourable, the design must demonstrate how a good level of natural ventilation and daylight will be provided for each habitable room'. Most of the proposed units are dual aspect with two single aspect units at second and third floor. The floor level has reduced in size from the approved scheme at second floor level in order to pull the building away from the boundary with 2 Giesbach Road and on balance this is considered acceptable.
- 8.33 A Noise Assessment has been submitted that identifies the front of the site as being within the old PPG24 and Policy DM3.7 noise category C (daytime) and D (nighttime), the side elevation being within noise category C (daytime and nighttime) and the rear of the site being within categories A (daytime) and B (daytime). Whilst these categories are not referred to in the NPPG they are relevant to policy DM3.7. For sites within Category C guidance advises that planning permission should not normally be granted, but where it is because there are no alternative, quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise. For sites within Category D planning permission should normally be refused.
- 8.34 The Noise Assessment concludes that the site falls within the 'upper limit' of noise category C and mitigation measures include high performance laminated double glazing or secondary glazing. The Pollution Officer is of the view that the site is within noise category C because the noise measurements were taken during the Easter school holidays with lighter traffic levels and because the two unattended monitoring positions were at the quieter side and rear façade with only short attended monitoring at the noisier Holloway Road façade. They have advised that the windows to the units would need to be closed in order for minimum internal noise levels to be achieved (with mechanical ventilation), that balconies would be subject to high noise levels and that the noise report acknowledges that it could be difficult for the balcony doors to provide the sound insulation specification required. The Pollution Officer has therefore objected to the proposal and requested a number of conditions, should permission be granted. Whilst the high noise levels are acknowledged permission has been granted on this site for residential units under the same policy regime and most buildings to this part of Holloway Road have existing residential units located to the upper floors. A number of conditions are recommended regarding noise levels within the units (condition 19), design of any plant (condition 20), and plant noise report (condition 18).
- 8.35 To protect the amenity for future occupants from noise transfer from the commercial below a condition is recommended regarding sound insulation between the commercial unit and residential units above (condition 21). Conditions are also recommended regarding hours of operation for the retail unit and for deliveries to the unit (condition 27 and 28).

#### Air quality

- 8.36 The Pollution Officer has advised that they disagree with the submitted Air Quality report,

which concludes that mechanical ventilation is only required to units at first and second floor levels, and have advised that mechanical ventilation will be required throughout because of the issues with noise outlined above. They have therefore requested a condition requiring the submission of further details on this (condition 22).

8.37 Flat sizes – Policy DM3.4 details minimum space standards for all new residential developments with sufficient storage, separate kitchens and sufficient floor to ceiling heights. The submitted sections of all of the residential units show attainment of the minimum floor to ceiling height of 2.6 metres. The proposed residential units all meet the required internal space standards and are therefore in compliance with local and national standards: the one bedroom units being between 50sqm and 55sqm (against a policy requirement of 50sqm), the two bedroom units being between 70sqm and 74sqm (against a policy requirement of 70sqm) and the three bedroom units being 91sqm (5 person unit) and 129sqm (6 person unit) (against a policy requirement of 86sqm and 95sqm). The 6 person 3 bedroom unit is approximately 34sqm larger than the policy requirement but this unit is on the top floor and it is not possible to utilise this extra space with the provision of another unit as the top floor would need to increase in size to accommodate this (the provision of a studio unit would not be encouraged and a 1 bedroom unit would need to be 50sqm in size).

#### Overlooking

8.38 Policy DM2.1 identifies that ‘to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms’. There are some instances where there are distances of below 18m between proposed windows and existing residential units and obscure glazing will therefore be required to the proposed units as follows:

- The south easterly, side elevation of the proposed building will face onto the rear elevations of No’s 796-792 Holloway Road, with proposed windows at first, second and third floor levels serving 8 bedrooms and 1 kitchen. There is a recent approval, under construction for a rear extension at 794 Holloway Road for a first floor extension with new windows to the elevation facing the application site serving a large kitchen/dining room. There is also an existing roof terrace at second floor level at 794 Holloway Road. The windows and roof terrace are approximately 8m from the proposed side elevation and to minimise any overlooking a condition is recommended requiring all windows at first, second and third floor levels to this elevation to be obscure glazed and with restricted in their ability to be fully opened (condition 4).
- The first floor roof terrace at 2 Giesbach Road is approximately 10.5m away from 3 windows to the rear elevation at first, second and third floor levels serving kitchens. The applicant has confirmed that the existing parapet wall to the terrace (the party wall with the application site) will be retained and submitted amended plans showing this. The retention of this wall will prevent any overlooking between the rear elevation of the site and the existing terrace.

8.39 Amenity space - Policy DM3.5 part A identifies that ‘all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens’. Part C of the policy states that the minimum requirement for private outdoor space is 5sqm on upper floors for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required on upper floors. Outdoor amenity space has been provided for each of the units in the form of balconies of between 5 and 7sqm (with the three bedroom unit having 2 balconies of 5sqm and 7sqm). In this location on the Holloway Road the quality of the external spaces will be limited because of noise and air quality issues so larger spaces would not be encouraged, it is also difficult to provide the balconies to the rear without causing overlooking issues with

adjacent properties. In this urban location the proposed amenity space is therefore considered acceptable.

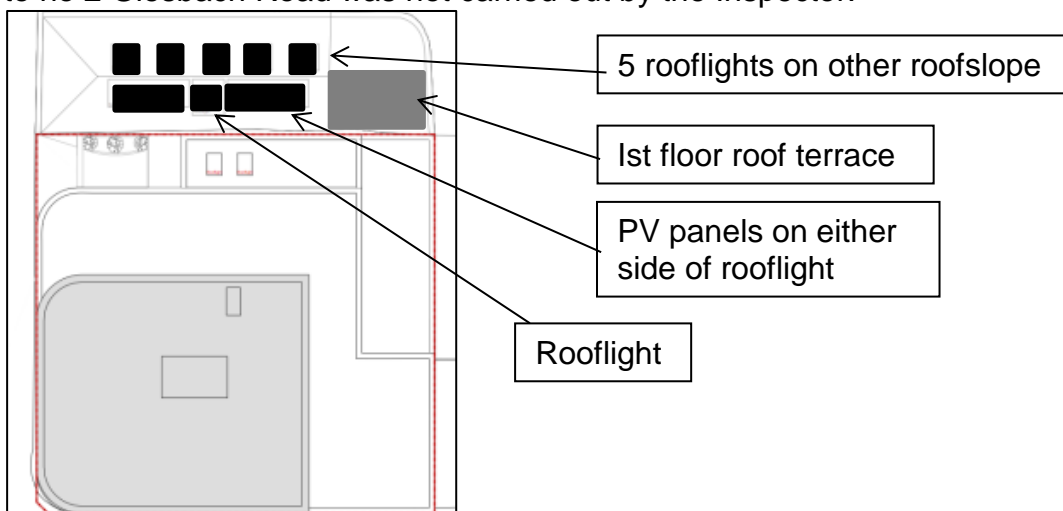
8.40 In conclusion, despite the site being located on the busy Holloway Road and experiencing high noise levels and poor air quality, on balance an acceptable standard of accommodation is provided with generously sized units with acceptable levels of daylight/sunlight and amenity space and some obscure glazing required.

### **Neighbouring Amenity**

8.41 London Plan policy 7.6 identifies that buildings should not cause unacceptable harm to the amenity of, in particular, residential buildings in respect of matters including privacy and overshadowing. Policy DM2.1 of the Development Management Policies Document 2013 identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.

8.42 The site is bounded by residential units on Giesbach Road to the north west, on the upper floors of properties on Holloway Road to the south east and is opposite residential units on the upper floors of properties on the opposite side of Holloway Road. The surrounding area is mixed in character and use with predominately commercial units at ground floor and residential above along Holloway Road and residential use along the surrounding secondary roads such as Giesbach Road.

8.43 Units 2, 4 and 4a Giesbach Road were formerly a Royal Mail sorting depot that has been converted to three residential units. No 2 is the unit adjacent to the application site with a common boundary of just under 10metres in length to the rear of the application site. It has a pitched roof with the south west slope (including rooflights and PV panels) facing the application site, as well as a first floor roof terrace to the rear of the property. The previous application was refused because of the amenity impacts on this rooflight; specifically because the scale, bulk and height of the development and its proximity to the rooflight was considered to result in an undue sense of enclosure at 2 Giesbach Road. The daylight and sunlight test submitted with the previous application showed that this rooflight, as well as 4 other windows on adjacent properties, passed the BRE guidelines and daylight/sunlight and overlooking impacts were not part of the reason for refusal. The appeal was allowed on 9 November 2015 and the Inspector's conclusions are included in the assessment below. It should be noted that the 6 week Judicial Review period into this decision has passed and the residents and BAF have confirmed that they have not requested a JR, but have instead raised questions to the Inspectorate as to why a site visit to no 2 Giesbach Road was not carried out by the Inspector.



**Roof plan showing application site and 2 Giesbach Road (current proposal)**

### Outlook

- 8.44 The Inspectors concluded that *“there would be points where the side wall of the proposed development would be seen through the rooflight, However, I also consider that these glimpses would not normally be particularly obtrusive in terms of their effects on the occupants of No. 2. In these circumstances, I agree with the appellants that it is extremely doubtful that the limited views of the proposed development that would result could produce the sense of enclosure that the occupants of No.2 fear.”* and *“...there has not been forward, to my mind, nearly enough convincing evidence that the proposed development would produce material harm to the living conditions of the occupants of 2 Giesbach Road to breach the terms of Policy DM2.1 or justify the dismissal of the appeal.”*
- 8.45 Objection has also been raised that the amended development results in a loss of outlook to residential properties at Giesbach Road as, although the building has been set away from the boundary at first floor level it increases in height to the main bulk of the building. The Inspector did not visit 2 Giesbach Road when making the decision for the previous appeal and the residents have therefore queried the conclusion regarding there being ‘glimpses’ and ‘limited views’ of the approved building. The proposed building is the lower at the shared boundary than existing and as previously approved at appeal. The case officer visited 2 Giesbach Road and viewed a mock-up of the height of the approved scheme and the proposed scheme and the potential view through the rooflight. When at first floor level looking directly up into the rooflight the approved and proposed building will be clearly visible. When viewed from the ground floor, from the stairwell and further into the first floor dining/kitchen/lounge the view will be less marked and it is considered that there will be limited views from most of the property. It is therefore considered that any view of the building through rooflight SP04 will not have an unacceptable impact on the overall standard of accommodation to this property.

### Sunlight and Daylight

- 8.46 In the previous appeal decision the Inspector noted that the reason for refusal made no reference to the loss of daylight and sunlight and concluded that this was not therefore an issue. Concern has been raised by local residents regarding loss of light to surrounding residential properties on Giesbach Road, both at the adjacent property and on the opposite side of the road. A series of shadow diagrams have also been submitted by the adjoining neighbour at No. 2 Giesbach Road along with the analysis of the impact upon their PV solar panels.
- 8.47 A daylight and sunlight study has been submitted in support of this application, with 5 windows being tested at residential properties on Giesbach Road and Holloway Road (referenced SP01 – SP05). The windows tested were the ground floor front elevation bay window at No. 1 Giesbach Road (SP01), first floor rear elevation window at 796 Holloway Road (SP02), first floor front elevation window at 667-679 Holloway Road (SP03), rooflight (SP04), and first floor rear elevation patio door (SP05) at No. 2 Giesbach Road.
- 8.48 The daylight/sunlight assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to Policy DM2.1 identifies that the BRE ‘provides guidance on sunlight layout planning to achieve good sun lighting and day lighting’.
- 8.49 **Daylight:** the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

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

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

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

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

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

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

### **Sunlight and daylight losses for affected properties analysis**

- 8.52 The daylight/sunlight report concludes that the proposal is acceptable because there is no impact on adjoining residential units in terms of overshadowing. Officers have assessed the results of the Daylight/Sunlight report and agree with this conclusion. The results are discussed below:

#### **Daylight**

- Windows/patio doors SP01, 02, 03 and 05 all meet the VSC criteria with results of retained VSC levels of 30%, 29%, 31% and 32% and reductions of only 6.2%, 3.4%, 6.1% and 3.1%
- The VSC and NSL tests are not readily applied to rooflight SP04 as it is not on a vertical plane. The daylight/sunlight report has concluded because there is no obstruction to the rooflight within a 25 degree angle then the VSC and NSL tests will be met.
- The applicant has submitted a drawing showing that for the previously approved appeal scheme there was an angle of 95 degrees of clear sky from the rooflight and that as the current scheme is further way from the boundary with this property the angle increases to 100 degrees and there is a greater amount of clear sky visible from the rooflight. Whilst this is not a recognised BRE test they are confirming that the building is further away from the boundary with no 2 Giesbach Road and there will be less of an impact on the rooflight. See below for a more detailed assessment of this.

#### **Sunlight**

- Sunlight provision to windows SP02 and SP03 is not an issue since these windows face north and therefore do not need to be tested.
- Window SP01 meets the BRE criteria with results of 55% APSH and 12% WSPH.
- Whilst the daylight/sunlight report does not give the specific result for patio door SP05 it confirms that the result is more than window SP01 and is therefore more than 55% APSH and 12% WSPH
- The APSH and WSPH tests are not readily applied to rooflight SP04 as it is not on a

vertical plane. The daylight/sunlight report has concluded because there is no obstruction to the rooflight within a 25 degree angle then the APSH and WSPH tests will be met.

### **Overall daylight/sunlight impact to 2 Giesbach Road**

- In understanding the impact upon rooflight SP04 it is important to note that 2 Giesbach Road has a combination of windows and rooflights serving the open plan first floor dining/kitchen/lounge and stairwell. Rooflight SP04, patio door SP05, four rooflights on the other roofslope and a rear elevation bay window all serve this open plan room and stairwell.
- The rooflight also serves a double height ground floor space. This ground floor space is part of the larger open plan ground floor area that is also served by patio doors to the rear elevation serving a ground floor terrace. At the time of the officer site visit the ground floor had been divided with curtains to create two rooms with a separate area at the base of the stairwell that was in use as a music room. Even though this room is directly underneath rooflight SP04, it also receives light from the rooflights on the other roofslope.
- The overall daylight/sunlight to this room is therefore considered to be above average and any impact on rooflight SP04 will not have an unacceptable impact on the overall standard of accommodation to this property.

**Photos of 2 Giesbach Road (further images will be shown in the presentation to Planning Committee)**



**Rooflight SP04**



**Rooflight SP04 and other rooflights**

- 8.53 The adjoining neighbour has submitted a series of shadow diagrams illustrating how the sunlight currently moves across the roof slope and compares the shadows cast currently and the potential patterns if the development was approved. Whilst it is acknowledged that there is likely to be more shadows cast by the proposed building, based on the BRE Analysis discussed above, the windows will not be so adversely affected to warrant the refusal of the scheme.
- 8.54 In conclusion, the result of the BRE analysis shows that all windows SP01, 02, 03 and 05 meet the BRE guidelines for daylight and sunlight provision. Whilst rooflight SP04 cannot similarly be tested the proposed scheme is further way from this rooflight, with a greater angle and will therefore have less impact than the approved scheme. Taken with the other



rooflights and windows that serve the ground and first floor it is considered that there will not be an unacceptable impact on the overall standard of accommodation to 2 Giesbach Road.

#### Impact upon PV Solar Panels

- 8.55 Policy DM2.1 requires that developments must 'not unduly prejudice the satisfactory development or operation of adjoining land and/or the development of the surrounding area as a whole' (Part A xi). Paragraph 2.16 of the supporting text details the considerations for this, including those relating to impacts on renewable or low carbon energy supply by detrimentally overshadowing solar panels, as well as amenity impacts.
- 8.56 The Council did not include the impact on these Pv panels as a reason for refusal of the appeal scheme. The Inspector did however consider this issue and concluded "*....criterion xi) of Policy DM2.1 is clear that development should not unduly prejudice the satisfactory development of adjacent land. That the occupants of 2 Giesbach Road may have installed Pv panels in a position where they were dependent on light across land in another ownership and might be compromised by future development cannot, in my view, carry weight against the proposal before me.*"
- 8.57 The Inspectors' decision was clear that the installation of the Pv panels at 2 Giesbach Road had prejudiced the development of the adjoining site (the application site) and that the location of the Pv solar panels in situ should not be a reason to refuse the redevelopment of the adjoining site (the application site). Furthermore this scheme is not considered to worsen the relationship to this roofslope when compared to the appeal scheme.

#### Privacy, Overlooking

- 8.58 Policy DM2.1 identifies that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms (living rooms and bedrooms, sometimes kitchens if they are large dining kitchens but excluding bathrooms and staircases). This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy.
- 8.59 There are not considered to be any overlooking issues to properties surrounding the site, if suitable mitigation measures are provided, because:
- As outlined in paragraph 8.38 obscure glazing is required by condition 4 to the rear south eastern elevation and the party wall with 2 Giesbach Road is to be retained to prevent overlooking to 792-796 Holloway Road and 2 Giesbach Road;
  - The front elevation with windows and balconies faces onto Holloway Road and the existing buildings opposite are across a public highway; and
  - There are no buildings directly opposite the new windows and balconies to the side elevation of the proposed building on Giesbach Road.

#### Noise

- 8.60 The demolition and construction periods are generally responsible for the most disruptive impacts affecting residential amenity and this issue has been raised by objectors. Conditions requiring the submission of a Construction & Demolition Logistics Plan (No 5), A Construction Environmental Management Plan (No 6) and an informative advising of restriction to hours for 'noisy' works (No 7) have been included as part of the recommendation, in order to mitigate and reduce the impacts of demolition and construction.

- 8.61 As outlined in paragraph 8.39 balconies are proposed, however given their relatively small size and the distance away from existing residential units, it is considered that there will not be any noise or disturbance issues from these balconies or terraces.

### Basement

- 8.62 The Better Archway Forum (BAF) and local residents have requested that a Structural Method Statement be submitted because of concerns regarding the basement excavation and the impact on adjacent buildings. They have also requested that LBI's Building Control Service is used to inspect the basement works on site. The Basement Development SPD was adopted in January 2016 and covers additional information that will need to be submitted with applications that include basements (a Structural Method Statement). The application was submitted prior to the adoption of the SPD and it was therefore not a validation requirement that a Structural Method Statement be provided. Given the size of the basement and the local interest a condition is therefore recommended requiring the submission of a Structural Method Statement before work commences on site, in line with Appendix B of the SPD (condition 7). It is not possible to require the applicant to use LBI's Building Control service to inspect the work on site but condition 8 is recommended requiring that the certified professional endorsing the SMS is retained for the duration of construction.
- 8.63 In conclusion, there is not considered to be any adverse material impact on residential amenity to neighbouring properties in terms of loss of light, loss of privacy, sense of enclosure, overlooking or noise as a result of the proposed development, subject to the conditions set out in this report.

### Accessibility

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

### A new National Standard

- 8.65 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning must check compliance and condition the requirements. If they are not conditioned, Building Control will only enforce Category 1 standards which are far inferior to anything applied in Islington for 25 years.
- 8.66 Planners are only permitted to require (by Condition) that housing be built to Category 2 and or 3 if they can evidence a local need for such housing i.e. housing that is accessible and adaptable. The GLA by way of Minor Alterations to the London Plan 2015, has reframed LPP 3.8 Housing Choice to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London. In this regard, as part of this assessment, the London Plan policy is given weight and informs the approach below.

### Accessibility Assessment:

- 8.67 The applicant has submitted a Design and Access Statement and has outlined how inclusive design has been considered, including that each floor of the proposed building will have level access from the street. There is access to a central lift which serves basement, ground, first, second and third floors and 1 x category 3 unit is provided.
- 8.68 Whilst the site has a PTAL rating of 6a, Archway Station is, and will remain for the foreseeable future, inaccessible and therefore it is important to provide complementary

measures such as blue badge parking, safe drop off, storage and charging for mobility scooters and accessible cycle parking. The applicant has confirmed that there is space in the basement cycle storage area for a mobility scooter and mobility tricycle space. There are outstanding questions from the Access Officer with regard to the proposed platform lift between ground and basement level and the need for an additional lift to access the residential units. Condition 14 requires that access to the basement floor complies with part M of the Building Regulations as a platform lift is not acceptable. It has not been possible to provide a second lift to the residential units because of the relatively small size of the site and a stair climbing lift is proposed instead and this is secured with condition 14.

### **Highways and Transportation**

- 8.69 The site has a Public Transport Accessibility Level (PTAL) of 6a, which is 'excellent' and is located in close vicinity to Archway Station and various bus routes.

### **Servicing and refuse**

- 8.70 Local residents are concerned about the number and size of vehicles using Giesbach Road and other residential streets as a result of demolition, construction and general servicing of the development. The Servicing Management Plan (SMP) states that there are two areas available for on street servicing; Holloway Road (which is a red route), where there is a loading bay to the south of the site which allows loading/unloading for a maximum of 20 minutes between 10am and 4pm and Giesbach Road, where there is a single yellow line fronting the site which is currently used by the previous occupant (Thomas Bros) for servicing/loading/unloading (with a legal agreement from LBI). It is not clear what the legal agreement is that the applicant is referring to, but loading/unloading is allowed on a single yellow line for 40 minutes. The proposal is to continue using the Giesbach Road loading area for residential servicing and deliveries. These deliveries will be predominantly cars or vans and the weekly refuse collection will be an extension of the existing collection that takes place from Giesbach Road (a refuse bin enclosure is provided on site by the main entrance for the new residential units). Holloway Road is proposed to be used for retail servicing and the SMP states that delivery drivers will be asked to avoid network peak hours of 8-9am and 5-6pm. The appeal permission included a condition requiring the submission of a Delivery Servicing Plan and restricting the size of vehicles allowed to use Giesbach Road as being no larger than 'transit size'. The additional 4 residential units and retail floorspace (approx 200sqm) over and above the appeal permission is not considered to create any significant increase in deliveries/servicing when compared to the appeal scheme and this condition is therefore recommended again (condition 26). The proposed development could generate fewer deliveries than the previous use as the overall retail floorspace is reducing, but this depends on the type of retail occupier.

### **Vehicle parking**

- 8.71 Local residents have raised concerns regarding potential increased competition for existing on street spaces created by the additional residents. The majority of Giesbach Road is designated as residents parking between 8:30-6:30 Monday to Friday and 8:30-1:30 Saturdays. The development would be car free, as required by Core Strategy Policy CS10 and as per a S106 head of term, which restricts future of occupiers of the residential units from obtaining parking permits. The policy allows for existing residents with a parking permit that return to a site after a development has been completed the ability to retain their residential permits, but this is very limited and is unlikely to be relevant here. This will ensure that there is no undue impact or increased demand for existing on street parking.
- 8.72 Objections have also been raised about increased parking as a result of a retail unit at the site. There is no designated parking proposed as part of this application and users of the

retail unit would use existing parking spaces and/or public transport, as the customers for the previous retail use did and as per the surrounding retail units. Apart from the residents bays to the majority of Giesbach Road there is one short stay pay and display car parking bay adjacent to the site along with motorcycle parking that could be used by customers of the retail unit (8:30-6:30 Monday to Friday and 8:30-1:30 Saturdays). The rest of the turning head on Giesbach Road has double yellow lines and parking is therefore not allowed there. It is considered that there is no undue impact or increased demand for existing on street parking from retail customers or staff.

#### Cycle parking

8.73 Cycle storage is provided at basement level with 22 stacked cycle racks. In order to comply with the requirements set out in Appendix 6 of the Development Management Policies, 22 cycle spaces are required for the residential units (1 space per bedroom) with 10 cycle spaces required for the retail unit (1 space per 60sqm of retail space). There are existing public sheffield cycle stands at the end of Giesbach Road accommodating 8 spaces. Given the relatively small size of the retail unit, the fact that a larger retail unit is already on site and the location of these existing spaces the overall number of stands and their location is considered to meet the policy requirements

#### Construction impact

- 8.74 Objections have been raised regarding the proposed development exacerbating the already high level of construction traffic and works within the Archway area. The applicant has submitted a draft Construction Management Plan, which includes the following:
- Construction traffic arrangements will need to address the highway restrictions on Holloway Road and minimise the impact on residential streets. A detailed plan for each stage of the development will be required with the participation with the contractor at pre construction stage and condition 5 requires this.
  - A detailed Site Waste Management Plan will be prepared and agreed with the Council prior to commencement of development.
  - Loading and unloading will be restricted to certain times of the day to avoid congestion.
  - The works will adhere to the relevant LBI codes of practice during demolition and construction.
- 8.75 In addition condition 5 requires the submission of a Demolition and Construction Logistics plan to cover potential transport issues, condition 6 requires the submission of a Construction and Environment Management Plan to cover environmental health issues and a S106 Head of term secures compliance with the Code of Construction Practice (and a monitoring fee). Conditions 7 and 8 also relates to the basement construction and an informative advising of the restriction to hours for 'noisy' works (No 7) have been included.
- 8.76 In conclusion, there is not considered to be any adverse highways or transportation impact in terms of loss of servicing, car parking, cycle parking and construction impact, subject to the conditions set out in this report.

### **Sustainability, Energy Efficiency and Renewable Energy**

#### Sustainability

- 8.77 All major developments should achieve the highest feasible level of nationally recognised sustainable building standard (in Islington's case this is considered to be Code for Sustainable Homes (CFsH) level 4 and BREEAM Excellent or equivalent). This is set out in Core Strategy policy CS10 and Development Management policy DM7.4.
- 8.78 Under the Ministerial Statement of 25 March 2015, the government has closed down the

CfSH standard. Unlike many other Local Authorities whose only sustainability requirements are to achieve minimum levels of the Code, Islington have a separate layer of policies that run in parallel to the former Code requirements (that require an 'or equivalent' sustainability standard to be achieved). Some of these additional policies cross over with elements covered by the CfSH. Most applicants continue to demonstrate compliance with these policies with the submission of a CfSH assessment. This applicant has instead submitted a Sustainability Statement, which follows the Mayor's Sustainable Design and Construction SPG) assessing the relevant policies as follows (which is an acceptable approach):

- Sustainable design standards during design, construction and operation of the development of homes (Policies CS10, DM6.5, DM7.1, DM7.2, DM7.3, DM 7.4 DM7.5). These policies require best practice in terms of
  - Passive design and energy efficiency (DM7.2 and DM7.5) – The applicant has proposed high standard U-values and has increased the air permeability calculation as the application has progressed;
  - Material use, low impact sourcing and whole lifecycle costing (DM7.4) – Previously the requirement was that 50% of the CfSH materials credits are achieved and the SPG requirement remains with a minimum of 10% of the total value of materials used should be derived from recycled and reused content. The applicant has confirmed that this minimum 10% target will be achieved and this is to be secured by the green procurement plan in condition 3).
  - Waste minimisation (DM7.4) – The applicant has confirmed that construction and demolition waste will be minimised by using the waste hierarchy.
  - Water efficiency (CS10) - The applicant has designed the scheme to meet the London Plan target of 105l/p/day, which is now supported due to the recent changes and this is to be secured by condition 33).
  - Renewable and low carbon technology (DM7.1) – The proposal includes the provision of Air Source Heat Pumps and PV panels (secured with condition 12).
  - Sustainable drainage rainwater harvesting (DM6.6) – Water metres will be included to all residential units. Greywater recycling was discounted because of site constraints including space availability. Rainwater collection was not deemed appropriate because there is very little planting that requires watering. Please see paragraph 8.80 below.
  - Urban greening, biodiversity (DM6.5) – Buildings cover the entire existing site and there is no existing green infrastructure. The proposal includes a small entrance courtyard with planting. Green roof details are secured with condition 31).
  - Operational sustainability (DM7.1) – the applicant has confirmed that a home user guide will be provided to all dwellings and the service spaces will be sized and located to allow future proofing for climate change adaptation. A draft Green Performance Plan has also been submitted.

8.79 Development proposals should protect the existing ecology and make the fullest contribution to enhancing biodiversity (CS10, DM6.5) e.g. by maximising the inclusion of green roofs, ecological landscaping, greening of facades and artificial nesting sites. Policy DM6.5 requires the maximisation of provision of green roofs and requires major developments to use all available roof space for green roofs (subject to other planning considerations). The scheme does not include any green roofs but there does not appear to be any reason why one cannot be provided on site and therefore condition 31 is required to ensure that green roofs have been explored and maximised). All roofs should be biodiversity based extensive substrate roofs with a minimum substrate depth of 80-150mm.

8.80 Government legislation has recently changed with regards to sustainable urban drainage SUDs (6 April 2015) and the expectation is that where appropriate, SUDs should be

provided for all major developments following consultation with the lead Local Flood Authority. Policy DM6.6 expects all major development to include details to demonstrate that SUDs has been incorporated and this new legislation gives additional weight to this as well as introducing the issue of maintenance of the SUDs system. The applicant has confirmed that because the proposal is for a constrained site that is almost entirely covered by buildings SUDs measures cannot feasibly be incorporated on site and that the existing surface water run off rate will not be exceeded. This is not considered acceptable as SUDs measures such as basement attenuation tanks could be provided. Condition 32 is therefore recommended requiring SUDs details to be submitted.

#### Energy Efficiency and Renewable Energy

- 8.81 Islington's Core Strategy policy CS10 (part A) states that all major development should achieve an on-site reduction in total (regulated and unregulated) carbon dioxide emissions of at least 40% in comparison with total emissions from a building which complies with the Building Regulations 2006, unless it can be demonstrated that such provision is not feasible. This 40% saving is equivalent to a 30% saving compared with the 2010 Building Regulations, and 27% compared with the 2013 Building Regulations. A higher saving (50% in comparison with total emissions from a building which complies with the Building Regulations 2006, which translates into a 30% saving compared with Building Regulations 2010 and 39% compared with the 2013 Building Regulations) is required of major development in areas where connection to a decentralised energy network (DEN) is possible.
- 8.82 The GLA's guidance on preparing energy assessments (April 2014) states, that the Mayor will apply a 35% carbon reduction target beyond Part L 2013 of the Building Regulations - this is deemed to be broadly equivalent to the 40% target beyond Part L 2010 of the Building Regulations, as specified in Policy 5.2 of the London Plan for 2013-2016.
- 8.83 The Energy Strategy (dated 13/10/15) and the document responding to the Energy Officer's comments (dated 11/01/16) states that a 31.9% reduction in CO2 emissions (based on 2010 Building Regulations baseline) can be achieved with a Carbon offset financial contribution of £40,739 which will be secured with a S106 head of term. The proposal includes the use of Solar PVs for the residential renewable energy (35 panels) which will be secured with condition 12 and air source heat pumps for the commercial. The Council's Energy Officer has confirmed that this is in line with policy.
- 8.84 Policy DM7.3 requires all major developments to be designed to be able to connect to a District Energy Network (DEN), and connection is required if a major development site is within 500 metres of an existing or a planned future DEN. The policy goes on to state that where connection to a DEN is not possible developments should connect to a Shared Heat Network (SHN). There is no DEN or SHN available within the 500m policy threshold. The applicant has also confirmed that the system will be future proofed for connection to a local heat network. The Council's Energy Officer has confirmed that this is in line with Policy and this will be secured with a S106 legal agreement.
- 8.85 London Plan policy 5.6a requires development to evaluate the feasibility of CHP systems and examine opportunities to extend the system beyond the site boundary. The Energy Strategy has evaluated potential for a connection to Archway Leisure Centre CHP system and concludes that this is unviable due to the cost involved and complexities of the pipe route passing under Holloway Road and close to Archway station. The Council's Energy Officer has confirmed that based on the likely heat loads they would not expect an on site CHP system to be installed.

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

### **considerations**

- 8.86 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development. This means that the measures required to mitigate the negative impacts of this development in terms of carbon emissions, lack of accessible parking spaces and local accessibility cannot be funded through Islington's CIL. Separate contributions are therefore needed to pay for the necessary carbon offset, accessible transport, highway reinstatement and local accessibility investment required to ensure that the development does not cause unacceptable impacts on the local area.
- 8.87 None of the financial contributions included in the heads of terms represent general infrastructure, so the pooling limit does not apply. Furthermore, none of the contributions represent items for which five or more previous contributions have been secured.
- 8.88 The carbon offset and accessible transport contributions are site-specific obligations, both with the purpose of mitigating the negative impacts of this specific development. The carbon offset contribution figure is directly related to the projected performance (in terms of operation emissions) of the building as designed, therefore being commensurate to the specifics of a particular development. This contribution does not therefore form a tariff-style payment. Furthermore, in the event that policy compliant on-site accessible car parking spaces had been provided by the development (or other accessibility measure) a financial contribution would not have been sought. Therefore this is also a site-specific contribution required in order to address a weakness of the development proposal, thus also not forming a tariff-style payment.
- 8.89 The highway and footway reinstatement requirement is also very clearly site-specific. The total cost will depend on the damage caused by construction of this development, and these works cannot be funded through CIL receipts as the impacts are directly related to this specific development.
- 8.90 None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases where relevant impacts would result from proposed developments. The CIL Examiner did not consider that these types of separate charges in addition to Islington's proposed CIL rates would result in unacceptable impacts on development in Islington due to cumulative viability implications or any other issue.
- 8.91 The agreement will include the following agreed heads of terms:
- On site provision of 2 shared ownership affordable housing units (1 x 1b and 1 x 2b) with a minimum initial equity share of 25% and a maximum 2.5% rent on the unsold equity;
  - Financial contribution of £85,289 towards the provision of affordable housing;
  - Viability review in line with the Islington Development Viability Supplementary Planning Document (2016). Submission of residential sales values and build cost information at an advanced stage of the development process on sale of 75% of private residential units. Reasonable fees of consultant appointed by the council to be paid for by the applicant. In the event of an improvement in viability, a financial contribution towards the provision of affordable housing to be paid to the council, to be determined in accordance with the SPD and capped at the equivalent of the council's affordable housing target
  - CO2 offset contribution of £40,739;
  - Car free residential units – removal of future residents rights to obtain an on street

parking permit

- Future proof on site heating and power solution so that the development can be connected to a local energy network if a viable opportunity arises in the future.
- The provision of 1 additional accessible parking bay or a contribution towards bays or other accessible transport initiatives of £2,000.
- Compliance with Code of Employment and Training including delivery of 1 work placements during the construction phase of the development, lasting a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay wages (must meet London Living Wage). If these placements are not provided, LBI will request a fee of £5,000
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £1,300 and submission of a site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- Green Performance Plan.
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106.

8.92 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted CIL Charging Schedule 2012 and the Islington adopted CIL Charging Schedule 2014 and is likely to be £39,898.39 for the Mayoral CIL and £152,203.26 for the Islington CIL. This will be payable to the London Borough of Islington after the planning consent has been implemented. The affordable housing is exempt from CIL payments and the payments would be chargeable on implementation of the private housing.

## **9. SUMMARY AND CONCLUSION**

### **Summary**

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

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

### **Conclusion**

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



# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

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

- On site provision of 2 shared ownership affordable housing units (1 x 1b and 1 x 2b) with a minimum initial equity share of 25% and a maximum 2.5% rent on the unsold equity;
- Financial contribution of £85,289 towards the provision of affordable housing;
- Viability review in line with the Islington Development Viability Supplementary Planning Document (2016). Submission of residential sales values and build cost information at an advanced stage of the development process on sale of 75% of private residential units. Reasonable fees of consultant appointed by the council to be paid for by the applicant. In the event of an improvement in viability, a financial contribution towards the provision of affordable housing to be paid to the council, to be determined in accordance with the SPD and capped at the equivalent of the council's affordable housing target
- CO2 offset contribution of £40,739;
- Car free residential units– removal of future residents rights to obtain an on street parking permit
- Future proof on site heating and power solution so that the development can be connected to a local energy network if a viable opportunity arises in the future.
- The provision of 1 additional accessible parking bay or a contribution towards bays or other accessible transport initiatives of £2,000.
- Compliance with Code of Employment and Training including delivery of 1 work placements during the construction phase of the development, lasting a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay wages (must meet London Living Wage). If these placements are not provided, LBI will request a fee of £5,000
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £1,300 and submission of a site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- Green Performance Plan.
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106.

That, should the **Section 106** Deed of Planning Obligation not be completed within 24 weeks (in line with the PPA) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

## RECOMMENDATION B

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

### List of Conditions:

1	<p><b>Commencement</b></p> <p>The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p><b>Approved plans list</b></p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>1338-D1000-rev 00; -D1099-rev 00;-D1100-rev 00; -D1101-rev 00; -D1102-rev 00; -D1700-rev 00; -D1701-rev 00; -D1702-rev 00; -D1703-rev 00; -D10099-rev 06; -D10100-rev 05; -D10101-rev 05; -D10102-rev 02; -D10103-rev 02; -D10104-rev 03; -D10106-rev 00; -D10200-rev 00; -D10201-rev00; -D10700-rev 02; -D10701-rev 02; -D10702-rev 02; -D10703-rev 02; -D10750-rev 00; -D10751-rev 02; -D10752-rev 01; -D10250-rev 02; -D10800-rev 02; -D10801-rev 03; -D10803-rev 01; -D10804-rev 04; -D10805-rev 04; -D10806-rev 01; -D10807-rev 01; Affordable Housing Statement prepared by Metropolis Planning and Design dated 30/10/15; Acoustic Assessment A9760-RO5-JT prepared by Bickerdike Allen Partners dated 13th August 2015; Air Quality Assessment J2193/1/F3 prepared by Air Quality Consultants dated October 2015; Service Management Plan prepared by Yes Engineering Group dated October 2015; Waste Management Plan prepared by Metropolis Planning and Design dated 07/10/15; Construction Management Plan prepared by Metropolis Planning and Design dated 27/10/15; Design and Access Statement prepared by Metropolis Planning and Design dated September 2015; Planning Statement prepared by Metropolis Planning and Design dated 07/10/15; Health Impact Assessment Metropolis Planning and Design dated 07/10/15; Sustainability Statement Metropolis Green dated 28/08/2015; Draft Green Performance Plan Metropolis Green dated 28/08/2015; Energy Strategy prepared by Metropolis Green dated 15/10/2015; Thermal Comfort Report prepared by Metropolis Green dated 08/01/2016; Daylight and Sunlight Assessment DJ/1015-01-01(4) prepared by Jessop Associates dated 13th July 2015; Sunlight and Daylight – response to comments undated; Privacy and Overlooking note undated.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>

3	<p><b>Removal of Permitted Development rights (Compliance)</b></p> <p>CONDITION: Notwithstanding the provisions of Classes C, D, G, J or M of Part 3 or Class D, E of Part 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by any Order revoking and re-enacting that Order, no change of use of the ground floor retail floorspace shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.</p> <p>REASON: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS 14 of the Islington Core Strategy (2011), policies DM4.1, DM4.2, DM4.3, DM4.4, DM4.12 of the Development Management Policies (2013) and Policies BC3 and BC8 of the Finsbury Local Plan. (2013)</p>
4	<p><b>Windows Obscured and Fixed Shut / Angled as Shown on Plans (Compliance)</b></p> <p>CONDITION: All of the following windows shown on approved drawings 1388-D10751 rev 02 and 1388-D10702 rev 02 shall be permanently obscure glazed and fixed shut up to a height of 1.1m above the floor of the room in which the windows are installed prior to the first occupation of the development:</p> <ul style="list-style-type: none"> <li>• South eastern elevation bedroom and kitchen windows to unit 1.3 at first floor level;</li> <li>• South eastern elevation bedroom window to unit 1.2 at first floor level;</li> <li>• South eastern elevation bedroom windows to unit 2.4 at second floor level;</li> <li>• South eastern elevation bedroom window to unit 2.3 at second floor level;</li> <li>• South eastern elevation bedroom windows to unit 3.4 at third floor level;</li> <li>• South eastern elevation bedroom window to unit 3.3 at third floor level;</li> </ul> <p>All obscurely glazed windows shall be restricted in their ability to open fully, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
5	<p><b>Construction and Demolition Logistics Plan (Details)</b></p> <p>*CONDITION: A report assessing the planned demolition and construction vehicle routes and access to the site including addressing environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL) prior to any works commencing on site.</p> <p>The report shall assess the impacts during the demolition and construction phases of the development on the Transport for London controlled Holloway Road, nearby residential amenity and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure highway safety and free flow of traffic on Holloway Road,</p>

	local residential amenity and mitigate the impacts of the development.
6	<p><b>Construction Environmental Management Plan (CEMP) (details)</b></p> <p>*CONDITION: A Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The report shall also secure that, during any period when concurrent construction is taking place of both the permitted development and of the Crossrail structures and tunnels in or adjacent to the site of the approved development, the construction of the Crossrail structures and tunnels is not impeded.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets.</p>
7	<p><b>Basement (details)</b></p> <p>*CONDITION: Prior to commencement of development a Structural Method Statement, prepared by a Chartered Civil Engineer (MICE) or a Chartered Structural Engineer (MIStruct.E), shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The statement shall be in line with the requirements of appendix B of the Basement Development SPD, 2016.</p> <p>Reason: To ensure that structural stability has been evaluated by a suitably qualified and experienced professional.</p>
8	<p><b>Basement (Compliance)</b></p> <p>CONDITION: The certifying professional that endorsed the Structural Method Statement (or a suitably qualified person with relevant experience) shall be appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design approved within the Structural Method Statement and a Building Control body.</p> <p>Reason: To ensure that structural stability has been evaluated by a suitably qualified and experienced professional.</p>
9	<p><b>Materials</b></p> <p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none"> <li>solid brickwork (including brick panels and mortar courses)</li> <li>window and door treatment including finned window detail (including sections and reveals);</li> <li>balustrading treatment (including sections);</li> <li>balcony screening;</li> <li>timber deck to residential courtyard;</li> <li>stone capping detail;</li> <li>opaque glazed panel to rooftop extension;</li> <li>grey painted metal entrance gates;</li> </ol>

	<p>i) any other materials to be used.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
10	<p><b>Details of Ground floor Elevations (Details)</b></p> <p>CONDITION: Full details of the design and treatment of the shopfronts to both ground floor elevations 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: doors, sections, elevational and threshold treatments, all to be shown in context and to a scale of 1:50.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. The approved design/treatments shall be provided prior to the first occupation of the part of the development to which they form part.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.</p>
11	<p><b>No Obscuring of Shopfronts (Compliance)</b></p> <p>CONDITION: The window glass of all ground floor commercial units shall not be painted, tinted or otherwise obscured and no furniture or fixings which may obscure visibility above a height of 1.4m above finished floor level be placed within 2.0m of the inside of the window glass.</p> <p>REASON: In the interest of securing passive surveillance of the street, an appropriate street frontage appearance and preventing the creation of dead/inactive frontages.</p>
12	<p><b>Photovoltaic panels (details)</b></p> <p>CONDITION: Prior to first occupation of the development hereby approved, details of the proposed Solar Photovoltaic Panels shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> <li>- Location;</li> <li>- Area of panels; and</li> <li>- Design (including angle of panels and elevation plans).</li> </ul> <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.</p>
13	<p><b>Pipes</b></p> <p>CONDITION: Other than any pipes shown on the plans hereby approved, no additional plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to any elevation(s) of the buildings hereby approved.</p>

	<p>Should additional pipes be considered necessary the details of those shall be submitted to and approved in writing by the Local Planning Authority prior to installation of any such pipe.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would detract from the appearance of the building.</p>
14	<p><b>Access (compliance)</b></p> <p>CONDITION: Notwithstanding the plans hereby approved the scheme shall be constructed in accordance with the principles of Inclusive Design. To achieve this the development shall incorporate/install</p> <ul style="list-style-type: none"> <li>a) Access to the basement level that complies with Part M of the Building Regulations and is not a platform lift;</li> <li>b) A stair climbing lift or second lift; and</li> <li>c) Accessible disability scooter and tricycle storage.</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
15	<p><b>Wheelchair housing (compliance)</b></p> <p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, 12 of the residential units shall be constructed to Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2) and 1 x 1b unit shall be constructed to Category 3 of the National Standard for Housing Design as set out in the Approved Document M 'Wheelchair user dwellings' (3).</p> <p>Building Regulations Approved Plans and Decision Advice Notice, confirming that these requirements will be achieved shall be submitted to an approved in writing by the Local Planning Authority prior to any superstructure works beginning on site. The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable, adaptable and wheelchair accessible homes appropriate to meet diverse and changing needs, in accordance with London Plan policy 3.8.</p>
16	<p><b>Cycle Parking Provision (Compliance)</b></p> <p>CONDITION: The bicycle storage area(s) shown on drawing no. 1338-D7099-rev02 hereby approved, shall be secure and provide for no less than 17 bicycle spaces and 1 disability tricycle space and shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
17	<p><b>Waste Management</b></p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no.1338-D10100-rev 05 shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are</p>

	adhered to.
18	<b>Noise (details)</b>
	<p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced &amp; competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 19. The report shall be submitted to and approved in writing by the Local Planning Authority prior to occupation and any noise mitigation measures shall be installed before commencement of the uses hereby permitted and permanently retained thereafter.</p> <p>REASON: To protect the amenities of the neighbouring occupiers.</p>
19	<b>Sound Insulation and Noise Control Measures</b>
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be implemented prior to the first occupation to ensure the following internal noise targets (in line with BS 8233:1999):</p> <ul style="list-style-type: none"> <li>- Bedrooms (23.00-07.00 hrs) 30 dB <math>L_{Aeq}</math>, and 45 dB <math>L_{max}</math> (fast)</li> <li>- Living Rooms (07.00-23.00 hrs) 35 dB <math>L_{Aeq}</math>,</li> <li>- Kitchens, bathrooms, WC compartments and utility rooms (07.00 –23.00 hrs) 45 dB <math>L_{Aeq}</math></li> </ul> <p>The sound insulation and noise control measures shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To secure an appropriate internal residential environment due to the noise levels on Holloway Road and commercial use at ground floor level</p>
20	<b>Plant Noise and Fixed Plant</b>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level <math>L_{Aeq Tr}</math> arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level <math>L_{AF90 Tbg}</math>. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>The development shall be carried out strictly in accordance with the scheme so approved prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To secure an appropriate internal residential environment.</p>
21	<b>Sound Insulation</b>
	<p>CONDITION: Full particulars and details of a scheme for sound insulation between the proposed retail 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.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent</p>



	<p>of the Local Planning Authority.</p> <p>REASON: To secure an appropriate internal residential environment.</p>
22	<p><b>Air Quality (details)</b></p> <p>CONDITION: Before commencement any superstructure works commencing on site, an air quality report shall be submitted to and agreed by the Local Planning Authority. The report shall detail:</p> <ul style="list-style-type: none"> <li>• The area within the boundary of the site, which may exceed relevant national air quality objectives.</li> <li>• Specify how the detailed application will address any potential to cause relevant exposure to air pollution levels exceeding the national air quality objectives.</li> <li>• Identify areas of potential exposure</li> <li>• Detail how the development will reduce its impact on local air pollution.</li> </ul> <p>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.</p> <p>REASON: To protect the amenities of the future occupants.</p>
23	<p><b>Lift Shaft Insulation</b></p> <p>CONDITION: Prior to the first occupation of the residential accommodation hereby approved sound insulation shall be installed to the lift shaft sufficient to ensure that the noise level within the dwellings does not exceed NR25(Leq) 23:00 - 07:00 (bedrooms) and NR30 (Leq. 1hr) 07:00 - 23:00 (living rooms) and a level of +5NR on those levels for the hours of 07:00 - 23:00.</p> <p>REASON: To secure an appropriate future residential environment.</p>
24	<p><b>Lift Installation</b></p> <p>CONDITION: The lift serving all floors of the proposed development hereby approved shall be installed and operational prior to the first occupation of the residential dwellings hereby approved.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that adequate access is provided to the residential units at all floors.</p>
25	<p><b>Ventilation</b></p> <p>*CONDITION: Prior to commencement of the relevant part of the development, full details of ventilation for the residential accommodation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter</p> <p>REASON: To secure an appropriate future residential environment.</p>
26	<p><b>Delivery and servicing plan</b></p> <p>*CONDITION: A Delivery and Servicing plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site.</p>

	<p>No vehicles larger than transit size are to use Giesbach Road. All vehicles above this size/weight are to use the loading bay provided on Holloway Road (to the south of the site by approx. 15m). It should be noted that loading is only permitted between the hours of 10am-4pm.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
27	<p><b>Hours of Operation</b></p> <p>CONDITION: The ground and basement floor A1 retail floorspace hereby approved shall not operate outside the hours of:</p> <p>07:30 - 23:00 (Monday - Friday)  09:00 - 23:00 (Saturday)  09:30 - 22:00 (Sundays and Bank Holidays)</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
28	<p><b>Deliveries, collections and loading</b></p> <p>CONDITION: Deliveries, collections, unloading, loading along Giesbach Road associated with the ground floor use shall only be between the following hours:</p> <p>Monday to Saturday - (08:00 - 20:00)  Sundays/Bank Holidays - not at all</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic</p>
29	<p><b>BREEAM (compliance)</b></p> <p>CONDITION: The retail development shall achieve 'Excellent' under BREEAM New Construction (2011).</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
30	<p><b>Energy Strategy (compliance/details)</b></p> <p>CONDITION: The energy measures as outlined within the approved Energy Strategy shall together provide for no less than a total 31.9% (regulated and unregulated) on-site CO2 emissions in comparison with total emissions from a building which complies with Building Regulations 2010.</p> <p>Should, following further assessment, the approved energy measures be found to be no longer suitable, a revised Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The revised energy strategy shall provide for no less than a total of 31.9% (regulated and unregulated) on site CO2 emissions in comparison with total emissions from a building which complies with Building Regulations 2010.</p> <p>The final agreed scheme shall be installed and operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

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

33	<b>Water Use (Compliance)</b>
	<p>CONDITION: The development shall be designed to achieve a water use target of no more than 105litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>

**List of Informatives:**

1	<b>S106</b>
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	<b>Superstructure</b>
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<b>Community Infrastructure Levy (CIL) (Granting Consent)</b>
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p> <p><b>Pre-Commencement Conditions:</b></p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	<b>Car-Free Development</b>
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
5	<b>Roller Shutters</b>

	<p>The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.</p>
6.	<p><b>Roof top plant</b></p>
	<p>The applicant is advised that any additional roof top plant not shown on the approved plans will require a separate planning application.</p>
7	<p><b>Construction works</b></p>
	<p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email <a href="mailto:pollution@islington.gov.uk">pollution@islington.gov.uk</a>) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
8	<p><b>Thames Water</b></p>
	<p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p> <p>With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer prior approval from Thames Water Developer Services will be required.</p>
9	<p><b>Highways Requirements</b></p>
	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. <u>All agreements relating to the above need to be in place prior to works commencing.</u></p> <p>Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. <u>Section 50 license must be agreed prior to any works commencing.</u></p> <p>Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</p>

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

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

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

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

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

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

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

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

All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington’s public lighting at cost to the developer. Contact [streetlights@islington.gov.uk](mailto:streetlights@islington.gov.uk)

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

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

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

## APPENDIX 2: RELEVANT POLICIES

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

### 1 **National Guidance**

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

### 2. **Development Plan**

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

#### **A) The London Plan 2015 – Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011**

##### **1 Context and strategy**

Policy 1.1 Delivering the strategic vision and objectives for London

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

Policy 2.9 Inner London

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

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

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

Policy 3.7 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 3.14 Existing housing

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

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

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.13 Parking



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 4.7 Retail and town centre development  
Policy 4.8 Supporting a successful and diverse retail sector  
Policy 4.9 Small shops

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

Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.5 Decentralised energy networks  
Policy 5.6 Decentralised energy in development proposals  
Policy 5.7 Renewable energy

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

Policy 7.1 Building London's neighbourhoods and communities  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.13 Safety, security and resilience to emergency  
Policy 7.14 Improving air quality  
Policy 7.15 Reducing noise and enhancing soundscapes  
Policy 7.18 Protecting local open space and addressing local deficiency  
Policy 7.19 Biodiversity and access to nature  
Policy 7.21 Trees and woodlands

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

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

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

#### **Spatial Strategy**

Policy CS 1 Archway  
Policy CS 8 (Enhancing Islington's Character)

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

#### **Strategic Policies**

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

#### **Infrastructure and Implementation**

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

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

#### **Design and Heritage**

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

#### **Health and open space**

DM6.1 Healthy development  
DM6.2 New and improved public open space  
DM6.6 Flood prevention

#### **Housing**

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

#### **Energy and Environmental Standards**

DM7.1 Sustainable design and construction statements  
DM7.3 Decentralised energy networks

DM3.6 Play space  
DM3.7 Noise and vibration (residential use)  
DM3.8 Sheltered housing and care homes

**Shops, culture and services**

DM4.1 Maintaining and promoting small and independent shops  
DM4.3 Location and concentration of uses  
DM4.4 Promoting Islington's Town Centres  
DM4.5 Primary and Secondary Frontages  
DM4.8 Shopfronts

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

3. **Planning Advice Note/Planning Brief**

- 3.1 A document entitled 'Regeneration proposals for Archway' was adopted by the Council's Executive on 5 July 2011. These proposals outline the Council's desire to overcome some of the barriers to physical regeneration, strengthen the local economy and improve the vitality of the town centre. Funding allocations for various regeneration projects were agreed within this document (none of which directly relate to the application site).
- 3.2 Archway Development Framework SPD (adopted 2007). The Core Strategy at paragraph 2.2.1 states that this SPD will remain in place after the adoption of the Core Strategy and that the document adds detail to the Core Strategy Site Allocation (CS1). The site is not within the core area of this document but falls within the 'contextual area'. Development within the wider contextual area should take into consideration the guidance and the following key objectives:
- Delivery of a beacon sustainable development – delivery of a truly sustainable community and thus contribute to environmental, economic and social sustainability.
  - Delivery of a mixed use development to build upon Archway's strengths as a district centre and enhance this role.
  - The improvement of the pedestrian environment to provide a safe environment and improve the pedestrian links through to the adjoining areas.
  - The creation of high quality public spaces to provide an environment where people can visit, shop, relax while providing links to the surrounding areas and uses in Archway;
    - Microclimate – minimise wind impact due to down draught;
    - This document states that priority for planning obligations within Archway will be focussed towards improvements to the public realm and local employment.

4. **Designations**

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

**Islington Local Plan**  
Primary Retail Frontage  
Archway Town Centre

**London Plan**  
None relevant

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

The following SPGs and/or SPDs are relevant:

**Islington Local Development Plan**

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

**London Plan**

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

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Our ref: DRP/64

Date: 25 June 2015

ATT: Greg Cooper  
Metropolis  
4 Underwood Row  
London  
N1 7LQ

Dear Greg Cooper,

**ISLINGTON DESIGN REVIEW PANEL**

**RE: 798-804 Holloway Road in connection with P2015/1681/FUL**

Thank you for attending Islington's Design Review Panel meeting on 9 June 2015 for an assessment of the above scheme. The proposed scheme under consideration is for the demolition of the existing buildings and redevelopment of the site to provide a part three, part six storey mixed use building comprising 337 sqm A1 retail floor space at ground floor and 13 residential (C3) residential units at first, second, third and fourth floors (6x 1-bed, 4x 2-beds, 3x 3-bed), with associated amenity space and cycle storage (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 Richard Portchmouth (chair), David Leech, Tim Ronalds, Charles Thomson, Ben Gibson and Dorian Crone on 9 June 2015 including a site visit and 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**

Massing

The Panel recognised that a good case had been made for a taller building on the corner making a positive contribution to the Archway gyratory regeneration proposals. However the Panel were not convinced about the relationship of the proposed building to the neighbouring terraces and recommended that further options should be explored in terms of the overall massing and how to resolve the relationship with neighbouring buildings. The Panel recognised that the stepping up to a taller corner building could be successful but the composition should be simpler and the junction of the two facades needed to be resolved more comfortably.

The Panel suggested that a physical model might help inform the composition and design resolution.

Elevations

The Panel felt that the elevations included too many elements and that the end result appeared overly mannered. In particular, the Panel questioned how the two elevations met at the corner and recommended that a design which addressed and turned the corner more positively should be explored. Panel members suggested that the building should have its own identity rather than being broken up into elements and that a simpler and more powerful design should be found that better reflected the prominent site. The Panel also recommended that the building should better reflect the local context of Holloway Road and Giesbach Road.

The Panel commented that the shop front and fascia treatments required more detailed resolution in relation to their Holloway Road context.

A further view of the elevation from Windermere Street was requested.

### Roof

The Panel felt that the roof was problematic. It appeared too heavy and unrelated to the rest of the building and it had a very uncomfortable relationship to the set back on Holloway Road and to the corner. Panel members suggested that the roof should either be re-designed as a separate element or removed.

### **Summary**

The Panel found much to commend the scheme with regard to the response to the changing urban context for the Archway regeneration proposals and the layout of the apartments. The Panel welcomed the proposal for a taller building on the corner site, but recommended that the overall massing could be better resolved. Panel members recommended that a simpler design for the elevations should be found to create a building with a strong identity in its own right. The Panel recommended that the roof of the building should be re-designed or removed and the design of the shop fronts required more detailed resolution.

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,

**Luciana Grave**

A handwritten signature in black ink, appearing to read 'Lucy', written in a cursive style.

Design Review Panel Coordinator  
Design & Conservation Team Manager

**798 - 804 Holloway Road, London, N19 3JH**

**Application Ref: 2015/4343/FUL**



**Independent Review of Assessment of Economic Viability**

18 December 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 Affordable Housing Solutions Ltd ('AHS') on behalf of TPS Brighton Developments Ltd ('the applicant') in respect of the 798-804 Holloway Road, London, N19 3JH.
- 1.2. The site is located at the northern end of Holloway Road close to the Archway Gyratory and has excellent transport links being about a minutes' walk for Archway underground station as well being close to the local bus stop which offers services towards central London. The site measure approximately 0.11 Acres.
- 1.3. The application is for the;  
  
*'Demolition of existing building and redevelopment of the site to provide a part three, part six storey mixed use building comprising 598 sq.m A1 retail floorspace at ground floor and basement level and no.13 (C3) residential units at first to fourth floors (6 x 1 beds, 5 x 2 beds, 2 x 3 beds), with associated amenity space and cycle storage.'*
- 1.4. The applicant has proposed the scheme provided 3 units of affordable housing of shared ownership tenure. An alternative option of an in lieu payment in the sum of £469,000 has also been proposed.
- 1.5. The viability assessment seeks to demonstrate that the payment in lieu offered of £469,000 is the maximum sum payable and that the onsite provision of 3 shared ownership units would result in a development deficit when tested against the proposed benchmark land value for the site. Benchmark is based on an alternative use value for the site reflecting an extant consent granted appeal.
- 1.6. Our review has sought to scrutinise the costs and value assumptions that have been applied in the AHS 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 the findings of our review we are of the opinion that on site affordable provision of three shared ownership units would represent the maximum contribution viable from this scheme. The applicant suggests an in lieu contribution would be preferable and proposes payment of the sum of £469,000. We are of the opinion this figure could be increased to £515,940.
- 2.2. The benchmark land value proposed is based upon an Alternative Use Value (AUV) of a consent recently granted at appeal. The residual value of this scheme is £1,684,000. Having reviewed the inputs and assumptions we accept this sum is a realistic assessment of the likely residual value arising from delivery of this consent.
- 2.3. The costs plans produced by Ian Thomson & Co Limited have been reviewed by our Cost Consultant, Neil Powling, who is of the opinion that they are set at a realistic market level. We have reviewed the additional cost items included in the appraisal and these also appear adequately justified, the majority being based on GLA toolkit defaults.
- 2.4. Private sales values for the proposed and AUV schemes have been provided by Colliers International and having reviewed the available evidence they provide together with our own research, we are of the opinion that the proposed sales values are reflective of current market values for both the AUV scheme and the proposed scheme. However we do question the value except for the top floor three bed unit in the proposed scheme. The proposed value of this unit has been heavily discounted due to its larger size with an asking value some £1,294 per m<sup>2</sup> (£120 per ft<sup>2</sup>) lower than the equivalent unit in the AUV scheme although we note that it is 26m<sup>2</sup> larger. We have suggested increasing that value of this unit to £850,000 which reflects a rate of £6,589 m<sup>2</sup> (£612 per ft<sup>2</sup>).
- 2.5. Affordable Housing values have not been provided by AHS as they state that an affordable housing contribution is 'the most practical and prudent route' although it should be noted that they have provided an appraisal assessing the impact of onsite provision in the form of shared ownership units. We have assessed the value of the 3 affordable units in our appraisal at a rate of £3,444 per m<sup>2</sup> (£320 per ft<sup>2</sup>) based on a 25% equity sale and 1.5% rent on the unsold equity. These assumptions appear to broadly equate to the value adopted by AHS.
- 2.6. The retail space has been valued at a rate of £269 per m<sup>2</sup> (£25 per ft<sup>2</sup>) on the ground floor space and £161 per m<sup>2</sup> (£15 per ft<sup>2</sup>) on the basement space. This gives a blended overall rate of £191 per m<sup>2</sup> (£17.70 per ft<sup>2</sup>). Given the evident similarities we are of the opinion that the capitalisation rate should be 5.25% as per the AUV scheme. This rate reflects the trading benefits of the site discussed by Colliers and the fact that the proposed scheme would result in an increased sales area at ground floor level with storage potentially moved to the less valuable basement level. This results in an increase in the retail investment value from £2.07 million to £2.17 million before costs.
- 2.7. Capitalised ground rental income has been included at the same rate across both the proposed and AUV scheme and we accept that the rent levels and yields applied appear reasonable.

- 2.8. The table set out below highlights the net impact on viability of the changes suggested above when compared to the AHS scheme. It is clear however that the provision of 3 onsite shared ownership units would still represent the maximum reasonable level of onsite affordable that can be delivered by this scheme.

Appraisal	Residual Value	Benchmark	Surplus/(Deficit)
AHS 0% Affordable on site	£2,153,000	£1,684,000	£469,000
AHS 23% On site AH	£1,610,000	£1,684,000	(£74,000)
BPS 0% Affordable on site	£2,199,940	£1,684,000	£515,940
BPS 23% On site AH	£1,690,337	£1,684,000	£6,337

- 2.9. Given the configuration of the proposed building it would appear unlikely that rented tenure units could be delivered as the units are all required to be accessed through a shared service core given the use of the ground floor for retail purposes. There common service charge entailed would potentially impact on affordability of the units and loss of Registered Provider interest in taking on these units.

### 3.0 Planning Policy Context

- 3.1. We have had reference to national planning policy guidance including the National Planning Policy Framework. We have also had regard to the regional planning policy context including the London Plan Further Amendments 2015.
- 3.2. Islington Core Strategy Policy CS12 requires the maximum reasonable level of affordable housing that can be achieved with a target of 50% of new housing to be affordable.
- 3.3. CS12 requires a tenure split of 70% social rent and 30% intermediate tenure. CS12 also includes the requirement that affordable housing units are designed to a high quality with the Development Management Policies encouraging design to be 'tenure blind'.
- 3.4. We have also had due regard to the Council's emerging SPD in respect of Planning viability.

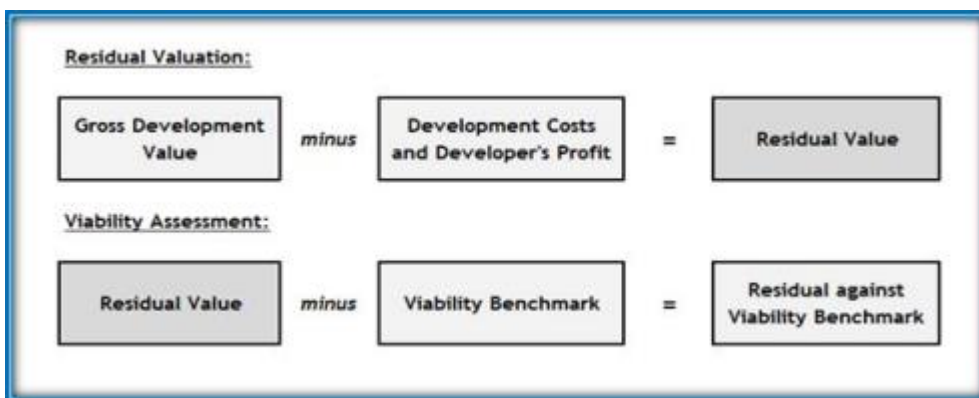
### 4.0 Planning History

- 4.1. 2014/3815/FUL - *'Demolition of existing buildings and redevelopment of the site to provide a part three, part four storey mixed use building comprising 345 sq.m A1 retail floorsapce at ground floor and no. 9 (C3) residential units at first second and third floors, with associated amenity space and cycle storage.'*
- 4.2. The application was initially refused but was granted consent at appeal after the upper stories were reconfigured as the original application was deemed to have an 'unacceptably harmful impact on the amenities of neighbouring property'.
- 4.3. The above application forms the basis for the AUV and we have discussed it further in section 6 of this report.



## 5.0 Principles of Viability Assessment

- 5.1. Assessment of viability for planning purposes is based on the principle that if a proposed scheme cannot generate a value that equals or exceeds the current site value, it will not proceed. Financial viability for planning purposes is defined by the RICS Guidance as an “objective financial viability test of the ability of a development project to meet its costs including the cost of planning obligations, while ensuring an appropriate site value for the landowner and a market risk adjusted return to the developer in delivering that project.” This reflects the NPPF principle that in order to ensure viability, developments should provide competitive returns to a willing land owner and willing developer to enable them to be deliverable.
- 5.2. A fundamental issue in considering viability assessments is whether an otherwise viable development is made unviable by the extent of planning obligations or other requirements.
- 5.3. Existing Use Value has been generally recognised by many LPA’s and the GLA as the standard recognised basis for establishing viability as it clearly defines the uplift arising from the grant of the planning consent sought and is currently referred to as the preferred basis for benchmarking schemes in the Council’s recently adopted planning policies.
- 5.4. RICS Guidance<sup>1</sup> suggests that “the site value benchmark should equate to the market value subject to the following assumption: that the value has regard to development plan policies and all other material planning considerations and disregards that which is contrary to the development plan”. The purpose of a viability appraisal is to assess the extent of planning obligations while also having regard to the prevailing property market.
- 5.5. In this context it is highly relevant to consider the degree to which planning policy has been reflected in the land transactions promoted and whether they are themselves considered to represent market value as distinct from overbids.
- 5.6. Viability appraisals work to derive a residual value to indicate viability. This approach can be represented by the simple formula set out below:



- 5.7. Development costs include elements such as planning obligations, professional fees, finance charges and contingencies as well as the necessary level of ‘return’ that

<sup>1</sup> RICS, Financial Viability in Planning, 1st Edition Guidance Note, August 2012

would be required to ensure developers are capable of obtaining an appropriate market risk adjusted return for delivering the proposed development.

- 5.8. Residual appraisals are used either to assess a return from the proposed project (where the cost of acquiring the site is an appraisal input) or to establish a residual land value after taking account of the level or return (profit) required.
- 5.9. A scheme's residual value is then compared to the site value benchmark figure and if the residual value equals or exceeds this benchmark then the scheme can be said to be viable. It is therefore important in assessing viability for the site value benchmark ("base value") to be set at a figure which can be substantiated.

## **6.0 Viability Benchmark**

- 6.1. The Viability Benchmark Sum (VBS) is based upon an Alternative Use Value (AUV) derived from an extant consent. The appraisal supplied by AHS states that the AUV is based on P/2014/2101/FUL this application was never determined as it was withdrawn by the applicant. It would therefore appear that the AUV is instead based upon application 2015/3815/FUL which was recently granted consent at appeal. The Council's grounds for refusal related primarily to the impact on neighbouring properties.
- 6.2. For the purpose of the AUV the plans have been revised to address the refusal points. The development value of the AUV scheme has been prepared by Colliers International with the costs being estimated by Ian Thomson & Co Ltd.

- 6.3. Permission was sought for the;

*'Demolition of existing buildings and redevelopment of the site to provide a part three, part four storey mixed use building comprising 345 sq.m A1 retail floorspace at ground floor and no.9 (C3) residential units at first second and third floors (4x 1 beds, 4x 2 beds, 1x 3 bed), with associated amenity space and cycle storage.'*

- 6.4. We have examined the assumptions applied in the appraisal supplied in order to determine whether or not the benchmark figure is reasonable.

### *Build Costs*

- 6.5. The costs have been reviewed by our Cost Consultant and he is of the opinion that they are indeed reasonable.
- 6.6. The assumptions applied in terms of other costs applied in the toolkit appraisal are assumed to be broadly in-line with those set out in section 7.0 of this report which we have deemed acceptable.

### *Residential Values*

- 6.7. The AUV scheme contains 9 residential units with the following averages based upon the updated floor plans:

Type	Count	Average Area m <sup>2</sup> (ft <sup>2</sup> )	Average Price	Average £/m <sup>2</sup> (ft <sup>2</sup> )
1 Bed	4	50.75 (546)	£436,250	£8,596 (£799)
2 Bed	4	74.25 (799)	£600,000	£8,081 (£751)
3 Bed	1	103 (1,109)	£795,000	£7,718 (£717)

- 6.8. We have analysed sales values further in section 8.0 of this report and given that these values are in line with those of the proposed scheme we are of the opinion that they are indeed reasonable.

#### *Ground Rents*

- 6.9. The ground rents have again been calculated on the same basis as the proposed scheme as discussed in section 10.0 of this report. We are of the opinion that the values applied are indeed reasonable.

#### *Retail Values*

- 6.10. The AUV scheme includes 345 m<sup>2</sup> (3713 ft<sup>2</sup>) of retail floorspace at ground floor level which has been valued on the same basis as the floorspace in proposed scheme except for the capitalisation yield which is 5.25%. We discuss retail values further in section 11 but in short we are of the opinion that they are reasonable.
- 6.11. On the whole it would appear that the values and assumptions used for the AUV appraisal are indeed reasonable.

### **7.0 Proposed Scheme Costs**

- 7.1. Our Cost Consultant, Neil Powling, has reviewed the Thomson & Co Ltd Cost Estimate for the proposed scheme. A summary of Neil's conclusions are set out below:

*Our adjusted benchmark yields an adjusted rate of £2,217/m<sup>2</sup> compared to the Applicant's £2,150/m<sup>2</sup>. We are therefore satisfied that the Applicant's estimated costs are reasonable.*

*The pricing of the Alternative scheme is broadly consistent with the Proposed Scheme; the adjusted benchmark is £2,176/m<sup>2</sup> compared to the Applicants £2,124/m<sup>2</sup>. We are satisfied that the estimated costs of the Alternative scheme are reasonable.*

- 7.2. Professional Fees have been included at a rate of 12% of total construction costs which reflects the upper end of the usually accepted scale.
- 7.3. A profit target of 20% of private residential revenues represents a generally accepted norm. In our appraisals we have provided for a lesser profit of 6% in assessing the on-site affordable housing option.
- 7.4. Development finance costs are based on an interest rate of 6.75% which is realistic given current market conditions.

- 7.5. The total S106 and CIL contributions have been estimated at £186,200 with a £44,000 S106 payment and £142,000 towards Mayoral and Borough CIL. This overall figure reduces to £134,900 for the on-site option due to affordable housing relief.
- 7.6. Marketing Costs of 3% of sales values have been applied in the appraisal and we agree that this figure is reasonable and consistent with the allowance we would expect for this scale of project.
- 7.7. Purchaser Costs of 5.8% have been applied to the land value benchmark which reflects a standard market assumption in this respect.

## 8.0 Residential Sales Values

- 8.1. Private residential sales values have been estimated by Colliers International. The average floor areas of the units and the average values assumed for the all private scheme are as follows:

Type	Count	Average Area m <sup>2</sup> (ft <sup>2</sup> )	Average Value	Average £/m
1 Bed	6	51 (551)	£440,417	£8,610 (£800)
2 Bed	5	73 (782)	£587,000	£8,083 (£751)
3 Bed	2	109 (1,175)	£751,250	£6,979 (£649)

- 8.2. Colliers International (Colliers) has based their pricing approach on analysis of a number of market transactions and the asking prices of nearby new build schemes. We discuss the sales evidence provided by Colliers in further detail below.
- 8.3. The Joinery is a Family Mosaic development approximately half a mile to the north east of the subject site and includes Ruskin Court and Hardy Court. Two units are currently under offer on this scheme. Quoting prices show average rates of £6,883 per m<sup>2</sup> (£639 per ft<sup>2</sup>) at Ruskin Court and £7,540 per m<sup>2</sup> (£718 per ft<sup>2</sup>) at Hardy Court. The specification of these units appears to be quite high. The subject site is in a superior location being close to the Underground and major bus routes, so could potentially command higher values with an appropriate specification.

Name	Beds	Date	Price	Area m <sup>2</sup> (ft <sup>2</sup> )	£/m <sup>2</sup> (ft <sup>2</sup> )
6 Ruskin Court, N19	2	Available	£530,000	80 (861)	£6,626 (£616)
18 Ruskin Court, N19	2	U/O	£545,000	76 (818)	£7,172 (£666)
9 Ruskin Court, N19	3	U/O	£555,000	81 (872)	£6,851 (£636)
9 Hardy Court, N19	2	Available	£505,000	66 (708)	£7,652 (£713)
12 Hardy Court, N19	2	Available	£520,000	70 (720)	£7,429 (£722)

- 8.4. The Harper Building on Holloway Road is just over a mile to the northwest 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. Its proximity to the underground station is similar to the subject site. There are 7 units currently listed as available or under offer with 1 bed units having an average asking price of £9,464 per m<sup>2</sup> (£879 per ft<sup>2</sup>) and 2 bed unit having an average price of £9,032 per m<sup>2</sup> (£831 per ft<sup>2</sup>). The listed prices per unit are as follows:

Flat Number	Beds	Date	Price	Area m <sup>2</sup> (ft <sup>2</sup> )	£/m <sup>2</sup> (ft <sup>2</sup> )
1	1	U/O	£465,000	52 (563)	£8,890 (£826)2
3	1	U/O	£440,000	46 (490)	£9,666 (£898)
6	1	U/O	£445,000	45 (487)	£9,836 (£914)1
2	2	Available	£655,000	74 (793)	£8,891 (£826)
4	2	Available	£515,000	55 (592)	£9,364 (£870)7
5	2	U/O	£645,000	72 (778)	£8,924 (£829)
9	2	U/O	£670,000	75 (806)	£8,948 (£831)3

8.5. Whittington House is another recent development that has been carried out under permitted development rights. The building is not far from the subject site being a little over 100 meters along Holloway Road. However given that this development was completed under permitted development rights and consequently the external façade of the building has changed little and still reflects a 1960's concrete framed office building. There are currently two units available with the following asking prices:

Beds	Asking Price	Area m <sup>2</sup> (ft <sup>2</sup> )	£/m <sup>2</sup> (ft <sup>2</sup> )
1	£410,000	50 (540)	£8,173 (£759)
2	£575,000	71 (760)	£8,144 (£757)

8.6. Spectrum Court is situated to the southeast of the subject site, just off Holloway Road. The units here are in generally good condition with the building itself being built in 2002. The unit values below reflect the relative age of the property and its location, which is less sought after when compared to the other evidence provided.

	Beds	Price	Area	Area	£ per m	£ per ft
2 Spectrum Court	2	699,950	101	1084	6950	646
4 Spectrum Court	2	670,000	73	788	9152	850
5 Spectrum Court	2	670,000	73	788	9152	850
<b>Average</b>		<b>679,983</b>	<b>82</b>	<b>887</b>	<b>8,418</b>	<b>782</b>

8.7. In addition to the information provided by Colliers we have also identified additional transactional evidence. It should be noted that some of the sales are relatively historic dating from 2014.

Unit	Beds	Sale Date	Sale/Asking Price	Area m <sup>2</sup> (ft <sup>2</sup> )	£/m <sup>2</sup> (ft <sup>2</sup> )
Flat 3	1	07/11/14	£360,000	50 (538)	£7,200 (£669)
Flat 14	2	07/08/15	£772,500	91 (980)	£8,489 (£789)
Flat 7	2	25/04/14	£570,000	88 (947)	£6,477 (£602)
Flat 11	2	28/07/14	£528,000	78 (840)	£6,769 (£629)
Flat 8	2	03/07/15	£502,500	78 (840)	£6,442 (£599)
<b>Average</b>	-	-		-	<b>£7,044 (£654)</b>
Flat 2	2	Available	£699,950	101 (1,084)	£6,950 (£646)
Flat 4	2	Available	£670,000	73 (788)	£9,152 (£850)

Flat 5	2	Available	£670,000	73 (788)	£9,152 (£850)
Average	-	-	-	-	£8,418 (£782)

- 8.8. 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 or under offer and we note that asking prices per m<sup>2</sup> would appear to be higher than the proposed scheme reflecting provision of private balconies and that the scheme also has a residents gym. The average asking prices are as follows:

No. of Bedrooms	Area m <sup>2</sup> (ft <sup>2</sup> )	Asking Price	£ per m <sup>2</sup> (ft <sup>2</sup> )
1 Bedroom	46 (490)	£466,188	£10,244 (£952)
2 Bedrooms	80 (860)	£671,667	£8,489 (£789)

- 8.9. Lotus Mews on Sussex Way is a development of eight three bedroom mews houses all available at £850,000. This development is located to the east of the subject site and indicates the upper end of new build prices for houses although it should be noted that the houses have relatively small floorplates and have a joint kitchen/diner/lounge room.

- 8.10. Details of a number of second hand sales have also been provided by Colliers at prices ranging from £6,780 to £10,440 per m<sup>2</sup> (£630 to £970 per ft<sup>2</sup>) for one bedroom units and from £6,458 to £8,342 per m<sup>2</sup> (£600 to £775 per ft<sup>2</sup>) for 2 beds. In the case of both one and two bedroom units the higher values per m<sup>2</sup> reflect the quality of space available with some units situated in period conversions benefitting from private rear gardens which would help generate higher sales values.

- 8.11. We have also considered the development at 400 Caledonian Road which 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 units below:

No. of Bedrooms	Area m <sup>2</sup> (ft <sup>2</sup> )	Asking Price	£ per m <sup>2</sup> (ft <sup>2</sup> )
1 Bedroom	53.9 (580)	£424,250	£7,887 (£733)
2 Bedrooms	67.8 (730)	£542,700	£8,033 (£746)
3 Bedrooms	97.7 (1,052)	£780,000	£7,983 (£742)

- 8.12. Consider the available evidence it would appear that the residential values applied are generally reasonable and in line with available evidence provided and our own research.

- 8.13. We do however disagree with the approach taken to pricing the top floor unit in the proposed scheme. The three bed unit has been discounted by some 15% in comparison with the AUV scheme. We appreciate that there is a size difference of approximately 26m<sup>2</sup> between the respective units but view the proposed difference in unit price of just £32,500 between the two units as insufficient to reflect the benefit available from the additional floor area. The unit in the proposed scheme has larger bedrooms which could all be considered as double bedrooms and benefits from three bathrooms as opposed to the AUV units two. The layout of the living

space is also greatly improved in the proposed scheme. As such we would suggest increasing the value of the three bed top floor unit to £850,000.

## 9.0 Affordable Housing

- 9.1. One of the proposed options is for the provision of three shared ownership units at first floor level. The residual value of the scheme with on-site affordable housing is stated as being £1.63 million which is below the benchmark land value. There would appear to be no commentary within the AHS report as to the assumptions used to assess the affordable housing values.
- 9.2. We have assumed a value of £320 per ft<sup>2</sup> based upon 25% and 1.5% rent on the unsold equity. These assumptions would appear to generate a valley which broadly equates to the net difference in GDV identified by AHS.

## 10.0 Ground Rents

- 10.1. Ground rents have been assumed at £300 for the one bed units, £350 for two beds and £400 for three beds. This has been capitalised at a rate of 5% with purchasers costs of 1.8% deducted. The total investment value is therefore £85,000.

## 11.0 Retail

- 11.1. The proposed scheme includes approximately 598 m<sup>2</sup> (6,437 ft<sup>2</sup>) of commercial floorspace. The space is split over the ground and lower ground floors.
- 11.2. The rental levels that have been applied by Colliers are £269 per m<sup>2</sup> (£25 per ft<sup>2</sup>) on the ground floor space and £161 per m<sup>2</sup> (£15 per ft<sup>2</sup>) on the basement space. This gives a blended overall rate of £191 per m<sup>2</sup> (£17.70 per ft<sup>2</sup>). The following comparable evidence reflects lettings that include both basement and ground floor space and as such illustrate blended rates.

Address	Deal Date	Area m <sup>2</sup> (ft <sup>2</sup> )	Rent	£ per m <sup>2</sup> (ft <sup>2</sup> )
6 Archway Rd, N19	01/09/15	113 (1,218)	£24,000	£212 (£19.70)
627-635 Holloway Rd, N19	08/04/15	518 (5,574)	£102,500	£198 (£18.39)
298 Holloway Rd, N7	01/03/15	246 (2,653)	£36,000	£146 (£13.57)
8 Campdale Rd, N7	02/02/15	56 (600)	£13,500	£242 (£22.50)

- 11.3. We have also considered the following units which are currently available for rent the local area which again are for basement and ground floor space.

Address	Area m <sup>2</sup> (ft <sup>2</sup> )	£ per m <sup>2</sup> (ft <sup>2</sup> )	Asking Rent
34 Junction Rd, N19	221 (2,378)	£317 (£29.44)	£70,000
693 Holloway Rd, N19	102 (1,098)	£142 (£13.21)	£14,500
267 Seven Sisters Rd, N4	123 (1,325)	£195 (£18.11)	£24,000
187 Seven Sisters Rd, N4	112 (1,204)	£228 (£21.18)	£25,500
506 Holloway Rd, N7	136 (1,465)	£184 (£17.06)	£25,000
296 Holloway Rd, N7	249 (2,680)	£125 (£11.64)	£31,200

- 11.4. Both the recent lettings and current listings in the local area would suggest that the rents applied in the appraisal are in line with the available market evidence.
- 11.5. The capitalisation yield applied to the estimated rental income is 5.5%. CBRE research<sup>2</sup> would suggest prime shop yields of 2.86% in central London and 5.27% in suburban London. The prominent corner location of this site, close to the transport links, is a positive aspect that would lend itself to a convenience store as suggested by Colliers. We agreed in section 6 of this report that the yield applied for the AUV retail space of 5.25%. Colliers argue that the size and configuration of the AUV scheme would be more appealing to occupiers than for the proposed scheme. We are of the view this consideration would be most apparent in the rent assumptions and note the rates adopted for both AUV and proposed are identical in respect of the ground floor rates with the basement space heavily discounted in respect of the proposed scheme. We see little likelihood of tenanted investments selling for different yields given the likely tenant would be a convenience store with the value being largely covenant driven. We have therefore applied 5.25% to both appraisals.
- 11.6. An allowance for purchaser costs of 5.8% has been included and we agree that this is a reasonable and commonly accepted assumption.
- 11.7. We are of the opinion that the commercial space is undervalued for the proposed scheme and the yield should be 5.25% instead of the 5.5% stated.

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<sup>2</sup> CBRE, Marketview: UK Prime Rent and Yields, Q3 2015



# Project: 798-804 Holloway Road, N19 3JH

2015/4343

## Independent Review of Assessment of Economic Viability

### Interim Draft Report Appendix A Cost Report

#### 1 SUMMARY

- 1.1 Our adjusted benchmark yields an adjusted rate of £2,217/m<sup>2</sup> compared to the Applicant's £2,150/m<sup>2</sup>. We are therefore satisfied that the Applicant's estimated costs are reasonable.
- 1.2 The pricing of the Alternative scheme is broadly consistent with the Proposed Scheme; the adjusted benchmark is £2,176/m<sup>2</sup> compared to the Applicants £2,124/m<sup>2</sup>. We are satisfied that the estimated costs of the Alternative scheme are reasonable.
- 1.3 There is insufficient information in the FVR relating to the Construction Costs Toolkit Appraisal for us to verify that the costs in the cost plan have been accurately included in the Appraisal.

#### 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 been 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 Report (FVR) dated September 2015 prepared by Affordable Housing Solutions including its appendices and in particular Appendix 4: the Proposed Scheme Cost Plan and Appendix 5: the Alternative Use Cost Plan. Both Cost Plans are prepared by Ian Thomson & Co Ltd and dated September 2015. We have assumed the base date of the costs to be 3Q2015.

- 3.2 We have also downloaded files from the planning web site - principally drawings and the Design & Access Statement.
- 3.3 The cost plan is in broadly elemental format although the sequence and collection of items does not follow BCIS format. The cost plan does not give a GIA nor can one be readily extracted from the details of the cost plan. We have relied upon the Architects schedules for the GIAs used in our analyses that are for the Proposed Scheme: commercial area 598m<sup>2</sup> residential area 1,172m<sup>2</sup>; Alternative Scheme commercial area 350m<sup>2</sup> residential area 858m<sup>2</sup>.
- 3.4 The Proposed Scheme is for £3,805,000 (£2,150/m<sup>2</sup>) and the alternative scheme £2,565,000 (£2,124/m<sup>2</sup>). The allowance for preliminaries equates to 7.35% which is low compared to current tender levels. The 5% allowance for contingencies is reasonable. There is no separate provision for overheads and profit (OHP) and these are presumably allowed for in the body of the estimate.
- 3.5 We have extracted both cost plans into BCIS elemental format: refer to our attached file "Elemental analysis and BCIS benchmarking". The analysis of the Alternative Scheme has been pasted into the elemental analysis of the Proposed Scheme for comparison purposes.
- 3.6 We have downloaded current BCIS data for benchmarking purposes including a Location Factor of 131 that has been applied in our benchmarking calculations.
- 3.7 The estimate does not distinguish between commercial and residential costs, and we have therefore calculated a blended rate for benchmarking as the table below.
- 3.8
- | <i>Blended calculation</i> | m <sup>2</sup> | %     | BCIS £/m <sup>2</sup> | Blended £/m <sup>2</sup> |
|----------------------------|----------------|-------|-----------------------|--------------------------|
| Flats                      | 1,172          | 66.2% | 2,104                 | 1,393                    |
| Commercial                 | 598            | 33.8% | 985                   | 333                      |
|                            | <u>1,770</u>   |       | Blended rate          | <u>1,726</u>             |
- 3.9 Our adjusted benchmark yields an adjusted rate of £2,217/m<sup>2</sup> compared to the Applicant's £2,150/m<sup>2</sup>. We are therefore satisfied that the Applicant's estimated costs are reasonable.
- 3.10 The pricing of the Alternative scheme is broadly consistent with the Proposed Scheme; the adjusted benchmark is £2,176/m<sup>2</sup> compared to the Applicants £2,124/m<sup>2</sup>. We are satisfied that the estimated costs of the Alternative scheme are reasonable.
- 3.11 There is insufficient information in the FVR relating to the Construction Costs Toolkit Appraisal for us to verify that the costs in the cost plan have been accurately included in the Appraisal.

BPS Chartered Surveyors  
Date: 27<sup>th</sup> November 2015

798-804 Holloway Road, N19 3JH

Elemental analysis & BCIS benchmarking - Application scheme

GIA commercial m <sup>2</sup>	598	350
GIA residential m <sup>2</sup>	1,172	858
GIA TOTAL m <sup>2</sup>	1,770	1,208
	BCIS Mean	

	£	LF100		LF131	ALT scheme t	
		£/m <sup>2</sup>	£/m <sup>2</sup>	£/m <sup>2</sup>	£/m <sup>2</sup>	to compare
<b>Demolitions</b>	<b>140,000</b>	<b>79</b>			<b>93</b>	<b>112,000</b>
<b>1 Substructure</b>	<b>424,000</b>	<b>240</b>	<b>118</b>	<b>155</b>	<b>161</b>	<b>194,000</b>
2A Frame	250,000	141	144	189	132	160,000
2B Upper Floors	76,000	43	75	98	46	56,100
2C Roof	112,000	63	70	92	90	108,400
2D Stairs	80,000	45	24	31	33	40,000
2E External Walls	247,400	140	179	234	139	168,100
2F Windows & External Doors	228,000	129	75	98	97	117,000
2G Internal Walls & Partitions	126,100	71	54	71	75	90,600
2H Internal Doors	42,800	24	47	62	25	30,200
<b>2 Superstructure</b>	<b>1,162,300</b>	<b>657</b>	<b>668</b>	<b>875</b>	<b>638</b>	<b>770,400</b>
3A Wall Finishes	158,700	90	54	71	91	110,400
3B Floor Finishes	171,700	97	51	67	103	124,600
3C Ceiling Finishes	62,500	35	32	42	38	46,000
<b>3 Internal Finishes</b>	<b>392,900</b>	<b>222</b>	<b>137</b>	<b>179</b>	<b>233</b>	<b>281,000</b>
<b>4 Fittings</b>	<b>215,800</b>	<b>122</b>	<b>55</b>	<b>72</b>	<b>116</b>	<b>140,600</b>
5A Sanitary Appliances	86,000	49	22	29	50	60,000
5B Services Equipment (kitchen, laundry)			15	20		
5C Disposal Installations	15,000	8	11	14	10	12,000
5D Water Installations	295,000	167	28	37	161	195,000
5E Heat Source			21	28		
5F Space Heating & Air Treatment			95	124		
5G Ventilating Systems			21	28		
5H Electrical Installations (power, lighting, emergency lighting)	200,000	113	80	105	113	137,000
5I Gas Installations			5	7		
5J Lift Installations	50,000	28	36	47	33	40,000
5K Protective Installations (fire fighting, sprinklers, lightning protection)	10,000	6	12	16	7	8,000
5L Communication Installations (burglar, panic alarm, fire alarm, cctv, door entry, public address, data cabling, tv/satellite, telecommunication systems)	27,000	15	28	37	15	18,000
5M Special Installations - (window cleaning, BMS, medical gas)			27	35		
5N BWIC with Services	50,000	28	8	10	36	43,000
5O Builders Profit % Attendance on Services			3	4		
<b>5 Services</b>	<b>733,000</b>	<b>414</b>	<b>412</b>	<b>540</b>	<b>425</b>	<b>513,000</b>
<b>PVs &amp; sustainability</b>	<b>50,000</b>	<b>28</b>			<b>33</b>	<b>40,000</b>
6A Site Works	118,000	67			80	97,000
6B Drainage	80,000	45			62	75,000
6C External Services	59,000	33			37	45,000
6D Minor Building Works						
<b>6 External Works</b>	<b>257,000</b>	<b>145</b>			<b>180</b>	<b>217,000</b>
<b>SUB TOTAL</b>	<b>3,375,000</b>	<b>1,907</b>	<b>1,390</b>	<b>1,821</b>	<b>1,878</b>	<b>2,268,000</b>
<b>7 Preliminaries 7.35%</b>	<b>248,000</b>	<b>140</b>		<b>219</b>	<b>145</b>	<b>175,000</b>
<b>Overheads &amp; Profit</b>						
<b>SUB TOTAL</b>	<b>3,623,000</b>	<b>2,047</b>		<b>2,039</b>	<b>2,023</b>	<b>2,443,000</b>
Price & Design Risk						
Contingencies	182,000	103			101	122,000
<b>TOTAL</b>	<b>3,805,000</b>	<b>2,150</b>			<b>2,124</b>	<b>2,565,000</b>
Benchmarking - blended rate		1,726				1,726
Add demolitions	79				93	
Add external works	145				180	
Add additional cost of substructure	85				6	
Add additional cost of fittings	50				44	
	359				323	
Add prelims	26	386			24	346
		2,111				2,072
Add contingencies		106				104
Total adjusted benchmark		2,217				2,176

798 - 804 Holloway Road, London, N19 3JH

Application Ref: 2015/4343/FUL



## Addendum Review of Assessment of Economic Viability

29 January 2016

### 1.0 Introduction

- 1.1. BPS Chartered Surveyors has been instructed by The London Borough of Islington ('the Council') to review a viability assessment prepared by Affordable Housing Solutions Ltd ('AHS') on behalf of TPS Brighton Developments Ltd ('the applicant') in respect of the 798-804 Holloway Road, London, N19 3JH.
- 1.2. The site is located at the northern end of Holloway Road close to the Archway Gyratory and has excellent transport links being about a minutes' walk from Archway underground station and close to local bus stops which offer services towards central London. The site has an area of approximately 0.11 Acres.
- 1.3. The application is for the;  
  
*'Demolition of existing building and redevelopment of the site to provide a part three, part six storey mixed use building comprising 598 sq.m A1 retail floorspace at ground floor and basement level and no.13 (C3) residential units at first to fourth floors (6 x 1 beds, 5 x 2 beds, 2 x 3 beds), with associated amenity space and cycle storage.'*
- 1.4. The applicant has proposed to provide 2 units of affordable housing of shared ownership tenure. An alternative option of an in lieu payment in the sum of £366,000 has also been proposed.
- 1.5. The viability assessment seeks to demonstrate that the payment in lieu offered of £366,000 represents the maximum sum which can be viably supported and that the onsite provision of 2 shared ownership units would result in a net deficit when tested against the proposed benchmark land value for the site. The proposed benchmark land value is based on an alternative use value for the site reflecting an extant consent recently granted at appeal.
- 1.6. Our review has sought to scrutinise the cost and value assumptions that have been applied in the AHS viability appraisal in order to determine whether the current affordable housing actually represents the maximum that can reasonably be delivered given the viability of the proposed development.
- 1.7. This addendum should be read in conjunction with our previous report dated 18 December 2015.

## 2.0 Conclusion and Recommendations

- 2.1. Based upon the findings of our review we are of the opinion that on site affordable provision of three shared ownership units would represent the maximum contribution viable from this scheme. The applicant suggests an in lieu contribution would be preferable and proposes payment of the sum of £366,000. We are of the opinion this figure could be marginally increased to £413,000
- 2.2. The benchmark land value proposed is based upon an Alternative Use Value (AUV) reflecting consent recently granted at appeal. This has been updated from the applicant's previous report and shows the proposed residential floorspace increasing from 602.8 m<sup>2</sup> to 624 m<sup>2</sup> from their earlier AUV appraisal. The residual value of the updated AUV scheme is £1,787,000. Having reviewed the inputs and assumptions we accept this sum is a realistic assessment of the likely residual value arising from delivery of this consent.
- 2.3. The changes in sales values made in respect of the AUV scheme are appropriate but it is unclear whether the build costs have been appropriately increased in line with the increase in floor area. The updated residential unit schedule has the NSA increasing to 624m<sup>2</sup> from 602.8m<sup>2</sup> yet the residential GIA has not increased, remaining at 857.9m<sup>2</sup> apparently regardless of the increase in floor area, of approximately 20m<sup>2</sup>, at second floor level. The costs have however increased from £2,268,000 to £2,288,000 suggesting that the additional space would be constructed at a rate of £1,000 per m<sup>2</sup>. This compares to our benchmarked rate of £1,726m<sup>2</sup> before addition of preliminaries, external costs, demolition, added substructure costs and added fixtures and fittings. This comparison suggests the added cost allowance is insufficient.
- 2.4. The costs plans produced by Ian Thomson & Co Limited have been reviewed by our Cost Consultant, Neil Powling, who is of the opinion that they are set at a realistic market level. We have reviewed the additional cost items included in the appraisal and these also appear adequately justified, the majority being based on GLA toolkit defaults.
- 2.5. Private sales values for the proposed and AUV schemes have been provided by Colliers International and having reviewed the available evidence they provide, together with our own research, we are of the opinion that the proposed sales values are reflective of current market values for both the AUV scheme and the proposed scheme. However, we do question the value adopted in respect of the top floor three bed unit in the proposed scheme. The proposed value of this unit has been heavily discounted due to its larger size with an asking value some £1,294 per m<sup>2</sup> (£120 per ft<sup>2</sup>) lower than the equivalent unit in the AUV scheme although we note that it is 26m<sup>2</sup> larger. We have suggested increasing that value of this unit to £850,000 which reflects a rate of £6,589 m<sup>2</sup> (£612 per ft<sup>2</sup>).
- 2.6. Affordable Housing values have not been provided by AHS as they state that an affordable housing contribution is 'the most practical and prudent route' although it should be noted that they have provided an appraisal assessing the impact of onsite provision in the form of shared ownership units. We have assessed the value of the 3 affordable units in our appraisal at a rate of £3,444 per m<sup>2</sup> (£320 per ft<sup>2</sup>) based on a 25% equity sale and 1.5% rent on the unsold equity. These assumptions appear to broadly equate to the value adopted by AHS.

- 2.7. The retail space has been valued at a rate of £269 per m<sup>2</sup> (£25 per ft<sup>2</sup>) on the ground floor space and £161 per m<sup>2</sup> (£15 per ft<sup>2</sup>) on the basement space. This gives a blended overall rate of £191 per m<sup>2</sup> (£17.70 per ft<sup>2</sup>). Given the evident similarities we are of the opinion that the capitalisation rate should be 5.25% as per the AUV scheme. This rate reflects the trading benefits of the site discussed by Colliers and the fact that the proposed scheme would result in an increased sales area at ground floor level with storage potentially moved to the less valuable basement level. This results in an increase in the retail investment value from £2.07 million to £2.17 million before costs.
- 2.8. Capitalised ground rental income has been included at the same rate across both the proposed and AUV scheme and we accept that the rent levels and yields applied appear reasonable.
- 2.9. The table set out below highlights the net impact on viability of the changes suggested above when compared to the AHS scheme. It is clear however that the provision of 2 onsite shared ownership units would still represent the maximum reasonable level of onsite affordable that can be delivered by this scheme.

Appraisal	Residual Value	Benchmark	Surplus/(Deficit)
AHS 0% Affordable on site	£2,153,000	£1,787,000	£366,000
AHS 15% On site AH	£1,792,000	£1,787,000	£5,000
BPS 0% Affordable on site	£2,199,940	£1,787,000	£412,940
BPS 15% On site AH	£1,872,289	£1,787,000	£85,289
BPS 23% On Site AH	£1,690,337	£1,787,000	(£96,663)

- 2.10. It should be noted that when applying the changes set out in our previous report the 15% scheme generates a surplus of £85,289. We are of the opinion that this should be made available as a financial contribution in addition to the two on-site units.
- 2.11. Given the configuration of the proposed building it would appear unlikely that rented tenure units could be delivered as the units are all required to be accessed through a shared service core given the use of the ground floor for retail purposes. There common service charge entailed would potentially impact on affordability of the units and loss of Registered Provider interest in taking on these units.