

Report of: Executive Member for Housing and Development

Executive	Date: 4 January 2018	Ward(s): St George's and Holloway
Delete as appropriate		Non-exempt

SUBJECT: Adoption of Holloway Prison Site Supplementary Planning Document**1. Synopsis**

- 1.1 The purpose of this report is to outline the proposed final content of the Holloway Prison Site Supplementary Planning Document (SPD) and to ask Executive to adopt the SPD. The SPD has been amended following the completion of a public consultation process over autumn 2017, undertaken in line with the statutory consultation requirements.
- 1.2 The Ministry of Justice has stated its intention to dispose of the Holloway Prison site. The last prisoners left the site in the summer of 2016 and the prison has been decommissioned. The site is currently being marketed for sale. The Council has prepared planning guidance in the form of a Supplementary Planning Document to provide further detail and clarity about how the future development of the site should be approached.
- 1.3 The Council consulted local residents and key stakeholders on a discussion paper in spring 2017 asking for feedback about the content of future planning guidance. Over 300 responses were received. This feedback was used to inform a draft Supplementary Planning Document for the site which was consulted on during the autumn of 2017. This consultation was widely engaged with, receiving around 500 responses.
- 1.4 Once adopted, the SPD will be a material consideration in determining future planning applications to which it applies.

2. Recommendations

- 2.1 To note the Consultation Statement for the Holloway Prison Site Supplementary Planning Document which provides the Council's response to issues raised during consultation on the draft SPD (see Appendix 2).
- 2.2 To agree to adopt the Holloway Prison Site Supplementary Planning Document as attached as Appendix 1.

3. Background

Update on the site

- 3.1 The Holloway Prison site is currently empty. The last prisoners left the site in the summer of 2016 and were relocated to facilities at HMP Bronzefield (in Ashford) and HMP Downview (in Surrey). The Government concluded that that the design and physical state of the prison did not provide the best environment for the rehabilitation of offenders. The last inspection of the prison concluded the "the size and poor design make it a very difficult establishment to run"¹
- 3.2 The Ministry of Justice (MoJ) have announced their intention to sell the site in order to fund improvements to the prison estate elsewhere as part of the £1.3billion Prison Estate Transformation Programme to modernise the prison estate and support rehabilitation. The MoJ is currently marketing the site with the deadline for submitting bids having been 15 November 2017.

The need for planning guidance

- 3.3 Following the decision to vacate the site and the intention to sell for redevelopment, the Council determined to produce planning guidance in the form of a Supplementary Planning Document (SPD), to provide clarity about what would be expected from the site's future development.
- 3.4 Production of an SPD follows a set statutory process and, once adopted, it will be a material consideration in the determination of a future planning application. It is important that the SPD is published as soon as possible in order to inform the decisions of prospective buyers of the site.
- 3.5 An SPD does not introduce new planning policies, rather it provides guidance around existing policies in relation to the site. The SPD has been informed by a robust site capacity assessment and a viability assessment, and sets out clear parameters to all stakeholders as to what will be expected to be delivered on the site.

The Council has also started the review of its statutory Local Plan² and this site will be included as a site allocation within the Local Plan and will therefore have a site specific policy. The SPD is considered against existing planning policies but it will also need to take account of emerging policies as relevant.

Discussion Paper Consultation

- 3.6 The first stage in the preparation of the SPD was an early consultation on a Discussion Paper which asked for feedback on the content of future planning guidance. Consultation took place for over 5 weeks from 3 March to 10 April 2017. This included writing to over 6,000 properties in the local area and contacting around 1,600 individuals and organisations on the Planning Policy database, as well as writing to additional stakeholders who were identified as having a specific interest in the site.
- 3.7 Over 300 responses were received. The majority of responses were from local residents. However, there were also responses from other key stakeholders that have an interest in the site, including voluntary and community groups as well as government agencies and bodies. The responses to the discussion paper are summarised (grouped by response theme) in the consultation statement

¹ Written Ministerial Statement: <https://www.gov.uk/government/speeches/prisons-announcement>

² <http://www.islington.gov.uk/localplan>

(Appendix 2), alongside the Council's response to issues raised. The key issues raised during this preliminary consultation stage were as follows:

- Housing: this was the single biggest issue raised in responses. There was strong support for affordable housing on the site, in particular social/council housing.
- Community facilities: there were a number of responses about community facilities, including open space, a women's centre and other uses associated with the historical legacy of the site, including space to support women in the criminal justice system.
- The Mayor's Office for Policy and Crime (MOPAC) highlighted that the Mayor supports proposals for retaining some space for female offender services on the site given the gap in provision that resulted from the site's closure.
- The Education Funding Agency (EFA) highlighted the importance of safeguarding land on the site for education use.
- The Greater London Authority (GLA) and Transport for London (TfL) provided a joint response which highlighted their support for a significant number of new homes on the site, including affordable housing. The GLA suggest that the site should be relatively high density given the site's transport accessibility and proximity to Nag's Head Town Centre, with parts of the site likely to be suitable for taller building elements.
- The Ministry of Justice (MoJ) reiterated that the sale of the site will help to fund the prison reform programme and the importance of maximising capital receipts for this purpose. "The impact of the level of affordable housing and housing mix could be significant to the value of the site and this could have wider implications for the affordability of the delivery of new prisons and improvements elsewhere." The MoJ consider there is potential to increase building heights above 10 storeys. It was highlighted that community infrastructure provision on the site should also be considered in the context of the need to improve prison facilities elsewhere.

Draft SPD consultation

- 3.8 Following consultation on the discussion paper, a draft SPD was prepared taking into account the feedback received as well as utilising additional technical evidence around urban design and the site's capacity and using this to inform viability work.
- 3.9 Consultation on the draft SPD took place from 16 August to 3 October 2017. The consultation on the draft SPD was one of the most engaged with consultations ever in Islington for this type of planning document, demonstrating the importance of the site in terms of its size and context. There were two ways in which to engage with the draft SPD consultation: an online survey and written responses. The Council also held two drop-in sessions at the temporary John Barnes Library, where residents and other interested parties could come and ask questions about the draft SPD and the site in general. In order to promote the consultation and drop-in sessions, the Council organised extensive leafleting in the local area, with the aim of publicising the proposals and maximising feedback.

There were just over 400 responses to the online survey, with summary statistics as follows:

- 76% of respondents were residents
- 15% of respondents were community/voluntary groups.
- 85% of respondents agreed with the draft SPD objective on housing and affordable housing; 69% strongly agreed and 16% agreed.
- 84% agreed with the draft SPD non-residential uses objectives including the inclusion of a women's centre; 40% strongly agreed and 43% agreed.
- 86% agreed with the draft SPD open and play space objectives; 56% strongly agreed and 30% agreed

- 3.10 There were around 100 written responses to the draft SPD consultation. A large proportion of these responses were template letters of support for a swimming pool to be provided at the site, linked to representations from Anaconda swimming club (see below). Generally, responses were largely positive of the draft SPD's key objectives for the development of the site, in particular housing and social infrastructure.
- 3.11 The responses to the draft SPD consultation are summarised (grouped by response theme) in the consultation statement (Appendix 2), alongside the Council's response to issues raised. The key issues

raised during the consultation were as follows:

- 3.12 **Housing:** Affordable housing was one of the most commented on themes with large support for delivery of at least 50% affordable housing. Several respondents want to see more ambitious affordable housing targets, including increased percentages of social housing and the inclusion of alternative housing and assisted living accommodation for vulnerable women. The Ministry of Justice (MoJ) expressed concern with the viability work which underpinned the SPD objective to deliver 50% affordable housing.
- 3.13 Regarding the type and density of the dwellings, several respondents were strongly opposed to any high rise development. However, the MoJ expressed their disagreements with what they see as capping the site's capacity at 900 dwellings and the objective to maximise three-bedroom family units.
- 3.14 **Social Infrastructure:** The number of comments relating to social infrastructure were substantial and varied. The provision of a Women's Centre was widely supported in the consultation, with some variance about the exact services which should be provided. Several organisations expressed their desire to see a holistic women's centre acting as a focal point for these support services and becoming a beacon of best practice. The MoJ does not support specific provision of a women's centre, stating that any centre should be provided as part of general community provision.
- 3.15 Anaconda Swimming Club provided a representation stating the case for the development of a competition standard swimming pool to allow the swimming club to expand. The representation was supported by further letters of support based on a standard template and a petition with over 1,000 names (at time of writing) has also been provided. However, it was brought to the Council's attention by a concerned respondent that their name and contact details had been used by the Anaconda Swimming Club petition without the individual's knowledge. Another individual respondent commented that providing a swimming pool would not be the most efficient use of space when housing and a women's centre are high priority.
- 3.16 **Employment:** There was support for some small scale commercial uses on site. The MoJ noted that demand for such space should be assessed to ensure it is viable. There was support for the affordable workspace objective, but the MoJ feel this should be aspirational rather than a requirement.
- 3.17 **Conservation and Design:** Natural England and other respondents were in favour of requiring open space. The MoJ welcomes an appropriate level of open space but finds the requirement to locate such space in the centre of the development overly prescriptive.
- 3.18 As indicated above, several respondents commented on the unsuitability of tall buildings on the site. The MoJ argue that there is clearly scope to maximize the opportunity for high density development at a high scale.
- 3.19 **Sustainability:** Most written responses commenting on sustainability were in agreement with the draft SPD's sustainability objectives and standards. Several comments were made regarding the poor air quality around the site. Natural England and the Islington Green Party stated the importance of providing green infrastructure and ecological networks, which benefit people and local ecology as well as mitigating against flooding and heatwave effects.
- 3.20 **Transport and Public Realm:** There was strong support for a car free development. The importance of good connectivity through and around the site for pedestrians and cyclists was expressed by several respondents.
- 3.21 All representations received have been carefully considered, and responses to these are set out in the Consultation Statement (at Appendix 2).
- 3.22 Minor amendments have been made to the draft SPD. However, no significant changes to the Council's overall approach have been made as a result of the draft SPD consultation.

4. Implications

Financial implications:

- 4.1 The cost of producing the SPD and consultation costs will be met through existing budgets within the Planning and Development division.

Legal Implications:

- 4.2 The SPD has been prepared in line with relevant planning regulations. Consultation on the SPD has been undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Once the draft SPD has been adopted it will be a material consideration in the determination of relevant planning applications.

Environmental Implications

- 4.3 A Screening Statement to determine the need for a Strategic Environmental Assessment (SEA) has been prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC. The screening has concluded that an SEA does not need to be prepared as the SPD does not introduce new policies, but provides further guidance on adopted Local Plan policies which have been sufficiently appraised in the Sustainability Appraisals of the Local Plan documents adopted by the Council. It is considered that the SPD will not result in any additional significant effects to those already identified through the higher level Sustainability Appraisals.
- 4.4 The Screening Statement was sent to the three statutory consultees (Natural England, Environment Agency and Historic England) ahead of the draft SPD consultation. All three statutory consultees agreed with the conclusion of the Screening Statement and considered that there is no need for an SEA.

The SPD provides guidance on existing policies to mitigate against negative environmental impacts in line with existing planning policy. There are a number of measures identified as required by existing planning policies that have the potential to improve the environment – for example an improved street scene, new open space and sustainability measures including decentralised energy.

Resident Impact Assessment:

- 4.5 The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.
- 4.6 The assessment of equality impacts is an iterative process and has been considered throughout the development of the SPD. The initial screening for a Resident Impact Assessment (RIA) was completed in July 2017 in respect of the draft SPD which was then consulted on. This screening did not identify any negative equality impacts for any protected characteristic or any human rights or safeguarding risks.
- 4.7 The final SPD at Appendix 1 includes some minor amendments following consultation. The RIA has been revisited in October 2017, in respect of the amendments. No negative equality impacts for any protected characteristic or any human rights or safeguarding risks were identified.

5. Reasons for the recommendations / decision:

- 5.1 The development of planning guidance for the Holloway Prison site is important in setting out and delivering the Council's objectives for the site. The SPD will be a material consideration in the determination of a future planning application and the timing of the guidance will also be important in informing future buyers of the site.

Signed by:

Diamond Ward.

21.12.17

Executive Member for Housing and
Development

Date

Appendices:

Appendix 1 – Holloway Prison Site SPD

Appendix 2 – Holloway Prison Site Consultation Statement

Background papers: None

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