

# PLANNING COMMITTEE REPORT

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

PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	19 January 2016	NON-EXEMPT

Application number	P2015/2913/FUL
Application type	Full Planning Application
Ward	Hillrise
Listed building	Some buildings locally listed
Conservation area	Whitehall Park
Development Plan Context	Site Allocation OIS10 Ashmount School Planning Brief (2012) TPO (NO.325) 2007
Licensing Implications	None
Site Address	Southern Part of the Site of Whitehall Park Primary School (Formerly Ashmount Primary School) Ashmount Road, London N19 3BH
Proposal	The demolition of the existing buildings on the southern part of the Former Ashmount School site and the erection of 46 residential units in three blocks with associated landscaping

Case Officer	Sarah Wilson
Applicant	Islington & Shoreditch Housing Association (ISHA)
Agent	Nathaniel Lichfield & Partners

## 1. RECOMMENDATION

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

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

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



**Figure 1. Aerial view of site**

**3. PHOTOS OF SITE/STREET**



**Figure 2. View along Ashmount Road**



**Figure 3. Entrance to site from Ashmount Road**



**Figure 4. View into site from Ashmount Road  
(temporary Whitehall Park School)**

#### **4.**

#### **SUMMARY**

- 4.1 The application proposes the demolition of existing buildings on the southern part of the former Ashmount School site (located within the Whitehall Park Conservation Area) and the erection of 46 residential units located in three distinct blocks.
- 4.2 The proposed use of the site for residential is consistent with the Council's Site Allocation OIS10 as a site suitable for residential development and is also in line with the adopted Planning Brief and the direction of the Secretary of State.
- 4.3 The proposed development has been informed by the shape of the site and seeks to retain protected trees from the boundaries of the site. It is considered that the positioning of buildings on the site is appropriate in terms of making best use of the site and would inevitably result in the loss of trees from the site, having regard to the Secretary of State decision to split the wider site. The layout, height and massing of buildings on the site is supported by the Design Review Panel and the Design and Conservation Area and is considered, through a modern interpretation of a selection of building styles in the surrounding conservation area, to contribute positively to its character. Whilst the detailed design has attracted significant objections from the locality, the conservation area is categorised by a variety of architectural styles and therefore the simplistic modern interpretation of the buildings, which are flatted blocks rather than single family dwellings are considered to preserve and enhance the conservation area character. This is subject to detailed conditions related to

materials and the retention of the architects to oversee the material selection and detailed construction of the development on the site. In this regard, the proposal is considered to be of an appropriate scale, massing, detailed design, with a sympathy given to the plot widths in the area and therefore compliant with policies CS8 of the Core Strategy 2011, policies DM2.1 and 2.3 of the Development Management Policies 2013, consistent with Site Allocation (2013): OIS10 and the adopted Planning Brief for the site (2012).

- 4.4 The density of the development at 363 habitable rooms per hectare or 107 units per hectare is comfortably within the density range of between 200-450 hr/ha or 55-145 u/ha, as set out within the London Plan (2015).
- 4.5 The proposal seeks permission to remove a total of 18 trees from the site, 10 of which are protected by Tree Preservation Order and 8 protected by virtue of the conservation area location of the site. The proposal would see the replanting of a total of 21 trees to replace those removed. The canopy cover as lost would amount to 520sqm, however the projected canopy cover that would replace the lost canopy (over a 10 year period) would exceed it by 38sqm (558sqm replacement total). In canopy terms, no financial mitigation is required. Whilst the Tree Officer raises an in principle objection to the proposal due to the resulting relationship between retained trees and building foundations and elevations of the proposed new dwellings, it is the view of officers that the replacement planting and canopy cover, the requirements that are to be written into the lease for any properties within Blocks B and C advising of the issues likely to arise due to tree canopy proximity will go a significant way towards reducing the impacts of this relationship. Additionally, it is also the view of officers that there are substantial overriding planning benefits that are secured as a result of the proposals that are appropriate to balance against the objections from the Tree officer. These include the decision of the Secretary of State to split the site to allow a school and housing development to be accommodated on the wider site and additionally, the provision of a scheme that offers almost 80% affordable housing on this site, with possibility of this being increased, meeting a considerable housing need within the borough. In this regard, these planning benefits provide for compliance with planning policies CS15 of the Islington Core Strategy (2011) and policy DM6.5 of the Development Management Policies (2013), as well as the Planning Brief (2012).
- 4.6 The proposed development would deliver a high quality of residential units, all of which would exceed (in some cases considerably) the minimum unit sizes, in all cases achieving the minimum storage requirement, and all but three one bedroom units would be dual aspect, with all units achieving the minimum 2.6m floor to ceiling heights. Whilst some of the units do not meet the minimum daylight or sunlight receipt, most affected rooms are bedrooms and generally the cause is as a result of windows being set in behind a recessed balcony or on odd occasion due to a junction between blocks of different orientations. When compared to existing nearby properties to the development site, the level of daylight receipt that would be achieved is commensurate. The proposal is therefore compliant with policies CS12 of the Islington Core Strategy (2011) and policy DM3.4 of the Development Management Policies (2013).
- 4.7 The private amenity space within the proposed development is compliant with policy, with the exception of 3 flats, one of which (shared ownership) would have no private

amenity space and the other two (private tenure) would each fall short by just 1sqm. Given this very small shortfall for just three units, the amenity space is acceptable. Whilst the amenity spaces of many of the units would experience shading from adjoining trees, in all other respects the spaces are high quality. The proposal is however on balance considered to be compliant with policies DM3.4 and DM3.5 of the Development Management Policies (2013) and both the Site Allocation OIS10 and the Planning Brief (2012) and to perform well given the constraints of the site, the need to maximise the efficient use of sites and as a result of the Secretary of State's decision to split the site.

- 4.8 The development generates a child yield of 44 children amounting to a play space requirement of 217.9sqm. Policy allows for this play requirement to also be made up of private gardens and amenity spaces suitable for play. Specifically identified play space on site measures 80sqm, and out of hours access to the adjoining schools MUGA is also to be secured which would cater for much of the 12+ age group as well as some of the older children within the 5-11 year range. The majority of the under 5's play requirement would be met via provision of private garden areas. In this regard, there is considered to be a shortfall of just 5sqm, which is a usual situation for residential developments within Islington. Whilst objections have been received stating insufficient play space has been provided within this scheme, it is clear the development provides a good level of play space for future child residents. In this regard, the proposal is considered to accord with planning policy DM3.6 of the Development Management Policies (2013).
- 4.9 The scheme delivers good quality housing including 76% of affordable housing (by units) and 79% by habitable rooms and accessible accommodation to address housing needs within the borough. The affordable housing provision is supported by a financial viability assessment which has factored in an element of public subsidy. In terms of the level of affordable housing proposed, without public subsidy it would be considered the scheme would be undeliverable. Additionally, the mix of units proposed is supported by the Council's Housing Team due to recent government legislation changes bringing changes in the need for affordable properties of particular sizes. In this regard, the proposal complies with policy CS12 of the Islington Core Strategy 2011, and there are exceptions to warrant a slight departure from the housing mix requirement of policy DM3.1 (Development Management Policies (2013)).
- 4.10 The proposed development has been designed to sit at heights that are appropriate to the built context of the surrounding area, including the sloping nature of area. Where the development would be less than 18m from the closest rear elevation of Gresley Road or Ashmount Road properties, the design has been crafted so as to ensure boundary fencing would secure the necessary privacy, or roof windows are positioned on an angle to prevent views, or in the last instance, windows are conditioned to be fitted with obscure glass to prevent views. Whilst the sunlight and daylight assessment raised some concerns with regards of 1 Ashmount Road and two Gresley Road properties, Block B2 has since been moved 1.25m further away from these properties which would reduce impacts. Whilst objections on the grounds of inaccurate assumptions with respect of 1 Ashmount Road have been received, it is considered that the assessment provided is accurate and clearly sets out the losses of light to windows and within rooms as required by the BRE Guidelines. Light

receipt to all nearby properties would remain consistent with light levels received by surrounding properties and in this regard any reductions would not generate a degree of harm that would warrant refusal of this application. In this regard, the constraints of the site having regard to the Secretary of State's decision to split the wider site, and subject to conditions referenced above, the proposal would not have an unacceptable impact of neighbouring residential amenity and would therefore accord with policy CS12 of the Islington Core Strategy (2011) and policy DM2.1 of the Development Management Policies (2013).

- 4.11 The proposed development delivers a sustainable development via green roofs and sustainable drainage that would improve onsite drainage compared to the current arrangement, provides for bird and bat boxes to be installed. In terms of energy efficiency the scheme provides for individual gas boilers to deliver CO2 savings including provision for solar thermal and solar photovoltaic panels to achieve 35% regulated CO2 savings compared to 2013 Building Regulations and 18% total CO2 savings, which is considered to maximise efficiency. A CO2 financial contribution of £96,734 is to be secured within the legal agreement to off-set CO2 emissions (total) down to zero. A shared energy network with the adjoining school is still being explored by the applicant and the school and is secured via s106 agreement. The development in this regard performs well against the adopted policies of the development plan.
- 4.12 The proposed development would provide for a total of 5 on-site accessible car parking spaces within the site, for sole use by blue badge holders, with other residents having future rights to obtain on-street car parking permits removed (via s106 agreement). The development provides a total of 84 cycle parking spaces, divided into convenient locations so as to serve each residential block effectively. Mobility scooter charging and pushchair storage areas are also proposed. Servicing would take place within the site. Whilst objections have been received stating not enough car parking is provided and impacts on the availability parking on the street will occur, the development is well provisioned with cycle parking is conveniently located to shops and bus routes which would minimise reliance on the private car. The development, being car free complies entirely with planning poliies CS10 (Core Strategy 2011) and policy DM8.5 (Development Management Policies 2013).
- 4.13 Whilst a number of objections have been received against the development, on the grounds of density, perceptions of poor design including overdevelopment, unacceptable loss of trees or unclear information, poor quality resulting accommodation including inadequate play space, the applicant has provided updated information including Tree Surveys, revised drawings, and presented the scheme back to the independent Design Review Panel for further design comment. It is considered that the amended scheme and updated information has addressed the concerns raised by residents, having regard to planning policy requirements and subject to suitable planning conditions and s106 legal agreement requirements the development would deliver high quality accommodation that would not unduly impact on the amenity of nearby properties.

## 5.

### SITE AND SURROUNDING



- 5.1 The former Ashmount Primary School vacated the wider site upon its relocation to Crouch Hill Park in January 2013. The solid line in the above plan indicates the extent of the wider historic Ashmount School site.
- 5.2 The Secretary of State for Education approved the disposal by the council of the northern part of the site for a new school (Whitehall Park School) and the southern part of the site, (denoted by the dashed line) for housing. This planning application relates to the southern part of the site.
- 5.3 At pre-application stage, the council assessed schemes in relation to both parts of the site simultaneously, to ensure compatibility in terms of site layout, building lines, massing, general character and amenity.
- 5.4 The application site (which was previously playground space for the former Ashmount School), is temporarily occupied by the Whitehall Park Primary School within portakabin buildings approved for a temporary timeframe until such time as the permanent school on the northern site has been constructed and is available for occupation.

#### The site

- 5.5 The southern area of the former Ashmount school site occupies an area of 0.427ha. It is bounded by the remainder of the former school site and Hornsey Lane to the north, Ashmount Road to the east and by the rear gardens to the existing housing on Gresley Road to the south, the boundary of which is lined by trees protected by Tree Preservation Order. The site is within the Whitehall Park Conservation Area.
- 5.6 The former school buildings are 1, 2, 3 and 4 storeys in height. An existing substation is located on the site, contained within a single storey brick structure.

- 5.7 There are a number of existing mature trees on the site, which are automatically protected by virtue of being located within a Conservation Area. There are also some of those trees within the site that are specifically protected additionally, by virtue of Tree Preservation Order designation. The site itself slopes, primarily from the north-west to the south-east with an approximate change in level of 4-6 metres.

### **Surroundings**

- 5.8 To the north of the site lies the wider part of the former Ashmount Primary School site that is to be developed for the new Whitehall Park School, to the west stands a 6 storey residential flatted development known as Fortior Court and to the east Ashmount Road.
- 5.9 The surrounding area is residential in character and comprises a mixture of styles of property, including a variety of terrace rows, traditional semi-detached dwellings and modern flatted developments. Building heights vary between 3 and 6 storeys in height.
- 5.10 There are four street trees adjacent to the site on Ashmount Road.

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

- 6.1 The proposal is to demolish the existing former school buildings (the Infants school block) on the southern part of the former school site and to construct three residential blocks of between two and four storeys to create 46 new homes, including the relocation of an existing electricity substation on the site into a new location within the development.
- 6.2 Blocks A1 and A2 (four storey) on the northern part of the application site (fronting Ashmount Road and running along the northern boundary behind) will provide 22 units, 11 as shared ownership and 11 private sale. Blocks B1 and B2 at three storeys will be sited to the south of Blocks A1 and A2 and provide 20 units for affordable rent (set at target rent levels). Block C, in the south west corner of the site provides 4 houses for affordable rent, which will be three storeys in height (one storey sunk into the ground as viewed from the south). The site layout plan with labelled blocks is provided below. The blocks would be constructed of red brick, with varying mortar colours between the street facing blocks and those internal to the site.



- 6.3 The affordable housing offer comprises of 35 units, 24 being affordable rent (set at target rent / social rent levels) and 11 shared ownership units with the remaining 11 for private sale to help cross subsidise the delivery of the affordable units. This equates to 76% affordable (by units) and 79% by habitable rooms. The affordable tenure split is 75% affordable rent (set at target rent levels) and 25% shared ownership.
- 6.4 The proposal seeks permission for the removal of a total of 18 trees from the site 10 of which are protected by Tree Preservation Order, 8 protected by virtue of the conservation area location of the site.
- 6.5 The proposal includes provision for the planting of a total of 21 trees to replace those removed.
- 6.6 The new buildings will partially front the street, Ashmount Road, and a new mews road will be created within the site, with access from Ashmount Road (via the existing access) for servicing, emergency access and for Blue Badge holders only. The scheme will be car free but five wheelchair accessible car parking spaces (for use by blue badge holders only) will be provided on site. A total of 84 cycle parking spaces are proposed within 4 covered locations within the site.
- 6.7 One on-street parking space will be lost to ensure that a refuse vehicle can enter and exit the site in a forward gear and the kerb line requires altering. Refuse and recycling storage is provided in four locations within the site, two within Block A and two within Block B.
- 6.8 A landscaped communal space/play area will be created in the south of the site (85sqm).

## **Revision 1**

- 6.9 November 2015: Revisions to the scheme included:
- Revisions to Block B2 internal courtyard elevation;
  - Revision to roof junction between Block A1 and A2;
  - Additional Sunlight / Daylight and overshadowing information provided;
  - Updated Tree Survey information provided; and
  - Site Survey Drawings were submitted.

## **Revision 2**

- 6.10 December 2015: Revisions to the scheme included:
- Movement of Block B2 a further 1.25m further towards the north; and
  - Updated Tree Survey and Report.

## **7. RELEVANT HISTORY:**

- 7.1 A detailed section on the background of this site in relation to planning history, council and Secretary of State decisions is provided below, however the most relevant history for the wider site (the former Ashmount School) involves the application below as this granted permission for the Ashmount School to re-locate to the site at Bowlers Nursery and Crouch Hill Recreation Centre.
- 7.2 P082526 - Demolition of nursery and community recreation facilities in western part of the site, refurbishment of the Cape Youth facility, construction of a new primary school and nursery building, relocation and upgrade of games area and re-routing of internal access road to southern edge of the site. Approved: 18/12/2009. This development has been completed and is now a fully operational school.

## **Planning Applications:**

- 7.3 P2015/1089/FUL (Northern part of the site) Demolition of the existing former Ashmount Primary School building and erection of a new 3 storey, flat roofed school building to accommodate the "Whitehall Park School", including ancillary play space. GRANTED: 17 December 2015.
- 7.4 P2015/1424/FUL (southern part of the wider site) - Retention of the Admin/ Staffroom building, removal of the Classroom building and addition of two, 2 storey modular Classroom buildings, for a limited period until 31/08/2016 to provide temporary accommodation for the Whitehall Park primary school. Approved 04/08/2015.
- 7.5 P2014/1754/FUL (southern part of the wider site) Construction of 3 modular classroom buildings to accommodate the Whitehall Park Free School for a temporary period until August 2016. Approved 26/06/2014.

## **Tree Applications**

- 7.6 **P2015/4008/TRE:** Works to trees located in the grounds protected under LBI TPO (NO.325) 2007. These works are to the trees on the southern part of the site adjacent to Gresley Road REFUSED: 19 November 2015.

### **ENFORCEMENT:**

- 7.7 No relevant details.

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

- 7.8 Q2104/4706/MJR The proposal has been the subject of pre-application discussions since November 2014. Initially the proposal was for development of 51 residential units within three blocks ranging in height from 3-5 storeys within the southern area of the school site. In response to the pre-application advice, the scheme was amended to relocate Block A (the northern block) further from the north boundary of the site in consideration of the proposals for the new school. The height of Block A was also reduced from five storeys to four storeys resulting in a loss of five units (from 51 units to 46) along with other elevation and layout changes.

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 286 adjoining and nearby properties at Ashmount road, Hornsey Lane, Gresley Road, Hazelville Road, Whitehall Park, Stanhope Road, Ridgeway Gardens, Hornsey Lane Gardens and Ridings Close on 17<sup>th</sup> August 2015. A site notice and press advert were displayed on 17<sup>th</sup> August 2015. The public consultation of the application therefore expired on 7<sup>th</sup> September 2015.
- 8.2 On receipt of revised plans a second round of consultations took place on the 9th November 2015 with a 14 day period in which consultees could make representations. This second round of consultations thus expired on 23rd November 2015. It is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 After review of the above responses including that of the Tree Officer, a further round of public consultation due to amended drawings (moving Block B 1.25m northwards) and the amendment of the Tree Report, a further 14 day consultation period was commenced on 16 December 2015.
- 8.4 At the time of the writing of this report a total of 28 (this excludes repeat objections from the same objectors in response to each consultation exercise carried out) objections had been received from the public with regard to the application. It should be noted that previously received objections to the scheme are continued to be reported within this report. An objection would only be disregarded if an objector specifically wrote stating that an updated letter was to entirely replace a previous statement. In this regard further consultation periods do not cancel out responses received to a previous one.

8.5 Additionally, in October 2015, a three page letter signed as a petition by 64 people was also submitted. The letter raised the following concerns regarding perceived inadequacies of the submission:

- Requirements for the provision of detailed and accurate information have not been met; showing the relationships and spaces between the proposed blocks. Officer response: adequate drawings have been provided with this application. When read in conjunction with each other, the separation distances are clear and understandable.
- No topographical survey illustrating existing levels and none showing those proposed. Officer response: A topographical survey was submitted after being requested by officers. The proposed levels are indicated either on proposed cross section drawings or site plans. Whilst they mainly deal with finished floor levels and levels internal to the site, no permission would be given to lower the levels within root protection areas and planning conditions are imposed to this effect.
- Tree Survey Assessment is insufficient, inconsistent and contains misleading classifications. Officer response: revised Tree Surveys were provided on a number of occasions. Whilst the Tree Officer disagrees with conclusion on relationship between retained trees and proposed buildings, no objections to tree removal proposals and replacement proposals now stand. Please refer to Tree Section of this report for further information.
- Light Assessment is incomplete. Shadow diagrams are not included in the Daylight & Sunlight Assessment. Tree overshading of Blocks B and C amenity spaces has not been considered. Officer response: A Sunlight and Daylight Addendum was provided by the applicant. This provides the missing information include shading diagrams for the amenity spaces. Refer to section under 'Quality of resulting accommodation' for further information. A Light Assessment is not required to assess Tree Shading – refer to **paragraphs 10.41** for further information.
- Missing: details of façade elements; non-disclosure of Design Review Panel comments; lack of planting proposal to replace trees to be removed, lack of detailed design of the proposed play space. Officer response: Details of façade elements are featured within the various Design and Access Statement documents. An applicant is not obligated to shared Design Review Panel comments, however the most recent response is appended to this report (Appendix 3). A planting proposal is provided, however this is always secured via a planning condition to secure more detail including replacement strategy should any die and maintenance programme. This is a similar situation for the play area, the finer details of which would be secured by planning condition.

8.6 The letter petition also raised the following specific objections:

- Development is excessive for the site with associated negative impacts for existing and future residents. Spacing between Blocks A and B is minimal, perception that the blocks themselves form continuous, relentless massing, proposal presents a quality of light issue for new residents with windows

overshadowed by trees and poor quality amenity and play spaces for family housing that are small and overshadowed by trees. Officer response: Please refer to the Design, Neighbour Amenity and Quality of Accommodation sections of this report, including proposed planning conditions to mitigate some of the above concerns.

- Value of the conservation area will be diminished by the proposal. The proposed design does not respect or positively relate to the existing buildings or streetscene. It is not similar in urban form, plot sizes, scale, building and storey height, proportion or key design lines to the existing housing. Views that the design is unsophisticated and does not meet the need for a sensitive elevational treatment as advised by the Design Review Panel;
  - There has not been proper consideration of the trees to be retained on the site, all of which benefit from TPO designation. Officer Response: careful consideration has been given to tree impacts in this assessment, including movement of Block B2 and part of B1 1.25m northwards, and a different view arrived at by officers. This is subject to detailed planning conditions as set out within the Tree Section of this report and Recommendation B.
- 8.7 Three (3) solicitors letters were received from Kingsley Smith Solicitors dated i) 16 September 2015; ii) 25 November 2015 and iii) 23 December 2015 raising concerns on behalf of the residents of 1 Ashmount Road. A summary of those issues include (and are not repeated in the neighbour response section if also raised by the occupants):
- 8.8 16 September 2015
- The solicitors letter addresses Islington policy and sets a case for the refusal of the planning application on the basis of their view that the scheme fails to accord with the NPPF and policies regarding design within Islington Development Management policy DM2.1. Key points made are that the proposal should be refused because: Block B1 protrudes forward of the 1 Ashmount Road (and rest of terrace) building line. Additionally, overlooking of windows in the side elevation of 1 Ashmount Road at a stated distance of 6m, suggests the application should be refused. This includes the glazed kitchen / diner, bathroom and bedroom windows at first floor and the rear amenity space. The 18m separation distance is quoted.
- The letter contends that the proposal dominates 1 Ashmount Road in terms of bulk and massing. Replacing the adjoining single storey building with the proposed 3 storey building 'hard up' against the 1 Ashmount Road property would in the solicitors view create significant and demonstrable harm. The solicitors have advised their client to pursue a challenge in 'the Planning Court' if approved. Additionally, the solicitor suggests a bias or pre-determination.
- The submitted sunlight and daylight reports fail to assess impacts to the glazed roof of the single storey infil extension at 1 Ashmount Road, the applicant therefor concludes that the analysis is flawed.

No noise assessment has been submitted with respect of noise impacts to 1 Ashmount Road due to the introduction of residential at the application site (**paragraph 10.157**).

The solicitors consider that the harm caused to their client is so significant and demonstrable that the scheme is thus representing an unsustainable development as defined by the NPPF and should be refused. The solicitor letter states there are no material considerations that suggest approval is appropriate.

Officer response: refer to detailed analysis within the Design section and Neighbour Amenity section.

- 8.9 25 November 2015: The solicitors letter is largely a response to the applicant's planning agents (NLP) Briefing Note dated 6 November 2015. Where it raises pertinent issues, they are provided below:

NLP Briefing Note suggests that the solicitor's clients concerns had been addressed. This is strongly disputed by the solicitor. Concerns raised that dialogue has taken place (3 meetings cited) between the applicant and the Council.

The Briefing Note refers to Daylight Distribution, stated as discussed with officers. The solicitors state the assumptions and therefore the analysis is flawed in relation to 1 Ashmount Road. The ground floor glazed sided / roofed kitchen/diner is not assessed in any way by the applicant, therefore conclusions no harm is caused are incorrect. The Appendices to the Addendum report do not address this kitchen/diner. Plan 491 PL 105B does not show this diner. Officer response: the Daylight Sunlight Addendum Report does show the diner, and correctly assesses the vertical, full width sliding doors that light it, as well as the light distribution within the room.

Overlooking Potential is stated to flow from the first and second floors where there are bedrooms of 13 and 14sqm in size on each floor, plus a balcony of 7sqm at each floor. The solicitors acknowledge that the hall and bathroom windows are not habitable. Stated that these windows are within 6 and 8m of their client's property offering views into habitable rooms and the outdoor amenity space. The letter makes reference to a statement that the policy relating to overlooking does not mention 'direct' overlooking as a requirement for the 18m separation distance. Balconies at first and second floors on the frontage of Block B1 have been amended from earlier designs and give opportunity for overlooking. Officer response: refer to detailed analysis section 'Neighbour Amenity' where planning conditions are imposed to prevent overlooking.

- 8.10 23 December 2015:

Identifies that the applicant stated that officers dictated the changes required to the scheme in detail. Solicitors view that the demonstrable harm their client considers is caused to them is not addressed by the amendments. They consider moving Block B1, 1.25m northwards remains in breach of development plan policy. They point out the distance between Block B1 and A1 is less than between Blocks B2 and A2, and it is stated that Block B1 could be moved further northwards. Claims the design of the building internally and externally is bad.

Block B1: why has nothing been done to alter the bad design, that has no rear amenity space? Why are verandas not on the opposite elevation? Why is glazing not all opaque / fixed shut with the exception of top hung lights? Why has the block not been made of lesser width (when viewed from the street)? Why has the internal layout not been amended to make it north facing to prevent overlooking of the property immediately south?

View that the amendment is so minimal it in no way addresses residents objections.

Officer response: refer to Design, Neighbour Amenity and Quality of Resulting Accommodation sections for analysis.

View that the applicant is being led by officer and bringing the conduct of the planning service into disrepute given the scheme is at odds with the development plan.

8.11 At this point the following issues had been raised by nearby residents within the 28 independently submitted responses, in some cases a direct response is given as well as reference to paragraphs within the assessment section where further detail and response is provided. Note that if an issue has already been presented within the summary of the petition letter or raised in the solicitor's letters summary, they are not further repeated below:

8.12 Lack of detailed drawings

Drawings are not sufficiently detailed and existing and proposed topographical survey is essential as changes in level between existing and proposed will have implications for overlooking, privacy, outlook and also existing planting and trees.

Officer response: *This is not agreed, cross referencing between the existing site survey, including levels on the site boundaries and compared to the proposed finished floor levels on cross sections and floor plans make assessment for overlooking, privacy and outlook possible. Updated Tree Surveys and planting proposals have also been received making this clearer. Additionally, conditions are recommended relating to trees and no alteration of levels within root protection areas are permitted without approval (landscaping condition) being obtained first. Refer to paragraphs 10.155 to 10.200 for impact on residential amenity assessment.*

The section through Block C and the rear of Gresley Road property (in D&A Document): the levels shown are not as existing and would require the construction of a retaining wall and indicates, by scaling, an increase in level difference between the existing Gresley Road property and the current site levels on the Ashmount site.

Officer response: *Cross section drawing 491\_PL\_202 shows the relationship between Block C and Gresley Road properties. Refer to paragraphs 10.178-179) for further assessment in this regard.*

There is no section through the proposed site showing the relationship of Blocks A and B. The relationship between these two buildings and the space between is absolutely fundamental to the proposal and has implications for the occupants in regard to privacy, overlooking, outlook and daylight and sunlight. There is also no section showing the relationship of Block A and the proposed school.

Officer response: Drawing 491\_PL\_201 Rev A shows the cross section between Blocks A and B and between Block A and the adjoining school. **Paragraphs 10.35 and 36** address the internal relationship between Blocks A and B and overlooking.

No sections between the proposed and existing on Gresley Road or Ashmount are shown as part of the drawing set. Whilst these are shown in basic form in the Design and Access Statement they are not shown as part of the submitted drawings for approval.

Officer response: sections through Block C are provided in some detail, with a more basic arrangement shown to the Block B and Gresley Road properties further east (491\_PL\_201 Rev A). Reading the site layout plans and existing site survey, the necessary detail can be obtained.

#### 8.13 School

The site should be used as a playground for the adjacent Whitehall Park School, not for housing development (**paragraph 10.7**)

#### 8.14 Design

There appears to be too much red brick which is not in keeping with other streets in the vicinity (**paragraph 10.61**);

The design does not show the relationship to the proposed new school. Officer response: the approved planning drawings have been utilised when assessing the relationship of this proposal to the school in terms of separation distances, height, layout and design.

The design does not respect the Conservation Area and therefore does not accord with Islington policy (**paragraphs 10.67-73**).

Ugly dormer windows are included in the scheme. If residents proposed dormers of this design they would be refused. They do not respect the character of the conservation area (**paragraph 10.63**).

#### 8.15 Block A2 (Block to rear adjacent the school)

This block matches the height of the school but should be limited to the height of surrounding dwellings not the school (whose height is adjusted to accommodate rooftop play) (**paragraphs 10.40-10.45**).

The facade onto the school clearly seeks to address the overlooking of the school which is right, however the resultant facade is very unattractive and lacks any articulation or refinement and clearly does not contribute to the conservation area (**paragraph 10.63**).

#### 8.16 Height

The height of Block B is too high and would loom over Gresley Road properties (**paragraphs 10.46 and 10.278**);

Object to the size and massing of the proposals which would dwarf the houses on Ashmount Road and Gresley Road and are too close to Gresley Road properties (**paragraphs 10.40-46 and 10.177-181**);

The new buildings are much too high – higher than any in the area save the huge houses on Whitehall Park itself which does not in any way connect with the development. Elevations prove that block B will be significantly taller than any terrace in the area (certainly Gresley Road) (**paragraphs 10.40-46**).

Block C appears in the cross section to be higher than the buildings on Gresley Road, suggesting ground levels are to be raised, which is of significant concern (**paragraph 10.47**);

#### 8.17 Ashmount Road Facing Design

Object to the 4 houses fronting Ashmount Road they appear taller than existing houses and project forward of the adjacent building lines of houses on Ashmount Road. The gardens of these houses are far too small (**paragraphs 10.31-33 and 10.40-45**);

The facade onto Ashmount Road of Block B has no quality of proportion or hierarchy as do the existing. The windows of the ground and first floors are significantly lower than the adjacent No1 Ashmount. Yet the ridge and eaves are much higher with the gables having no relationship in regard to scale. It is also considered that there is a lack of proportion, articulation and detail and an inconsistency in treatment if one considers the gabled elevations onto Ashmount and the quite different elevations of Block A and B onto the internal space (**paragraphs 10.40-10.45 and 10.55-10.61**);

The balconies onto Ashmount Road are inconsistent with the context and the possibility exists that these will be unsightly as they could be used for storage (**paragraph 10.57**);

The Islington Design Panel stated that the proposal would need sensitive elevational treatment and detailing if the new build and the existing terrace are to sit comfortably together. This has not occurred in the planning stage at all. Your Policy DM2.1 on design clearly states all forms of development need to be of high quality and to make a positive contribution to the local character and distinctiveness of an area. Greater onus for demonstrating this is required for conservation areas (**paragraphs 10.49 and 10.55-61**);

The proposed frontage is still noticeably forward of the existing building line by about 1m. The Victorian bays only protrude 590mm forward from the main building (**paragraphs 10.32-33**);

The recent inclusion of a dog-toothed brick detail to the frontage between ground and first floors when viewed alongside the existing adjacent housing merely adds another incongruous feature to an already long list (**paragraphs 10.58**);

#### 8.18 Impact on the character and appearance of the Conservation Area

Objections quote the wording of Development Management policy DM2.3 and make the following statements: i) the scheme is not a successful contemporary rendition of

the existing terrace; ii) the roofline of Block B1 is significantly higher than the existing properties; iii) The height and position of windows is out of kilter with the existing terrace and the scale and monolithic appearance overwhelms the street; iv) the inclusion of ‘faux’ balconies / railings attached to windows are out of character to the area; (**paragraphs 10.24-10.73**);

The proposals do not accord with the Conservation Area Guidelines CA7 and that the proposal would cause substantial harm to the significance of the conservation area.

#### 8.19 Materials

Request that the Council specify all materials to be used to avoid design erosion, including more detail regarding ground surface treatment, landscaping and fence details (**paragraphs 10.65 & 66 and conditions 10 and 39**);

Concerned that red brick and powder coated metal would not enhance or blend in with the homes in the local area (**paragraphs 10.65 and 66**);

#### 8.20 Density

Distances between the proposed and Gresley Road properties adopts the minimum of 18 metre space. The space between Block A (4 storeys) and block B (3 storeys) is only 14m (**paragraphs 10.34-36**);

#### 8.21 Trees and Landscaping

Object to the loss of and damage to trees, including concern that they will not survive the building work (**paragraphs 10.97 and associated tree protection conditions**);

It is not clear which trees along the boundary with Gresley Road will stay and which will go. We want to retain as much vegetation as possible as these go to the heart of security and privacy concerns and effect the nature of the conservation area (**paragraphs 10.99 and 10.100**);

I cannot understand how the level changes will enable trees to be protected nor how the proposed replacements will make good the significant felling you are allowing yourselves (**paragraphs 10.101-104, 10.110, 10.112-115**);

(Response to 1.25m movement of Block B2): Moving block B2 1.25 metres from the tree line will have minimal impact on the problems of what remains a congested region between the new development and the backs of gardens on Gresely Road. Many of the trees are large and will overshadow the new site (blocks B2 and C). This will ultimately result in pressure for their removal at a later date (**paragraphs 10.87, 10.104-107**);

The proposed foundations and in particular the drains will cut through the root protection areas risking killing the trees (**paragraphs 10.113 and 114**).

The submission lacks full landscape details such as a planting proposal and play space management and maintenance plan (**conditions 21 and 24**);

The missing tree (T35) has been found and added to the new tree survey. It is an important one as it is located very close to a corner of Block B foundations and is near the drain run. Its safe retention is key as it forms part of an important privacy screen at a point where overlooking between the development and 1 Ashmount Road would be at its worst. Yet, it seems the tree is under severe threat as the proposed foundations and drains run through its RPA (**paragraphs 10.113 and 144**);

Concerns that the trees on site are categorised as of relatively poor quality, especially when many are noted in the report to be in good condition (**paragraph 10.98**);

The tree protection barrier still does not seem sufficient given the proximity of large foundations and the fact that some RPAs extend beyond it. There is insufficient detail as to how trees would be protected from the impacts of proposed works (**paragraphs 10.110-112 plus associated tree protection conditions**).

Japanese Knotweed – there is a need to inform residents of Gresley Road - the plans to remove this in an appropriate manner. There are no clear plans as to how this will be dealt with (**paragraph 10.119**);

## 8.22 Impact on Nearby Residential Amenity

Nos. 12, 14 & 16 Gresley Road rear building lines appear to extend beyond that shown on the drawings submitted for planning, meaning that residents consider the development to be within 18m of the rear wall of these properties, and others along Gresley Road, contrary to Council guidance. Officer comment: amended plans were received updating the Gresley Road properties and moving Block B2 1.25m northwards. **Refer to paragraphs 10.169-174;**

Gresley Road properties are within 18m of Block B, resulting in unacceptable overlooking and loss of privacy **Refer to paragraphs 10.169-174;**

Object to the entrance to upper flats (entrance B1) from Ashmount Road. This will increase noise (**paragraph 10.158**);

Nos.1 and 2 Ashmount Road are sited well within 18m of Block B. Both houses have windows that directly face the proposed development including first floor windows, a ground floor glass roof, and full width glazed doors in no.1 and proposal-facing, glazed dormer cheeks and a kitchen floor to ceiling box-shaped bay in no.2 (**paragraphs 10.160-168**);

The Daylight/Sunlight assessment does not fully consider the impact of the proposal on the existing property at No.1 and fails to consider any impact on the rest of that terrace. For example a window in No 2 Ashmount Road directly facing the proposed Block B is within 18 metres and has been completely ignored in all surveys undertaken (**paragraphs 10.191 - 196**). This is further exacerbated with a front-facing first floor balcony in the development showing a side opening just a few metres from a bedroom in No.1 (**paragraph 10.162**).

The proposed Blocks B & C will form a solid barrier between the late-day sun and the rear of houses 1-3 on Ashmount Road as it lies directly due west. Officer comment:

The blocks sit north west of the rear of houses 1-3 Ashmount Road and therefore cannot obstruct sunlight.

#### 8.23 Quality of Resulting Accommodation for Future Residents

The new homes are too small for the intended use (family units) – a consequence of overcrowding (**paragraph 10.120**);

The communal play area intended for an anticipated 44 child-age residents remains completely inadequate, 80sqm for 44 children or just over 1.5sqm each, falling below policy size. Further, reliance on use of the school's MUGA is proving fraught with logistical difficulties in particular how will the site be checked and cleared every morning for potentially dangerous objects (**paragraphs 10.150-154 and conditions 24 and 25**);

The proposed private outdoor amenity space for new residents is poor, very small in size and overshadowed by either existing mature trees or by the new buildings themselves. Amazingly, some flats continue to have been allocated a front garden on Ashmount Road for their private outdoor space. It is also unclear exactly how the developer will overcome the significant level changes to give new residents usable spaces (**paragraphs 10.128-149**);

Amenity space for Block A includes a 4.5m sliver located between a 4 storey building and a 2.5m high boundary fence. The overshadowing survey continues to treat the whole of the amenity space as one when in fact it will be sub-divided into private spaces and this will impact light levels (**paragraph 10.130**);

Two ground floor units in A1 have been designed for wheelchair access. Their 'private' outdoor spaces are located in the garden fronting onto Ashmount Road in an exposed location (**paragraphs 10.130 and 137**);

The combination of short rear private gardens allocated to Block B and the many retained mature trees along the SE boundary will result in poor quality amenity spaces here too with quality of light issues for new residents, affecting both garden areas and light levels inside their homes. Moreover, the Daylight/Sunlight reports supplied continue to ignore the impact of the retained trees on the proposal. (**paragraphs 10.141-142**);

The council's minimum amenity space for family units (30sqm) is not achieved for the upper maisonettes in Block B2 (**paragraph 10.140**);

#### 8.24 Boundary Treatment

Retention of existing boundary planting plays a significant part in regard to quality of outlook, privacy and security. Request much more detail regarding what is proposed along the Gresley Road boundary in terms of tree removal, fencing, replacement planting and site levels (**paragraphs 10.110, 114, 169 and 173 including conditions 16 and 21**);

#### 8.25 Sustainability

Raise concern that the degree of excavation proposed may have an effect on geological stability of the area, and query whether there would be any water table issues (**paragraphs 10.225-227 and condition 23**);

8.26 Parking

The development is to be “car free”, however this seems a somewhat misleading description. In reality this is a “permit free” development unless residents hail from within Islington and have already held a permit for at least a year. It can be expected that new residents, especially those with young children, will understandably feel the need for a car. With no provision on site (other than a few disabled bays) there will be parking issues arising in surrounding streets (**paragraphs 10.250-253**);

8.27 Construction impacts

Proposed hours of construction are unacceptable. Start time for weekday construction should not be before 8am (not 7am as suggested in the documentation) (**paragraphs 10.260-262 and conditions 7 and 8**);

8.28 S106 Items

More detail should be provided prior to the application being determined (e.g. highway reinstatement and removal of entitlement to parking permits) (**refer to Transportation section and Recommendation A**)

8.29 Other matters

Concerns that any asbestos found on the site be removed in accordance with statutory requirements (**paragraphs 10.260**);

Statutory consultation was undertaken during the summer break when a lot of people were away.

Residents serve their right to bring the matter to the Secretary of State and seek Judicial Review of any planning consent that fails to adhere to conservation and other policies.

Third consultation (Dec 2015): a number of objections state their significant concern at the timing of the “third” consultation. Suggestions that this suggests the council working in cahoots with the developers and that it is not truly democratic on the basis that the local residents will be away or not in a position to write objections around the proposal. One objection states that these tactics by the Council should fool no-one especially in the High Court.

Officer response: *Complaints that letters were received 3 days late have been received, however the complainants making these statements sent in all objections via email, and those emails on file were sent email notification as well as letter. Emails would have been sent instantaneously.*

## **Applicants Consultation Exercises**

- 8.30 The applicant has carried out a number of their own consultation exercises and made statements within their documentation regarding changes to the design of the proposals to address feedback from residents during those exercises. Many objections have been received in relation to the inadequacy of the applicants responses, however the application is assessed by the Local Planning Authority based on its merits and these comments are not relevant to the decision making on this application.

## **External Consultees**

- 8.31 **Historic England** advised they did not wish to offer any comments on the application and recommended that the application be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.
- 8.32 **Lead Local Flood Authority** provided no response, however a planning condition is imposed for an up to date scheme, reflecting the attenuation tank necessary and a management regime for the lifetime of the development which shall be consulted on to the LLFA.
- 8.33 **Metropolitan Police (Crime Prevention)** advised that they had been meeting and discussing the proposals with the applicant and considered that the scheme could achieve the Secure By Design accreditation and that they raised no objections as a result.
- 8.34 **Thames Water** raised no objections to the scheme, subject to a condition should impact piling be proposed and informatics relating to Thames Water consents relating to surface water drainage, groundwater etc.
- 8.35 **London Fire and Emergency Planning** There should be Fire Brigade access to the perimeter of the building(s) and sufficient hydrants and water mains in the vicinity. This Authority strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money save property and protect the lives of occupier.

## **Internal Consultees**

- 8.36 **Housing Officer** raised no objections to the proposed mix or arrangement of units.
- 8.37 **Access Officer** objects to the proposed shared space / single surface treatment of the mews where vehicular access will be provided, on the grounds of safety of residents and visitors. Objection to the inclusion of bollards, object to the design of block B2 in terms of stepped duplexes being proposed over first and second floors (i.e. not be adaptable or visitable). Object to the provision of 4 on-site accessible

parking bays. Query ability to provide for mobility scooter charging points and accessible cycle parking.

- 8.38 **Design and Conservation Officer** are supportive of the general layout, disposition on site, bulk, massing and heights etc. I have no objections to slight changes in siting/layout as the main principles of how the buildings are laid on site have not been changed.

Block A Mews – the elevation works much better now, the building has its own identity which links to its different form (to block B mews). The proposed changes to fenestration provide a distinct elevational typology. Subject to detailing (deep window reveals, good quality windows and brickwork), raise no objections to this element of the proposals.

Block B Mews – The removal of the gables is positive and the use of the dormers as punctuating features provide a distinct character to the mews elevation (in contrast with the elevations fronting the street which retain the gables) and assist in articulating the long elevation of the mews. Changes were suggested of brickwork to the mews elevations. However, the architects have suggested the use of the same brick with a different mortar colour for the pointing. They have shown examples that demonstrate that this can be an interesting effect that provides the variation sought. This produces a more comfortable fenestration pattern as proposed. Also the subtle details such as the delicate break for the rainwater goods, the movement joints, the textured brick at ground floor, will all bring some interest to this elevation and provide articulation to the block.

Block B rear elevation – this elevation has also improved significantly. There is less blank areas of brickwork and there is a stronger fenestration pattern. It is appreciated there are only private views of this elevation but it is positive that it will now provide a better outlook to surrounding properties.

Blocks A & B Ashmount Road elevation – The front elevations have been improved with the addition of some subtle but effective detailing. Concerns previously raised about the proportions of the ground floor which have now improved with the addition of the brick datum detail between ground and first floor. The textured brick treatment to the gable ends is also positive and now provides a better entrance to the mews. The removal of the “hooded” dormers has provided a more coherent roofline and removed the competing emphasis of those structures allowing the gables to be the element of interest at roof level. The gables provide an interesting interpretation of the language of the surrounding context.

The DRP raised some concerns in relation to the use of artificial features such as fake chimney stack which has now been removed. Also, some concerns were raised in relation to the proportions of fenestration and how it links to the existing context. The proposed buildings, subject to appropriate detailing and materials, can provide an interesting contemporary interpretation of the surrounding historic environment but at the same time of a clear modern appearance as shown in the references provided.

In relation to the building line on the Ashmount Road elevation, there is a marginal difference in relation to the neighbouring terrace. However, due to the gap and the marginal projection, it is considered there is not a significant detrimental impact. The quality of the brickwork, roof covering, windows, doors, balustrades etc will be very important to ensure the scheme will deliver the quality referenced in the application documents.

- 8.39 **Energy Conservation Officer** has reviewed three iterations of Energy proposals from the applicant, and their final comments were that the applicant continues to discuss the viability of a Shared Heat Network with the adjacent school site. The CO<sub>2</sub> offset amount was confirmed to be £96,734.
- 8.40 **Tree Preservation / Landscape Officer** initially recommended refusal of the application as a result of the i) proposed inappropriate and unjustified level of tree loss, ii) lack of consideration for trees proposed to be retained; iii) lack of appropriate mitigation; and iv) the juxtaposition between the development and the adjacent important/retained trees which, over time, is likely to result in post development pressure to excessively prune or fell those trees (which should be resisted).

Amended scheme and updated Tree Survey (December 2015): the Tree Officer maintains his recommendation for refusal of the application, however considers that points ii) and iii) previously raised and described above have now been addressed.

The objections therefore remain as: a) proposed inappropriate and unjustified level of tree loss, b) the juxtaposition between the development and the adjacent important/retained trees which, over time, is likely to result in post development pressure to excessively prune or fell those trees (which should be resisted).

- 8.41 **Public Protection Division (Air Quality and Noise Team)** raised no objections, subject to conditions being imposed relating to details of a final scheme of sound insulation to address noise (including from the adjacent playground / school) and a condition requiring details of a Construction Environmental Management Plan (CEMP).
- 8.42 **Spatial Planning and Transport (Transport Officer)** raised concerns that the level of cycle parking should be increased from 84 spaces (proposed) to 103 spaces as sought by policy, and sought 4 accessible cycle parking spaces also.
- 8.43 **Street Environment Division** requested clarification of storage and capacity initially but accepted the level of refuse and recycling storage and locations on further information receipt.
- 8.44 **Sustainability Officer** raised queries in relation to water usage, provision of water butts and composting facilities, green roof area and biodiversity enhancements. The applicant has agreed to provision of all of the above and conditions and s106 items to secure them.

### **Other Consultees**

- 8.45 Members' Pre-application Forum – 23 February 2015.

- 8.46 Design Review Panel – The application was presented to the Design Review Panel on the 13<sup>th</sup> February 2015 when the scheme was at pre-application stage. At that time the Panel welcomed the coherence of the scheme, the strong logic of the plan for the site, and the relationship between the site and its surroundings. The Panel appreciated the constraints of the site and felt that the proposal was inventive in addressing these constraints. It highlighted that attention would need to be paid to the design of the Ashmount Road elevation as this was the primary public view.
- 8.47 The scheme was again viewed by the Design Review Panel on 14<sup>th</sup> October 2015 when the application was submitted. Picking up from the previous review, when the proposal was seen at pre-application stage, the Panel reinforced their support for the proposed massing and layout across the site. *However, panel members were not convinced that a full resolution had been achieved for the architectural treatment of the blocks.* This response is provided in full at **Appendix 3** to this report.

*The Panel agreed that the scheme needs to be sensitive to the conservation area, but stressed that contemporary architecture can sit very comfortably in the area too.*

*Ashmount Road Elevation* *At pre-application stage, the Panel had highlighted the importance and complexity of the design of the Ashmount Road elevation as it would need sensitive elevational treatment and detailing in order to sit comfortably with neighbouring traditional buildings.*

*Although the Panel acknowledged the design team's attempts of picking up on elements of the surrounding context, generally, they did not feel that simply referencing or replicating some of the detail elements of the historic surrounding buildings worked well with the new language of the development. In addition the proposed replication of chimneys on the new building which would not have any function was queried by the Panel.*

*The Panel were concerned that the volumetric qualities of the existing buildings had not been picked up in the scheme and felt that three dimensional qualities when translated into two dimensional elements on the elevational composition lost their authenticity.*

- 8.48 Officer response: The previously presented chimneys have been removed from the design proposals to address this concern.

The Design and Conservation Team Manager considers that the proposed buildings, subject to appropriate detailing and materials, can provide an interesting contemporary interpretation of the surrounding historic environment but at the same time has a clear modern appearance as shown in the references provided.

The blocks A1 and B1 fronting Ashmount Road do in fact house flats within them, and are designed with this in mind. The properties along Ashmount Road were designed as single family dwellings and the arrangement of fenestration will therefore present itself differently in terms of volumetric qualities.

The Design and Conservation Manager does not share the concerns raised by the DRP and considers subject to careful detailing (deep window reveals, including the treatment of the reveal as well as high quality window frame finishes), the

fenestration patterns of the proposal would work within the elevations. This is further considered in the Design Section. Further to this, the architects, PTEa have a track record of delivering high quality schemes that are of simply contemporary design and therefore a planning condition is recommended to secure their ongoing involvement in the build and construction process of this scheme in order to maintain a high quality design ethos (**condition 37**).

Mews elevation – Block A: *The Panel felt that the mews elevation to Block A had a simplicity and robustness which worked better than the proposed elevation to Block B. They felt the fenestration generally worked on this block given its massing and height. However, concerns were raised in relation to the junction with the front part of the block, in particular the transition at roof level.*

- 8.49 Officer response: The applicant, in response to these comments redesigned the junction at roof level of Blocks A1 and A2 as can be illustrated in the comparison images below. This concern has been addressed. This also illustrates that the chimneys, also a concern to the DRP have been removed.



Current proposal Block A2 and A1 (above)



October DRP presentation Block A2 and A1 (above)

Mews elevation – Block B *Panel members weren't as supportive in relation to the treatment of the mews elevation to Block B. Concerns were raised about the proportions of the ground floor which appeared squat; the fenestration treatment which lacked coherence and vertical emphasis; and the roof form, in particular the gable ends, and the detail of how the proposed dormers related to the parapet.*

*The Panel felt that the elevations lacked conviction and were overly complicated in attempting to replicate architectural elements from Ashmount Rd in particular the gables. The panel thought it might be more appropriate to look at the precedents of historic London mews which tended to be architecturally modest. The panel suggested that details should be incorporated to break down the mass and to create*

*a well-defined rhythm. They suggested the design team revisit the elements on the roof, the pattern of fenestration, the proportions of the ground floor, the detailing and perhaps colour and quality of the brickwork. The Panel suggested exploring the use of architectural features, such as downpipes, to assist in defining a rhythm.*

- 8.50 Officer response: The following changes were made to the internal mews elevation of this block (images of that presented to DRP and current proposal provided below): The gable elements were removed, plot widths were more clearly illustrated by way of changes to window proportions and groupings, and introducing recessed rainwater pipes to express a further ‘plot’ division. These changes also helped to bring more of a vertical emphasis and coherent window treatment. The ground floor was given more emphasis by adding textured brickwork to frame entrances and align that textured treatment to window alignments above. The proposal now seeks to utilise a lighter mortar colour for the mews elevation, which has the effect of lightening and differentiating between the front blocks and the mews and this treatment (subject to condition) is considered by officers to address the DRP request for further consideration to colour of the brickwork. This elevation is now considered to be much more successful and is supported by the Design and Conservation Officer (as per paragraph 8.39).



October DRP presentation (Mews Facing Elevation)



Current Proposal (Mews Facing Elevation - Above)

Surface treatment, landscaping and trees: Panel members sought clarification in relation to the landscaping materials. They strongly encouraged the design team to maintain a single pavement material with subtle demarcation of different areas. They were of the opinion that keeping uniformity was very important and felt that details such as bollards, lighting etc needed to be carefully thought about and to ensure they were properly integrated into the landscaping scheme and architecture. They also drew attention of the design team to the importance of considering water drainage management as part of the detailing and the potential inclusion of garden swales.

- 8.51 Officer response: The applicant, within their November 2015 Design and Access Statement Addendum confirmed that a single surface treatment would be brought forward. It is considered that this level of detail would be best refined within an updated Landscape Plan, amending the standard landscape condition wording in order to secure the details specifically mentioned by the panel (**refer condition 21**).

*Panel members thought the tree loss was unfortunate, but felt that it had been minimised as much as possible and were happy to see that replacement trees were proposed. They stated that the biodiversity loss by the loss of a mature tree and replacement with a young tree should be mitigated by the provision of green roofs for example. The Panel stated that planting maintenance needed to be carefully considered and responsibilities clearly defined.*

- 8.52 Officer response: The above comments are noted from the DRP and since the scheme was presented to the DRP an updated Tree Survey and a revised Block B layout has been provided to improve the relationship between trees. Furthermore, greater detail of tree replacement and canopy replacement has been provided, with further detail in the Tree Section of this report. Green roofs are proposed above Block A2 and part of A1 as well as bird and bat boxes to be installed within the development.

*Summary: The Panel reiterated their commendations from pre-application stage in relation to how successfully and inventively the design team had worked within the constraints of the site in resolving the massing and layout of the proposed scheme. However, the Panel felt that the scheme had not yet realised its full potential to be a high quality development, and that further work was necessary in resolving its architectural treatment in particular in relation to the Ashmount Road elevation and the internal mews elevation of Block B.*

- 8.53 Officer response: see comments provided within the text above and further assessment under the Design and Conservation Heading of the report.

## **RELEVANT POLICIES**

- 8.54 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**

- 8.55 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.
- 8.56 Since March 2014 Planning Practice Guidance for England has been published online.
- 8.57 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).

- 8.58 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**

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

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

- 8.60 A Planning Brief for the Ashmount Primary School site (2012) was adopted in June 2012. The guidance states that the existing school building was not capable of being refurbished to meet current educational needs. It supports the re-development of the site for community uses, the provision of housing maximising family and affordable housing and seeks to secure the inclusion of publicly accessible open space within any scheme as well as to maintain the number and quality of trees on the site. Further detail on this is given in the land use section.

### **Designations**

- 8.61 The site has the following designations under the Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Whitehall Park Conservation Area
- Site Allocation OIS10
- TPO No. no: 325 (2007)
- Locally Listed Building

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

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

## **9. ENVIRONMENTAL IMPACT ASSESSMENT**

- 9.1 EIA screening application was submitted, reference P2015/0520/EIA to seek clarification as to whether the development was an Environmental Impact Assessment development. This was determined on 19/10/2015. The site area is

significantly below the threshold size limit and whilst the scheme could be considered ‘urban development project falling within category 2 development, the site area and scheme characteristics including location of the site is not considered to be particularly sensitive justifying the scheme as an EIA development. In accordance with the 2011 Regulations, no environmental statement was required with this application. This has been confirmed in a screening opinion letter 19<sup>th</sup> October 2015.

## **10. ASSESSMENT**

### **Background**

- 10.1 The application site contains part of the locally listed Ashmount School buildings (the Infants Block) a caretakers house, small school buildings and storage sheds, a small substation in the south east corner and areas of hard standing associated with the school.
- 10.2 Planning consent was granted in 2009 for the development of the new Ashmount school at the former Ashmount recreation centre and Bowlers nursery which is about 800 metres walking distance to the east and this opened in its new building in January 2013. In January 2012 the Council’s Executive agreed that the Council apply to the Secretary of State for the relevant consents to declare the application site ‘surplus’ to educational requirements.
- 10.3 A Planning Brief for the entire site (north and south) was adopted in June 2012 to guide future development. The Planning Brief’s key objectives were: to provide new homes with at least 50% affordable housing;
  - to ensure that all new buildings are of a high quality design which contributes to the character of the Conservation Area and are an appropriate scale and massing for the surrounding context; and
  - to maintain the number and quality of trees on the site
- 10.4 These decisions were dependent on the Secretary of State for Education giving approval for the disposal of the site as being surplus to current and projected educational requirements. The Secretary of State, however, indicated that consent would not be granted for the planned disposal as the site was needed by the Whitehall Park Free School and Bridge Integrated Learning Space Free School (BILS). Following extensive negotiations between the Council and Education Funding Authority (EFA) agreement was reached to transfer the northern section of the former Ashmount School Site to the Secretary of State for use by Whitehall Park Free School and for BILS to share new premises to be constructed at Dowrey Street with the New River PRU.
- 10.5 The Secretary of State took a transfer of the site in July 2014 for use by Whitehall Park Free School. The Secretary of State also agreed that the Council could dispose of part of the former Ashmount School site to a third party for housing development. In early October the Ashmount Site Action Group (ASAG) applied for a judicial review of the Secretary of State’s decision to grant the Council consent to dispose of the former Ashmount School site. The council could not complete the sale of the

retained land for affordable housing purposes until the outcome of the judicial review. However, this legal challenge was subsequently unsuccessful.

- 10.6 The retained land (subject to this application) is currently leased to the Secretary of State for use by the Whitehall Park Free School until such time as the new school is developed. The Whitehall Park Free School opened in September 2014 and is currently occupying two temporary buildings on the site (granted permission by application P2014/1754/FUL) whilst works take place to implement the consent granted for a new school building dated 17 December 2015. Islington and Shoreditch Housing Association (ISHA) was confirmed as the developer for the southern site by Islington's Executive Committee on 27 November 2014.

### **Loss of education use**

- 10.7 Policy DM4.12 relates to the protection of social infrastructure and states that no loss or reduction will be accepted unless a replacement facility can be provided on site or that the use is no longer required on site. The proposed loss of education use on the site and replacement with housing follows on from a number of previous planning applications and decisions for the wider site (north and south), most notably application P082526 to relocate Ashmount school to its new site on Crouch Hill recreation ground and application P2015/1089 for the new Whitehall Park school on the north of the site. Related to this was the agreement of the Secretary of State that this southern part of the wider Ashmount School site could be designated as surplus to education requirements and that the Council could dispose of this part of the site to a third party for housing development. Accordingly, the northern part of the site will remain in educational use which will meet the needs of the local community and comply with the requirements of Policy DM4.12. The loss of education use is therefore accepted.

### **Demolition of Buildings within a Conservation Area**

- 10.8 On the 1st October 2013, the Government brought in (under various legislature made under the Enterprise and Regulatory Reform Act 2013 (ERRA)) the removal of Conservation Area Consent requirements.
- 10.9 This legislation abolishes the need for conservation area consent where a full planning permission application is made under the Town and Country Planning Act 1990; and consequently the demolition of unlisted buildings in conservation areas will no longer be permitted development under Part 31 of the GDPO (General Permitted Development Order).
- 10.10 The former Ashmount School buildings were designed by Cadbury-Brown and comprise three principal buildings, the four storey main school building (the Junior block) in the north of the site, fronting Hornsey Lane; the double height Assembly Hall block in the north east of the site, on the corner of Hornsey Lane and Ashmount Road and the two storey Infants' Block which lies in the southern part of the site and falls to be considered within this application.
- 10.11 The three main school buildings, which were built between 1954 and 1956 and the cockerel sculpture, by John Willatts, were locally listed in 1999. The primary significance of the buildings is in their overall form, the method of construction and

the use of an all glass curtain wall system. Buildings in the southern part of the site, (including the Infants' Block), are considered of lesser significance than the junior school in the north of the site.

- 10.12 The application is accompanied by a Heritage Impact which assesses the impact of the proposed development in terms of the demolition of the existing school buildings on the southern part of the site and the impact of the proposed residential scheme on the surrounding Whitehall Park Conservation Area and two locally listed properties, for which the site provides a setting.
- 10.13 The report to Planning Committee for P2015/1089/FUL concluded that for that proposal, the loss of the existing Ashmount School would cause less than substantial harm to the designated asset. The continuation of the education use ensures that there would be less than substantial harm as the replacement Whitehall Park school building will provide a school facility which is better equipped for modern education standards. To that extent, the principle of the loss of the locally listed existing buildings on the northern part of the site has already been established and agreed and this will act as a material consideration in looking at those parts of the building within the local list which also fall within this application site.
- 10.14 Specifically in relation to the part of the former school building that lies within this application site (the Infants' Block), its demolition is considered to be acceptable on the basis that it is of low architectural, historic and technical significance and the other school buildings in the south of the site are of no particular architectural merit, therefore making a neutral at best contribution to the conservation area. This conclusion has been reached in conjunction with consideration of the material considerations of the previous planning permissions granted at the northern part of this site. As was accepted within the planning permission for the northern part of the site, it is recognised that a proposal which aimed to retain and repair the Infants' Block in order to bring it back into sustainable use would result in the further loss of the fabric which gives it its locally listed significance. In this regard, the buildings on this particular application site are not considered to be of such merit so as to warrant their retention for purposes of protecting the character and appearance of the conservation area and therefore, their loss, provided the replacement buildings are of an acceptable design (assessed further on in this report) is compliant with the NPPF and policy CS8 of the Islington Core Strategy (2011), and policy DM2.3 of the Islington Development Management Policies (2013). Furthermore, in order to prevent this site becoming a gap site, a planning condition is recommended requiring a contract for redevelopment to be entered into prior to first demolition of any of the buildings from the site (**condition 3**).
- 10.15 In relation to the temporary portakabin school buildings on the site, these have been granted temporary planning permission and were only considered acceptable in design terms due to their temporary nature. The removal of these buildings from the site is necessary by planning conditions to the temporary consent and their loss is therefore desired and entirely supported in design terms. A single storey brick building is also located close to the frontage of the site slightly set in from the boundary with 1 Ashmount Road and houses a substation.

## **Proposed land use as Housing**

- 10.16 A Planning brief was adopted for the site in June 2012 with the purpose of guiding future development on site. This identified that once the existing Ashmount School had moved to its new premises, and then the site would be surplus to requirements. The specific development objectives of the Planning Brief were to: provide new housing, including affordable housing and family housing, to meet housing needs in Islington. Ashmount School is also allocated as site OIS10 in the Site Allocations DPD (2013) and is identified as suitable for residential purposes, primarily family housing, community uses and the creation of a new publicly accessible open space. The proposed use is therefore wholly in line with the objectives of the brief and the site allocation.
- 10.17 From a policy perspective, CS12 is supportive of the provision of new housing in order to meet the pressing need for new homes in the borough. The use as residential is also consistent with the wider residential uses in the area and the prevailing character of the conservation area.

## **Design, Conservation and Heritage Considerations (including Archaeology)**

- 10.18 Policy context: London Plan (2015) policy 7.8 states that development affecting Heritage Assets should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.
- 10.19 The Development Management Policies mirror the core principles of the NPPF and the London Plan. Policy DM2.1 'Design' requires all forms of development to be of high quality and to make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. The policy states that permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.
- 10.20 Development should: improve the quality, clarity and sense of spaces around or between buildings; repair fragmented urban form; respect and respond positively to existing buildings, the streetscape and the wider context, including local architectural language and character, surrounding heritage assets and locally distinctive patterns of development and landscape; reinforce and complement local distinctiveness and create a positive sense of place; provide a good level of amenity including consideration of over-dominance.
- 10.21 Development proposals are required to demonstrate, through the use of detailed, clear and accurate drawings and Design and Access Statement how they have successfully addressed the following elements of the site and its surroundings: historic context, such as distinctive local built form, significance and character of any heritage assets, scale and details that contribute to its character as a place; urban form such as building lines, frontages, plot sizes and patterns, building heights, storey heights and massing; architectural and design quality and detailing including colour, type, source and texture of detailing and materials used; movement and spatial patterns such as definition, scale, detailing and surface treatment of routes and spaces; natural features such as topography, trees, boundary treatments planting and bio-diversity; visual context such as skylines and silhouettes and scale

and form of urban compositions; an understanding of the significance of heritage assets that may be affected.

- 10.22 Development Management Policies (2013), policy 2.3 'Heritage' sets out the considerations for considering harm to a conservation area. The most relevant aspects of that policy to this application states:

*A. Conserving and enhancing the historic environment*

*Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. Development that makes a positive contribution to Islington's local character and distinctiveness will be encouraged.*

*B. Conservation areas*

*i) The council will require that...new developments within Islington's conservation areas and their settings are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. Harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Substantial harm to the significance of a conservation area will be strongly resisted.*

*iii) The council will resist the loss of spaces, street patterns, views, vistas, uses, trees, and landscapes which contribute to the significance of a conservation area.*

- 10.23 The following is taken from the Whitehall Park Conservation Area Guidelines (with underline emphasis added):

*The conservation area lies immediately below the Highgate-Hornsey Ridge (along which runs Hornsey Lane) and slopes considerably, falling from north to south. The oldest parts have many large mature trees and good younger trees on both public and private land which enhance the quality of the environment. The streets south of Hornsey Lane were laid out as a late Victorian residential estate and tend to fan out slightly, following the contour pattern of the slope.*

*The area includes a variety of residential properties with differing architectural qualities and styles.*

*Whitehall Park contains the grandest houses with the best views, mainly large 3-storey, late Victorian, red brick terrace properties with Westmoreland slated mansard roofs, cast iron decorative railings and gabled dormer windows and, on the end houses, significant turrets. Gladsmuir and Harberton Roads consist of similar, but less grand houses than Whitehall Park. The properties on these three streets are of exceptional architectural merit.*

- 10.24 A number of other streets are specifically described in terms of architectural detailing, but Ashmount and Gresley Roads are not specifically mentioned in terms of architectural character, or being of specific or exceptional quality or importance to the character of the conservation area.

- 10.25 Submitted Information: The applicant submitted a topographical survey to address residents and officer requests. The changes in level as set out in within this report are taken from that survey. Additionally, an updated Tree Survey was submitted at various points during assessment, the last update was provided as entry had been obtained to the trees that were previously labelled as group G4. Whilst objections have been received against the detail of the site survey and levels, assessment has been made comparing the existing site levels to the proposed levels shown either on elevations, cross sections or site layout plans of the proposal. Additionally, no support is given for level changes beneath the canopies of protected trees (except for hand digging for services – explored later in the report).
- 10.26 Assessment: The site has a change in level across the site of 5m across the northern boundary of the site (moving from 87.5 in the west to 82.4 in the east) and 6.5m across the southern boundary of the site (moving from 87.6 in the west to 81 in the east) meaning the western part of the site is a higher ground level than the Ashmount Road part of the site.

#### Site Layout

- 10.27 The layout of buildings within the site is informed by the site's shape, with the blocks within the site labelled as set in the proposal section of this report. Whilst the proposed site layout does necessitate the removal of a number of trees from the site, trees are retained along the site boundaries. The provision of back to back gardens is obviously typical of London townscape layouts and typical of the conservation area character.
- 10.28 During the consideration of this application, the positioning of block B2 (and the rear of Block B1) was moved 1.25m to the north to increase the distance to the southern boundary of the site. This move was made in relation to reducing tree impacts and also to increase the separation distance between the block and both 1 Ashmount Road and the properties fronting Gresley Road. Further details on this relationship with these and other trees is provided within the Tree Section of this report.
- 10.29 The Design Review Panel (DRP) in its initial review (February 2015) and within this most recent review (October 2015) commended the site layout of the proposal stating its appropriateness. Furthermore, the Design and Conservation Officer also considers the site layout to be appropriate.
- 10.30 Further consideration of layout and relationship to adjoining properties is provided in the 'Impact on Adjoining Residential Amenity section', however the relationship in these regards is considered to be acceptable.
- 10.31 Ashmount Road building line: The building line of block A1 would sit forward 5.6m of the recently approved Whitehall Park school building, which is deliberately set back from Ashmount Road in order to safeguard protected trees along the Ashmount Road frontage and to provide children's playspace directly accessed from the classrooms that front Ashmount Road. It is not unusual for public or civic buildings to have a different building line to others in the surrounding area. Whilst this would leave a degree of Block A1's northern elevation visible within the streetscene in views down Ashmount Road, it would not be an unusual end of terrace appearance.

**Condition 11** is recommended in order to secure a textured treatment to this end flank given its visibility within the streetscene.

- 10.32 Block B1 sits forward (800mm) of the adjacent properties on Ashmount Road (i.e. 1 Ashmount Road). It should be noted that the slight projecting bays of 1 Ashmount Road project close to the proposed Block B1 building line.
- 10.33 Objections have been received against the building line of blocks A1 and B1 with objectors stating they contravene adopted policy and conservation area design guidelines. Whilst the building line of the proposed blocks are not uniform with the adjoining buildings they do not deviate significantly from the adjoining properties (in particular 1 Ashmount Road) and the differences would in no way overwhelm the setting of the adjoining properties. This view is also shared by the Design and Conservation Officer. Furthermore, as stated above, the DRP raised no objection to the site layout of these blocks. In this regard, the building line is not considered to conflict with policy DM2.1Bii).
- 10.34 Layout within the site: The layout provides a separation distance between blocks A1 and B1 (internal to the site) of 4.6m. These blocks mark either side of the entrance into the site, with only block A1 containing windows facing into the entrance so as to prevent mutual overlooking.
- 10.35 The separation distance between blocks A2 (private tenure) and B2 (social rent tenure) ranges from 11.4m (western most point) to 13m eastern most. Whilst these distances fall short of the guideline separation distance of 18m between habitable room windows, this distance is not an unusual one within mews developments throughout London. Additionally, this is not a distance imposed on existing residents but a relationship future residents can decide whether to move into or not.
- 10.36 The separation distance between block B2 and the properties along Gresley Road, as addressed above, was increased through amendments to the scheme and now exceeds 18m in all instances (refer to neighbour amenity section for further detail).
- 10.37 In terms of site layout in relation to 1 Ashmount Road, Block B1 is located a greater separation distance away than the established layout of the Ashmount Road terrace. For example, numbers 2 and 5 Ashmount Road have a separation distance of 4.6m between their first floor rear projections. Between proposed Block B1 (rearward projection) and 1 Ashmount Road the separation distance is 9.5m (double the distance). Whilst the proposal also introduces a mews length beyond the established layouts in the area, gardens of the size provided are not uncharacteristic in London. Indeed, the DRP, a group of independent architects raised no concerns with the site layout and neither the Design and Conservation Officer.
- 10.38 Block C located in the west of the site would be excavated into the higher ground level (in this part of the site) and would be located between 15.3m and 17.3m from the properties at 26 and 28 Gresley Road to the south. It should be noted that a planning condition (**condition 13**) is recommended in order to remove permitted development rights from these houses so as to prevent any further extensions to be carried out without planning permission first being secured. This is to ensure any overlooking, impact on trees or other impacts can be considered via the planning process.

10.39 The site layout is logical and efficiently uses the site, reflecting the general built form of the surrounding area.

#### Height and Massing

- 10.40 The proposed development would include buildings (Blocks B1, B2 and C) of 3 storeys height and buildings of 4 storeys in height (Blocks A1 and A2). In terms of Block A1 and A2, these would stand adjacent to the recently approved Whitehall Park School building which was consented at 3 storeys, or 12.4m in height, closest to Block A1.
- 10.41 Block A1, measured from ground level next to the boundary shared with the school would stand at 12.4m tall to the top of the mansard style roof. Block A2, further back into the site would stand at 13.5m in height, however this block would be largely screened from view from Ashmount Road by the adjoining school building (only the flank of Block A1 would be visible).
- 10.42 Ashmount Road contains a variety of building styles, including Caroline Martyn House that has 3 floors plus a steeply pitched roof accommodating a fourth floor of accommodation opposite the school site. In this regard, the proposed height of Blocks A1 and A2 are contextually suitable and fit in with its immediate surroundings.
- 10.43 Block B1 standing next to 1 Ashmount Road is designed as a 3 storey building, containing flats. Objections have been received against the height of this building, being taller than 1 Ashmount Road, stating that there is no relationship to parapet or roof height. Proposed block B1 does not attach to the terrace, it stands separate to it.
- 10.44 The red brick parapet of Block B1 in fact exactly matches that of the brick parapet of 1 Ashmount Road, both standing at 7m in height. Whilst the proposal utilises a mansard roof style as opposed to a pitched roof as is the case at 1 Ashmount Road, the proposed Block B1 would stand at 10.7m compared to 9.4m to roof ridge of the adjoining terrace. Given that this proposal is for a building that accommodates flats, and is separate to the terrace, there is opportunity for a building to take a slightly different character. There is a relationship to the parapet and roof height, whilst not an exact match. Stepping up of parapets and roof levels is a character of Ashmount Road, on both sides and given this is a separate building is not considered to be harmful or unacceptable at 1.3m overall height difference.
- 10.45 On the opposite side of Ashmount Road different terrace properties stand next to each other, each with a slightly differing height, plot width and proportions, and this is not an unacceptable relationship, but one that works, characterising the variety of architectural styles within this conservation area. Whilst there may be a difference in height, the difference is not significant and occurs elsewhere between buildings of different styles standing next to each other. This marginal difference is acceptable, and furthermore helps mark a step between the 4 storey Block A1 to the 3 storey Block B1.
- 10.46 Block B2 extending along the southern boundary of the site is proposed as a 3 storey building. It measures from ground or finished floor level to the eaves level as 7.6m, and measuring to the top of the pitch as 10.4m in height. The properties along Gresley Road are also 2 storeys with a pitched roof in which rear dormers are a

strong character, utilising the roof space equating these to 3 storey buildings. Block B2 therefore is entirely an appropriate height for the surrounding context.

- 10.47 Block C is also a 3 storey building, with the ground floor sunk into the ground level. From the existing boundary site levels between this Block and Gresley Road properties, 2 storeys would be visible, although the lower of these two floors would be screened due to boundary fencing. This height is therefore appropriate and considerate of the levels within the site, the levels on the boundary and the need to reference nearby building heights as well as the slope of the site.
- 10.48 The DRP confirmed their support for the height and massing of the proposed development in their most recent response, dated 4 November 2015. In this regard and considering the descriptions above, the site layout and height and massing of the proposal take reference from the surroundings and are sympathetic and contextual, in accordance with the requirements of planning policy that also seek an understanding of the context including historic context of a surrounding area when formulating design proposals. Policies DM2.1 and DM2.3 are considered to have been addressed and adhered to in this design.

#### Plot Sizes and Patterns:

- 10.49 Objections have been received stating that the proposed Blocks A1 and B1 do not respect the established plot widths of the adjacent terrace. Proposed blocks A1 and B1 would not accommodate a single family dwelling house each, but accommodate a number of flats (two per floor, meaning that the plot widths will not entirely match those of the adjoining terrace. The buildings are stand alone and do not attach to the terrace. There is subtlety in the elevations of these blocks, with one 'plot' established by the lower parapet height directly adjacent 1 Ashmount Road. The remainder of Block A1 could then be considered to be rear as two halves reflected mid-way between the gables, but as this block accommodates flats, it is more difficult to reflect this in the architecture. However fenestration patterns, the front door, the break in the low brick wall front boundary treatment all serve to help in this expression. In this regard, the design with respect of plot widths is not considered to be harmful to the streetscene and is considered to express itself, however much more subtly than the Victorian detailing of the block adjacent.
- 10.50 Block A2: this block is a flatted block and therefore expression of plots is not appropriate.
- 10.51 Block B2: Paragraph **8.50** of this report provides comparative images of the internal mews elevations of Block B2, which was previously criticised by the DRP of failing to reflect plot widths adequately. Detailed design changes were made to the elevations so as to provide a greater break down of plots (addressed at **paragraph 8.50**).
- 10.52 To the rear of Block B2, whilst no DRP criticism was raised in relation to plot widths, a number of objections have been received on the basis that the elevation is monotonous and is not broken down sufficiently. The slope of the site is reflected in the slight stepping of the building down in height from west to east which does provide some visual breaking down of the massing. Whilst officers did seek for further illustration of plot size to be illustrated in this elevation, the general arrangement of the blocks internal layout makes it difficult on this elevation as the

ground floor level stepping does not equate to the parapet stepping, in order to accommodate the unit layouts internally. This would not be noticeable on this elevation due to the boundary treatment screening the ground floor level entirely from views. From initial submission however slight improvements to window groupings have helped provide a better rhythm, to break down the elevation. In this regard, whilst it is not ideal, this elevation is not offensive and could not be considered to be harmful to the appearance of the area, subject to careful material selection and detailing.



Block B1 and B2 - Revised Rear Elevation 1:200

**DRP October Block B2 and B1 elevation (south – facing Gresley Road properties) which remains the same as currently proposed.**

- 10.53 Block C: consists of four houses and the plot widths express the internal layout of each unit. This expression of plot width is appropriate and acceptable.

#### Architectural Detailing

- 10.54 The various blocks throughout the site have a commonality to architectural detailing, yet each block has its own individual appearance to reflect the differences in the number and type of units each contain (i.e. Block C is a row of houses, Block B flatted buildings) and also that reflect the different height and scale of buildings.
- 10.55 Blocks A1 and B1: Numerous objections have been received against the quality of the façade design of these blocks. Objections claim that they: “have no quality of proportion or hierarchy as do the existing. The windows of the ground and first floors are significantly lower than the adjacent No1 Ashmount Road. Yet the ridge and eaves are much higher with the gables having no relationship in regard to scale. It is also considered that there is a lack of proportion, articulation and detail and an inconsistency in treatment.
- 10.56 The fenestration patterns of Block B1 don't match with the heights of those in the adjoining terrace. This is brought about as a result of the finished floor levels being set to minimise the height of the block and secure level access (as required by planning policy), the finished floor level is set to minimise the blocks height. The eaves height does however match 1 Ashmount Road. The overall building height is 1.3m taller than the terrace, but accommodates a full height, modern compliant floor to ceiling height, which the utilisation of loft spaces do not. Whilst the non-matching of window heights is not ideal, as nothing about the elevations of Blocks B1 and B2 is designed to replicate exactly the adjoining terrace, the lack of alignment is more easily accepted, particularly as the building is clearly a flatted building rather than a single family house.

- 10.57 The proposed balconies facing onto Ashmount Road at first floor level in both blocks A1 and B1 have been objected to as being inconsistent with the surrounding context. Additionally objections on the basis that these may become unsightly as they could be used for storage have been raised. Whilst it is true, that balconies do not feature in traditional Victorian terraces in the surrounding area, they have been designed as recessed balconies and could be seen as similar to the accessways within Carolyn Martyn House. The balconies are required in order to achieve the appropriate amenity space standards for these upper units. Furthermore, the Conservation Area Guidelines do allow for use of modern materials such as glass and steel provided they complement the appearance of the area. In this regard, the proposed development is a modern style and the recessed balconies are appropriate to that overall design ethos. Had the balconies been projecting, these would not have been supported at all, but being recessed, they are not highly visible in the streetscene and are appropriate and anticipated on modern buildings. Recessed street facing balconies are accepted within Conservation Areas as recognition of the balance between design and amenity requirements are commonplace.
- 10.58 The blocks are considered to have a clear bottom, middle and top, but more subtly conveyed, without any of Victorian detailing, the methods for distinguishing bottom, middle and top are very subtle. They include relying on the parapet line to match the adjacent (which it does) to mark the top of the middle and utilising the modern gables to mark the top with the mansard roof sitting behind. Furthermore the window placement and groupings at each floor also subtly mark the change as you move from bottom through middle to top. The textured brick detail now letter marks the base including utilising a slightly greater number of windows to emphasise the base. Whilst these are of contemporary design, they still achieve this aim, with the brick detailing requested by the Design and Conservation Officer.
- 10.59 The Design and Conservation Officer has given their view of this elevation at **paragraph 8.38**. They consider that the “*front elevations have been improved with the addition of some subtle but effective detailing. I had previously raised concerns about the proportions of the ground floor which have now improved with the addition of the brick datum detail between ground and first floor*”.
- 10.60 There is no requirement to replicate the adjoining buildings in every sense. The DRP did acknowledge that the design had been informed by picking up on existing elements within the surrounding context. As can be seen further up Ashmount Road adjacent to Carolyn Martyn House, a building of slightly greater scale, mass and fenestration patterns, with simple design can also sit harmoniously next to a more detailed Victorian building. These buildings have a greater degree of solid compared to void and yet work well within the street context.
- 10.61 It is also incorrect to entirely compare the detailing of these proposals to the adjoining terrace, as the terraced row does represent a single property behind. Blocks A1 and B1 house a number of flats on each floor, and therefore defining these vertically would not match with the detailing of the adjacent terrace. In this regard simple treatment has been provided.
- 10.62 Flank mews entrance walls: The textured brick treatment to the gable ends (Blocks A1 and B1) is also positive and now provides a better entrance to the mews. The

removal of the “hooded” dormers has provided a more coherent roofline and removed the competing emphasis of those structures allowing the gables to be the element of interest at roof level.

- 10.63 Block A2 (school facing elevation): an objection has been received stating that the school facing elevation has been designed to minimise overlooking (rightly) but that this results in an elevation with poor articulation or refinement. The ground floor won't be visible due to boundary fencing. The top floor is articulated by a different material (Riven edge slate) which will articulate the top differently. Whilst this would leave two floors of minimal glazing, this elevation will not be visible from public view points within the conservation area, being obscured from view by the school building itself. Given the reason for its design is to minimise overlooking of the school, for this reason, in this particular instance, the elevation is considered acceptable and not to unduly harm the character of the conservation area.
- 10.64 Block B2: objections have been received against the design of the dormers. The proposed dormers are internal to the site and no public view of them will be achieved external to the site. In any event, the architects have provided precedent images of where these have been constructed previously and they appear as high quality, crisply designed modern design that would also relate very well to the design of the internal mews. Whilst this type of design would not be supported as an extension to an existing Victorian terrace property, that would be because their design would not accord to the traditional style of a Victorian terrace. In this context, on a modern building design the dormers are considered high quality design, modern but with use of traditional materials helping a modern design blend through traditional material choice into the established conservation area character.

### Materials

- 10.65 The proposal is to be constructed of traditional materials that are found within the surrounding context and wider Whitehall Park Conservation Area, and therefore accord with Conservation Guidelines and Design and Conservation policies DM2.1 and DM2.3. Powder coated aluminium window frames are appropriate on contemporary buildings that are referencing nearby buildings but not replicating them. Further they would be set within recessed window openings. They include:
- a) Red brick throughout;
  - b) Colour matched pigmented mortar to the bricks to be used on Blocks A1 and B1;
  - c) Lighter pigmented mortar to be used on Blocks A2, B2 and C;
  - d) Riven Edge Slate;
  - e) Dog-toothed brick detail between the ground and first floors (to support visual proportioning and the hierarchy of the façade) on Blocks A1 and B1;
  - f) Textured brickwork to highlight entrances and the gable ends of Blocks A1 and B1;
- 10.66 Whilst objections have been received to the degree of red brick used within the scheme, which initially was a concern to the Design and Conservation Officer, red brick does feature within Ashmount Road and throughout the conservation area. The scheme as stated above will utilise differing mortar colours which can dramatically alter the boldness of the red and is to vary internal to the site compared to the

Ashmount frontage. Use of this subtle yet effective technique is considered to soften the degree of red and result in a high quality resulting appearance. **Condition 10** secures this detail, including a sample panel to be constructed on site for approval.

#### Impact on the Character and Appearance of the Whitehall Park Conservation Area

- 10.67 It is important to note that the Conservation Area Guidelines describe the Whitehall Park Conservation Area as including “*variety of residential properties with differing architectural qualities and styles*”. In this regard, along Ashmount Road, there are differing building styles also. There is the Caroline Martyn House in the north eastern side of the road, at a raised three storeys with a tall sloping roof, bringing it commensurate to a 4 storey building. Next to this is a house of a wider plot width to that of its neighbour, with different fenestration patterns and sizes and arguably different volumetric qualities to its immediate neighbour. It doesn't however unacceptably harm the conservation area or streetscene and in fact sits between two very different building styles (Carolyn Martin House and the terrace property to its south).



- 10.68 Ashmount Road opposite has two differing styles of terrace houses, one slightly larger, grander sitting next to a smaller, less grand terrace opposite the junction with Gresley Road. Further south again on the opposite side of Ashmount Road with its junction with Dresden Road an entirely different building style is present again. In this regard, just on Ashmount Road, the building styles differ greatly, meaning that there is no one architectural style appropriate to either the conservation area or the streetscene itself.
- 10.69 The proposed Blocks A1 and B1 that would front Ashmount Road would sit between two very different building styles. To its north, the newly consented Whitehall Park School will be built, of an obvious civic design, scale, massing and materiality. To the south, a terrace of interesting Victorian detailing, but not of spectacular detailing or architectural design, as confirmed by the Conservation Area Guidelines (adopted in 2002). As described above, there is no one style to draw from and therefore to have an expectation to create a direct replica of the immediately adjacent terrace property is not necessary in order to protect or enhance this conservation area described as being made up of a “variety of architectural styles”.

- 10.70 The Conservation Area Guidelines at paragraph 7.13 states: '*New buildings should conform to the height, scale and proportions of the existing buildings in the immediate area*'. It seeks for the "*scale and bulk of any new building and extensions will be expected to conform with the prevailing heights in the vicinity, and to use vernacular materials, such as brick, stone, render and slate roofs. Modern materials such as glass and steel may be acceptable as long as the design of the new building complements the area*".
- 10.71 The proposals cannot be considered to be harmful to the conservation area, having a proper understanding of the character of the conservation area as a whole, which is based on principles of variety. The height, scale and massing is not highly at odds with the height, scale and massing of buildings (existing and consented) along Ashmount Road, and the choice of materials are sensitive to those used in the conservation area and also subject to planning conditions.
- 10.72 Whilst the loss of large protected trees would impact negatively on the character and appearance of the conservation area, viewed from Ashmount Road the loss of just one tree will be noticeable once the site is developed (as the remainder of the site would be largely screened from general views from the street). The proposals would include the planting of 3 new trees (in total) within the front gardens of Blocks A1 and B2 and retain the 4 street trees along the frontage of the site. These measures would mitigate for the loss of the existing trees as viewed from the streetscene.
- 10.73 In this regard the proposals at worst would be considered to have a neutral impact on the character and appearance of the conservation area, however the view of the Design and Conservation Officer the proposals would enhance the Conservation Area when the removal of the existing unsightly, single storey building and substation, including temporary portakabins is also considered. The proposals as such are considered to accord with policy 2.3 of the Development Management Policies (2013) and the Conservation Area Guidelines (2002).
- Density**
- 10.74 London Plan policy 3.4 encourages developments to achieve the highest possible intensity of use compatible with the local context. The development scheme proposes a total of 46 new residential dwellings comprised of 156 habitable rooms (hr).
- 10.75 Density is expressed as habitable rooms per hectare (hr/ha) and units per hectare (u/ha) and is calculated by dividing the total number of habitable rooms / units by the gross site area. The site covers an area of approximately 0.43 hectares.
- 10.76 In assessing density it is necessary to consider that the London Plan policy notes that it would not be appropriate to apply these limits mechanistically with local context, accessibility and other considerations to be taken into account when considering the acceptability of a specific proposal. The site has a public transport accessibility level (PTAL) of 2 to 3, which sets out an appropriate density range of between 200-450 hr/ha or 55-145 u/ha.
- 10.77 The proposed density of the scheme is 363 hr/ha and 107 units per hectare both of which are within the indicative range.

## **Accessibility**

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

### **A new National Standard**

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

### **Accessibility Assessment:**

- 10.81 The proposed development comprises of 4 wheelchair accessible unit types (equivalent to Category 3 unit types as described above). The units have been designed in order to maximise the delivery of family sized accommodation, in a manner that is as affordable and efficient as possible, given the low height and scale of the buildings proposed. This has meant that installation of a significant number of lifts has not been adopted, so as to keep the costs of construction appropriate and costs of service charges in this particular situation (3 storey buildings). As such a lower number of category 2 buildings are achieved than would otherwise be anticipated.
- 10.82 A condition will be presented at Planning Committee setting out the relevant units and their categories to be achieved.

## **Landscaping and Trees**

- 10.83 The London Plan, policy 7.21 Trees and Woodlands states that (A): Trees and Woodlands should be protected, maintained, and enhanced, following the guidance of the London Tree and Woodland Framework (or any successor). Part (B) states that existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right tree, right place'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.

10.84 In terms of local policies, Development Management Policies (2013), policy DM6.5 - Landscaping, trees and biodiversity states (A): Developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitats and support the council's Biodiversity Action Plan.

10.85 Part (B) states that Trees, shrubs and other vegetation of landscape and/or environmental significance must be considered holistically as part of the landscape plan. The following requirements shall be adhered to:

- i) Developments are required to minimise any impacts on trees, shrubs and other significant vegetation. Any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits, must be agreed with the council and suitably re-provided. Developments within proximity of existing trees are required to provide protection from any damage during development. Where on-site re-provision is not possible, a financial contribution of the full cost of appropriate re-provision will be required.
- ii) The council will refuse permission or consent for the removal of protected trees (TPO trees, and trees within a conservation area) and for proposals that would have a detrimental impact on the health of protected trees.

#### Principle of Development

10.86 The Council's Tree Officer has raised an in principle objection to the development with regards to the interrelationship between the trees and the proposed development. The development is split into three blocks; A, B and C. The construction of each of the blocks and the access road will require the removal of TPO trees.

10.87 Additionally, the Tree Officer considers introduction of residential units in such close proximity to trees will create post development pressure to manage and prune the retained trees differently in the future should the scheme be permitted. Blocks B and C relationships to trees in particular are of concern to the Tree Officer. Having considered the Tree Officer and resident concerns, Block B2 was requested to be moved further north to make a greater separation distance between the canopies and the block. The applicant therefore moved this block 1.25m further to the north. The Tree Officer has confirmed that Block B2 with this amendment would sit outside of the root protection areas (RPA) of these trees along the southern boundary of the site. However an objection remains in relation to the overshadowing of the gardens and post development pressure to prune these trees.

10.88 The Tree Officer also advises that the building lines and other associated excavations such as drainage, landscaping, boundary treatments and level changes will all impact on the roots and rooting volume the trees currently utilise. These impacts are cumulative and a threat to the short and long term retention of the trees.

## Trees for Removal

- 10.89 There are currently 30 trees protected by TPO within the curtilage of the site. The tree preservation order is LBI TPO (No.325) 2007. The remaining trees are protected by their inclusion within the Whitehall Park conservation area.
- 10.90 Ten (10) TPO trees are proposed to be removed. Seven are located in a cluster around the remaining school buildings located in the north of the application site and includes the removal of the following (both Tree Survey and TPO references provided) as set out below to facilitate the construction of Block B2 and the access road:
- 4 x Lombardy poplars (all Category C1): TPO45 (T11) and TPO46 (T12), TPO43 (T49), TPO44 (T50);
  - 2 x cherry (both category C1): TPO47 (T13), TPO48 (T14),
  - 1 x common lime (category C1): TPO49 (T15).
- 10.91 The following two pear trees would be removed in order to facilitate the construction of the access road and the common lime as it sits at the proposed service road access to be created into the site:
- 2 x pear trees (category C1): TPO22 (T2) and TPO23 (T1);
  - 1 x common lime (Category B2): TPO58 (T24)
- 10.92 The eight non-TPO trees to be removed (protected by virtue of the conservation area location) are located in various positions around the site. The following two Ash trees would be removed to facilitate the construction of Block B1 (southern block that largely fronts Ashmount Road):
- 2 x Ash trees (category C1): T22 and T23.
- 10.93 A cherry tree would be removed to facilitate the construction of Block A1 (fronting Ashmount Road in the north of the site):
- 1 x cherry tree (category C1): T17.
- 10.94 The following trees would be removed in order to facilitate (apple and willow) the construction of Block C and the sycamore to facilitate construction of the access road:
- 1 X apple (category C1) T8;
  - 1 x willow (category C1) T9; and
  - 1 x Sycamore (category C1) T3.
- 10.95 The following trees are located in the north of the site and would be removed in order to facilitate the construction of Block A2:

- 2 x Lombardy poplar (category C1) T48 and T51.
- 10.96 Whilst the Tree Officer considers that there is an unjustified level of tree loss, and objects to the proposal on the grounds of tree loss, there are considered to be overriding planning merits (policy DM6.5) that justify the level of tree loss (having regard to the appropriate level of replacement planting proposed). The wider site has been split in two by the Secretary of State, enabling a school to be developed on the northern part and housing to be developed on the southern site. Priority has been given to the retention of boundary trees, which are better located to contribute to the wider character of the area, and enables the development of the site in a manner that makes most efficient use of the site, having regard to its configuration.
- 10.97 An objection has been received stating that the categorisation of the trees within and adjoining the site does not conform to BS standard, suggesting that "*little detail to establish the value and quality of trees that are to be lost*" and suggests that an informed judgement cannot be made on this basis. The Tree Officer considers that most Tree Surveys submitted will underplay the categorisation of trees and raises no specific concern in this regard. However, whilst some of the categories given may be considered to be undervalued, the views of the Tree Officer, (that they object to this application and request the scheme to be refused), is not altered by their view of a difference of opinion of categorisations given. An assessment is made by officers on the basis of overriding planning benefits in this regard, plus the history of decisions in relation to the wider site.
- 10.98 A number of early objections to the scheme stated that it was not clear how many (if any) trees along the Gresley Road facing properties rear boundary (i.e. the sites southern boundary) were proposed for removal. It should be noted that no trees are proposed for removal that are located on this southern boundary, all are proposed to be retained. Stepping slightly into the site there are two Ash trees indicated for removal T22 and T23 already addressed above).
- 10.99 A planning condition (**condition 20**) is recommended that sets out clearly that the only trees permitted to be removed are those summarised above. Any change to this would require further application for tree removal.

#### Replanting (mitigation)

10.100 The application proposes replanting in order to mitigate for the trees lost as a result of accommodating the development. The proposed replacement planting consists of:

Tree Species	Predicted canopy area (sqm) after 10 years	Number of trees planted	Canopy area (sqm)
Silver Lime	30	6	180
Field maple	22	5	110
Silver birch	22	4	88

Common lime	30	6	180
<b>Total</b>		<b>21</b>	<b>558sqm</b>

10.101 As can be seen above, the trees lost would be compensated for by planting 21 trees to replace a total of 18 intended for removal. This would result in an on-site uplift of three (3) trees. The proposed replacement planting is indicated on drawing 14\_1054\_NPP\_NT, and is accepted as a reasonable replanting strategy based on the layout and design of the development including the positioning of existing trees. A further more detailed landscape plan is to be secured by planning **condition 21**.

#### Canopy Loss and Mitigation

10.102 The updated Tree Survey is agreed in terms of canopy loss and replacement is agreed by the Council's Tree Officer. The Tree Survey states that the trees to be removed as part of this application would constitute a canopy loss of 520sqm. The Tree Survey provides a CAVAT value of what this degree of canopy loss would amount to in monetary terms.

10.103 The proposed replacement canopy would in fact outweigh the canopy cover that would be lost from the site from tree removal. In this regard, the Tree Officer, notwithstanding their initial in principle objection, raises no specific objection to the replacement planting nor the canopy re-provision. In this regard, no s106 financial contribution is sought by the Tree Officer as further mitigation for this scheme.

#### Pruning works including post development pressure

10.104 The Tree Officer has commented that the physical relationship between the proposed buildings and the protected trees will demand that pruning works will be sought (post development pressure) which the local planning authority will in the future, find difficult to refuse.

10.105 Even if the trees are significantly reduced to facilitate construction, the residential windows will be within 2m of tree canopies (2m is the minimum pruning required to facilitate the erection of scaffolding) of the protected trees, vigorous re-growth will require annual pruning to prevent damage to the property. The Tree Officer advises that the loss of light to the rooms will be significant in summer and this light loss and the post development pressure to alleviate by heavy pruning is an objection raised by the Tree Officer.

10.106 Whilst this relationship is recognised, in order to improve this relationship, Block B2 was amended in its positioning to move it 1.25m further to the north to provide an increased separation between the elevation wall of the block and the canopies of the trees along the southern boundary. In order to minimise the potential impact from requests to prune these trees in the future, clauses have been agreed to be inserted into the s106 legal agreement, by the applicant stating that all leases will require that:

*"future residents of Block B2 accept the relationship between the TPO trees and their properties and understand that there will be shading, leaf drop and branches close to their properties, and confirm that they acknowledge this and will not therefore bring unrealistic requests to prune these trees to the Council".*

10.107 This is considered to contribute towards forewarning or ensuring that future would be occupiers are aware of the status of these trees and the Council's view that over pruning will not be supported, either by virtue of shading of the amenity spaces or by virtue of the relationship of tree branches to elevation walls. Furthermore, the units within these two blocks B1, B2 and C will be retained within the ownership and management of ISHA (Housing Association) which will contribute towards more control of such requests to the Council in the future. ISHA will obviously be signatory to the s106 agreement that secures the above commitment. Whilst this is still not ideal, it is considered the there are wider planning benefits and considerations that must be taken into consideration in this final assessment, including the splitting of the site in two, the need to make best use of scarce sites and the significant affordable housing offer that this proposal would deliver. In this regard, the relationship is considered to be acceptable in this instance and therefore policy DM6.5 is considered to have been met due to overriding planning benefits.

10.108 Further to the above, tree T33 is proposed to be reduced by up to 2m the north-east facing laterals in order to facilitate the construction of the development. These works are addressed by the arboricultural method statement (**condition 17**).

#### Works within RPA of trees

10.109 Initially, the Tree Officer raised concerns regarding incursions into the RPA of the large off site tree T10 (located midway along the northern boundary of the site). The construction of the access road beneath the tree canopy was considered to result in the significant loss of roots and rooting volume as will the change to the boundary treatment. The updated Tree Survey however has minimised those concerns, and a variety of tree protection, site supervision and method statement conditions (along with supervision of construction on site) are considered to minimise the concerns of the Tree Officer in this respect.

10.110 Many objections have been received stating that the proposed gardens of Block B1, B2 and C units do not have clear proposals for establishing the levels proposed for their amenity spaces, and expressing concerns regarding the health of the protected trees. In terms of the site survey, it is clear what the existing site levels are. A number of planning conditions are imposed to ensure that the trees on the site are protected through the various stages of the development, and in particular the gardens to the above blocks including:

- Condition 16: Boundary Treatment – This requires specific boundary treatment details for all boundaries at (1:20) scale of drawing (cross sections and elevations) and 1:50 scale (minimum) of site location sections illustrating the detailed design of all boundary treatment(s). The details shall be informed by a specific arboricultural method statement addressing Root Protection Areas of all retained trees that boundary treatment is to pass through, informing the i) placement of footings, and ii) the method of constructing them (ie. by hand dig). These drawings must also be informed by a site survey

- Condition 17: Arboricultural Method Statement (AMS) – to be agreed in writing by the LPA prior to any site clearance, preparatory work or development taking place. This shall agree appropriate working methods by contractors on site in relation to protecting the trees during construction, laying of drains etc.
- Condition 18: Tree Protection Methods – Notwithstanding the details hereby approved, detailed tree protection measures shall be submitted to and approved in writing by the LPA prior to any works commencing on the site. Whilst these would be covered within the AMS given the sensitivity and great need to protect the retained trees on the site, a specific condition just dealing with tree protection mechanisms was considered necessary.
- Condition 19: Site Supervision – to be agreed in writing by the LPA prior to any site clearance, preparatory work or development taking place. This secures an agreed scheme of supervision (administered by a qualified arboriculturalist) and monitoring for the arboricultural protection measures outlined in **Condition (18)** and will only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed arboriculturist during construction.
- Condition 21: Landscaping – this condition must be approved in writing prior to the development reaching superstructure stage (i.e. rising out of the ground level). The Root Protection Areas will still be protected at the time this condition is submitted and approved and therefore no works on landscaping of the gardens would take place until the Tree Protection Measures have been taken down. Part d) of this condition specifically requires updated details of: *d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types*. In this regard, this is a standard condition requirement and is entirely appropriate to be attached as a condition to control any changes in levels and prevent any unacceptable reductions or increases in ground levels beneath these important trees.

10.111 An updated landscape plan is therefore required by planning condition (**condition 21**), to be submitted and approved in writing prior to any works commencing on construction of Block B2, relating in particular to the site levels along the Gresley Road boundary so as to dictate floor levels and garden levels and if necessary to retain raised gardens so as to minimise impacts on the RPAs of these trees.

#### Services and Tree Impacts

10.112 The proposed storm water drainage to the south of block B is acknowledged to cut through the Root Protection Area (RPA) of T7 and T20 and the trees along the southern boundary. Whilst the drainage route has been amended, the Tree Officer did previously raise a concern that the position, depth and extent of this drain is unknown but could compound the impacts upon these trees and it is likely that the incursion into the RPA could cause inappropriate root loss. Whilst in general terms the standard landscaping scheme will secure these details, given the sensitivity of this site and the concerns by the Tree Officer a planning condition is recommended to secure a revised drainage plan (current one is preliminary C100 Rev P4) that brings the route of this drain as far north towards the Block B2 southern building line

as possible (**condition 23**). It also requires supervision and hand dig of this drainage channel to minimise impacts as far as possible.

10.113 The updated Tree Report states that all drainage or services that pass through an RPA will be hand dug under supervision of an arboriculturalist. Roots with a diameter of 25mm or more will be retained if need be.

### Boundary Treatment

10.114 The boundary treatment adjacent to the protected trees needs to be examined, no indication of how the boundaries will respond to tree stems that physically cross boundary's and methods of installation that minimise impacts on the trees have been provided. Therefore a condition (**condition 16 – see above**) is required stating that no new or replacement / boundary improvement works shall take place without first submitting the detailed design and construction methodology, informed by the Tree Survey for agreement by the Council.

### **Biodiversity**

10.115 An Ecological Scoping Survey Report (December 2014) was submitted with the application assessing potential impacts regarding bats, breeding birds and invasive species.

10.116 Bats: no evidence of bat presence was found within trees or buildings. However to promote biodiversity the applicants consultant recommends the installation of 3 x 1WI Schwegler summer/winter bat boxes (1 per apartment block above circa 5-6metres high, ideally at eaves level on different aspects). This is secured by **condition 15**.

10.117 Breeding Birds: whilst no evidence was found during the survey, the survey was undertaken outside of bird breeding season, therefore any site clearance works are recommended by the applicant's consultant to be carried out outside of bird breeding season (August – February). A condition is recommended to this effect (**condition 5**). Furthermore to enhance future opportunities for nesting, the consultant recommends (which are secured by **condition 15**):

- 6 x Schwegler 1SP house sparrow terraces (2 per apartment block, above circa 4m high)
- 6 x 17a Schwegler triple cavity swift boxes (2 per apartment block, above circa 5-6m high ideally at eaves level); and
- 9 x 1MR Schwegler avianex boxes (3 per apartment block above 2-3, high)

10.118 Japanese Knotweed: An area of Japanese Knotweed has been identified in the western most end of the site, its eradication may in fact have implications for the ability to retain TPO tree T19. A strategy for the effective removal and disposal of this infestation is required by **condition 9** to be carried out by a specialist Japanese Knotweed remediation consultancy.

### Quality of Resulting Residential Accommodation

10.119 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life, the residential space and design standards will be significantly

increased from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing standards.

10.120      Unit Sizes: All of the proposed residential units comply with the minimum unit sizes as expressed within this policy.

10.121      Aspect and outlook: Policy DM3.4 part D sets out that 'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated'. With the exception of three, one bedroom private tenure units, located within Block A2, all of the proposed flats would have a dual aspect and in some cases a triple aspect. The single aspect units are all south facing and have an inset balcony achieving some variety of light direction into the unit. This equates to 6.5% of the units within the scheme as single aspect. They sit adjacent to the stair and lift core servicing Block A2 and this is considered unavoidable and acceptable.

10.122      Amenity Space: Policy DM3.5 of the Development Management Policies identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'. The policy goes on to state that the minimum requirement for private outdoor space is 5 square metres on upper floors and 15 square metres on ground floor for 1-2 person dwellings. For each additional occupant, an extra 1 square metre is required on upper floors and 5 square metres on ground floor level.

10.123      Daylight and sunlight: Policy DM3.4 requires all residential development to maximise natural light enabling direct sunlight to enter the main habitable rooms for a reasonable period of the day. The BRE Guidelines detail the level of light rooms should receive through the assessment of Vertical Sky Component (VSC) and Average Daylight Factor (ADF), as well as sunlight (APSH). The tests for VSC and APSH are explained at in the Neighbour Amenity section, however the ADF test is appropriate only for proposed units, the way this is calculated is as follows:

10.124      Average Daylight Factor (ADF): is a test used for proposed residential units and is not advised to be used for adjoining properties that may be affected. ADF is defined as the average internal illuminance as a percentage of the unobstructed external illuminance under standard overcast conditions. Where floor to ceiling windows or doors exist, the 2011 BRE allows for a further test to be applied to glazing areas below the working plane with floor reflectance added in. The target levels aim to achieve a factor of 1 for bedrooms, 1.5 for living rooms and 2.0 for kitchens.

10.125      Overshadowing: is a test to the area of an amenity space that receives more than two hours of sunlight on 21 March (the Spring equinox). The guide states:

*"for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If, as a result of new development, an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable."*

10.126 Overlooking/Privacy: policy DM2.1 at its supporting text, paragraph 2.14, refers to an 18m separation distances between windows of habitable rooms. This is stated to protect privacy for new developments and also for existing residents, therefore this distance does guide internal development layouts also.

10.127 Taking each block in turn, the following assessment is made in respect of quality of accommodation:

10.128 Block A1 (Shared ownership units) comprises of the following, all of which comply with the minimum unit size requirement and exceed minimum storage requirements. All units are at least dual aspect and have floor to ceiling heights of 2.6m complying with the minimum:

- Ground floor: 3 x 2 bedroom 4person flats;
- First floor: 2 x 2 bedroom 4person flats and 1 x 2 bedroom, 3 person flat;
- Second floor: 2 x 2 bedroom 4person flats and 1 x 2 bedroom, 3 person flat; and
- Third floor: 2 x 1 bedroom 2 person flats.

10.129 In terms of amenity spaces due to opportunity for mutual overlooking, no permission is given for the balcony to shared ownership unit A1-5-1, as it could look into the bedroom window of unit A1-6-1 and mutually overlook the affordable rent balcony (Block B1) opposite. This is secured by **condition 28**. This would leave one unit in this block with no private amenity space, however given the minimal transgressions in this regard, this is considered to be acceptable. All other amenity space requirements within this block comply with minimum standards and the same condition would secure screening to prevent mutual overlooking between Block B1 balcony and Block A2 windows.

10.130 The minimum amenity space requirement for the ground floor units (all requiring 25sqm being 2 bedroom 4 person units) are all comfortably met. Whilst objections have been received stating that the spaces are inappropriate due to their location north of the Block, due to overshadowing and location fronting the highway, given the layout and constraints of the site, the amenity space provided is considered acceptable. Whilst objections to amenity spaces as front gardens have been received, these spaces are to have low brick boundary walls with hedges grown up, which over time will provide a high level of privacy and therefore a very good degree of private amenity space.

10.131 Block A2 (Private sale tenure) comprises of the following, all of which comply with the minimum unit size requirement and exceed minimum storage requirements. All units are at least dual aspect with the exception of 3 x 1 bedroom units (one on each floor), which face due south and do as a mitigating factor have an inset balcony which would secure some variation in light receipt and ventilation into the units. All units have floor to ceiling heights of 2.6m complying with the minimum:

- Ground floor: 2 x 2 bedroom, 4 person units

- First floor: 2 x 2 bedroom, 4 person units and 1 x 1 bedroom, 2person
- Second floor: 2 x 2 bedroom, 4 person units and 1 x 1 bedroom, 2person
- Third floor: 2 x 2 bedroom, 4 person units and 1 x 1 bedroom, 2person

10.132 In terms of amenity space, there are two units, both 2 bedroom 3person units at the 1st and 2<sup>nd</sup> floors that have balconies of 5sqm, this equates to a shortfall of 1sqm of amenity space for these units. The ground floor units are provided with more than 40sqm of private amenity space each, comfortably exceeding the 25sqm minimum. Objections relating to these spaces being located to the north of the block are addressed above.

10.133 **Block A Daylight and Sunlight Receipt:** In terms of Average Daylight Factor (ADF): 6 out of 60 rooms tested fail the test (10%). Of these, 5 rooms are bedrooms (2 on ground and 3 on first floor) that secure 0.67, 0.75, 0.94, 0.97 and 0.97 respectively (the target being 1.0). These bedrooms have a lesser requirement for daylight and as it can be seen three only just fail to meet the standard, the failure occurring due to the rooms having a recessed balcony that windows sit behind. The final room failing is a kitchen (first floor) that achieves 1.60 ADF (the target being 2.0). This room is within Block A1 and is a dual aspect room, with a recessed balcony to the street frontage and a window in the junction of the two block (A1 and A2). It should be noted that in terms of Daylight Distribution, this room achieves 92.29% daylight within the room which is a very good standard (albeit this is not a standard test for proposed developments).

10.134 In terms of VSC receipt, whilst 50.5% of 109 windows tested failed to achieve the 27% VSC target, this generic BRE target has typically been set for suburban locations. Looking at the surrounding properties a typical VSC (existing) appears to be 24%. Adopting this as an alternative target (allowed for by the BRE guidelines) in place of 27% would see 39 windows fail, amounting to 35.8% failure rate. The BRE does allow alternative targets to be set and states that the BRE is guidance and should not be used as a strict instrument of policy. In this regard, the majority of windows secure a commensurate amount of daylight to properties in the immediate area. Of these 39 windows, 32 secure very low VSC, however these instances occur only when windows are set within a recessed balcony, or at a junction between blocks oriented on different planes. The rooms these windows serve have a dual aspect and therefore secure an appropriate ADF and as such achieve a good internal lighting environment and good quality accommodation for future residents.

10.135 **In terms of sunlight receipt:** 71 windows within Block A required testing due to orientation within 90 degrees of due south. Of those, 26 windows (36.6%) received less than BRE Guide annual sunlight and 7 windows (9.9%) less than BRE Guide winter sunlight. Again those windows that fail do so due to their positions within a recessed balcony at all floors, due to a west or east orientation only (in which case they generally exist as secondary windows). Windows immediately adjacent to a failing window that do not sit behind a recessed balcony achieve compliant sunlight levels. The majority of the windows that fail sunlight receipt are bedrooms (18), which are regarded as having a lower need for sunlight due to the main room use. Having regard to the above considerations and as the kitchens that fail (8) are dual aspect rooms and also have access to the balconies causing the bedroom failures, the units

are considered to achieve an appropriate level of sunlight in order to achieve a good standard of amenity.

10.136      Block B1 (Affordable rent – at target rent levels) comprises of the following, all of which comply with the minimum unit size requirement and exceed minimum storage requirements, all of which are at least dual aspect and have floor to ceiling heights of 2.6m complying with the minimum policy requirement.

- Ground floor: 1 x 1 bed 1person flat and 1 x 2bed 4p flat;
- First floor: 2 x 2 bed 4person flats and 1 x 1 bed 2p flats
- Second floor: 2 x 2 bed 4person flats and 1 x 1 bed 2p flats.

10.137      In terms of amenity space, the Ashmount Road facing unit at ground floor is provided with 47sqm of amenity space to the front of the unit and a 13sqm space to the rear. The minimum amenity space is 25sqm. An objection has been received stating that front garden amenity space is inappropriate, however the garden area is very large, a proposed low brick wall with hedge planting above is proposed as boundary treatment commensurate with the character of the street and would provide an element of screening which will increase as the level of privacy and quality of the amenity space as time goes on.

10.138      Block B2 (Affordable rent – target rent levels) comprises the following, all of which comply with the minimum unit size requirement and provide the required storage space. All units are at least dual aspect with good outlook, complying floor to ceiling heights:

- Ground floor: 1 x 1 bedroom, 2 person flat and 3 x 3 bedroom, 5 person flats; and
- First and second floors: 8 x 3 bedroom, 5 person duplexes.

10.139      The units located at ground floor are all provided with more than the minimum required amenity space size (minimum is: 15sqm for the 1 bed and 30sqm for the 3 bed units). In this regard the 1 bedroom unit has 28.9sqm, and the 3 bedroom units have between 47.6 and 58.9sqm.

10.140      The upper floor units have a ground floor amenity space area provided; however the requirement is lower at 8sqm. These units each have a ground floor garden space measuring between 19.5sqm and 26sqm all ranges within comply with the policy requirement. A **condition 28** is recommended to ensure that the access to the gardens provided to the upper floor units are appropriately FOB controlled for security.

10.141      The overshadowing report does not make it clear if trees have been taken into consideration in the assessing of overshadowing. However, as the test is carried out at the equinox (21<sup>st</sup>), when is it regarded that the degree of tree canopy density would not be at its greatest, and as such it is likely that a 2 hour sunlight receipt would be possible through dappled canopy. It is acknowledged that the amenity spaces will be overshadowed, however as stated within the BRE:

*"People vary in their preferences, and some like to have a shady, secluded garden. However most people would be satisfied with some partial shade under trees, and other parts of the garden or amenity area in full sun".*

10.142 The Tree Officer considers that amenity space that is solely under the canopy of a protected tree should not be supported, given the impacts of the canopy on the space. The perception that the tree is dangerous in windy conditions, too shady or dry for planting, possibility for failed lawns, seasonal nuisance of leaf litter and honey-dew are all conflicts that are foreseeable between future residents and the protected trees. As mentioned previously, the gardens have been slightly increased in size and a clause within the s106 agreement is recommended in order to inform future potential residents of the above issues, thereby potential future residents would be fully informed of the arrangement and those people preferring more shady gardens found to take up the units.

10.143 Block B - Daylight and Sunlight The average daylight factor (ADF) for the entirety of Block B sees just 3 rooms (out of 67) marginally fail to reach the target, representing 4.5%. Those rooms are 2 kitchens at ground floor level, achieving 1.61 and 1.7 respectively (2.0 is the target) and a first floor kitchen, achieving 1.92.

10.144 In terms of VSC receipt, whilst 24% of 96 windows tested failed to achieve the 27% target, this target has typically been set for suburban locations. Looking at the surrounding properties a typical VSC (existing) appears to be 24%, using this as a target, in place of 27% would see 12 windows fail, amounting to 12.5% failure rate. The BRE does allow alternative targets to be set and states that the BRE is guidance and should not be used as a strict instrument of policy. In this regard, the vast majority of windows secure a commensurate amount of daylight to properties in the immediate area. Whilst 5 windows would receive less than 8% VSC these are secondary windows servicing a kitchen and therefore the rooms pass the ADF tests, meaning they have good day lighting receipt.

10.145 An objection has been received stating that the effects of the tree canopies has not been factored into the above tests. The BRE Guide (2011) does caution testing the impact of trees within the above calculations, as it can be difficult to arrive at the appropriate level of obstruction to factor in. It does however state that sometimes their impact should be factored in, but goes onto state that arguably the winter months are the most important for daylight receipt (due to low levels) and at this time of year, the level of obstruction caused by deciduous trees is minimal, as is the case here. Whilst testing has not occurred, it can be surmised that testing of the trees would generate a worse result than those set out above. The second floor rooflights are angled to the sky and therefore would be minimally impacted. The first floor windows / rooms and the ground floors are served by floor to ceiling height windows and doors and serve rooms that are dual aspect, meaning that a degree of illuminance is secured from the north facing windows, mitigating any impact from shading of the trees. Whilst

10.146 In terms of sunlight receipt, two rooms fail the annual target and one room fails to reach the annual and winter target. These rooms are deep combined kitchens, two sitting behind the recessed balconies in Block B2 and one to the north side of Block B2 which would obstruct sunlight. Given these factors, it would not be

possible to achieve compliance to these windows and the failures are limited and accepted.

10.147 Block C – (Affordable rent – at target rent levels) comprises of 4 houses (all 4 bedroom, 6 person) positioned over 3 floors, all of which have at least a dual aspect and good outlook as well as comfortably exceeding the minimum unit sizes (which is 113sqm) including having sufficient space to meet the 3.5m storage space requirement. The units all have floor to ceiling heights of 2.6m, with a part exception at the second floor where due to the roof slope, small areas of the bedrooms in each unit have a lower floor to ceiling. These arrangements are however marked on the floorplans and is reflected in these being single person bedrooms. As such, all units meet the 2.6m policy requirement.

10.148 In terms of daylight receipt, Block C performs the best and whilst below the 27% Vertical Sky Component (VSC) guide is not achieved in some cases, looking at the existing VSC of surrounding properties, many do not achieve that standard and the standards achieved are very high. In terms of Average Daylight Factor, only one bedroom would marginally fall below the standard (missing the standard by 5%). Daylight receipt to windows and rooms would be very good to these houses. Those rooms requiring testing (facing south) for sunlight receipt purposes all pass the sunlight tests.

10.149 In terms of amenity space, being 4 bedroom houses, able to accommodate 6 persons, these have a requirement for 35sqm of amenity space. The units have a ground floor entrance from the access road (north of the units) that are dug into the higher ground to the south. As such, the amenity spaces of these are accessed from first floor level directly off the living spaces. Each of these four amenity spaces measure between 42.4sqm and 75.2sqm. As such, all comfortably exceed the minimum requirement. Objections regarding the amenity spaces being shaded and therefore not usable have been received. The sunlight testing for amenity spaces has been carried out in accordance with BRE guidance and confirms that the Block C amenity spaces are adequately lit.

10.150 Play Space: The proposal would result in a child yield of approximately 44 children as illustrated within the table below:

Proportion of children		
	Number of children	%
Under 5	14	32%
5 to 11	17	39%
12+	13	29%
Total	44	100%

10.151 This generate a requirement for 69.8sqm for under 5 year olds, 85sqm for 5-11 year olds; 63.2sqm for 12 years and older totalling 217.9sqm of play space to be provided based on Islington's requirement of 5 square metres per child (including semi-private outdoor space, private outdoor space and gardens suitable for play). The application proposes an area of 85sqm of outdoor play space located between Block B2 and Block C.

10.152 The supporting text to policy DM3.6 ‘Playspace’ at paragraph 3.77 states that “*The council will require major residential developments to provide 5m<sup>2</sup> of informal play space per child (based on the estimated child yield). Private gardens and other private outdoor spaces suitable for play, alongside semi-private informal space, will be considered to contribute towards this provision.*”

10.153 In this regard, it is considered that the private residential gardens provided to each of the family units would deliver appropriate locations for under 5 year olds play (69.8sqm required for under 5’s). The proposed 85sqm play space would provide the entire 5 to 11 year age range play space requirement. Planning **condition 24** is recommended to secure the final details of the play area). In this regard, it is the play space for the 12 years and older children that is not provided on-site, and in a dense borough such as Islington is rarely provided for on any site, with off-site contributions normally taken to cover this provision (this approach is set out within the Development Management Policies (supporting text 3.73).

10.154 This scheme sits directly adjacent to the recently consented Whitehall Park School which has a Multi-Use Games Area within the site. This development would have its own access to the MUGA outside of school hours to cater for the 12year plus group (which is sufficient as during school hours those children will themselves be at school). In this regard, the development is considered to have just a 5sqm shortfall of play space provision. It is in fact a rare occasion for residential developments in Islington to fully meet the play space requirement on-site (which is the densest borough in the country). This development performs extremely well in terms of play space provision and is considered to adequately deliver play space for the children of future residents. Access to the MUGA outside of school hours is secured via s106 agreement on the school planning permission, but also planning **condition 25** is recommended to be attached to this permission to ensure joint working with the school to achieve proper access from this site.

10.155 Internal Noise Environment: An acoustic report was submitted with the application that recommended performance criteria for the glazing and façade which was reviewed by the Council’s Acoustic Officer. A planning condition is imposed to secure the design recommended within the report to achieve internal noise standards. These arrangements are secured by **condition 36**.

### Neighbouring Amenity

10.156 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. Policy DM2.1 of the Development Management Policies Document 2013 states that satisfactory consideration must be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.

10.157 Overlooking/Privacy: policy identifies that ‘to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy’. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance where

the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm. For clarity, the assessment below is based on the most recent drawings with Block B2 moved 1.25m further northwards.

- 10.158     Noise: Objections have been received from local residents suggesting that residential occupation of this site would cause undue noise and disturbance to their properties. This is not agreed. The site would be used in a similar vain to the surrounding residential area and would not cause noise to a different degree to that already occurring in the surrounding area. Additionally, the development would screen school playground noise from residential properties surrounding the site.

#### Overlooking Potential of facing Ashmount Road Properties

- 10.159     The proposed windows in the Ashmount Road frontage buildings (Blocks A1 and B1) face towards the public highway and therefore no unacceptable overlooking would occur across to the properties opposite.

#### Overlooking Potential and 1 & 2 Ashmount Road

- 10.160     Individual objections from occupants of this property as well as 3 letters from a solicitors firm representing these residents have been received by the council. The objections state that the submitted drawings inaccurately depict the 1 Ashmount Road, property. The submitted drawings reflect the land registry outline of this property; however this property has been extended with a single storey ground floor infill extension that has been constructed with a high degree of glazing, including glazed roof lights. There are objections that this room has therefore not been properly tested due to the incorrect drawing of it. However an assessment in overlooking terms is provided below and in daylight terms is assessed later in this report.

- 10.161     Block B1 that fronts Ashmount Road, has south facing windows with the opportunity to face windows within 1 Ashmount Road. A mainly flank wall is proposed without any windows to the main frontage of this building, although at first floor level the side of the balcony is exposed with a 1.3m wide opening. The balcony measures 6sqm and serves a one bedroom flat. An objection has been received against this balcony stating that overlooking would occur. Given that the bay windows at 1 Ashmount Road face directly at the street and have no side glazing (bricks to the side), there is no possibility overlooking could occur of these windows. Whilst an access route down the side of the property could be looked at, this would not amount to unacceptable overlooking and is an acceptable relationship.

- 10.162     The block (B1) would step into the site by 3.9m from the main flank wall proposed, this elevation being between 6m and 6.5m from the boundary shared with 1 Ashmount Road. At ground floor level no unacceptable overlooking would occur due to boundary treatments. An objection has been received against the insertion of a balcony to the first floor of Block B1 stating that it would look into a first floor bedroom window at 1 Ashmount Road. The first floor window at 1 Ashmount Road faces directly onto the street and the balcony would be set within the flank wall of proposed Block B1. There would be no possibility of overlooking from this balcony to the window due to the angle each is looking out on. They would be at 90 degrees to

one another, with the 1 Ashmount Road window bay being edged by brick. Even with the 1m projection of the building line, the balcony opening is 500mm back, setting it in line with the brick bay of 1 Ashmount Road.

10.163 At first and second floor levels a window to a circulation space (non-habitable) and a bathroom window (non-habitable) are proposed, as has been identified by the objector and their solicitor. Whilst these are non-habitable and therefore according to policy do not introduce any unacceptable overlooking, a condition is recommended to secure all four of these windows (two on each floor) as obscurely glazed. The bathroom windows, entirely obscure and the circulation space windows obscured up to a level 1.7m above finished floor level (**condition 26**) and has been agreed by the applicant. Given these are non-habitable rooms it is not considered necessary to prevent their opening.

10.164 Moving beyond the end of the rearmost projection of the built form at 1 Ashmount Road, at first and second floors, there is first a bedroom window and then an inset balcony measuring 7sqm that is accessed from the combined living / kitchen / diner of the unit at first and second floors. These windows are 9.6m from the original wall of the rearward projection of the 1 Ashmount Road property, and whilst having to look down onto the kitchen / diner, would be 7m away at the nearest point.

10.165 The nearest edge of the proposed bedroom windows is positioned a further 0.8m beyond the end of the 1 Ashmount Road properties most rearward building line. Whilst no direct overlooking of a habitable room could occur from these two bedroom windows, it is considered that an oblique view into the adjoining properties windows could be achieved, hence overlooking could be achieved. As such obscure glazing up to a point 1.7m above finished floor level is to be sought for the bedroom window at first floor level and up to 1.6m above finished floor level at second floor level (**condition 26**).

10.166 In terms of the two proposed recessed balconies, the closest edge would be positioned 4.3m beyond the end / rear building line of the 1 Ashmount Road property. Each of the proposed flats are 2 bedroom, 4 person units with the balconies (7sqm) accessed off the living / kitchen /diner. The supporting text (paragraph 2.14) to policy DM2.1 of the Development Management Policies states:

*"To protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy".*

10.167 Whilst the balcony inset would not directly face any habitable rooms, a person on such a balcony could secure a view into (at an oblique angle) windows of 1 Ashmount Road with distances (albeit oblique) of roughly 13m to first floor windows, and 8.5m into the glazed roof kitchen / diner. A planning condition (**condition 27**) is therefore considered appropriate to secure screening to half the width of these balconies at first and second floors. In order to obtain a view from those balconies to the windows in 1 or 2 Ashmount Road, deliberate movement and looking back towards these properties would be required. It is not considered occupants of any residential property would behave in this way, the screening safeguards the amenity of the proposed units whilst preventing overlooking to these properties.

10.168 Having regard to the above necessary planning conditions it is not considered that the proposed development would have an unacceptable overlooking impact to the property at 1 Ashmount Road and that the relationship in this regard is acceptable and in accordance with adopted planning policy. It is not considered that Block B2, due to the acute angle between windows within this block and the Ashmount properties, would cause any unacceptable overlooking.

#### Overlooking Potential of Block B2 and Gresley Road Properties

10.169 In terms of the relationship of Block B2 to the Gresley Road properties, at ground floor level, the datum finished floor levels would be 83.81 (western most cycle and refuse store) and 82.52 (eastern most unit). This compares to the site survey that indicates the existing fence line between the application site and the Gresley Road properties ranges from in the west, 84.23 (to the rear of 22 Gresley Road) and 82.1 (to the rear of 2 Gresley Road). In this regard, the ground floor levels would be 0.41sqm lower than the levels below the fenceline. As such, boundary treatment of a standard height would prevent any direct overlooking at ground floor level.

10.170 At first floor level, Block B2 would contain a total of 8 windows serving combined living / kitchen / dining rooms (habitable rooms). A total of 8 windows that would serve circulation space (stair cores) are also proposed. The windows to the circulation space are non-habitable and are not required to be considered for overlooking purposes. At second floor level, no elevation windows are proposed, but mansard rooflights totalling 7 are proposed (each serving bedrooms), none of which, due to their angle would enable any overlooking.

10.171 However, having regard to the planning policy guidance, given that this elevation wall is located at its closets point (14 Gresley Road) 18.1m away, and at its furthest point (20 Gresley Road) 21.8m away, in planning policy terms the layout and relationship to these properties is acceptable and no unacceptable overlooking from the 8 first floor habitable room windows would occur to the 2-22 Gresley Road properties.

#### Overlooking Potential of Block C and Gresley Road properties

10.172 At ground floor level, proposed Block C would be dug into the bank and would therefore only have outlook to the north, the area behind to be retained. The properties with the potential to be overlooked by this block are Nos. 26-34 Gresley Road. However, at first and second floor levels, Block C is more than 18m distance from nos. 30, 32 and 34.

10.173 No. 26 Gresley Road is located 15.3m (to a later extension) from Block C rear wall (first and second floors) and no. 28 is separated by a 17.3m distance. At first floor level of Block C, the finished floor level would be 86.85 for the units that might overlook the above properties. On the boundary line the site survey states that the levels are 86.9 and 86.81. This equates to the same finished floor level. These levels would not be permitted to be reduced due to tree roots and as such, the construction of a 1.8m high boundary fence, which does not require planning permission (being permitted development) would appropriately screen and prevent any overlooking between Block C first floor windows and 26 and 28 Gresley Road windows. Whilst the application proposes a 1.8m high timber fence and an additional 400mm of trellis

above, this additional height is not considered to improve privacy and would add height as viewed from the Gresley Road properties.

10.174 At second floor level, Block C proposes roof lights to light the bedrooms at this floor, set within the sloping mansard roof. As such, these rooflights are angled to the sky and would not afford overlooking of the Gresley Road properties.

#### Overlooking Potential of Blocks A1and A2 and Whitehall Park School

10.175 No windows, with the exception of the inset balcony is proposed in the flank wall of Block A1 facing the adjoining school.

10.176 The north facing windows of Block A2 that face the future school would not cause unacceptable overlooking. At ground floor level, a robust fence would be erected and prevent views between the sites. At first, second and third floor levels, just three windows (each floor) would serve habitable rooms (kitchen diners), however worktops are not designed beneath these windows. The remaining windows on this elevation would serve bathrooms (obscurely glazed anyway) and circulation spaces and are not considered to generate overlooking. Having regard to the 9 habitable room windows that would overlook the school, this level of habitable room windows facing a school is not considered to generate an unacceptable relationship.

10.177 Sense of Enclosure: Policy DM2.1x) refers to ensuring that developments provide a good level of amenity and consider issues of over-dominance, sense of enclosure and outlook. These considerations are a subjective assessment and must therefore consider factors such as building heights comparative to existing buildings and separation distances.

10.178 A number of objections have been received stating that the proposed development would unacceptably harm the outlook from 1 Ashmount Road, 2 Ashmount Road and properties along Gresley Road. In terms of the Gresley Road properties, it is clear from the application drawings that Block B2 would be 3 storeys in height, or 2 storeys plus an attic storey within the roofspace. The properties on Gresley Road are just the same, whilst Victorian in era, they comprise of 2 storeys plus a steeply sloping roof pitch, the majority of which have had rear dormer extensions to utilise the roof space in some cases with front dormer also utilised. Whilst Ashmount Road slopes, therefore meaning Gresley Road properties would be at a lower level, the proposed building heights of Block B2 are not inappropriate. Additionally, proposed Block C is dug into the ground level, therefore having an entirely sunken ground floor level, meaning that the 2 storeys above the site boundary ground level, would be commensurate with the height of the Gresley Road properties. Had they been slightly higher, this would still be appropriate, given the sloping nature of the land from Hornsey Lane down to Gresley Road.

10.179 Whilst 26 Gresley Road would be the closest property to Block C at 15.3m away, the 2 storeys above the boundary ground level (datum) would be 4.7m in height to the eave level at a distance 7.6m from the boundary. The roof pitch of Block C would reach 7.3m above the boundary ground level datum which would be a distance of 12.2m from the boundary line shared with No.26 Gresley Road. In this regard the relationship is considered to be acceptable and not to cause undue sense of enclosure, over dominance or loss of outlook.

10.180 1 Ashmount Road. As described above, block B1 would step into the site by 3.9m from the main flank wall proposed, this elevation wall being between 6m and 6.5m from the boundary shared with 1 Ashmount Road. This would in turn be 7m from the closest wall of 1 Ashmount Road (ground floor glazed kitchen diner), and 9.5m from the original rear return side wall. Block B2 would measure 8.8m in height from ground level to the eaves, with the roof sloping away further into the site. It is acknowledged that this is the closest relationship to the proposed development and that the outlook from this property will obviously be altered.

10.181 At present the application site is particularly underdeveloped for a dense borough such as Islington, with just a single storey brick structure adjacent this neighbouring property. The relationship described above is not an unusual one and whilst outlook will change considerably due to the undeveloped nature of the application site, it is not considered that the outlook from 1 Ashmount Road would be obstructed to the degree that would warrant refusal. Outlook uninterrupted to the west would be retained, over the back gardens of the proposed Block B2 properties.

10.182 Daylight and Sunlight: The application has been submitted with a sunlight and daylight assessment. The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to Policy DM2.1 identifies that the BRE ‘provides guidance on sunlight layout planning to achieve good sun lighting and day lighting’.

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

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

*And*

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

10.184 It should be noted that whilst the BRE guidelines suggest a 20% reduction in NSL would represent an acceptable loss of daylight within a room.

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

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

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

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

#### Sunlight and Daylight Losses for Affected Properties Analysis

10.187 The applicant carried out an initial Daylight and Sunlight Assessment dated July 2015 and after a request from the Local Planning Authority, a further assessment of Daylight Distribution impacts was also provided (dated 6 November 2015).

10.188 Residential dwellings within the properties set out below and on the map have been considered for the purposes of sunlight and daylight impacts as a result of the proposed development:

- 95-101 Hornsey Road (no losses in excess of 20% therefore BRE compliant)
- 98 Hornsey Road (no losses in excess of 20% therefore BRE compliant)
- Fortior Court (no losses in excess of 20% therefore BRE compliant)
- 2 Stanhope Road (no losses in excess of 20% therefore BRE compliant)
- Princess Court (no losses in excess of 20% therefore BRE compliant)
- 82-86 Whitehall Park (no losses in excess of 20% therefore BRE compliant)
- 24-28 Ashmount Road (no losses in excess of 20% therefore BRE compliant)
- Carolyn Martyn House
- 1 Ashmount Road
- 2-38 Gresely Road

10.189 Carolyn Martyn House: In terms of VSC, two windows at the ground floor level would experience losses beyond 20%. Window W2 would lose 22% VSC and W4 would lose 24% VSC. In terms of daylight distribution, losses would not be noticeable as referenced in the BRE Guidelines as the losses to 3 rooms (kitchens) would be less than 20% their existing values, being 4% and 14% losses respectively

10.190 In terms of sunlight, no losses in excess of BRE Guidelines would result.

10.191 1 Ashmount Road: In terms of VSC, the first floor window (W1) is considered as a living room for the purpose of this test, giving it a worst case scenario (although it clearly is not, as the living room is combined with the kitchen on the ground floor and most likely serves a bedroom). This window would experience a loss of 29% of existing daylight received by the window pane (as assessed based on the scheme prior to Block B2 and the rear part of Block B1 being moved 1.25m further north). The testing states that as a result of the development (prior to amendment) would bring the actual VSC down from 29.77 (existing) to 21.26 (proposed). No other windows in this property would experience losses of greater than 20%. An objection has been received (including from the occupiers solicitor) stating that the glazed roof of the ground floor kitchen / diner has not been assessed for VSC purposes.

10.192 The test is described as “vertical” sky component, and as such is applied to vertical window planes. Due to the roof being open to sky directly above it, is has

access to considerable more sky than the established testing is designed for. In this regard, no error in assessment has been made by the applicant, and the relevant assessment in relation to the roof light would be to consider a possible sense of enclosure, and to evaluate how the room itself performs in daylight(Daylight Distribution) terms (addressed below).

10.193 In terms of Daylight Distribution, whilst the supplementary Daylight and Sunlight Assessment incorrectly refers to the ground floor and first floor rooms affected by the development as kitchens (the ground floor room is a combined kitchen / dining room) and the first floor room is given a worst case scenario by the LPA in this assessment, considering it as a living room.

10.194 The ground floor combined kitchen/ dining room would lose 0.1% of daylight from within the room which would be imperceptible, and would comply with the BRE Guidance. Whether the glazed roof has been factored into this assessment is irrelevant, as including it in this particular assessment (which measures light distribution within the room) would in fact improve the resulting Daylight Distribution result. Generally the two tests (VSC and DD) are read together.

10.195 The first floor room would lose 13% of its previous daylight distribution within the room which would be imperceptible in terms of the BRE, as only losses of greater than 20% their former value are considered to fail this test. Reading these tests together, only the VSC test is failed for this first floor window. This exceeds the guidance by 9% of loss (based on the previous scheme design, which saw Block B2 and the rear part of Block B1 1.25m closer than it is now proposed). Having regard to the above considerations, whilst the loss of sky visibility to this one window is unfortunate, the resulting VSC value of (at least) 21.26 is not considered to be poor sky visibility, and appears a level achieved by other properties in the surrounding area, where they are not situated next to an under developed site. For example this resulting VSC would remain higher than the existing VSC experienced by 12 windows at Gresley Road properties and 6 windows to Ashmount Road properties (that were tested). In this regard, the window would not be disproportionately affected compared to established building layouts and arrangements in the surrounding areas.

10.196 The BRE Guidelines do allow for alternative targets to be set where appropriate, based on an understanding of the existing immediate surroundings. In this regard, having regard to the surroundings, this retained VSC, having regard to the compliant Daylight Distribution within this room can be considered to be acceptable and certainly not so harmful given it characterises nearby properties light receipt so as to warrant the refusal of this application.

10.197 24-28 Ashmount Road: In terms of VSC losses, none of these properties would experience a loss of VSC greater than 20% and therefore are found BRE compliant. In terms of Daylight Distribution, none of these properties would experience a loss of VSC greater than 20% and therefore are found BRE compliant.

10.198 28 Ashmount Road – loss of winter sunlight – ground floor window W1 (reduced from 7 to 4 hours) loss of 43%, falling below 5 hours total at winter. At the first floor level, window W1 would lose 25% of winter sun, winter hours of sun reduced from 4 to 3 (below 5). Whilst this is regrettable, given the development

would introduce a street facing development into a gap site, the failures are as a result of filling in the gap in the streetscene rather than representing an unacceptable development. These losses are acceptable, particularly as restricted to winter sun only.

10.199      2-38 Gresley Road: In terms of VSC losses, none of these properties windows would experience a loss of VSC greater than 20% and therefore are BRE compliant.

10.200      In terms of Daylight Distribution, all rooms within properties 4 and 8-38 Gresley Road would retain 80% or more of their existing daylight levels within all rooms of their properties. Nos. 2 and 6 Gresely Road would experience greater than 20% losses as set out below:

- 2 Gresley Road – the ground floor kitchen is stated to experience a loss of 23% of existing daylight levels within the room. The ground floor living room would experience a loss of 24% of its existing daylight within the room.
- 6 Gresely Road – the ground floor room (stated to be a kitchen) would experience a loss of 30% its former value.

10.201      It should be noted however that the above results were tested on Block B2 being 1.25m closer than it is now proposed. Having regard to the movement of this block, which would inevitably improve the daylight receipt to these rooms, the above losses are considered to have been reduced. As the losses are marginally above the BRE Guideline of 20% they are considered to be acceptable. In terms of sunlight, all of the windows facing the development site are north facing and therefore do not require testing for sunlight purposes.

### Dwelling Mix

10.202      The scheme proposes a total of 46 residential units with an overall mix comprised of:

Dwelling Type	Social Rent (No. units / %)	Policy Target Mix	Shared Ownership No. units / %)	Policy Target Mix	Private (No. units / %)	Policy Target Mix
One Bedroom	3 /12.5%	0	2 / 18.2%	65%	3 /27.3%	10%
Two Bedroom	6 /25%	20%	9 /81.8%	35%	8 /72.7%	75%
Three Bedroom	11 /46%	30%	0	0	0	15%
Four Bedroom	4 /16.5%	50%	0	0	0	0

<b>Total</b>	24/100%	100%	11/ 100%	100%	11/ 100%	100%
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- 10.203 Part E of policy CS12 of the Islington Core Strategy requires a range of unit sizes within each housing proposal to meet the needs in the borough, including maximising the proportion of family accommodation in both affordable and market housing. In the consideration of housing mix, regard has to be given to the constraints and locality of the site and the characteristics of the development as identified in policy DM3.1 of the Development Management Policies.
- 10.204 The affordable rent (at target rent level) dwelling mix, when compared to the target dwelling mix departs in as much as an over provision of 1 and 2 bedroom units and an under provision of large family units. The shared ownership units do not meet the policy target mix, with an overprovision of 2 bed units and an under-provision of one bedroom units.
- 10.205 The private dwelling mix has an over provision of 1 bedroom units, and an under provision of 3 bedroom units, however the two bedroom units are relatively in line with policy requirements.
- 10.206 The supporting text of Development Management policy DM3.1 relates to the objectives of Core Strategy Policy CS12, stating 'there may be proposals for affordable housing schemes that are being developed to address short term changes in need/demand as a result of specific interventions (for example, efforts to reduce under-occupation). In these situations deviation from the required policy housing size mix may be acceptable.
- 10.207 Since the adoption of policy DM3.1, which was informed by Islington's Local Housing Needs Assessment (2008) changes to housing legislation (the Welfare Reform Act 2012) to address the under occupation of social housing have created a greater demand for smaller social housing units. This is reflected by the higher proportion of 1 and 2 bedroom units proposed that will allow for mobility within the social housing sector to accommodate these national changes to the welfare system. The provision of smaller units will allow for mobility within the borough which would help to address under occupation. This is acceptable as priority has been given to the provision of larger units within the social / affordable rent tenure rather than family units in the private.
- 10.208 For the reasons set out above it is considered that on balance the proposed dwelling mix is acceptable in this case.

### **Affordable Housing and Financial Viability**

- 10.209 The London Plan, under policy 3.11 identifies that boroughs within their LDF preparation should set an overall target for the amount of affordable housing provision needed over the plan period in their area and separate targets for social rented and intermediate housing and reflect the strategic priority accorded to the provision of affordable family housing. Point f) of this policy identifies that in setting affordable housing targets, the borough should take account of "the viability of future development taking into account future resources as far as possible. "

- 10.210 Policy CS12 of the Islington Core Strategy sets out the policy approach to affordable housing. Policy CS12G establishes that “*50% of additional housing to be built in the borough over the plan period should be affordable and that provision of affordable housing will be sought through sources such as 100% affordable housing scheme by Registered Social Landlords and building affordable housing on Council own land.*”
- 10.211 With an understanding of the financial matters that in part underpin development, the policy states that the Council will seek the “*maximum reasonable amount of affordable housing, especially social rented housing, taking into account the overall borough wide strategic target. It is expected that many sites will deliver at least 50% of units as affordable subject to a financial viability assessment the availability of public subsidy and individual circumstances on the site.*”
- 10.212 Policy CS12 confirms that an affordable housing tenure split of 70% social rent housing and 30% intermediate housing should be provided.
- 10.213 The Affordable Housing Offer: The proposed development would provide a total of 46 residential units (both for private sale and affordable housing). A total of 35 of these would comprise affordable housing (76% by units and 79% measured by habitable rooms). The 35 affordable units would be split between 24 affordable rent units – although the rents would be set at target rent level, therefore being equivalent to social rents (92 habitable rooms) and 11 shared ownership units (31 habitable rooms) representing a 75/25% split.
- 10.214 Within the affordable housing provision there is a policy requirement for 70% of provision to be social rent / affordable rent and 30% as intermediate/shared ownership. Having regard to the proposed affordable tenure split, given the level of demand for social rent units, the split prioritising social rent units is considered to be acceptable and is supported.
- 10.215 Islington Council would receive full nomination rights to the affordable housing units.
- 10.216 The proposal fails to provide 100% affordable housing as sought by policy CS12 for developments on Council’s own land. The proposed mix includes private housing to financially support the delivery of the affordable housing element.
- 10.217 Viability Review: In accordance with policy requirements, a financial viability assessment has been submitted with the application to justify the proportion of affordable housing offered. In order to properly and thoroughly assess the financial viability assessment, the documents were passed to an independent assessor (BPS) to scrutinise and review.
- 10.218 The applicant’s Viability Assessment identified that the development as proposed is in deficit by in the region of £1 million pounds based on the land receipt agreed between the Council and ISHA at the time of submitting this planning application. Being in deficit by this much means that no additional affordable housing could be delivered by this scheme and to deliver the amount within the scheme relies on public subsidy (in the form of GLA funding).

10.219 BPS requested a justification for the agreed land receipt figure being utilised by the applicant as the Benchmark Land Value. It should be noted that the land receipt figure is not based on a valuation of the land, but is based on previously demonstrated funding required by Education to feed into their schools improvements pipeline. Discussions are ongoing between the Council's Education and Housing Departments and it is likely the land receipt may be reduced, which would result in a higher amount of affordable housing being provided. The affordable housing levels within the s106 agreement therefore are to be expressed as a minimum provision.

10.220 BPS, however, must test a schemes viability based on standard practice, and therefore has taken recent D1 (community use) transactions (adjusted due to their suspicions these sales reflected redevelopment hope value), to inform their view on an appropriate Benchmark Land Value in the open market. BPS draw the conclusion that utilising an existing use value could in fact result in a higher Benchmark Land Value for the site than that currently agreed between the Council and the Applicant. Should this have been the case, then the scheme would have been even more in deficit meaning the scheme in pure commercial terms would be even more undeliverable or requiring even more grant funding in order to deliver the quantum currently proposed.

10.221 The BPS Report is attached at **Appendix 4**, redacted in accordance with the request from ISHA due to commercial sensitivity in relation to how they operate as a company within the market or in terms of their bidding processes when competing for sites.

10.222 Though Core Strategy Policy CS12 seeks 100% affordable housing schemes from developments by Registered Providers it is not considered that a failure to provide 100% affordable housing is contrary to that policy *where it is shown that considerable public subsidy is required to support the lower provision. In this case, it is not considered that it would be reasonable to require (in planning terms) an additional amount of public subsidy/grant funding to be committed to this scheme to provide a 100% affordable scheme.*

10.223 The offer of 76% affordable housing by units (79% by habitable rooms) is considered to deliver a good mix of tenures and as supported by a financial viability assessment, is considered the maximum reasonable amount of affordable housing is delivered and thus is considered to accord with policy. This provision is secured within the s106 legal agreement.

### **Sustainability**

10.224 The Core Strategy CS10 requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Major developments are also required to comply with Islington's

Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.

10.225     Sustainable Urban Drainage: A Floodrisk Assessment and Sustainable Urban Drainage Strategy prepared by Conisbee was submitted by the applicant. The site is located within Environmental Agency Flood Zone 1 and the development has been assessed as appropriate for this zone. Additionally, it is classified as at low risk of overland flooding. Additionally, the site is not susceptible to ground water flooding. Surface water flooding in the area is restricted to Ashmount Road itself, and due to site sloping, water would not enter the application site from the street given its lower position relative to the site levels.

10.226     The proposed development would reduce the impermeable area at the site from 3,956sqm to 2,866sqm resulting in a net improvement (or decrease of impermeable area) of 1090sqm. This is stated to have the effect of reducing the discharge rate from 54.9 l/s to 20 l/s (50 /s / ha).

10.227     In allowing for a surface water discharge rate plus a 30% allowance for a climate change storm event, a below ground attenuation tank of at least 114sqm is required to achieve this requirement. A below ground attenuation tank is proposed that would be located beneath the vehicle entrance way to the site. **Condition 23** is recommended to secure the installation of this in accordance with 'Drainage Layout drawing: C100 Rev P4'. The condition will also require details of a maintenance strategy for the life of the development to be carried out by the applicant. The floodrisk assessment identifies no water table issues to be created as a result of this proposal.

10.228     Green roof: The above SUDs strategy includes the provision of a green roof to Block A2. Details of this green roof are to be secured by **condition 22** to ensure that the substrate depth and wildflower planting effectively maximise both attenuation and biodiversity benefits.

10.229     Water Usage: The proposal is required to comply with policy CS10 that stipulates water usage targets for residential developments at 95 litres / person/ day. **Condition 36** secures compliance with this water target level.

### **Energy Efficiency and Renewable Energy**

10.230     The London Plan (2015) Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.

10.231     All development is required to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). Developments should achieve a total (regulated and unregulated) CO<sub>2</sub> emissions reduction of at

least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock (CS10).

- 10.232 Carbon Emissions: The applicant proposes a reduction in regulated emissions of 35% over 2013 Building Regulations (complies with the London Plan policy requirement) and a reduction in total CO2 emissions of 18%, which falls short of the Islington policy requirement to save 27% (as a decentralised energy network connection is not possible at this site). Whilst the total emissions target falls short of policy, the Energy Team have accepted that the scheme is designed to maximise savings.
- 10.233 CO2 Off-set / Zero Carbon: Islington's policy is to off-set all remaining CO2 emissions down to zero carbon development. This is applied to total emissions. The applicant has agreed to the figure calculated by the Council's Energy Officer and a s106 financial contribution of £96,734 is to be secured within the legal agreement.
- 10.234 Efficiency: The Energy Statements state that through efficient building fabric, the design of the buildings would achieve a 6% reduction in total CO2 emissions from energy demand, which is supported by the Energy Team.
- 10.235 Heating and CHP: Currently there is no network within 500 metres of the site and as such no decentralised energy network connection is required at the outset of the development.
- 10.236 The development proposes individual gas boilers for space heating and hot water, supplemented by solar thermal for the hot water. No active cooling is proposed. The provision of individual boilers rather than CHP has been supported by the Energy Team.
- 10.237 Policy DM7.3 of the Development Management Policies document identifies that major development should connect to a Shared Heating Network linking neighbouring development and existing buildings, unless it can be demonstrated that this is not reasonably possible. The Energy Officer still requests that discussions continue with the Whitehall Park school to explore the ability to provide a shared heat network, and this is secured within the s106 agreement.
- 10.238 Renewables: The proposal includes the provision of a combined solar system with apartments sharing solar panels, maisonettes and houses having their own solar thermal panels. To achieve the targets, some Photovoltaic (PV) systems have been included for larger units to supplement the Solar Thermal. This is supported by the Energy Team.
- 10.239 Overheating and Cooling: The energy strategy includes an Appendix (G) that deals with Dynamic Thermal Modelling. This and the supporting report concludes that solar UV reducing film, structural shading and natural ventilation strategies are proposed and sufficiently address future temperatures.

10.240 Green Performance Plan: This measures the buildings energy performance as compared to anticipated performance and is secured by the s106 legal agreement.

10.241 Energy Summary: the proposed energy efficiency measures are supported by the Council's Energy Team, with ongoing discussions surrounding a local connection between this development and the school site. A planning condition is recommended to secure the energy strategy set out above, including further details of PV panel locations (**condition 38**).

### **Highways and Transportation**

10.242 Ashmount Road runs from northwest to southeast, connecting Hornsey Lane with Gresley Road. All roads in the vicinity have a 20mph speed limit and are lit accordingly. Ashmount Road is a two-way road although it should be noted that the carriageway is one-way at the northern end allowing exit onto Hornsey Lane only. All vehicular traffic has to approach from either Dresden Road or Gresley Road to access the site.

10.243 The roads surrounding the development site fall within a Controlled Parking Zone. Parking is permitted on Ashmount Road and surrounding roads to permit holders only (zone IS-Z) in the parking bays marked on-street either side Monday to Friday 10.00am to 2.00pm.

10.244 Public Transport: There are no stations that fall within the maximum 960m walking distance threshold used for Public Transport Accessibility Level (PTAL) assessment. However, it should be noted that Archway Underground Station can be reached by all six local bus services accessible to the site.

10.245 Buses: There are six bus services available within a short walk. The nearest bus stops to the site are situated on Hornsey Lane near the junction with Stanhope Road approximately 100m away (just over a 1-minute walk) providing access to bus service W5. There are bus stops 523m away on Archway Road (a 6.5-minute walk) where a further 3 bus services are available (routes 43, 134, and 263). A further set of bus stops on St John's Way within 600m distance (a 7.5-minute walk) serve routes 41 and 210.

10.246 Public Transport Accessibility Levels (PTAL) is the most widely recognised form of measuring accessibility to the public transport network within London. The assessment combines data regarding the frequency of public transport services and walking distance between the site and the service to establish a measure of the relative density of the public transport network. PTALs range from 1 to 6 where 6 represents a high level of accessibility and 1 a low level of accessibility.

10.247 The site gives a corresponding PTAL of 2 representing a low level of public transport accessibility. This level of accessibility provides the future residents with a reasonable range of public transport alternatives to the private car. The number of cycle routes close to the site offer a further good public transport option.

10.248 Altered Site Access: A new access road is to be created into the development accessed off Ashmount Road (via the existing access) for servicing, emergency access and for Blue Badge holders only. Pedestrian and cycle access is also from

the new access road from Ashmount Road. There are footways either side of the carriageway of Ashmount Road and a kerb build out to the east of the site, which reduces the carriageway width to cross by pedestrians.

- 10.249 The proposal seeks to modify the existing dropped kerb on the site frontage to Ashmount Road to serve the new development, in which case provision for this is secured by legal agreement (**paragraph 6** of Recommendation A).
- 10.250 Vehicle Parking: The proposal states that five (5) wheelchair accessible car parking spaces are to be accommodated on-site. In accordance with policy CS10 of the Core Strategy and policy DM8.5 of the Development Management Policies, wheelchair accessible car parking are not considered to conflict with the borough's car free policy and are supported, for use by blue badge holders only. In order to have the correct line markings put in place on site a condition (**condition 33**) is recommended to secure updated details and to ensure only vehicles displaying a Blue Badge can utilise them. In this regard, no requirement for an off-site financial contribution towards wheelchair accessible parking is required.
- 10.251 Residential occupiers of the new units would not be eligible to attain on-street car parking permits for the surrounding Controlled Parking Zone (CPZ) in the interests of promoting the use of more sustainable forms of transport and tackling congestion and overburdened parking infrastructure, this is secured in the s106 Agreement.
- 10.252 The exceptions to this would be where, in accordance with Council parking policy, future persons occupying the residential development are currently living in residential properties within Islington prior to moving into the development and they have previously held a permit for a period of 12 months consecutive to the date of occupation of the new unit. These residents are able to transfer their existing permits to their new homes. Residents who are 'blue badge' (disabled parking permit) will also be able to park in the CPZ.
- 10.253 Objections have been received against the ability for non-permit holders to still park in the immediate surrounding areas. For this reason, residents have stated that much more on-site car parking should be provided. Whilst these concerns and the public transport accessibility levels for this site are noted, the adopted planning policy does not allow for on-site car parking within the borough. In this regard the scheme is policy compliant and the impacts on the local road network are deemed to be acceptable. Having regard to the above, the site is still well served by bus and cycle routes which lead to transport rail interchanges with ease, reducing the reliance on the private motor car.
- 10.254 Predicted transport use and movements: The proposed development is considered likely to generate (based on TRAVL using schemes within a PTAL of 1 to 3) the following peak movements:

	Morning Peak		Evening Peak	
	Arrival	Departure	Arrival	Departure
Car	4	10	8	5
Walk & Public Transport	4	18	11	7

- 10.255 Caution must be used for these figures as they do not reflect 'car free schemes' and cannot be adjusted to reflect CPZ locations.
- 10.256 Delivery and Servicing Arrangements: Policy DM8.6 of the Development Management Policies (2013) requires commercial developments in excess of 200 square metres to provide on-site servicing. On-site servicing is provided within this development, with refuse and emergency vehicles able to enter and exit in forward gear. This would require the removal of one on-street parking bay adjacent to the site entrance, and an amendment to the existing kerb design both of which are secured as part of the legal agreement (paragraph 6 of Recommendation A). No further delivery and servicing plan is necessary by planning condition however a condition requiring this entrance to remain unobstructed at all times is recommended (**condition 32**).
- 10.257 Cycle Parking: The proposal would provide a total of 84 cycle parking spaces, in accordance with the requirements of Appendix 6 of the Development Management Policies 2013, **condition 31** secures this provision. The locations are appropriate however the final design of enclosures is unclear (north of Block A1/A2 and south of Block B1) and further details are sought by the above condition.
- 10.258 Refuse: Refuse and recycling storage is provided in four locations within the development, two within Block A and two within Block B. Ground floor street fronting properties could utilise their own black bins in accordance with the standard Ashmount Road collection arrangements. This provision has been reviewed by the Council's Street Environment Team and found to be acceptable. **Condition 30** secures the provision of these storage spaces prior to first occupation of the blocks they serve. Block C must have Block B provision provided prior to it being first occupied.
- 10.259 Construction (including demolition): A 'Demolition Survey Report' prepared by Conisbee Consulting Structural Engineers was submitted with the application. It should be noted that the report confirms that the developer would employ a specialist contractor to undertake an Asbestos Survey and if any is found, suitable action would be taken to remove and dispose of it (noted as an objection on the grounds of asbestos was received).
- 10.260 Objections have been received to suggested construction hours set out within the applicant's documentation. Objectors have requested no earlier than 8am start, and others that construction take place only between 8am (weekdays) and 9am (Saturdays) and 6pm.
- 10.261 Hours of construction are governed by the Control of Pollution Act 1974, and generally Islington has adopted standard hours of noisy working as part of its Code of Construction Practice (which the applicant must abide by as part of a s106 legal agreement requirement). Those noisy construction work hours are set out below and would form part of (**conditions 7 and 8**):
- 8am and 6pm, Monday to Friday and
  - 8am and 1pm, Saturdays.

*Noisy works must not take place outside of these hours (including Sundays and public and bank holidays).*

10.262 Adherence to the above requirements as well as the applicant submitting detailed construction logistics and environmental management plans covering the demolition and construction phases would ensure along with the construction monitoring fee of £4,600 that the development of the site would not cause undue impacts on nearby residential amenity.

### **Contaminated Land**

10.263 There is nothing in the Council's records to suggest there has been a previously polluting use that would warrant further consideration and treatment, with the exception of Japanese Knotweed which has previously been addressed in this report. Concerns regarding asbestos have also been addressed above.

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

10.264 The development would be subject to Islington CIL. However relief would be granted as no CIL is secured upon Affordable Housing. However a formal notice must be submitted prior to works commencing to enable this to be calculated.

10.265 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 cannot be funded through Islington's CIL. Separate contributions are therefore needed to pay for the necessary carbon offset and highway reinstatement to ensure that the development does not cause unacceptable impacts on the local area.

10.266 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.

10.267 The carbon offset contribution is a site-specific obligation, 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.

10.268 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.

10.269 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.

### **Other Matters**

10.270 The site accommodates an electricity substation that is required to be re-provided. As such, a new substation (to be located within Block B1) must be provided prior to the decommissioning and removal of the existing substation. An above ground water booster is proposed within the development, within the approximate current substation location and this would help to achieve the requisite water pressure for the development.

## **SUMMARY AND CONCLUSION**

### **Summary**

10.271 A summary of the proposal, its adherence to planning policy and a summary of objections received is set out at paragraphs 4.1-4.13 of this report.

### **Conclusion**

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

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

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

1. On-site provision of affordable housing comprising of 35 out of the 46 units as affordable housing (76% by units). **Number of affordable units required:** 24 affordable rent units (3 x 1 bed flats , 6 x 2 bed flats, 11 x 3 bed flats and 4 x 4 bed houses) and 11 shared ownership units (2 x 1 bed and 9 x 2 bed flats).

Note: The affordable rent units are to be defined within the s106 agreement as having rents set at Target Rent levels, which would have the effect of securing them as equivalent to social rent properties.

2. Submission of an updated viability appraisal if the development has not been substantially implemented within 12 months of the grant of planning consent. Updated appraisal to be submitted prior to substantial implementation with surplus profit used to provide additional onsite affordable housing in accordance with the Development Plan and as set out in an additional affordable housing schedule forming part of the S106 agreement.
3. Prevention of wasted housing supply. All dwellings required to be fully furnished and equipped for use as a home, and not to be left unoccupied for any continuous period of 3 consecutive months or more (plus other requirements as per Islington's Wasted Housing Supply SPD). The applicant agrees to include these obligations in sales and marketing information and in any head lease or subleases that may be granted.
4. Requirement to write into the lease that future residents of Block B2 accept the relationship between the TPO trees and their properties and understand that there will be shading, leaf and honey dew drop and branches close to their properties. The tree may prevent the full range of successful planting opportunities including lawn establishment and confirm that they acknowledge this and will not therefore bring unrealistic requests to prune these trees to the Council.
5. 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.

6. Alteration to the existing dropped kerb to the site fronting Ashmount Road to facilitate the creation of the access road into the site including the removal of one on-street parking bay in order to facilitate swept path turning for refuse and emergency vehicles to enter the site. Works to be carried out by the Council and all costs to be borne by the developer.
7. Removal of eligibility for residents' parking permits.
8. Compliance with the Code of Employment and Training.
9. Facilitation, during the construction phase of the development, of the following number of work placements: 2. If these placements are not provided, LBI will request a fee of: £10,000. Note: ISHA have their own programme – and are seeking to secure that programme in place of standard clauses. This is still being considered internally, however this could be considered acceptable in place of the standard Islington approach.

Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practise of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.15 as at 04/04/'15).

10. Compliance with the Code of Construction Practice, including a monitoring fee of: £4,600 and submission of 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.
11. A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount: **£96,734**.
12. Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
13. Submission of a Green Performance Plan.
14. Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the

development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).

15. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

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

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

## **RECOMMENDATION B**

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

### **List of Conditions:**

1	<b>Commencement</b>
	CONDITION: The development hereby permitted shall begin no later than the expiry of 18 months from the date of this permission.  REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	<b>Approved plans list</b>
	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:  Drawing Numbers: 491_PL_101 Rev C; 102 Rev B; 103 Rev B, 104 Rev B; 105 Rev C, 106 Rev C; 107 Rev C; 108 Rev A; 109 Rev A; 110 Rev A; 111 Rev A; 112 Rev A; 201 Rev A; 202; 300 Rev C, 301 Rev B, 302 Rev C, 303 Rev C, 304 Rev C, 305 Rev A; 306 Rev A, C100 Rev C4 and Topographical Survey prepared by Field Surveyors Limited drawings ref: FSL/TOP/MAM/WPS/100 Rev A  Tree Survey prepared by Greenlink dated 11 December 2015 with associated drawings: 14_1054 TPP NT Rev C (Tree Protection Plan – dated 07.12.2015)

	<p>and 14_1054_NPP_NT (New Planting Projections – dated 16.12.2015)</p> <p>Floodrisk Assessment and Sustainable Drainage Strategy Rev 3 prepared by Conisbee dated 14 May 2015; Ecological Scoping Survey Report prepared by Greenlink Ecology Ltd dated 11<sup>th</sup> December 2014; Energy Strategy ref: G6/K140701 Rev 02 prepared by Calford Seaden dated May 2015; Planning Statement prepared by Nathaniel Lichfield &amp; Partners (13327/IR/FY) dated July 2015; Statement of Community Involvement prepared by Local Dialogue dated May 2015; Noise Impact Assessment Report 12685.NIA.01 prepared by KP Acoustics dated 22/05/2015; Utilities Assessment Ref: G6/K140701 Rev 0 dated May 2015; ‘Demolition Survey Report’ prepared by Conisbee Consulting Structural Engineers 140488/SBrookes Rev 1.1 dated 16 January 2015; Daylight, Sunlight and Overshadowing Assessment prepared by NLP dated July 2015, Daylight and Sunlight Addendum Note prepared by NLP dated 6 November 2015.</p> <p><b>REASON:</b> To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p><b>Contract for Redevelopment (Details)</b></p> <p><b>CONDITION:</b> No demolition shall take place unless and until a contract for the associated re-development of the site has been secured and evidence of such contract(s) has been submitted to and approved in writing by the Local Planning Authority.</p> <p><b>REASON:</b> To prevent premature demolition in a Conservation Area, in order to protect the heritage asset including the character and appearance of the designated heritage asset (conservation area) and prevent a gap site from occurring.</p>
4	<p><b>Impact Piling – Thames Water</b></p> <p><b>CONDITION:</b> No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p><b>REASON:</b> The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.</p>
5	<p><b>Demolition and Site Clearance - Bird Breeding Season</b></p> <p><b>CONDITION:</b> No site clearance shall take place within bird breeding season. As such clearance works may only take place within and between the months of</p>

	<p>February – August.</p> <p>Should any clearance works be intended to be undertaken during these months, works must be carried out under the supervision of an experienced ecologist who will check the habitats for the presence /absence of any birds nests.</p> <p>If any active nests are found then works with the potential to impact on the nest must cease and an appropriate buffer zone should be established until the young have fledged and the nest is no longer in use.</p> <p><b>REASON:</b> In the interests of protecting the biodiversity value of the site and the ecology of the surrounding area.</p>
6	<p><b>* Development Phasing Plan</b>  <b>* CIL Pre-Com Condition</b></p> <p>CONDITION: Notwithstanding the Demolition Survey Report submitted and approved, no development (including demolition works) shall take place on site unless and until a programme/plan indicating the extent of the separate construction phases of the development and the order in which the phases are to be completed has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall not be carried out otherwise in accordance with the programme/plan so approved unless otherwise agreed in writing by the Local Planning Authority.</p> <p><b>REASON:</b> To ensure that the phased construction is logical, appropriate and does not unduly impact on neighbouring residential amenity or the locality generally.</p>
7	<p><b>* Code of Construction Practice Compliance Report</b>  <b>* CIL Pre-Com Condition</b></p> <p>CONDITION: Notwithstanding the Demolition Survey Report submitted and approved, no development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority.</p> <p>This condition may be discharged in two parts, or phased in accordance with the details approved under condition 6:</p> <ul style="list-style-type: none"> <li>a) Demolition phase; and</li> <li>b) Construction phase.</li> </ul> <p>The approved Statement(s) shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> <li>i. the parking of vehicles of site operatives and visitors</li> <li>ii. loading and unloading of plant and materials</li> <li>iii. storage of plant and materials used in constructing the development</li> <li>iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate</li> <li>v. wheel washing facilities</li> </ul>

	<p>vi. measures to control the emission of dust and dirt during construction  vii. a scheme for recycling/disposing of waste resulting from demolition and construction works</p> <p>The report(s) shall confirm that noise works will not take place outside of the following hours (including Sundays and public and bank holidays):</p> <ul style="list-style-type: none"> <li>• 8am and 6pm, Monday to Friday and</li> <li>• 8am and 1pm, Saturdays.</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p><b>REASON:</b> To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
8	<p><b>Construction Environment Management Plan (Details)</b></p> <p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Environmental Management Plan (CEMP) assessing the environmental impacts of the development has been submitted to and approved in writing by the Local Planning Authority.</p> <p>This condition may be discharged in two parts, or phased in accordance with the details approved under condition 6:</p> <ul style="list-style-type: none"> <li>i) Demolition phase; and</li> <li>ii) Construction phase.</li> </ul> <p>The details shall include (but not limited to):</p> <ul style="list-style-type: none"> <li>a) noise;</li> <li>b) air quality including dust, smoke and odour;</li> <li>c) vibration; and</li> <li>d) TV reception).</li> </ul> <p>The report(s) shall assess impacts during the demolition and construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The report shall pay reference to Islington's Code of Construction Practice the GLA's SPG on Control of Dust from construction and demolition (including the NMRR register), BS5228:2009 and any other guidance.</p> <p>The report(s) shall confirm that noise works will not take place outside of the following hours (including Sundays and public and bank holidays):</p> <ul style="list-style-type: none"> <li>• 8am and 6pm, Monday to Friday and</li> <li>• 8am and 1pm, Saturdays.</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p><b>REASON:</b> In order to minimise impacts on the amenity of neighbouring</p>

	residents, and maintain highway safety and the free flow of traffic on the surrounding highway network.
9	<p><b>Japanese Knotweed Removal Method Statement (Details)</b></p> <p>CONDITION: A Japanese Knotweed Removal Method Statement (JKRMS) shall be prepared by a suitably qualified expert and submitted to and approved in writing by the Local Planning Authority prior to any site clearance works commencing on to the west of and any part of the site that would accommodate Block C and the proposed adjoining playspace area.</p> <p>The JKRMS shall include details of the method of removal / chemical treatment for each stand of Japanese Knotweed on site, including all vehicles, machinery and chemicals to be used, the routes for vehicles and operatives to access the stand and remove contaminated soil and vegetation, the protection measures (fencing, matting etc) used to protect surrounding trees and habitat.</p> <p>The Japanese Knotweed removal shall be undertaken in strict accordance with the details so approved.</p> <p>REASON: In order to minimise the impact of works to remove Japanese Knotweed on existing trees and biodiversity at the site and to prevent the spread of the Japanese Knotweed beyond the site.</p>
10	<p><b>Materials and Samples</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> <ul style="list-style-type: none"> <li>a) Solid red brickwork</li> <li>b) Mortar colours – light pigmentation to internal mews elevations and matching mortar to the brick for Blocks A1 and B1</li> <li>c) Brick panels with different mortars to be constructed on site;</li> <li>d) Dog tooth detailing – 1:20 drawings</li> <li>e) Brick texture - 1:20 drawings;</li> <li>f) window treatment (including sections and reveals);</li> <li>g) roofing materials (Riven Edge Slate);</li> <li>h) balustrading treatment (including sections);</li> <li>i) any other materials to be used.</li> <li>j) A green procurement plan.</li> </ul> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</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.</p>

11	<b>Block A1 – Flank Wall Treatment</b>
	<p><b>CONDITION:</b> Notwithstanding the approved drawings, prior to superstructure works commencing on Block A1, a detailed drawing (1:20) of the north (flank) elevation of Block A1 to introduce brickwork or other features to provide an interesting treatment shall be submitted to and approved in writing the Local Planning Authority.</p> <p>The approved details shall be carried out in the construction of Block A1 and maintained as such thereafter.</p> <p><b>REASON:</b> The building line of block A1 would sit forward 5.6m of the recently approved Whitehall Park school building as such, this would leave a large degree of Block A1's northern elevation visible within the streetscene in views down Ashmount Road. Additional detailing will ensure a greater degree of visual interest would be provided to the streetscene and conservation area.</p>
12	<b>Roof-level structures</b>
	<p><b>CONDITION:</b> Full details of any roof-top structures/enclosures 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 the location, height above roof level, specifications and cladding and shall relate to:</p> <ul style="list-style-type: none"> <li>a) roof-top plant;</li> <li>b) photovoltaic panels;</li> <li>c) ancillary enclosures/structure; and</li> <li>d) lift overrun</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><b>REASON:</b> In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
13	<b>Removal of Permitted Development Rights (Compliance)</b>
	<p><b>CONDITION:</b> Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwellinghouse(s) hereby approved shall be carried out or constructed without express planning permission.</p> <p><b>REASON:</b> To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouse(s) in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>
14	<b>Electrical Substation (Details)</b>
	<p><b>CONDITION:</b> Detail of the electrical substation including its location, acoustic specifications, cladding/facing shall be submitted to and approved in writing by the Local Planning Authority 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 maintained as such thereafter.</p> <p><b>REASON:</b> In the interest of protecting amenity and to ensure that the Authority may be satisfied that any substation(s) does not have a harmful impact on the character and appearance of the building the conservation area or the existing streetscene.</p>
15	<p><b>Bird and Bat boxes</b></p> <p><b>CONDITION:</b> In accordance with the recommendations within the approved Ecological Scoping Survey Report prepared by Greenlink Ecology Ltd dated 11 December 2014, the development shall be carried out in accordance with the approved plans and incorporating the following bird and bat boxes:</p> <ul style="list-style-type: none"> <li>a) 6 x Schwegler 1SP house sparrow terraces (2 per apartment block, above circa 4m high);</li> <li>b) 6 x 17a Schwegler triple cavity swift boxes (2 per apartment block, above circa 5-6m high ideally at eaves level); and</li> <li>c) 9 x 1MR Schwegler avianex boxes (3 per apartment block above 2-3, high)</li> </ul> <p>The development shall be carried out incorporating the requirements set out above and retained as such thereafter.</p> <p><b>REASON:</b> In the interests of protecting and enhancing the biodiversity value of the site in accordance with Development Management Policies.</p>
16	<p><b>Boundary Treatment (Details)</b></p> <p><b>CONDITION:</b> Details (1:20) of all boundary treatment(s) including cross sections and elevations and a 1:50 scale (minimum) site location sections shall be submitted to and approved in writing by the Local Planning Authority prior to the practical completion of the development. The details shall include all walls, fencing, gates, footings, their design, appearance and materials, the details shall indicate whether the boundary treatments form proposed, retained or altered boundary treatments.</p> <p>The details shall include an: arboricultural method statement for all boundaries informing the:</p> <ul style="list-style-type: none"> <li>- placement of footings; and</li> <li>- the method of constructing them (ie. by hand dig).</li> </ul> <p>The drawings shall also be informed by a site survey that shall accompany the discharge of condition submission.</p> <p>The boundary treatments shall be carried out strictly in accordance with the details so approved, installed/erected/operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p><b>REASON:</b> To ensure that the resulting boundary treatment(s) is functional, attractive and secure, and designed and installed in a way that protect the roots</p>

	of retained, protected trees.
17	<p><b>* Arboricultural Method Statement</b></p> <p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the appropriate working methods (the arboricultural method statement, AMS) in accordance with British Standard BS 5837 2012 – Trees in Relation to Design, Demolition and Construction has been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2011, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013</p>
18	<p><b>Tree Retention and Removal (Compliance)</b></p> <p>CONDITION: Planning permission is only hereby granted for the removal of the 18 trees as listed at Paragraph 4.2 of the Tree Survey Report, prepared by Greenlink dated 11 December 2015 and as shown on the Tree Protection Plan dated 07.12.2015 drawing ref: 14_1054 TPP_NT_Rev C.</p> <p>All other trees shown for retention on drawing no. Tree Protection Plan dated 07.12.2015 drawing ref: 14_1054 TPP_NT_Rev C shall be retained.</p> <p>REASON: In the interest of the protection of trees and to safeguard visual amenities in accordance with Development Management Policies DM6.5, the Site Allocation OIS10 and the Planning Brief (2012).</p>
19	<p><b>Tree Protection Measures</b></p> <p>CONDITION: Notwithstanding the details hereby approved, detailed tree protection measures shall be submitted to and approved in writing by the LPA prior to any works commencing on the site. This may be able to be discharged on a phased basis in accordance with condition 6, but must detail how the tree protection will be altered based on the phasing arrangements. It should inform the construction process details.</p> <p>The details shall illustrate detailed proposals for the erection of tree protection fencing and be prepared in accordance with the appropriate British Standard.</p> <p>REASON: Whilst Tree Protection Measures would be covered within the AMS (condition 17) given the sensitivity and great need to protect the retained trees on the site, a specific condition just dealing with tree protection mechanisms was considered necessary. This condition will enable clear approval of these details to be kept on site and for all on-site contractors to be briefed on the location and the need for them to be kept in place at all times. In order to ensure compliance with policy DM6.5 of the Development Management Policies (2013).</p>
20	<p><b>* Site Supervision</b></p>

**CONDITION:** No site clearance, preparatory work or development shall take place until a scheme of supervision and monitoring for the arboricultural protection measures outlined in **Condition (19)** and in accordance with para. 6.3 of British Standard BS5837: 2012 - Trees in Relation to design, demolition and construction - recommendations has been approved in writing by the local planning authority.

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

- a. Induction and personnel awareness of arboricultural matters;
- b. Identification of individual responsibilities and key personnel;
- c. Timing and methods of site visiting and record keeping.
- d. Procedures for dealing with variations and incidents.

This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed arboriculturist during construction.

**REASON:** To ensure the appropriate retention and protection of suitable trees for applications which involve complex tree issues in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2011, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013

## **21 Landscaping (Details)**

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

- a) existing and proposed underground services and their relationship to both hard and soft landscaping;
- b) proposed trees: their location, species, size, available rooting volume and tree pit detail;
- c) soft plantings: including grass and turf areas, shrub and herbaceous areas;
- d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;
- e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;
- f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving (a single pavement material only will be accepted), furniture, steps and if applicable synthetic surfaces; and
- g) details of bollards, lighting which must be carefully considered and properly integrated into the landscape scheme;
- h) any other landscaping feature(s) forming part of the scheme.

All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the

	<p>development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p><b>REASON:</b> In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2011, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013.</p>
<b>22</b>	<p><b>Green/Brown Biodiversity Roofs (Compliance)</b></p> <p><b>CONDITION:</b> The biodiversity (green/brown) roof(s) located on the roof of Blocks A1 (partly) and A2 shall be:</p> <ul style="list-style-type: none"> <li>a) biodiversity based with extensive substrate base (depth 80-150mm);</li> <li>b) laid out in accordance with Drainage Layout Plan C100 Rev P4; and</li> <li>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</li> </ul> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be 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><b>REASON:</b> To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>23</b>	<p><b>Sustainable Urban Drainage System (Details)</b></p> <p><b>CONDITION:</b> Notwithstanding the approved details, confirmation of updated surface drainage works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The details shall be based on an assessment of the potential for disposing of surface water by means of sustainable drainage system and the location and positioning of proposed trees to be planted on the site.</p> <p>The submitted details shall include:</p> <ul style="list-style-type: none"> <li>a) the scheme's peak runoff rate and storage volume and</li> <li>b) demonstrate how the scheme will achieve at least a 50% attenuation of the undeveloped site's surface water run off at peak times;</li> </ul>

	<p>c) have regard to 'Drainage Layout drawing: C100 Rev P4 but provide a drainage plan that moves the drain location as close to the edge of Blocks B1 and B2 south elevation wall with details of depth of positioning, method of installation (having regard to tree protection requirements)</p> <p>d) be subject to the site supervision requirements of condition 20 above;</p> <p>e) confirm a ground attenuation tank of at least 114sqm being provided in order to achieve the 30% allowance for climate change storm event;</p> <p>f) a maintenance strategy to cover the operation of the drainage system for the life of the development.</p> <p>The drainage system shall be installed/operational in accordance with the details so approved prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p><b>REASON:</b> To ensure the sustainable management of water and to minimise the potential for water runoff, as well as maximise re-use of water.</p>
<b>24</b>	<p><b>Playspace Provision (Details)</b></p> <p><b>CONDITION:</b> Details of the onsite children's playspace provision, which shall provide for no less than 85sqm of playspace contained within the location south of the western end of Block B2 and the eastern end of Block C specified on drawing 491_PL_112 Rev A and shall be submitted to and approved in writing by the Local Planning Authority prior to any landscaping works commencing on the site and prior to the first occupation of the development. The details shall include the location, layout, design of the playspace and its proposed equipment/features including details of a playground maintenance strategy.</p> <p>The children's playspace shall be provided strictly in accordance with the details so approved, installed/erected prior to the first occupation of the residential dwellings and shall be maintained as such thereafter.</p> <p><b>REASON:</b> To secure the appropriate provision and design of children's playspace in order to ensure a high quality resulting development with high quality accommodation.</p>
<b>25</b>	<p><b>MUGA Access Arrangements</b></p> <p><b>CONDITION:</b> Prior to first occupation of the development hereby approved, details of arrangements to secure access from the development site to the Multi Use Games Area (MUGA) located within the adjacent school site shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The details shall demonstrate that the MUGA will be accessible to children within the development site, outside of school hours including during holidays and weekends. The details shall demonstrate that discussions have also taken place as part of the schools s106 requirement to open playspaces within the school to the wider community.</p> <p><b>REASON:</b> To secure the appropriate provision and access to children's playspace in order to ensure a high quality resulting development with high quality accommodation and playground access.</p>

<b>26</b>	<b>Obscurely Glazing Windows to Protect 1 Ashmount Road</b>
	<p>CONDITION: The following windows within Block B1 (as shown on floor plan: 491_PL_105 Rev C and elevation drawing 491_PL_302 Rev C) shall be obscurely glazed to the stated height above finished floor level (if stated) or entirely obscurely glazed and shall be retained as such permanently thereafter:</p> <ul style="list-style-type: none"> <li>i) The circulation space windows at both first and second floor levels shall be obscurely glazed up to a minimum height of 1.7m above finished floor level (not needed to be fixed shut);</li> <li>ii) The bathroom windows at first and second floors (within units B1-5-1 and B1-8-2) shall be entirely obscurely glazed. There is no need to fix shut as this would prevent easy ventilation and given the room use would not cause unacceptable overlooking.</li> <li>iii) The bedroom window (B1) to unit B1-5-1 at first floor level shall be obscurely glazed up to a minimum height of 1.7m above finished floor level and fixed shut;</li> <li>iv) The bedroom window (B1) to unit B1-8-2 at second floor level shall be obscurely glazed up to a minimum height of 1.6m above finished floor level and fixed shut;</li> </ul> <p>The above requirements shall be carried out as specified prior to first occupation of Block B1 and retained as such permanently thereafter.</p> <p>REASON: In the interests of protecting the residential amenity of occupiers of 1 Ashmount Road from undue overlooking due to the proximity of the development to the adjoining property (closer than 18m).</p>
<b>27</b>	<b>Screening of Balconies to Protect 1 Ashmount Road</b>
	<p>CONDITION: Notwithstanding the drawings and documents hereby approved, prior to any superstructure works commencing on Block B1 (excluding the substation) details of a half width, full height privacy screen to the balconies of residential units B1-5-1 and B1-8-2 (as labelled on floor plan 491_PL_105 Rev C) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The details shall illustrate a fully obscurely glazed panel for the half width of the balcony, with drawings at 1:20 scale.</p> <p>Block B1 shall then be constructed in accordance to these approved details and retained as such permanently thereafter.</p> <p>REASON: The balconies proposed at first and second floors measuring 7sqm are although at an oblique angle to the windows at 1 Ashmount Road (and a lesser extent 2 Ashmount Road) yet the distance is below the 18m guide within adopted policy DM2.1 (supporting text). As such the above obscure glazing treatment to half the balcony width is considered necessary. This would prevent more easily obtainable views into those nearby windows. With the above treatment in place, deliberate attempts to look into the adjoining windows would be needed, which is not how occupants utilise their private amenity space.</p>
<b>28</b>	<b>No permission for Block A1 Balcony and requirement for screening for</b>

	<b>Block B1 Balconies internal to the site</b>
	<p>CONDITION: Notwithstanding the drawings hereby approved, no permission is given for:</p> <ul style="list-style-type: none"> <li>a) Block A1 – the first floor balcony to shared ownership unit A1-5-1.</li> </ul> <p>Prior to first occupation of Block B1, details of balcony screening (to the north facing balcony edge) of the following unit balconies shall be submitted to and approved in writing by the LPA (as shown on drawing 491_PL_105 Rev C:</p> <ul style="list-style-type: none"> <li>a) B1-3-1 (Block B1 first floor)</li> <li>b) B1-6-2 (Block B1 second floor)</li> </ul> <p>The approved balcony screening details shall be installed prior to first occupation of Block B1 and retained as such permanently thereafter.</p> <p>REASON: No permission for the balcony proposed to Block A1, unit A1-5-1 as this would be able to mutually overlook the bedroom window of unit A1-6-1 and the balcony of Block B1 opposite. Screening is required for the Block B1 balconies as they are more effectively able to be screened to direct views along the mews road, away from views into habitable room windows of Block A1 /A2 opposite.</p>
<b>29</b>	<b>FOB Access Arrangements to Block B2 Upper Floor Units to Gardens</b>
	<p>CONDITION: A FOB access system shall be installed prior to first occupation of Block B2 so as to secure the rear access doors to the gardens that are allocated to the upper floor units within Block B2 only.</p> <p>REASON: To ensure appropriate restrictions of access to the allotted garden spaces is provided in order to secure the appropriate level of outdoor amenity space to each of the units.</p>
<b>30</b>	<b>Refuse/Recycling Provided (Compliance)</b>
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. 491_PL_112 Rev A shall be provided prior to the first occupation of the block they serve and shall be maintained as such thereafter.</p> <p>For the avoidance of doubt, Block C must not be occupied until the refuse storage provision in the western part of Block B2 has been provided.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
<b>31</b>	<b>Cycle Parking Provision (Details)</b>
	<p>CONDITION: Prior to first occupation of each of the relevant blocks, details of the proposed bicycle storage area(s) which shall be covered and secure shall be submitted to and approved in writing by the LPA. The details shall include: detailed drawings, including material schedules and samples of the three (3) bicycle enclosures located to the north of the site (Blocks A1/A2) and to the south of block B1.</p>

	<p>The enclosures shall then be installed in accordance with those approved details prior to first occupation of each of these blocks.</p> <p><b>REASON:</b> To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>32</b>	<p><b>Unobstructed Vehicle Entrance and Circulation (Compliance)</b></p> <p><b>CONDITION:</b> The vehicular entrance and circulation space shown on drawing no. 491_PL_112 Rev A and SK04 hereby approved shall be kept free of obstruction at all times.</p> <p><b>REASON:</b> In the interest of vehicular and pedestrian safety.</p>
<b>33</b>	<p><b>Wheelchair Accessible Parking Spaces</b></p> <p><b>CONDITION:</b> Notwithstanding the Transport Assessment and Site Layout Plan, prior to first occupation of the development hereby approved, a revised site layout plan detailing the exact location and line marking of no more than 5 wheelchair accessible car parking bays shall be submitted to and approved in writing.</p> <p>The wheelchair accessible parking bays shall be appropriately line-marked in accordance with the approved detail and thereafter kept available <u>only for the parking of vehicles displaying a blue badge</u> at all times.</p> <p><b>REASON:</b> In the interest of securing the provision of an appropriate number and standard of wheelchair accessible parking spaces and in order to prevent misuse of these spaces by non-blue badge holders which would contravene the adopted policies of the Islington Core Strategy (2011) CS10 and Development Management Policies (2013) DM8.5.</p>
<b>34</b>	<p><b>Accessible Housing – Major Schemes (Details):</b></p> <p><b>CONDITION:</b> Wording to follow</p>
<b>35</b>	<p><b>Lifts</b></p> <p><b>CONDITION:</b> All lifts serving the dwellings 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><b>REASON:</b> To ensure that adequate access is provided to the residential units at all floors.</p>
<b>36</b>	<p><b>Water Usage</b></p> <p><b>CONDITION:</b> The development hereby approved shall be constructed so as to ensure that a water usage of 95 litres per person per day.</p> <p><b>REASON:</b> In order to secure compliance with policy CS10 of the Islington Core</p>

	Strategy 2011 and promote the more sustainable usage of water.
<b>37</b>	<p><b>Sound Insulation and Noise Control Measures</b></p> <p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq, 8 hour and 45 dB Lmax (fast)</p> <p>Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour</p> <p>Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of ensuring that the development achieves appropriate internal noise levels so as to offer the highest possible quality of accommodation for future residents.</p>
<b>38</b>	<p><b>Energy Efficiency – CO2 Reduction (Details)</b></p> <p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy (ref G6/K140701) prepared by Calford Seaden dated May 2015 which shall together provide for no less than a 35% reduction in regulated emissions over 2013 Building Regulations and a reduction in total CO2 emissions of 18% shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, the following shall be submitted prior to superstructure works commencing on site:</p> <p>A revised Energy Strategy, which shall provide for no less than an 18% onsite total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2013.</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

39	<b>Retention of Pollard Thomas Edwards (PTEa) Architects</b>
	<p><b>CONDITION:</b> The architects, Pollard Thomas Edwards, (PTEa) shall be retained as design champions of the scheme moving into the detailed design stage for Building Control stage drawings and for overseeing the selection of materials for constructing the development. PTEa shall also be involved in inspecting the construction progress of the development to ensure that the quality as envisaged within the Design and Access Statement and drawings is achieved on site.</p> <p><b>REASON:</b> The design of the buildings adopts a simplicity that will rely on exactness of construction detailing and quality of materials to ensure that it does fit within the character of the streetscene and maintain and enhance the appearance of the conservation area. PTEa have a track record of delivering high quality schemes that are of simple contemporary design and have examples of successfully implanting high quality schemes. In this regard, they must remain involved to ensure that value engineering is not carried out and to oversee the detailing of elements required by planning condition. This condition is required in order to ensure that the requirements of policies DM2.1 and DM2.3 of the Development Management Policies (2013) are met moving into the detailed construction drawing and construction phase, as well as ensuring that the requirements of the Conservation Area Guidelines are met.</p>

#### **List of Informatives:**

1	<b>S106</b>
	<p><b>SECTION 106 AGREEMENT</b>            You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	<b>Superstructure</b>
	<p><b>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</b>            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><b>INFORMATIVE:</b> Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the 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. 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>Thames Water</b>
	<p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer.</p> <p>Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing <a href="mailto:www.qriskmanagement@thameswater.co.uk">www.qriskmanagement@thameswater.co.uk</a>. Application forms should be completed on line via <a href="http://www.thameswater.co.uk/wastewaterquality">www.thameswater.co.uk/wastewaterquality</a>.</p>
6	<b>Thames Water – Proximity to Thames Water Pipes</b>
	<p>Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership . Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at <a href="http://www.thameswater.co.uk">www.thameswater.co.uk</a></p>
7	<b>Thames Water – Surface Water Drainage</b>
	<p>Surface Water Drainage - With regard to surface water drainage it is the responsibility of a 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.</p> <p>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.</p>

	<p><b>Connections are not permitted for the removal of groundwater.</b></p> <p>Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p> <p>We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.</p>
8	<p><b>London Fire and Emergency Planning - Advice</b></p> <p>There should be Fire Brigade access to the perimeter of the building(s) and sufficient hydrants and water mains in the vicinity.</p> <p>This Authority strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes.</p> <p>Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier.</p>

## **APPENDIX 2: RELEVANT POLICIES**

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

### **1      National Guidance**

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

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

## **A) The London Plan 2015 - Spatial Development Strategy for Greater London, 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 2.1 London in its global, European and United Kingdom context  
Policy 2.2 London and the wider metropolitan area  
Policy 2.5 Sub-regions  
Policy 2.9 Inner London  
Policy 2.18 Green infrastructure: the network of open and green spaces

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

Policy 3.1 Ensuring equal life chances for all  
Policy 3.2 Improving health and addressing health inequalities  
Policy 3.3 Increasing housing supply  
Policy 3.4 Optimising housing potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.6 Children and young people's play and informal recreation facilities  
Policy 3.8 Housing choice  
Policy 3.9 Mixed and balanced communities  
Policy 3.10 Definition of affordable housing  
Policy 3.11 Affordable housing targets  
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes  
Policy 3.13 Affordable housing thresholds  
Policy 3.15 Coordination of housing development and investment  
Policy 3.16 Protection and enhancement of social infrastructure  
Policy 3.17 Health and social care facilities  
Policy 3.18 Education facilities  
Policy 3.19 Sports facilities

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

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

Policy 6.1 Strategic approach  
Policy 6.2 Providing public transport capacity and safeguarding land for transport  
Policy 6.3 Assessing effects of development on transport capacity  
Policy 6.4 Enhancing London's transport connectivity  
Policy 6.7 Better streets and surface transport  
Policy 6.9 Cycling  
Policy 6.10 Walking  
Policy 6.11 Smoothing traffic flow and tackling congestion  
Policy 6.12 Road network capacity  
Policy 6.13 Parking  
Policy 6.14 Freight

### **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 7.9 Heritage-led regeneration  
Policy 7.12 Implementing the London View Management Framework  
Policy 7.13 Safety, security and resilience to emergency  
Policy 7.14 Improving air quality  
Policy 7.15 Reducing noise and enhancing soundscapes  
Policy 7.18 Protecting local open space and addressing local deficiency  
Policy 7.19 Biodiversity and access to nature  
Policy 7.20 Geological conservation  
Policy 7.21 Trees and woodlands  
Policy 7.22 Land for food

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

Policy 5.1 Climate change mitigation Policy 5.2 Minimising carbon dioxide emissions Policy 5.3 Sustainable design and construction Policy 5.4 Retrofitting Policy 5.5 Decentralised energy networks Policy 5.6 Decentralised energy in development proposals Policy 5.7 Renewable energy Policy 5.8 Innovative energy technologies Policy 5.9 Overheating and cooling Policy 5.10 Urban greening Policy 5.11 Green roofs and development site environs Policy 5.12 Flood risk management Policy 5.13 Sustainable drainage Policy 5.14 Water quality and wastewater infrastructure Policy 5.15 Water use and supplies Policy 5.16 Waste self-sufficiency Policy 5.17 Waste capacity Policy 5.18 Construction, excavation and demolition waste Policy 5.19 Hazardous waste Policy 5.20 Aggregates Policy 5.21 Contaminated land Policy 5.22 Hazardous substances and installations	Policy 8.1 Implementation Policy 8.2 Planning obligations Policy 8.3 Community infrastructure levy Policy 8.4 Monitoring and review for London
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## **B) Islington Core Strategy 2011**

### **Spatial Strategy**

Policy CS8 (Enhancing Islington's Character)

### **Strategic Policies**

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

Policy CS15 (Open Space and Green Infrastructure)  
Policy CS16 (Play Space)  
Policy CS17 (Sports and Recreation Provision)

### **Infrastructure and Implementation**

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

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

### **Design and Heritage**

<b>DM2.1</b> Design	<b>Energy and Environmental Standards</b>
<b>DM2.2</b> Inclusive Design	<b>DM7.1</b> Sustainable design and construction statements
<b>DM2.3</b> Heritage	<b>DM7.3</b> Decentralised energy networks
<b>DM2.4</b> Protected views	<b>DM7.4</b> Sustainable design standards
<b>DM2.5</b> Landmarks	<b>DM7.5</b> Heating and cooling
 <b>Housing</b>	
<b>DM3.1</b> Mix of housing sizes	 <b>Transport</b>
<b>DM3.4</b> Housing standards	<b>DM8.1</b> Movement hierarchy
<b>DM3.5</b> Private outdoor space	<b>DM8.2</b> Managing transport impacts
<b>DM3.6</b> Play space	<b>DM8.3</b> Public transport
<b>DM3.7</b> Noise and vibration (residential uses)	<b>DM8.4</b> Walking and cycling
 <b>Shops, culture and services</b>	<b>DM8.5</b> Vehicle parking
<b>DM4.12</b> Social and strategic infrastructure and cultural facilities	<b>DM8.6</b> Delivery and servicing for new developments
 <b>Health and open space</b>	 <b>Infrastructure</b>
<b>DM6.1</b> Healthy development	<b>DM9.1</b> Infrastructure
<b>DM6.2</b> New and improved public open space	<b>DM9.2</b> Planning obligations
<b>DM6.3</b> Protecting open space	<b>DM9.3</b> Implementation
<b>DM6.4</b> Sport and recreation	
<b>DM6.5</b> Landscaping, trees and biodiversity	
<b>DM6.6</b> Flood prevention	

## D) Site Allocations June 2013

OIS10

**SA1** Proposals within allocated sites

### 1. Planning Advice Note/Planning Brief

A Planning Advice Note/ Planning Brief Ashmount Primary School site was published on 2012.

### 2. Designations

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

- Whitehall Park Conservation Area
- Site Allocation OIS10
- TPO No. no: 325 (2007)
- Locally Listed Building

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

The following SPGs and/or SPDs are relevant:

### **Islington Local Plan**

- Environmental Design
- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide

### **London Plan**

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

## APPENDIX 3: DESIGN REVIEW PANEL LETTER



ATT: Frances Young  
Nathaniel Lichfield & Partners,  
14 Regents Wharf,  
All Saints Street,  
London N1 9RL

Planning Service  
Planning and Development  
PO Box 333  
222 Upper Street  
London  
N1 1YA  
  
T 020 7527 2389  
F 020 7527 2731  
[E.Luciana.grave@islington.gov.uk](mailto:E.Luciana.grave@islington.gov.uk)  
[W www.islington.gov.uk](http://www.islington.gov.uk)

Our ref: DRP/74

Date: 4 November 2015

Dear Frances Young,

### ISLINGTON DESIGN REVIEW PANEL

**RE: Southern Part of the Site of Whitehall Park Primary School (Formerly Ashmount Primary School) Ashmount Road, London N19 3BH – in connection with planning application ref. P2015/2913/FUL**

Thank you for attending Islington's Design Review Panel meeting on 14 October 2015 for an assessment of the above scheme. The proposed scheme under consideration was for the demolition of the existing buildings on the southern part of the former Ashmount School site and the erection of 46 residential units in three blocks with associated landscaping (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), Charles Thomson, Ben Gibson, Paul Reynolds and Thomas Lefevre on 14 October 2015 including a presentation from the design team followed by a questions 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

Picking up from the previous review, when the proposal was seen at pre-application stage, the Panel reinforced their support for the proposed massing and layout across the site. However, panel members were not convinced that a full resolution had been achieved for the architectural treatment of the blocks.

The Panel agreed that the scheme needs to be sensitive to the conservation area, but stressed that contemporary architecture can sit very comfortably in the area too.

#### Ashmount Road Elevation

At pre-application stage, the Panel had highlighted the importance and complexity of the design of the Ashmount Road elevation as it would need sensitive elevational treatment and detailing in order to sit comfortably with neighbouring traditional buildings. Although the Panel acknowledged the design team's attempts of picking up on elements of the surrounding context,



generally, they did not feel that simply referencing or replicating some of the detail elements of the historic surrounding buildings worked well with the new language of the development. In addition the proposed replication of chimneys on the new building which would not have any function was queried by the Panel.

The Panel were concerned that the volumetric qualities of the existing buildings had not been picked up in the scheme and felt that three dimensional qualities when translated into two dimensional elements on the elevational composition lost their authenticity.

#### Mews elevation – Block A

The Panel felt that the mews elevation to Block A had a simplicity and robustness which worked better than the proposed elevation to Block B. They felt the fenestration generally worked on this block given its massing and height. However, concerns were raised in relation to the junction with the front part of the block, in particular the transition at roof level.

#### Mews elevation – Block B

Panel members weren't as supportive in relation to the treatment of the mews elevation to Block B. Concerns were raised about the proportions of the ground floor which appeared squat; the fenestration treatment which lacked coherence and vertical emphasis; and the roof form, in particular the gable ends, and the detail of how the proposed dormers related to the parapet.

The Panel felt that the elevations lacked conviction and were overly complicated in attempting to replicate architectural elements from Ashmount Rd in particular the gables. The panel thought it might be more appropriate to look at the precedents of historic London mews which tended to be architecturally modest. The panel suggested that details should be incorporated to break down the mass and to create a well-defined rhythm. They suggested the design team revisit the elements on the roof, the pattern of fenestration, the proportions of the ground floor, the detailing and perhaps colour and quality of the brickwork. The Panel suggested exploring the use of architectural features, such as downpipes, to assist in defining a rhythm.

#### Surface treatment, landscaping and trees

Panel members sought clarification in relation to the landscaping materials. They strongly encouraged the design team to maintain a single pavement material with subtle demarcation of different areas. They were of the opinion that keeping uniformity was very important and felt that details such as bollards, lighting etc needed to be carefully thought about and to ensure they were properly integrated to the landscaping scheme and architecture. They also drew attention of the design team to the importance of considering water drainage management as part of the detailing and the potential inclusion of garden swales.

Panel members thought the tree loss was unfortunate, but felt that it had been minimised as much as possible and were happy to see that replacement trees were proposed. They stated that the biodiversity loss by the loss of a mature tree and replacement with a young tree should be mitigated by the provision of green roofs for example. The Panel stated that planting maintenance needed to be carefully considered and responsibilities clearly defined.

#### **Summary**

The Panel reiterated their commendations from pre-application stage in relation to how successfully and inventively the design team had worked within the constraints of the site in resolving the massing and layout of the proposed scheme. However, the Panel felt that the scheme had not yet realised its full potential to be a high quality development, and that further work was necessary in resolving its architectural treatment in particular in relation to the Ashmount Road elevation and the internal mews elevation of Block B.



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,

A handwritten signature in black ink, appearing to read "Luciana Grave".

**Luciana Grave**  
Design Review Panel Coordinator  
Design & Conservation Team Manager

## APPENDIX 4: BPS INDEPENDENT VIABILITY ASSESSOR REPORT

### Southern Part of the Site of Whitehall Park Primary School, N19 3BH



#### Independent Viability Review

Planning application Reference: P2015/2913/FUL

2<sup>nd</sup> November 2015

#### 1.0 INTRODUCTION

- 1.1 BPS Chartered Surveyors has been appointed by the London Borough of Islington (the Council) to review a viability submission prepared by Islington and Shoreditch Housing Association for a proposed scheme at the above location.
- 1.2 The proposed scheme comprises:

*"The demolition of the existing buildings on the southern part of the Former Ashmount School site and the erection of 46 residential units in three blocks with associated landscaping."*
- 1.3 The site measures approximately 0.43 hectares (1.06 acres) and is bounded by the remainder of the former school site and Hornsey Lane to the north and Ashmount Road to the east. We understand that the Council currently owns the subject land and once planning permission is granted, the site will pass over to the housing association.
- 1.4 The proposal allows for 80% affordable housing by habitable room. ICS Policy CS12 Part G states that all sites capable of delivering 10 or more units should provide on-site affordable housing. It seeks 50% of all new housing in the borough to be affordable over the specified plan period. The proposed level of delivery therefore considerably exceeds the policy target, although it should be noted that 50% is a target achieved across all sites and therefore implies some sites will need to exceed this level for the target overall to be met.
- 1.5 CS12 sets out the Council's tenure split requirement of 70% social housing and 30% intermediate housing. The applicant proposes 24 social rent units and 11 shared ownership units, therefore 69% of affordable units are to be social rent tenure. The tenure split is broadly in line with the Council's Policy requirements.
- 1.6 Allowing for the proposed delivery of affordable housing and a land payment figure of [REDACTED] the scheme appears to produce a development deficit of - [REDACTED]. The applicant therefore concludes that no further affordable housing contributions can be provided while remaining financially viable.
- 1.7 Our review is based primarily on the following submissions:
  - Development Appraisal Tool (Homes and Communities Agency)
  - Affordable Housing Statement prepared by Islington and Shoreditch Housing Association, dated July 2015
  - Planning Statement prepared by Nathaniel Lichfield & Partners, dated July 2015.

We have also had reference to the documents contained on the Council's planning portal.

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

## 2.0 CONCLUSIONS AND RECOMMENDATIONS

- 2.1 The proposed residual appraisal shows a deficit of [REDACTED] based on current day cost and value assumptions. This is inclusive of a land payment of [REDACTED]. We understand the level of this land receipt is likely to reduce further in order to maintain provision of at least 80% affordable housing, reflecting changes to the value of affordable housing following the Chancellor's changes to the rental escalator affecting rented tenure affordable housing.
- 2.2 In order to test viability using a justified benchmark value we have compiled D1 comparable market evidence and undertaken our own valuation. This approach reflects the limited information available regarding the existing structure. Our broad estimate of value is circa [REDACTED], though this may be capable of further refinement.
- 2.3 The capital value of the open market housing is calculated to be [REDACTED]. We have conducted market research of advertised prices and sold prices of units within close proximity of the subject site. We are of the view that the units have been slightly undervalued. This may reflect the high levels of affordable housing in this scheme. Our appraisal has also included capitalised ground rent revenue from the private element. In line with the above adjustments we calculate total revenue from market units of circa [REDACTED].
- 2.4 We have prepared valuations for the social rent and shared ownership units. Through comparison with our own figures we accept that the total value for the social rent element appears reasonable. The shared ownership valuation appears reasonable when excluding the value of potential staircasing which we would generally expect to see included, although this can have the effect of making the shared ownership units less affordable.
- 2.5 Our Cost Consultant, Neil Powling has analysed the proposed build costs. Neil concludes that the proposed build costs should be regarded as reasonable. We have analysed the additional fees included finance costs and accept these are in line with market norms.
- 2.6 Based on our appraisal of the proposed scheme, we calculate a residual value of circa [REDACTED]. Based on our estimation of a reasonable viability benchmark, we consider that the scheme is in deficit of circa [REDACTED]. Therefore, we conclude that the scheme cannot deliver further contributions to affordable housing while remaining financially viable.

## 3.0 BENCHMARK LAND VALUE

### Viability Benchmarking

- 3.1 Development appraisals work to derive a residual value. This approach can be represented by the simple formula below:

Gross Development Value - Development Costs (Including Developer's Profit) = Residual Value

- 3.2 The residual value is then compared to a benchmark land value. Existing Use Value (EUV) and Alternative Use Value (AUV) are standard recognised approaches for establishing a land value as they help highlight the apparent differences between the values of the site without the benefit of the consent sought.
- 3.3 The rationale for comparing the scheme residual value with an appropriate benchmark is to identify whether it can generate sufficient money to pay a realistic price for the land whilst providing a normal level of profit for the developer. In the event that the scheme shows a deficit when compared to the benchmark figure the scheme is said to be in deficit and as such would be unlikely to proceed.
- 3.4 In general we prefer EUV as a basis for benchmarking development as this clearly defines the uplift in value generated by the consent sought. We find the Market Value approach as defined by RICS Guidance Viability in Planning 2012 as providing an essentially circular reasoning. The RICS Guidance promotes use of a modified standard definition of "market value" by reference to an assumption that the market values should reflect planning policy and should disregard that which is not within planning policy. In practice we find that consideration of compliance with policy is generally relegated to a minor consideration compared to evidencing market transactions and underbids. On this basis and recognising the essentially competitive land market, if developers are encouraged to believe they will be able to offset a requirement to provide affordable housing by virtue of a higher price paid for land, the use of this benchmark becomes circular and will lead to negligible affordable housing provision.
- 3.5 The NPPF recognises at 173, the need to provide both land owners and developers with a competitive return. This is to encourage land owners to release land for development. This has translated to the widely accepted practice which consists of an EUV benchmark plus a premium (typically in the range of 5-30%). Guidance indicates that the scale of any premium should reflect the circumstances of the land owner. We are of the view that where sites represent an ongoing liability to a land owner and the only means of either ending the liability or maximising site value is through securing a planning consent this should be a relevant factor when considering whether a premium is applicable.

The Benchmark

- 3.6 The financial appraisal includes a land payment of [REDACTED]
- 3.7 The site was previously occupied by Ashmount School which closed in 2012. The planning application form notes that the current site contains 976 sq.m / 10,506 sq.ft GIA of D1 non-residential institution space.
- 3.8 In order to form a provisional opinion of site value, we have had reference to D1 market transactional evidence to ascertain typical sales rates. We have compiled evidence as tabulated in Appendix 1. It is not clear what assumptions the purchasers have applied to derived these sales figures and we are of the view that that they may reflect an assumption of redevelopment.
- 3.9 There is limited market evidence for school/college use and many of the transactions noted are dated and may not reflect current market conditions. The most recent transaction is of Aneurin Bevan House. This unit has a modern black glass facade. The unit is located in close proximity to Whitechapel over ground station and is

situated in a micro-location which has numerous educational institutions including the London Metropolitan University and Harry Gosling Primary School. The NHS was the previous owner of the building. We do not expect the subject building to achieve a higher value than this comparator due to location and specification.

- 3.10 Based on the tabulated market evidence we calculate an average sales rate of [REDACTED] sq.m. When applied to the floor area of the subject property we calculate a freehold valuation of [REDACTED]. This figure is broad brush and does not necessarily relate to a current use value approach but rather favours market value and as such it would be necessary to examine future development proposal for these properties to gain a more detailed understanding of underlying site value for planning purposes.
- 3.11 The proposed benchmark value of [REDACTED] has not been explained in terms of planning viability and we therefore reserve judgement on the validity of this input, however, based on our provisional research of D1 comparable sales evidence, we are of the view that the subject property could potentially achieve a higher value than the proposed benchmark if offered to the wider market.

#### 4.0 PRIVATE UNIT VALUES

- 4.1 The applicant has proposed the development of 11 private residential units which consist of:
- 3x 1 bed units (52 sq.m)
  - 8x 2 bed units (75 sq.m).
- 4.2 The capital value of open market housing is calculated to be [REDACTED]. The one bed units and have been valued at [REDACTED] equating to [REDACTED] sq.m / [REDACTED] sq.ft and the two beds [REDACTED] equating to [REDACTED] sq.m / [REDACTED] q. ft.

##### One Bed Units

- 4.3 The new development at 400 Caledonian Road, N1 1DN is a sustainable mixed-use development of 25 low-energy, eco-focused homes. The existing stable block and Victorian House will be refurbished and at the rear of the site, two purpose-built blocks will provide 21 new homes. A court yard will centre this development. This is a car free scheme and we understand the year of completion is 2015. The planning application notes that 48% of the proposed units are social. Based on the unit reserve prices, the average sales rate is £766 sq.ft / £8,237 sq.m. Detailed information can be found in appendix 2.
- 4.4 We have collated second hand sales information of units within close proximity of the subject site. All sales have been completed within the last year and units were sold in excellent or good condition. Land Registry House Price Index (HPI) adjustments have been made which is reflective of the Islington area. This information shows an average sales rate of £776 sq.ft / £8,359 sq.m.
- 4.5 In line with the location and specification, our market evidence would suggest that a unit value of [REDACTED] is reasonable. This is very slightly higher than the value proposed by the applicant.

##### Two Bed

- 4.6 We have had reference to the following advertised information:

- A unit on Axminster Road is advertised for £580,000 (£733 sq.ft / £7,902 sq.m). The unit has been refurbished and is situated above retail space. There is also a private terrace area
  - A unit in Manor Gardens is on the market for £550,000 (£769 sq.ft / £8,283 sq.m). This unit is situated on the 1st floor of a modern development and is well presented. Another unit in this complex is advertised for £625,000 (£732 sq.ft / £7,872 sq.m)
- 4.7 Two bed units within the development at 400 Caledonian Road have an average reserved sales rate of £736 sq.ft / £7,936 sq.m.
- 4.8 We have complied second hand sales information for recently sold two bed units within close proximity of the subject site. This information produces an average sales rate of £743 sq.ft / £8,031 sq.m
- 4.9 Based on the average £sq.m and the size of the proposed two bed units, we calculate a reasonable value of [REDACTED]. We have increased the sales values provided within the financial residual model in line with our market research.
- 4.10 No allowance has been made for capitalised ground rental income on the private residential units. We have included ground rent at [REDACTED] per private unit and capitalised this at a yield of 6%. We have deducted purchaser's costs of [REDACTED] in line with standard market assumptions.
- 4.11 On this basis we calculate the total value of the 11 private residential units to equal circa [REDACTED]

## 5.0 SOCIAL UNIT VALUES

- 5.1 The applicant has proposed the development of 35 affordable units which comprises 24 social rented units and 11 shared ownership units.
- 5.2 The appraisal shows that the value of the affordable units 'excluding other funding' equals [REDACTED]. This value 'including other funding' is [REDACTED]. The nature of the 'other funding' is not explained but we assume relates to grant.
- 5.3 The social rent units have been assigned various weekly rental assumptions which are indicated as follows:
- 3x 1 bed flats at [REDACTED]
  - 6x 2 bed flats [REDACTED]
  - 11x3 bed flats [REDACTED]
  - 4x 4 bed houses [REDACTED]
- 5.4 The social rent units have been valued at a total figure of [REDACTED]. We have had reference to the proposed annual costs per home (management [REDACTED], void/bad debts [REDACTED] and R&M [REDACTED]). The adopted yield assumption is 5.60%. We do not dispute the overall cost and yield assumptions.
- 5.5 We have created our own appraisal for the social rent units based on the assumptions detailed above and calculate a total value for all units of circa [REDACTED]. We are therefore of the view that the applicants valuation for the proposed social rent units is not unreasonable.

- 5.6 The shared ownership units are split as follows:
- 2x 1 bed flats
  - 9x 2 bed flats.
- 5.7 The shared ownership units have been valued at a total figure of [REDACTED]. We understand that this is based on the following assumptions: [REDACTED] net yield, initial trance of [REDACTED] and rent on unsold equity of [REDACTED]. We are of the view that these assumptions are again not unreasonable.
- 5.8 We have undertaken our own appraisal based on the above assumptions with and without staircasing. With staircasing we calculate the total value of all the shared ownership units to be circa [REDACTED] and without staircasing we calculate the total value to equal [REDACTED]. Generally, we expect staircasing to be assumed, although this can have consequence for the overall affordability of these units.
- 5.9 We conclude that the proposed valuation of the social units is reasonable.

## 6.0 BUILD COSTS

- 6.1 Our Cost Consultant, Neil Powling has analysed the proposed build costs and fees in order to determine whether they are reasonable. Neil concludes:

*"The results of our benchmarking yields rates for Social Rent, Shared Ownership, and Open Market of £[REDACTED]/m<sup>2</sup>, [REDACTED]/m<sup>2</sup> and [REDACTED]/m<sup>2</sup> respectively. These compare to the Applicant's [REDACTED]/m<sup>2</sup>, [REDACTED]/m<sup>2</sup> and [REDACTED]/m<sup>2</sup>. The overall benchmarked construction cost is about [REDACTED] less than the Applicant's figure, but given the assumptions we have necessarily made and in particular that the contingency is only 1% - we are satisfied that the Applicant's costs are reasonable."*

(See Appendix 3 for Neil's full cost report)

- 6.2 Further fees have been included within the appraisal including:
- 'fees and certification' costs of [REDACTED]
  - 'other acquisition' costs of [REDACTED]
  - Site 'abnormals' of [REDACTED]
  - S106 costs of £366,824
  - Marketing costs of [REDACTED]
  - Miscellaneous fees of [REDACTED]
  - Legal fees of [REDACTED]
  - Interest paid on [REDACTED]
- 6.3 In order to establish whether the fees are reasonable, we have adopted standard residual valuation assumptions. Generally, we see a 10-12% professional fee allowance on build costs. The sum of the costs including 'fees and certification', other acquisition costs, abnormals, miscellaneous fees and legal fees equals

[REDACTED]. 12% professional fees on build costs would generate a total of [REDACTED]. Therefore, the proposed fees seem very reasonable.

- 6.4 Marketing fees appear to equate to approximately [REDACTED] of the value of the private units which is in line with market norms.
- 6.5 We have analysed the interest costs using an Argus appraisal model based on a 7% interest rate. Finance on the land payment equals circa [REDACTED] and finance on construction costs is circa [REDACTED]. Therefore, the total calculated costs are approximately [REDACTED]. We accept that the proposed finance costs appear to be reasonable.
- 6.6 The financial appraisal includes an allowance for 'operating profit' however, in this instance this allowance may be reflective of realistic internal fees incurred by the developer. The proposed allowances differ from what we would accept to be standard profit allowances for private developments. The operating profit figure included in the appraisal is [REDACTED]. We have adjusted our appraisal to allow for a profit allowance of 20% on revenue for private residential units and 6% profit for affordable units. This increases the allowance above the proposed level by approximately [REDACTED]. In conclusion the profit level sought is below market norms.

## Appendix 1: D1 Market Evidence

School/College Property (D1)								
Property	Transaction	Date	Sold Price	Sq.ft	Sq.m	£sq.ft	£sq.m	Comments
	Sale	01/12/2013	£9,100,000	20,000	1,858	£455	£4,898	Modern façade
Aneurin Bevan House, E1 1RD								
	Investment Sale	01/01/2013	£35,250,000	67,000	6,224	£526	£5,664	
19 Charterhouse St, EC1N 6RA								
	Investment Sale	01/09/2012	£9,500,000	35000	3252	£271	£2,921	
Renax House, 31-32 Alfred Place, EC1E 7DP								
	Investment Sale	19/12/2011	£30,000,000	134,876	12,530	£222	£2,394	Large majority office space (92%). Not directly comparable
Royal London House, EC2A 1DS								
	Investment Sale	01/03/2008	5,900,000	11,205	1,041	£527	£5,668	Georgian Office Building
48 Bedford Square, WC1B 3DR								
					Average	£400	£4,309	

## Appendix 2: Residential Market Information

### Caledonian Road

#### One Bed

Unit Ref	Floor Level	Sq.m	Sq.ft	Asking Price	Sold / Res'vd by	£sq.m	£sq.ft
B12	1	51	547	413,500	19/02/2015	£8,108	£756
B13	1	51	547	420,000	16/10/2014	£8,235	£768
B22	2	51	547	426,000	16/10/2014	£8,353	£779
A11	1	51	554	416,000	16/10/2014	£8,157	£751
B23	2	51	547	425,000	19/02/2015	£8,333	£777
<b>Average</b>		<b>51</b>	<b>548.4</b>	<b>£420,100</b>		<b>£8,237</b>	<b>£766</b>

#### Two Bed

Unit Ref	Floor Level	Sq.m	Sq.ft	Asking Price	Sold / Res'vd by	£sq.m	£sq.ft
A12	1	63	680	518,000	16/10/2014	£8,222	£762
B14	1	72	775	563,500	16/10/2014	£7,826	£727
A13	1	75	812	575,000	16/10/2014	£7,667	£708
A21	2	62	671	515,000	19/02/2015	£8,306	£768
A23	2	75	812	580,000	16/10/2014	£7,733	£714
B11	1	72	778	558,500	16/10/2014	£7,757	£718
B24	2	72	775	570,000	19/02/2015	£7,917	£735
E11	1	80	857	645,000	19/02/2015	£8,063	£753
<b>Average</b>		<b>71</b>	<b>770</b>	<b>£565,625</b>		<b>7,936</b>	<b>£736</b>

### Second hand sales evidence

#### One Bed

Address	Price (+HPI)	Sale Date	Sq.m	Sq.ft	£sq.m	£sq.ft	Details
61D Whitehall Park	£464,863	Feb-15	67	726	£6,897	£640	2nd floor unit in good condition
74 Roden Court	£433,872	Feb-15	49	527	£8,855	£823	1st floor, private balcony & parking
4, 30 Milton Road	£330,358	Apr-15	44	474	£7,508	£697	Refurbished unit
8 Bridge House	£439,869	Dec-14	46	490	£9,667	£898	Period conversion, good condition
1, 74 Langdon Park Rd	£507,821	Mar-15	49	527	£10,385	£964	Ground floor refurbished unit
28 Warltersville Rd	£348,353	May-15	51	548	£6,844	£635	Good condition
<b>Average</b>	<b>£420,856</b>		<b>51</b>	<b>549</b>	<b>£8,359</b>	<b>£776</b>	

Two Bed

Address	Price (+HPI)	Sale Date	sq.m	sq.ft	£sq.m	£sq.ft	Details
22 Princess Court, N6 5XD	£578,231	Dec-14	88	974	£6,571	£594	5th floor, good condition
3, 75 Sunnyside Road, N19 3SL	£474,976	Dec-14	52	560	£9,134	£849	Period conversion, good condition
9 Arthur Henderson House, N19 3BN	£405,297	Jun-15	67	721	£6,049	£562	Refurbished & parking
5, Avenue Lodge, N6 5DJ	£595,000	Aug-15	87	932	£6,879	£638	Good condition, private garage
30A Parolles Road, N19 3RD	£588,557	Dec-14	69	739	£8,580	£796	Ground floor, own garden
Flat 1, 16 Milton Road, N6 5QD	£627,164	Jul-15	66	715	£9,445	£877	Ground floor garden flat
12C Milton Road, N6 5QD	£600,492	Nov-14	63	676	£9,562	£888	Ground floor, communal garden
<b>Average</b>	<b>£552,817</b>		<b>70</b>	<b>760</b>	<b>£8,031</b>	<b>£743</b>	

# Appendix 3: Build Cost Report

Project: Ashmount Road  
2015/2913/FUL

## 1 SUMMARY

- 1.1 We have been able to undertake this exercise of cost checking for viability purposes relying only on the information derived from the toolkit but suggest that the preparation of a detailed construction cost estimate, preferably in elemental form, is a prudent and preferred option that provides a reliable estimate and a useful control document throughout the project. This would make due allowance for all project specific costs including demolitions, external works and services and enhanced specifications that are all treated as abnormal costs for benchmarking purposes.
- 1.2 The toolkit allows 1% for contingency. We have adopted the same rate in our benchmarking although a rate of 5% would be normal for new build work and acceptable for both the Applicant's and benchmarking calculations.
- 1.3 The results of our benchmarking yields rates for Social Rent, Shared Ownership, and Open Market of £ [REDACTED]/m<sup>2</sup>, £ [REDACTED]/m<sup>2</sup> and £ [REDACTED]/m<sup>2</sup> respectively. These compare to the Applicant's £ [REDACTED]/m<sup>2</sup>, £ [REDACTED]/m<sup>2</sup> and £ [REDACTED]/m<sup>2</sup>. The overall benchmarked construction cost is about £ [REDACTED] less than the Applicant's figure, but given the assumptions we have necessarily made and in particular that the contingency is only 1% - we are satisfied that the Applicant's costs are reasonable.

## 2 METHODOLOGY

- 2.1 The objective of the review of the construction cost element of the assessment of economic viability is to benchmark the applicant costs against RICS Building Cost Information Service (BCIS) average costs. We use BCIS costs for benchmarking because it is a national and independent database. Many companies prefer to benchmark against their own data which they often treat as confidential. Whilst this is understandable as an internal exercise, in our view it is insufficiently robust as a tool for assessing viability compared to benchmarking against BCIS.
- 2.2 BCIS average costs are provided at mean, median and upper quartile rates (as well as lowest, lower quartile and highest rates). We generally use mean or upper quartile for benchmarking depending on the quality of the scheme. BCIS also provide a location factor compared to a UK mean of 100; our benchmarking exercise adjusts for the location of the scheme. BCIS Average cost information is available on a default basis which includes all historic data with a weighting for the most recent, or for a selected maximum period ranging from 5 to 40 years. We generally consider both default and maximum 5 year average prices; the latter are more likely to reflect current regulations, specification, technology and market requirements.
- 2.3 BCIS average prices are also available on an overall £ per sqm and for new build work (but not for rehabilitation/ conversion) on an elemental £ per sqm basis. We generally consider both. A comparison of the applicants elemental costing compared to BCIS elemental benchmark costs provides a useful insight into any

differences in cost. For example: planning and site location requirements may result in a higher than normal cost of external wall and window elements.

- 2.4 If the application scheme is for the conversion, rehabilitation or refurbishment of an existing building, greater difficulty results in checking that the costs are reasonable, and the benchmarking exercise must be undertaken with caution. The elemental split is not available from the BCIS database for rehabilitation work; the new build split may be used instead as a check for some, but certainly not all, elements. Works to existing buildings vary greatly from one building project to the next. Verification of costs is helped greatly if the cost plan is itemised in reasonable detail thus describing the content and extent of works proposed.
- 2.5 BCIS costs are available on a quarterly basis - the most recent quarters use forecast figures, the older quarters are firm. If any estimates require adjustment on a time basis we use the BCIS all-in Tender Price Index (TPI).
- 2.6 BCIS average costs are available for different categories of buildings such as flats, houses, offices, shops, hotels, schools etc. The Applicant's cost plan should keep the estimates for different categories separate to assist more accurate benchmarking.
- 2.7 To undertake the benchmarking we require a cost plan prepared by the applicant; for preference in reasonable detail. Ideally the cost plan should be prepared in BCIS elements. We usually have to undertake some degree of analysis and rearrangement before the applicant's elemental costs can be compared to BCIS elemental benchmark figures. If a further level of detail is available showing the build-up to the elemental totals it facilitates the review of specification and cost allowances in determining adjustments to benchmark levels. An example might be fittings that show an allowance for kitchen fittings, bedroom wardrobes etc that is in excess of a normal benchmark allowance.
- 2.8 To assist in reviewing the estimate we require drawings and (if available) specifications. Also any other reports that may have a bearing on the costs. These are often listed as having 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 Affordable Housing Statement prepared by Islington & Shoreditch Housing Association (ISHA) and the viability toolkit (as an Excel file) ref ~~00072015~~.
- 3.2 We have in addition downloaded further information from the planning web site.

- 3.3 There is no construction cost estimate as such and we have therefore been reliant on extracting information from the toolkit to determine the Applicant's allowances for NIA, GIA and construction costs.
- 3.4 We have been able to undertake this exercise of cost checking for viability purposes relying only on the information derived from the toolkit but suggest that the preparation of a detailed construction cost estimate, preferably in elemental form, is a prudent and preferred option that provides a reliable estimate and a useful control document throughout the project. This would make due allowance for all project specific costs including demolitions, external works and services and enhanced specifications that are all treated as abnormal costs for benchmarking purposes.
- 3.5 The toolkit considers three categories of units: Social Rent, Shared Ownership and Open Market. The Social Rent is located in Blocks B and C. Block C comprises 4Nr 4B6P houses that for benchmarking are considered as a separate category to the flats of Block B. We have therefore calculated a split of Social Rent of 22.5% housing and 77.5% flats and included a blended rate in our benchmarking.
- 3.6 The flats in Block A (both affordable and open market) are all 4 storey. The Flats of Block B are 3 storeys. All flats therefore fall within the BCIS category of 3-5 storeys.
- 3.7 The toolkit allows 1% for contingency. We have adopted the same rate in our benchmarking although a rate of 5% would be normal for new build work and acceptable for both the Applicant's and benchmarking calculations.
- 3.8 The toolkit provides for the inclusion of amounts for site preparation and demolition, roads and sewers, services, strategic landscaping, off site works, public open space, site specific sustainability initiatives and plot specific external works. All these have been left blank (notwithstanding the requirements scheduled as examples in the following clause) and we therefore assume the rates used by the Applicant are inclusive of any of these costs applicable to the development.

The drawings, design information and the Design & Access Statement indicate the following:-

- Existing buildings to be demolished
- Foul drainage installation
- Surface water drainage installation including a large attenuation tank
- Incoming mains services
- Common area landscaping including the new mews
- External lighting
- Bin stores, cycle stores and cycle racks
- External works to private areas
- Boundary treatments
- Sustainability: code 4 CSH, green roof to Block A, solar thermal technology

- 3.9 We have downloaded current BCIS data for benchmarking purposes including a location factor for Islington of 125 that has been applied to our benchmarking calculations.
- 3.10 Please refer to our attached file "Summary of Applicant's information, BCIS data and BCIS Benchmarking". We have included a 15% addition to allow for external

works. We have also allowed a sum for specification enhancements that would cover abnormal foundations, enhanced kitchen and bathroom fittings, enhanced floor finishings: £**xxx**/m<sup>2</sup> to shared ownership and £**xx**/m<sup>2</sup> to open market units.

- 3.12 The results of our benchmarking yield rates for Social Rent, Shared Ownership, and Open Market of £**245**/m<sup>2</sup>, £**272**/m<sup>2</sup> and £**312**/m<sup>2</sup> respectively. These compare to the Applicant's £**244**/m<sup>2</sup>, £**270**/m<sup>2</sup> and £**315**/m<sup>2</sup>. The overall benchmarked construction cost is about £**10,000** less than the Applicant's figure, but given the assumptions we have necessarily made and in particular that the contingency is only 1% - we are satisfied that the Applicant's costs are reasonable.

BPS Chartered Surveyors  
Date: 22<sup>nd</sup> October 2015