



Report of: Executive Member for Housing and Development

Executive	Date: 13 July 2017	Ward(s): St George's and Holloway
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SUBJECT: Holloway Prison Site – Approval of draft Supplementary Planning Document for consultation

1. Synopsis

- 1.1 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.
- 1.2 The Council is preparing 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 is being used to inform a draft Supplementary Planning Document (SPD) for the site which is intended to be consulted on during the summer of 2017.
- 1.4 The purpose of this report is to provide an outline of the draft SPD to be approved for consultation and provide a summary of some of the headline responses to the discussion paper for the site which was consulted on in spring 2017.

2. Recommendations

- 2.1 To note the results of the public consultation on the discussion paper for the Holloway Prison Site (attached at Appendix 2)
- 2.2 To approve the draft SPD for the Holloway Prison site for public consultation (attached at appendix 1).

- 2.3 To delegate authority to the Corporate Director of Environment and Regeneration in consultation with the Executive Member for Housing and Development, to make any further changes to the SPD and supporting documents that are considered necessary prior to public consultation.
- 2.4 To note that the consultation timetable will also be jointly agreed between Corporate Director of Environment and Regeneration and the Executive Member for Housing and Development.

3. Background

Update on the site

- 3.1 The site is now 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) ¹. The Government concluded that the design and physical state of the prison do 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”²
- 3.2 The Ministry of Justice 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. No timescales have so far been announced for the sites sale.

The need for planning guidance

- 3.3 The Council has committed to producing planning guidance to provide clarity about what would be expected from the site’s future development. It is important that draft guidance is published as soon as possible in order to inform the decisions of prospective buyers of the site
- 3.4 It is proposed that the planning guidance will be a Supplementary Planning Document (SPD). This follows a set statutory process and, once adopted, will be a material consideration in the determination of a future planning application.
- 3.5 An SPD does not introduce new planning policies; rather it provides guidance around existing policies in relation to the site. As the council has also started the review of its statutory [Local Plan](#), the site will be included within this as a site allocation and will therefore have a site specific policy. The SPD is considered against existing planning policies; however 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 6000 properties in the local area, contacting around 1600 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. Given the high number and depth of responses a full summary of the consultation responses is set out in appendix 2. Some headline consultation findings include:
- Housing: this was the single biggest issue raised in responses – around two thirds of respondents. There was strong support for affordable housing on the site, in particular social/council housing.
 - Community facilities: there were a number of responses about the need for community facilities, including open space, a women’s centre and other uses associated with the historical legacy of

¹ Ibid.

² Witten Ministerial Statement: <https://www.gov.uk/government/speeches/prisons-announcement>

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 space for female offender services on the site given the gap in provision that resulted from the sites closure.
- 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 sites 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.

3.8 Content of SPD

The SPD was drafted taking into account the feedback received from consultation on the discussion paper as well as utilising additional technical evidence around urban design and viability work which will be published during the public consultation on the draft SPD. The structure of the SPD follows that of the discussion paper and is summarised below:

- **Site history and prison reform** – this section sets out a brief background about the historical evolution of the prison as well as the more recent context of prison reform.
- **Site context and planning constraints** – this section provides a summary of the context and constraints to be taken into account by future development proposals, including: the built environment; topography; heritage considerations; building heights; biodiversity, transport and access,
- **Future uses:**
 - **Housing:** The document sets out the potential of the site to accommodate housing to meet the boroughs housing needs, emphasising the importance of genuinely affordable housing. The draft SPD includes some indicative numbers about the quantum of housing that might be achievable and desirable and also includes information about the levels of affordable housing that are likely to be achievable.
 - **Community uses:** this section sets out the extent to which social and community infrastructure uses will be needed on site including on-site open space/play space and community facilities including a women's centre/building.
 - **Other uses:** how the other uses, such as the provision of a small amount of retail and/or employment space should be approached.
- **Design:** this section sets out key design principles for the future development of the site, including: how development should take into account the context of building heights and heritage assets; how the site is connected to its surroundings and encourages sustainable transport choices; how development should encourage inclusive design features as well as provide green infrastructure; and finally how future development should take account of sustainability policies including those around decentralised energy.
- **Delivery:** this section sets out expectations in relation to viability, community involvement in developing plans and expectations around phasing of the development.
- **Key objectives:** this section provides a summary of the main objectives for the site.

3.9 Next Steps

Following consultation on a draft SPD, responses will be analysed and amendments made as appropriate. There may be a requirement for additional consultation depending on the extent of the changes. The final version of the SPD will then be taken to the Council's Executive for adoption.

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 draft SPD has been prepared in line with relevant planning regulations – including 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. An SEA screening statement has been prepared which confirms that no environmental assessment is required in accordance with the requirements of European Directive 2001/42/EC (The Strategic Environmental Assessment Directive).

Environmental Implications

- 4.3 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 streetscene, new open space and sustainability measures including decentralised energy.

Resident Impact Assessment:

- 4.4 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.
- 4.5 A Resident Impact Assessment (RIA) has been completed and this did not identify any negative equality impacts for any protected characteristic or any human rights or safeguarding risks. The SPD will encourage benefits from the future development of the site, including the provision of affordable housing.

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 timing of the guidance will also be important in informing future buyers of the site. For the reasons set out above it is recommended that the Executive note the summary of the consultation responses to the discussion paper (attached at appendix 2) and to approve the draft SPD (attached at appendix 1) for consultation. Executive is also asked to delegate authority to the Corporate Director of Environment and Regeneration in consultation with the Executive Member for Housing and Development to make changes to the draft SPD and (and supporting documents where relevant) if any are needed prior to public consultation.

Signed by:

Diarmuid Ward

5 July 2017

Executive Member for Housing and Development Date

Appendices

Appendix 1: Holloway Prison draft Supplementary Planning Document (SPD)

Appendix 2: Summary of Discussion Paper consultation responses

Background Papers - none

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