

Report of: Executive Member for Housing and Development

Meeting of:	Date	Ward(s)
Council	27 June 2019	All

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SUBJECT: Islington Local Plan Review - approval of Regulation 19 proposed submission draft documents for public consultation and subsequent submission to the Secretary of State

1. Synopsis

- 1.1 The purpose of this report is to outline the content of the draft borough Local Plan. Each Local Planning Authority (LPA) is required to produce a Local Plan setting out the strategic planning priorities for its area, opportunities for development and clear policies on what will or will not be permitted and where. The Local Plan provides the basis for making decisions on planning applications, and both it and the evidence behind it need to be kept up-to-date to ensure that its policies will continue to enable the Council to deliver on its objectives.
- 1.2 Islington's current Local Plan includes the Core Strategy (2011), Development Management Policies, and Site Allocations and Finsbury Local Plan Development Plan Documents (DPDs) (all 2013). All these documents are now in the process of being reviewed in light of new evidence, and national and regional planning policy changes. Implementation of the Council's planning policies is a key mechanism for achieving the Council's fairness priority. For example, the draft Local Plan policies to maximise the delivery of genuinely affordable housing and affordable workspace.
- 1.3 The draft attached in the appendices is the version of the Local Plan that is intended to be formally consulted on in the Autumn of 2019 and then submitted to the Planning Inspectorate for Independent Examination. Local Plans must undergo examination by an independent planning inspector. This process establishes whether the draft Local Plan is considered 'sound',

meaning it is compliant with planning legislation and guidance. A Local Plan must be considered 'sound' in order for it to be formally adopted and then used to determine planning applications.

2. Recommendations

- 2.1 To note the summary of consultation responses (at Appendix 4) received during public consultation undertaken between November 2018 and January 2019, and the comments on how these responses have been taken into account. There may be minor changes to this document following the full Council meeting. For any significant changes, authorisation will be sought from the Corporate Director of Environment and Regeneration, in consultation with the Executive Member for Housing and Development. The consultation statement will be published on the Council's website alongside the Local Plan documents at Appendix 1, 2 and 3.
- 2.2 To note the draft Integrated Impact Assessment (IIA) (at Appendix 5). The IIA assesses sustainability and equalities impacts of the draft plan, and must be submitted alongside the draft Plan. A Residents Impact Assessment has also been produced (at Appendix 6) which links to the IIA information. There may be minor changes to the IIA following the full Council meeting. For any significant changes, authorisation will be sought from the Corporate Director of Environment and Regeneration, in consultation with the Executive Member for Housing and Development. The IIA will be published on the Council's website alongside the Local Plan documents at Appendix 1, 2 and 3.
- 2.3 To approve the Local Plan proposed submission draft documents (at Appendix 1, 2 and 3) for six weeks formal statutory consultation (Regulation 19 stage) starting in September 2019, and subsequent submission to the Planning Inspectorate for Independent Examination.
- 2.4 To authorise the Corporate Director of Environment and Regeneration, in consultation with the Executive Member for Housing and Development, to approve any further changes to the draft Local Plan ahead of public consultation in September 2019.
- 2.5 To authorise the Corporate Director of Environment and Regeneration, in consultation with the Executive Member for Housing and Development, to approve appropriate changes to the Local Plan during Independent Examination, in response to requests from the Planning Inspector and/or any emerging evidence, guidance or legal advice and/or in response to the new London Plan, which is currently in the final stages of preparation.

3. Background

- 3.1 The preparation of a Local Plan is guided by planning legislation and national and regional policy and guidance, including the National Planning Policy Framework (NPPF). The NPPF states that a Local Plan should provide a framework for addressing housing needs and other economic, social and environmental priorities. The plan should contain strategic policies which set out the overall strategy for the pattern, scale and quality of development. Development management policies which add further detail on the implementation of strategic policies can also be included. The plan should allocate sufficient sites to deliver the strategic priorities of the area.
- 3.2 Islington's current Local Plan covers the period up to 2026. It is made up of the Core Strategy (2011), Development Management Policies, and Site Allocations and Finsbury Local Plan Development Plan Documents (DPDs) (all 2013). The Core Strategy sets out strategic policies

to guide the future development of the borough, while the other documents provide detailed policy to enable the implementation of these strategic policies together with non-strategic policies that are used to make decisions on planning applications.

- 3.3 Islington's delivery record across a range of policy areas, including housing, sustainability and employment, indicates that current policies within the Local Plan are successfully achieving the Council's priorities. However, the Local Plan and the evidence base behind it need to be kept up-to-date to ensure that the policies will continue to enable the Council to deliver on its objectives in light of changes to national and regional policy. Changes in demographic and development trends have also occurred (highlighted by updated evidence-base work) which demonstrate a need to deliver additional development to accommodate growth, in particular housing and employment growth.
- 3.4 At the national level, the Government continues to implement wide ranging changes to the planning system, including the recently revised NPPF which includes a number of changes which necessitate a review of the Local Plan. As well as reflecting national policy, the Local Plan needs to be in 'general conformity' with the London Plan. The Mayor of London has published a new draft London Plan with adoption likely to be in 2020 (subject to the outcome of the examination hearings). Carrying out a review of the Local Plan in parallel with the London Plan review will ensure that the two processes are aligned, allowing Islington's policies to reflect those of the amended London Plan (where appropriate) and make use of the London Plan evidence base (where useful).
- 3.5 There have been several rounds of consultation on the Local Plan review. Information, including how responses received during these consultation exercises have been taken into account in the draft submission documents, is provided at Appendix 4.
- 3.6 An initial consultation exercise on a 'Scope of the Review' paper was undertaken between 25 November 2016 and 20 January 2017. The consultation received 93 responses on both policy and site issues from statutory consultees, businesses, developers and community groups and individuals.
- 3.7 Public consultation on Site Allocations Direction of Travel took place between 12 February and 26 March 2018. A wide variety of responses were received from residents, businesses and developers and including a mix of objections and support. The notable site allocations that generated responses include the Andover Estate, Tileyard Studios, Finsbury Leisure Centre, Braithwaite House and Quaker Court.
- 3.8 Public consultation on detailed draft versions of the Local Plan documents – Strategic and Development Management Policies, Site Allocations and the Bunhill and Clerkenwell Area Action Plan (AAP) - ran for a period of 8 weeks between Tuesday 20 November 2018 and Monday 14 January 2019. This consultation provided the first opportunity for various stakeholders to comment on proposed detailed policies. A total of 857 responses were received, from a range of statutory consultees, landowners, and local residents, organisations and businesses.
- 3.9 The majority of responses were objections to the Council's proposed policy on the Vale Royal/Brewery Road Locally Significant Industrial Site. This included 656 'set responses' relating to potential impacts that the draft Local Plan could have on Tileyard Studios, particularly their plans to expand. The responses raised very similar issues, most using exactly the same template wording and statistics. The responses were mostly from businesses who

currently operate at Tileyard Studios; there were also a number of responses from businesses located in the wider industrial area; and from a number of other businesses/individuals outside Islington who operate in the music industry

- 3.10 The Mayor of London's response noted that in its entirety, the draft Local Plan was in 'general conformity' with the draft London Plan.
- 3.11 Other objections received included:
- A number of objections to the tall buildings policy and evidence base were received. These ranged from local residents and organisations who objected to the principle of tall buildings; to landowners and developers who considered the evidence base to be flawed and/or suggested alternative approaches and locations suitable for tall buildings.
 - Several objections which considered that the requirements for affordable workspace were not viable.
 - Requests for greater flexibility on specific site allocations to allow different uses, particularly residential uses.
 - Objections to the proposed approach to purpose built Private Rented Sector accommodation and student accommodation. Responses considered that the Local Plan should be more accommodating of these specialist forms of housing.
 - Objections to the proposed site allocation for Finsbury Leisure Centre. Objections related to several parts of the allocation including the potential loss of open space.
- 3.12 No significant changes to policies or allocations are proposed as a result of the consultation, although there are a number of minor changes proposed for clarity, internal consistency, factual updates or to amend grammatical errors or typos. There are several site allocations that are proposed to be removed as development on these sites is nearing completion or has completed.
- 3.13 The Local Plan review (incorporating changes made since the previous consultation) will undergo a final round of public consultation, together with the finalised evidence base which has informed policy preparation and the IIA which appraises draft policies for their sustainability, health and equalities implications. This next consultation on the draft Local Plan will be undertaken in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 3.14 The Local Plan review includes evidence on viability which takes into account policy requirements, in particular the level of affordable housing, to ensure that realistic policies are set which ensure deliverability of the draft Local Plan objectives.

Content of the Plan

- 3.15 The draft Local Plan proposed submission documents are provided at Appendices 1, 2 and 3. These drafts may be subject to further minor changes ahead of start of public consultation in September 2019. Any minor changes following full Council approval will be authorised by the Corporate Director of Environment and Regeneration, in consultation with the Executive Member for Housing and Development. The key policy areas (including any changes to the approach in the current Local Plan) are summarised briefly below:

- 3.16 Housing: Delivery of genuinely affordable housing is a key strategic priority. Strategic policy expects 50% of all housing delivered to be affordable. This is to be achieved through a specific on-site target of 45% from developments without public subsidy, alongside policy which strongly encourages the use of public subsidy to help schemes achieve 50% on-site delivery (or more). Incentives including viability review mechanisms will also be used as part of policy to ensure developers try to get subsidy to achieve 50% on-site delivery.
- 3.17 The affordable housing tenure split will remain at 70% social rented and 30% intermediate rent to reflect the fact that maximising social rented housing remains an absolute priority. The tenure split reflects a need to contribute to delivering mixed and balanced communities. London Living Rent, a new form of tenure recently introduced by the Mayor of London will be promoted as the priority for the 30% intermediate tenure, which will provide additional affordable housing supply for those on moderate incomes, including key workers, who are unable to obtain social housing and cannot afford market housing in the borough.
- 3.18 Islington's housing target, which is set out in the Mayor's draft London Plan, has decreased from 1,264 to 775 homes per annum, reflecting the scarcity of developable land in the borough. There are a number of Council policies designed to resist the development of specialist forms of housing (student accommodation, purpose built private rented sector housing and large-scale HMOs), primarily because these forms of housing take up scarce land supply and/or do not enable effective delivery of genuinely affordable housing. The need to provide housing for older people will be met primarily through conventional housing designed to be adaptable with different levels of care provided in people's homes rather than provision of specialist accommodation such as extra care housing.
- 3.19 Delivering high quality housing is a key priority with minimum standards for internal space, accessibility & inclusivity, floor to ceiling heights, private outdoor space, noise and other amenity considerations. All new housing development will be required to be 'tenure blind', where different tenures are indistinguishable from one another.
- 3.20 Employment: Over the period to 2036, evidence suggests that up to 50,500 extra jobs will need to be accommodated in Islington, most of which will be office based jobs. This requirement equates to 400,000sqm of office floorspace. Delivering this level of floorspace will be very challenging given competing development needs and the lack of land. In order to meet this need as far as possible, employment policies are seeking the maximisation of different types of business space - such as offices, light industrial space and SME space – within specific designated employment sites.
- 3.21 The Central Activities Zone (which is predominantly covered by the Bunhill and Clerkenwell AAP (Area Action Plan) area is expected to deliver the greatest uplift in office floorspace in the borough. To enable this, additional housing within the Bunhill and Clerkenwell area will not be actively promoted (with some site specific exceptions). Across the rest of the borough, existing employment land will be strongly protected.
- 3.22 Additional Locally Significant Industrial Sites (LSIS) have been designated in order to better protect important remaining small clusters of industrial uses across the borough. The Vale Royal/Brewery Road LSIS, the largest concentration of industrial uses in Islington, has its own spatial strategy to guide development in the area which reflects its particular importance to the local and central London economy. This area is considered suitable for the intensification of industrial uses, to meet the needs of small and medium size businesses.

- 3.23 10% affordable workspace, at peppercorn rent for 20 years, will be required from major development proposals (development of more than 1,000sqm) within various designated employment areas across the borough. On very large proposals in high value areas - such as the south of the borough - affordable workspace could be sought in perpetuity where viable.
- 3.24 Retail: The retail function of the four town centres of Angel, Nag's Head, Archway and Finsbury Park will be supported with a more focused retail core termed the 'primary shopping area', where a minimum level of A1 planning use-class will be maintained. The boundaries of these areas have been informed by detailed retail surveys. Outside the retail core a more flexible approach will be implemented to allow change of use from shops to other town centre uses, for example a restaurant, pending assessment of other considerations including amenity impacts. This more flexible approach is a response to, and reflects changes to retail behaviour and the way the retail industry operates, partly driven by the rise in online shopping.
- 3.25 Markets and the Camden Passage and Fonthill Road specialist shopping areas will continue to be strongly protected. Residential uses at ground floor level will be resisted in town centres and local shopping areas, due to the potential adverse impact on the retail function of these areas. Existing policy on hot food takeaways and betting shops will be strengthened with additional controls introduced in town centres and local centres. A new policy supporting meanwhile/temporary uses will be introduced.
- 3.26 Culture, night-time economy, hotels and leisure: New cultural quarters have been identified in Angel, parts of Clerkenwell/Farringdon and Archway. The night time economy, which includes a diverse range of uses including music venues, is supported with introduction of 'the agent of change' principle; this will help ensure that existing commercial uses are protected from complaints from new neighbouring residential development. Pubs are provided stronger protection against conversion, based on their social value, heritage merits and/or contribution to night time economy. A stronger protection against development of new hotels is introduced, focusing new hotels only on allocated sites or intensification of existing hotels subject to other constraints, and resisting their development outside these locations.
- 3.27 Design, heritage and tall buildings: Heritage policy has been revised in line with the NPPF, with additional clarity to reflect Islington's rich architectural history whilst also supporting innovation and architectural diversity. A detailed evidence base study of the local Islington character is being produced, to identify a number of character areas across the borough and provide basis for potential further supplementary design guidance for these areas. A policy for basements has been introduced which strengthens the current approach.
- 3.28 The draft Local Plan continues the current approach, which restricts buildings taller than 30 metres throughout the borough other than on specifically identified sites. Detailed evidence has been prepared to identify locations which are potentially suitable for tall buildings, to inform the Local Plan review. A number of potentially suitable sites have been identified in Archway, Finsbury Park, Nag's Head / Lower Holloway, Kings Cross fringe and around Old Street roundabout. Maximum heights have been identified for each site with design considerations set out in site allocations. Any proposals for tall buildings on the sites in question will have to satisfy a rigorous criteria-based policy which considers visual impact, functional impact and environmental impact of the proposal. This includes assessment of impacts on existing local views and strategic views, and daylight and sunlight impacts on properties in the surrounding area.

- 3.29 Sustainability: Delivering a sustainable built environment is crucial for Islington's long term sustainability and prosperity. The following changes to sustainability standards are proposed in the draft plan:
- New Fabric Energy Efficiency Standard for residential development to reduce carbon emissions.
 - Retention of the carbon offset charge, based on updated information from the London Plan.
 - Updated requirements on drainage to reduce flood risk.
 - New separate policy on green roofs and new policy on adaptive design (circular economy).
- 3.30 Health, social and community infrastructure: Planning can positively influence the wider determinants of health by shaping a healthier environment for people of all ages, abilities and backgrounds across the borough, from ensuring every child has the best start in life to creating healthy, inclusive environments for older and disabled people. The Local Plan includes a range of policies which will have positive health impacts, for example limiting direct adverse health impacts by restricting hot food takeaways near schools to help tackle childhood obesity; and supporting independent living, which is important for mental wellbeing, through provision of adaptable high quality housing which can meet different needs for a variety of occupants throughout their lifetime.
- 3.31 Facilities such as hospitals, doctors' surgeries, nurseries, schools, leisure centres, libraries and community centres are vital for the creation and maintenance of strong, vibrant and healthy communities. These facilities will be strongly protected as they are in the current Local Plan. However, the draft Local Plan allows for recognised public sector bodies to justify loss of facilities through provision of wider estate rationalisation plans, where these plans clearly demonstrate that overall provision within a specified area will not be diminished. An additional requirement to produce a Community Impact Assessment will also ensure that loss of facilities is only acceptable where applicants mitigate/prevent adverse impacts for their users.
- 3.32 Transport: The existing approach to car free development has been maintained.
- 3.33 Open space: Islington has one of the smallest amounts of open space per person in England and its urban and densely populated character means there is great deal of pressure on the borough's existing green spaces to perform multiple functions, and limited opportunity to create large new green spaces. Public open spaces and sites of nature conservation will retain their strong protection. Redevelopment of semi-private amenity spaces such as those on Council estates will encourage re-provision in the first instance but a high quality proposal which results in some net loss may be acceptable. Additional policy on green infrastructure includes a requirement for major development to consider an urban greening factor in line with the draft London Plan, ensuring that a minimum level of green space is included as part of a development.
- 3.34 Bunhill and Clerkenwell Area Action Plan (formerly known as the Finsbury Local Plan): The Finsbury area (covering Bunhill and Clerkenwell wards) features a variety of uses often in close proximity to one another; significant competing development pressures; a unique historic character of the built environment and copious heritage assets. The Bunhill and Clerkenwell AAP is a fine-grain policy approach for this area, produced in response to these issues. Changes inside and outside the Bunhill and Clerkenwell AAP area necessitate a review of both the policy approach and related site allocations to ensure they remain up to date. The principal change is policy to prioritise business floorspace and require maximisation of such space across

the area, rather than just in the most prominent commercial locations. Additional housing within the Bunhill and Clerkenwell AAP area will not be actively promoted (with some site specific exceptions). Neighbourhood policies, which provide strategic policies for various areas across the Bunhill and Clerkenwell AAP area, will be retained with some amendments to the area boundaries and policies.

- 3.35 **Site allocations:** Site allocations provide site specific policy for key sites to help to secure specific land uses, meet identified development needs (e.g. for housing and different types of business space) and secure the infrastructure required to support growth. Site allocations bring certainty about what will come forward on different sites. Many existing site allocations from the current Local Plan are proposed to be retained, though some need refinement in light of changed circumstances. There is also a need to identify additional sites for housing, business and other uses. Major new development opportunities likely to come forward during the lifetime of the draft Local Plan include Moorfields Eye Hospital, Holloway Prison and potentially Pentonville Prison.

Next Steps

- 3.36 Following the consultation on this proposed submission draft Local Plan, the Local Plan will be submitted to the Planning Inspectorate for examination, likely by the end of 2019. The plan will then be examined by an independent Planning Inspector. It is anticipated that the examination hearings will take place in early 2020. The Planning Inspector then writes a report determining whether the plan is 'sound' and can be adopted. This report is binding and the Local Plan can only be adopted in line with the findings of the report. Commonly, the Inspector will suggest modifications to the plan to resolve issues. Such modifications would be subject to public consultation prior to the final Inspector's report being issued. Islington's intention is to adopt its revised Local Plan in late 2020, following receipt of the Inspector's report. The decision to adopt the Local Plan requires the approval of Full Council.

4. Implications

4.1 Financial implications:

The cost of producing the Local Plan and the associated consultation costs will be met through existing budgets within the Planning and Development division.

4.2 Legal Implications:

The draft Local Plan has been prepared in line with relevant planning regulations. The proposed consultation and subsequent submission of the draft Local Plan for examination will be carried out in accordance with Regulations 19 and 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The consultation will comply with Islington's Statement of Community Involvement, which sets out how stakeholders with an interest in development in the borough can be involved in developing planning policies.

4.3 Environmental Implications:

The draft Local Plan is subject to an IIA (see Appendix 5). This brings together into a single framework a number of assessments of the social, environmental and economic impact of planning policies. The IIA follows the prescribed structure for the Sustainability Appraisal process as the basis of the framework while incorporating the requirements of the Equalities Analysis (EqA) and the Health Impact Assessments (HIA). The process is iterative and the IIA will continue to consider the sustainability of the Local Plan and its potential environmental impacts at each stage of plan preparation up to final adoption.

The draft Local Plan proposes a number of policies to mitigate and prevent climate change, including policies which seek specific energy efficiency standards and which promote decentralised energy networks.

4.4 Resident Impact Assessment:

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.

A Resident Impact Assessment (RIA) has been completed (attached at Appendix 6) and will be updated throughout the Local Plan process. The RIA refers to a contemporaneous process (the IIA, see above) which the Local Plan must undertake to assess environmental and equalities issues. The RIA will be informed by the IIA. In line with the Planning and Compulsory Purchase Act 2004, an IIA will be completed when the plan is in its final draft. The IIA will include an assessment of the likely significant economic, social and environmental impacts of the plan.

The outcome of the completed RIA is positive. The draft Local Plan is not considered discriminatory for people with any of the protected characteristics, there are no negative impacts for those with protected characteristics in relation to equality of opportunity and the draft Local Plan is unlikely to have a negative impact on good relations between communities with protected characteristics. The intention of the draft Local Plan is to address inequality within the boundaries of national and regional planning policy. For example, a key priority of the draft Local plan is the delivery of genuinely affordable housing with a strategic target of 50% of all new housing developed in the borough to be affordable. This is intended to go as far as possible within the boundaries of national and regional planning policy to address the serious affordability issue of housing in the borough.

5. Reason for recommendations

- 5.1 Islington's draft Local Plan sets out planning policies to guide the future development of the borough in line with the Council's fairness priority. It is necessary to update the Local Plan due to changes in development projections and the publication of updated national and regional policy. The consultation on the proposed submission draft Local Plan, and the subsequent submission to the Planning Inspectorate for independent examination, represents the next stage of the formal plan production process in accordance with planning legislation.

Appendices

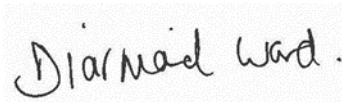
- Appendix 1 – Local Plan – Strategic and Development Management Policies (Regulation 19 draft)
- Appendix 2 – Local Plan - Site Allocations (Regulation 19 draft)
- Appendix 3 – Bunhill and Clerkenwell Area Action Plan (Regulation 19 draft)
- Appendix 4 – Summary of consultation responses
- Appendix 5 – Integrated Impact Assessment
- Appendix 6 – Resident Impact Assessment

All appendices are available on the Council's website at:

<https://democracy.islington.gov.uk/ieListDocuments.aspx?CIId=134&MIId=3574&Ver=4>

Final report clearance:

Signed by:



18 June 2019

Executive Member for Housing and Development

Date

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