



# ISLINGTON

Development Management Service  
 Planning and Development Division  
 Community Wealth Building  
 Town Hall  
 LONDON N1 2DU

## COMMITTEE REPORT

<b>PLANNING COMMITTEE</b>		<b>AGENDA ITEM NO: 1</b>
<b>Date:</b>	10 February 2022	

<b>Application number</b>	P2021/3273/FUL
<b>Application type</b>	Full Planning Application, with Environmental Impact Assessment
<b>Site Address</b>	Site of the former HM Prison Holloway, Parkhurst Road, London N7 0NU
<b>Proposal</b>	Phased comprehensive redevelopment including demolition of existing structures; site preparation and enabling works; and the construction of 985 residential homes including 60 extra care homes (Use Class C3), a Women's Building (Use Class F.2) and flexible commercial floorspace (Use Class E) in buildings of up to 14 storeys in height; highways/access works; landscaping; pedestrian and cycle connection, publically accessible park; car (blue badge) and cycle parking; and other associated works.
<b>Ward</b>	St George's
<b>Listed building</b>	No
<b>Conservation area</b>	Within 50m of Tufnell Park Conservation Area Within 50m of Hillmarton Conservation area
<b>Development Plan Context</b>	Designated Brownfield Site Holloway Prison Site (HPS) SPD Emerging Site Allocation NH7 (November 2018). Local view corridor from Archway Road (LV4) Local view form Archway Bridge (LV5). Not in a location identified as suitable for tall buildings (>30m) LL4 Local Landmark Camden Road New Church tower and Spire Within 100m of Strategic Road Network and Transport for London Road Network Major cycle route
<b>Licensing Implications</b>	None
<b>Case Officer</b>	Elizabeth Reynolds
<b>Applicant</b>	Peabody
<b>Agent</b>	Avison Young

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

1. Subject to the conditions set out in Appendix 1 (Recommendation B); and
2. Conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 (Recommendation A).
3. Conditional upon a £2.9 million contribution to the fit out of the Women's Building being secured.

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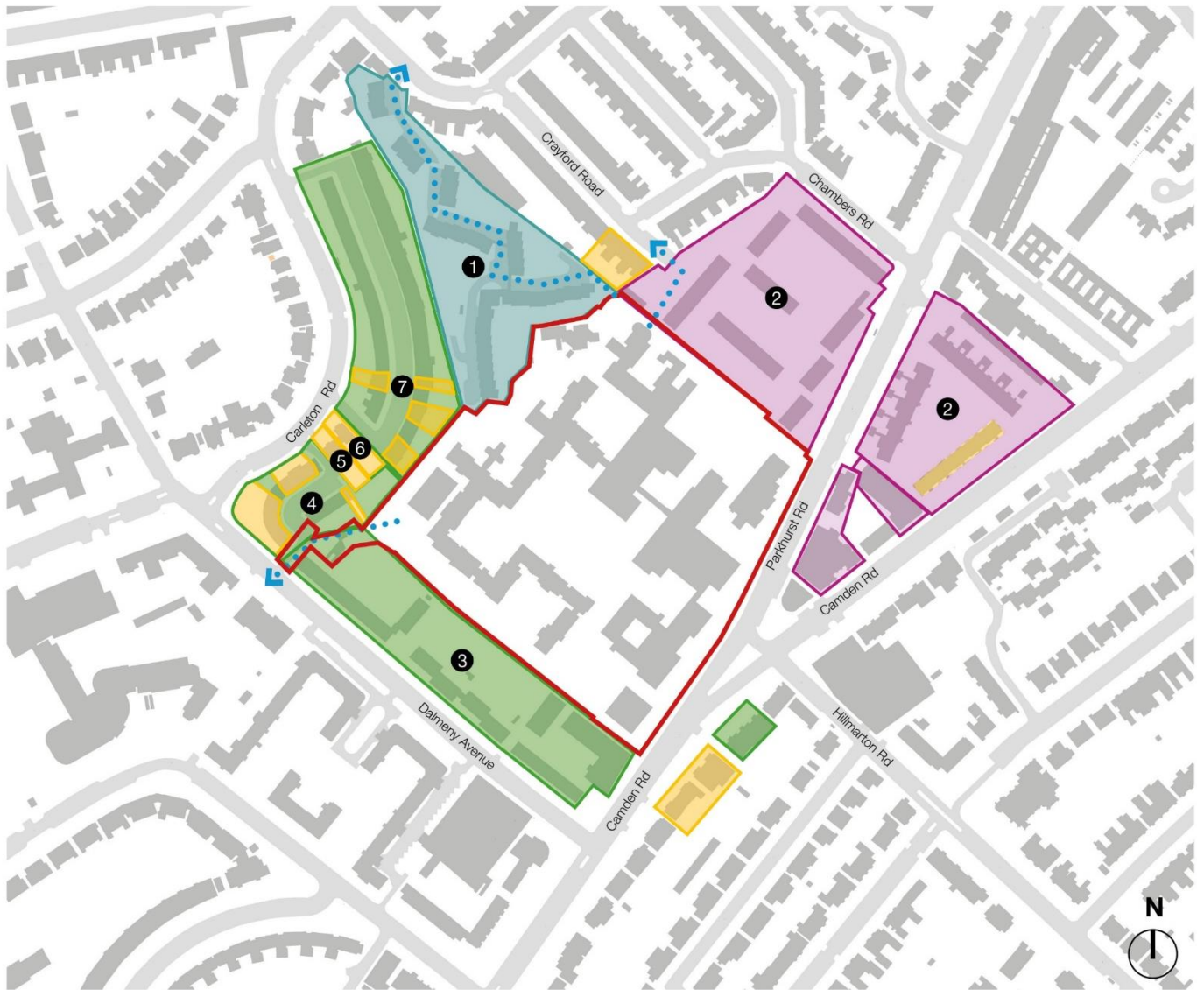
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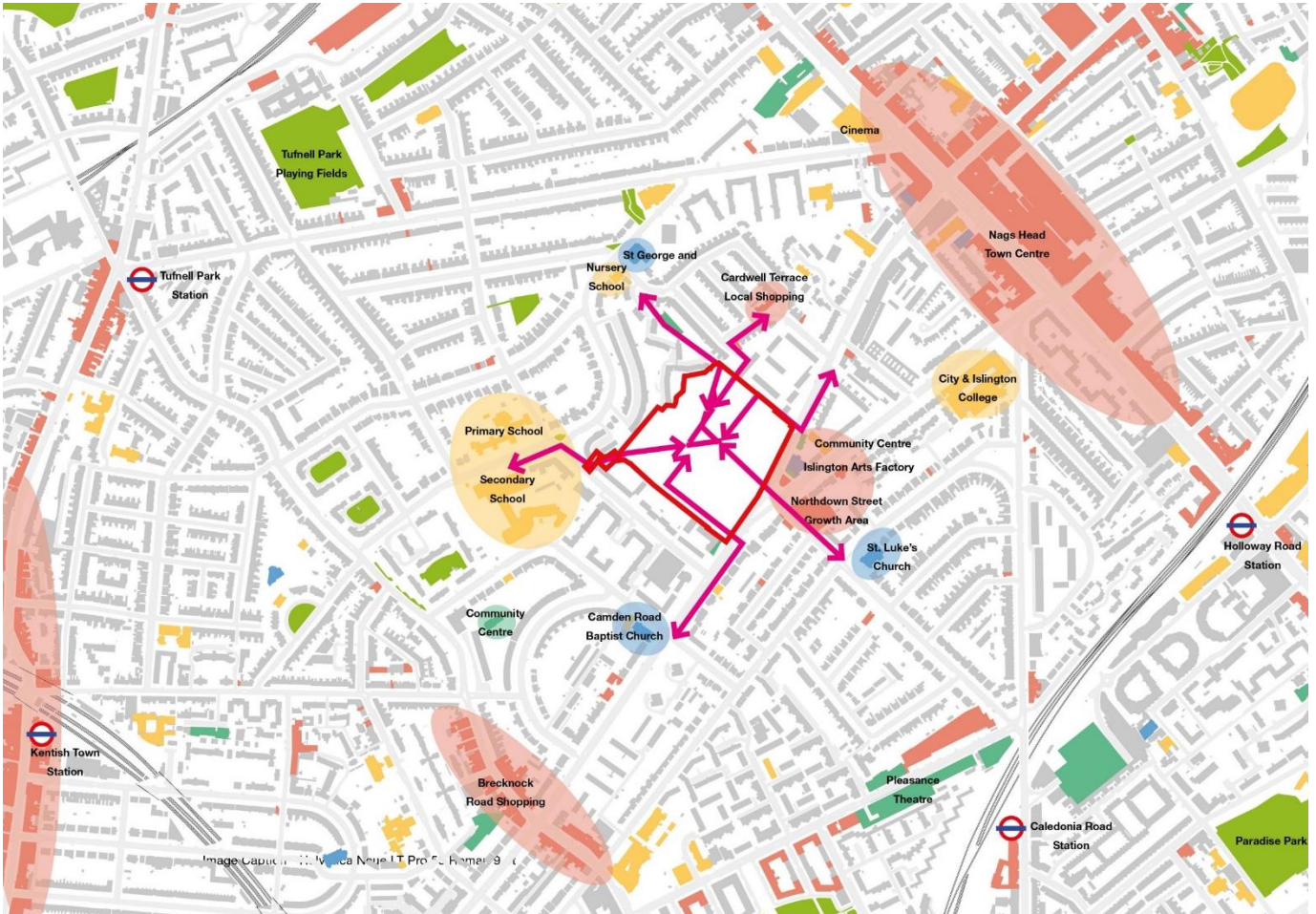
# **PART 1 – CONTEXT & PROPOSAL**



# 1. SITE CONTEXT



**Figure 1.1: Application Site** (Site Outlined in Red)



**Figure 1.2: Site Context – Existing Use**





**Figure 1.3: Site Aerial Photo**

*Application Site*



**Figure 1.4: Site - Camden Rd looking north (streetview)**





**Figure 1.5: Site from Camden Road looking NW to Category A tree (streetview)**



**Figure 1.6: Camden Road looking NW with Holloway Estate to right and Bakersfield Estate in background (streetview)**





**Figure 1.7: Site looking NE beyond hoarding, parallel to Camden Road**



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***Figure 1.13: Looking NE towards Bakersfield Estate, Penderyn Way to left***



***Figure 1.14: Looking NE from the prison to Bakersfield Estate gardens***





***Figure 1.15: Existing buildings within the prison***



***Figure 1.16: Existing buildings within the prison***



***Figure 1.17: Penderyn Way looking SE to rear of the site***



***Figure 1.18: View from Crayford Road looking SW across Holloway Estate community garden to site***



## 2. SUMMARY

### Overview

- 2.1.1. The application is for full planning permission for a phased comprehensive residential-led mixed use redevelopment comprising 985 residential homes including 60 extra care homes (Use Class C3), a women's centre (Use Class F.2) and flexible commercial floorspace (Use Class E) in buildings of up to 14-storeys, together with a new publicly accessible park, landscaping, public realm, pedestrian and cycle connections, highways/access works, cycle parking and Blue Badge car parking.
- 2.1.2. The principle of the proposal, in delivering new residential accommodation including 60% as affordable Housing (split 70% social rent and 30% shared ownership), is considered acceptable. The re-provision of social infrastructure in the form of a women's building, secured at peppercorn rent in perpetuity with mechanisms in place within the s106 agreement to secure funding from Peabody for its fit out is also supported. The provision of commercial floor space fronting Camden/Parkhurst Road subject to certain restrictions to protect town centre viability and vitality is acceptable. The development provides landscaped open spaces that are accessible to the public and improves biodiversity. As such, in land use terms, the proposed development is considered to be acceptable in principle and is consistent with the aims and objectives of the NPPF as well as London Plan Policies GG2, GG4, S1 and H1, Islington Core Strategy Policies CS12, CS13, CS14 and CS15, Development Management Policies DM4.12, DM5.1, DM6.2 and emerging Local Plan Policies H1, H2, H3, H4, H5, H7 G3 and SC1.
- 2.1.3. The proposal is considered to introduce well-designed buildings that would bring enhancement to the surrounding townscape. While the site is not identified as a site suitable for tall buildings, the proposal would introduce buildings that breach the Council's 30m tall buildings policy (both current and emerging policies). The proposed heights are therefore not in accordance with Islington Core Strategy (2011) policy CS9E and London Plan policy D9B(iii). This weighs against the proposal in the balance. However, the strategy employed in locating and designing tall buildings within the site is considered to provide some mitigation against this height in design terms through the location of taller buildings to the site frontage and generally reducing in scale to the rear of the site. The design quality of the buildings is considered particularly high and the architects will be retained in order to safeguard that quality. As such, while the proposed heights would not comply with the above noted policies, noting other material considerations, the proposal is considered to be acceptable on balance.
- 2.1.4. The proposal includes a well-considered landscape strategy that would increase the site's Urban Greening Factor as well as see a large increase in tree coverage on the site. The application is considered to be acceptable in terms of design and appearance in accordance with Development Management Policies DM2.1, DM2.4, DM2.5 and DM6.5, Islington Core Strategy CS8, CS9 and CS15, London Plan Policies D1, D3, D4 and G5 as well as emerging Local Plan Policies G3, DH1, DH2 and DH3.
- 2.1.5. With regard to impacts to heritage assets, the introduction of tall buildings onto Camden/Parkhurst Road would result in less than substantial harm to the Hillmarton Conservation Area, Grade II listed Buildings and to a non-designated heritage asset. However, in accordance with paragraph 13 of the NPPF, the public benefits of the proposal are considered to outweigh this harm.

- 2.1.6. The proposed development is considered to have been designed to minimise impacts on residential amenity but would nonetheless result in some adverse impacts in terms of loss of daylight, sunlight and sun-on-ground to neighbouring residential properties. However, the adverse impacts are considered to be outweighed by the overall benefits of the proposal. Other impacts on neighbouring amenity such as overlooking, outlook, sense of enclosure, noise / disturbance and transport impacts are considered to have been successfully mitigated and minimised, subject to appropriate conditions as detailed in Appendix 1. As such, the application is considered, on balance, to be acceptable and to largely accord with London Plan 2021 policies and Islington Development Management Policies.
- 2.1.7. The proposal is considered to be a sustainable form of development on brownfield land in a sustainable location. The application proposes a number of energy efficiency measures, optimisation of the design to reduce carbon emissions and on-site renewable energy in accordance with adopted policy. Moreover, inclusive design measures have been incorporated into the scheme as well as landscape features and biodiversity measures, in accordance with planning policy.
- 2.1.8. Finally, the application includes a section 106 agreement with suitable planning obligations and financial contributions in order to mitigate the impacts of the development; thus, the planning application is considered acceptable and in accordance with adopted planning policy (Appendix 2), subject to the planning conditions and planning obligations both listed in Appendix 1 with a £2.9 million contribution to the Women's Building to be secured.

### 3. SITE & SURROUNDINGS

#### Existing Context

- 3.1.1. The 4.16 hectare (ha) former Holloway Prison site is located on Parkhurst Road, in the St George's Ward of the London Borough of Islington.
- 3.1.2. Used as a prison between 1852 and 2016, the site remains developed with buildings but is currently unoccupied. The buildings generally range from 2 - 5 storeys and are constructed in orange / brown brick, with white steel frame windows, dating their construction to the redevelopment of the prison between 1971 and 1985. A 35m high steel flue is located in the lower, northern corner of the site, adjacent to a boiler house. A series of high walls and fences surround the site, including a wavy brick wall, designed to make it difficult to climb. The site slopes steeply downwards from west to east, with over 10m level difference in between. Mature trees are distributed throughout the site, the most notable of which is a London Plane over 20 metres in height which could date back to the original prison.
- 3.1.3. The site is designated as Brownfield Site TRAJ1 within the Local Plan and NH7 in the Emerging Site Allocations (November 2018) DPD. Almost half the site (in the south and west) is included within the corridor of the local view from Archway Road (LV4) and the Local view from Archway Bridge (LV5). There are no statutorily listed buildings, or Tree Preservation Orders within the site.
- 3.1.4. The primary frontage, and only vehicular access to the site, remains along Parkhurst Road and Camden Road along the eastern boundary. An extension of Parkhurst Road (closed to traffic) runs along most of the north eastern site boundary, separating it from a residential estate owned by the Corporation of London (CoL) opposite. The CoL estate comprises apartment blocks of 4 storeys in light brown brick with pitched roofs, distributed around landscaped communal open spaces. The CoL estate also has frontages to Chambers Road (with access to a basement car park) and Crayford Road (where a small community garden is located). To the north of the site, there is an intersection between the CoL community garden (with basement car park beneath), three to four storey Victorian residential terraces on Crayford Road, and the eastern part of what is referred to as the Bakersfield Estate.
- 3.1.5. The Bakersfield Estate is a gated residential development of brown brick and concrete arranged similar to an X shaped ziggurat, rising from two - ten storeys, connected through lift cores and elevated walkways. The Bakersfield Estate was originally constructed to house prison officers, though is now owned by Peabody and let to Notting Hill Housing. There is a single vehicular and pedestrian access onto Crayford Road, opposite the St George and All Saints Church. Some of the units within the Bakersfield Estate have private gardens facing south east to the site, these are set at a significantly lower topographical level than the prison site.
- 3.1.6. To the west of the site, a Modernist row of three storey terraces on Penderyn Way have rear gardens along the perimeter of the site. A small (publicly owned but gated) park with mature trees is located in a break between the terraces. Along the south western edge of the site is an estate owned by the London Borough of Islington. Fronting Dalmeny Avenue, the residential estate runs parallel to the perimeter of the prison but sits at a higher ground level. The buildings are four storeys high and constructed of brown brick with a pitched tile roof, and gardens are located at the rear. Finally, adjacent to the southern corner of the site is the Cat and Mouse Library, a recent redevelopment of 6 storeys with apartments above.

Deck access is provided along the north eastern side of the building and overlooks the prison site.

- 3.1.7. The Hillmarton Road bus stop is immediately in front of the site and provides services to Wood Green (29) and Hackney Central (253). Buses from stop M on Camden Road connect to Euston (253) and Trafalgar Square (29). On Hillmarton Road, bus services are provided to Clapton Pond (393), Crouch End (91) and Archway (17). Measured from the front of the site, train stations in the surrounding area include:
- Holloway Road Station (Piccadilly Line) - 770m east;
  - Archway Station (Northern Line) - 1.53km north west;
  - Upper Holloway Station (Overground) - 1.2km north north west;
  - Tufnell Park (Northern Line) - 1km north west;
  - Caledonian Road (Piccadilly Line) - 690m south east;
  - St Pancras International (Eurostar, EMR, Great Northern, Thameslink, South Eastern) - 2.2km south; and
  - Kings Cross (Piccadilly, Northern Line, Victoria Line, Metropolitan Line, Circle Line, Hammersmith and City Line) - 2.39km south
- 3.1.8. As explained within the Holloway Prison Site SPD 'The area around the prison is generally well connected with a legible network of strategic and local roads - including Parkhurst Road and Camden Road (part of the Transport for London Road Network), Hillmarton Road (a borough principal road and part of the Strategic Road Network) local distributor roads (Dalmeny Avenue, Charlton Road and Tufnell Park Roads) and other local access roads. Vehicular access to the site is from Parkhurst Road. There are no vehicular connections through the site at present. The only internal road is an access road that runs along the site's north eastern boundary. The existing prison buildings were purposefully laid out to discourage connections to the surrounding streets and movement across the site. In its current form the site does not reflect the generally permeable network of streets and blocks, with large blank frontages contrasting greatly with the surrounding built environment. The redevelopment of the site however represents a real opportunity to resolve this'.
- 3.1.9. The Public Transport Accessibility Level (PTAL) for the site ranges between 1a and 6a. The site is located within the St Georges Controlled Parking Zone (CPZ), referred to as Zone W - this restricts parking between 08:30am and 6:30pm on weekdays, no match day or Saturday parking restrictions apply. On the opposite side of Camden Road are Controlled Parking Zones Y and D. An electric vehicle charging point is located on Cardwell Road. The site is located within the Ultra-Low Emission Zone (ULEZ). Dalmeny Road, Camden Road (part) and Hillmarton Road are on the Whittington Park to Caledonian Road tube Air Quality clean route. Camden Road and Parkhurst Road are otherwise Air Quality: Polluted routes.
- 3.1.10. With respect to schools, shops and services near the site, a small public park is located on Chambers Road, north east of the site - this has restricted opening hours, but another pocket park on the corner of Carleton Road and Dalmeny Road to the west is open 24 hours. Tufnell Park primary school, The Bridge high school and the Beacon high school are all located approximately 200m west of the site. To the north of the site is the Cardwell Terrace Local Shopping Area (11). To the north east of the site, Nag's Head Town Centre (TC2) is located on Holloway Road and offers a good range of shops and services.
- 3.1.11. More widely around the site, is the Hillmarton Conservation Area (CA32) on the opposite side of Parkhurst and Camden Roads, and the Tufnell Park Conservation Area (CA11) to the west including one property, 44 Carleton Road, which is separated from the western

boundary by a publicly owned but fenced off play area. Further north of the site, on Tufnell Park Road is the Mercers Road / Tavistock Terrace Conservation Area (CA24). East of the site, where Camden Road and Parkhurst Road meet, the Camden Road New Church Tower and Spire is recognised as a local landmark (LL4). LL4 and the property opposite at 392 Camden Road (on the corner of Hillmarton Road are designated as an employment growth area (ID62). To the west of the site, the Tufnell Park Primary School Garden is designated as a local grade Site of Importance for Nature Conservation (SINC) (61). 392a and 394 Camden Road are designated as Site Allocation NH9.



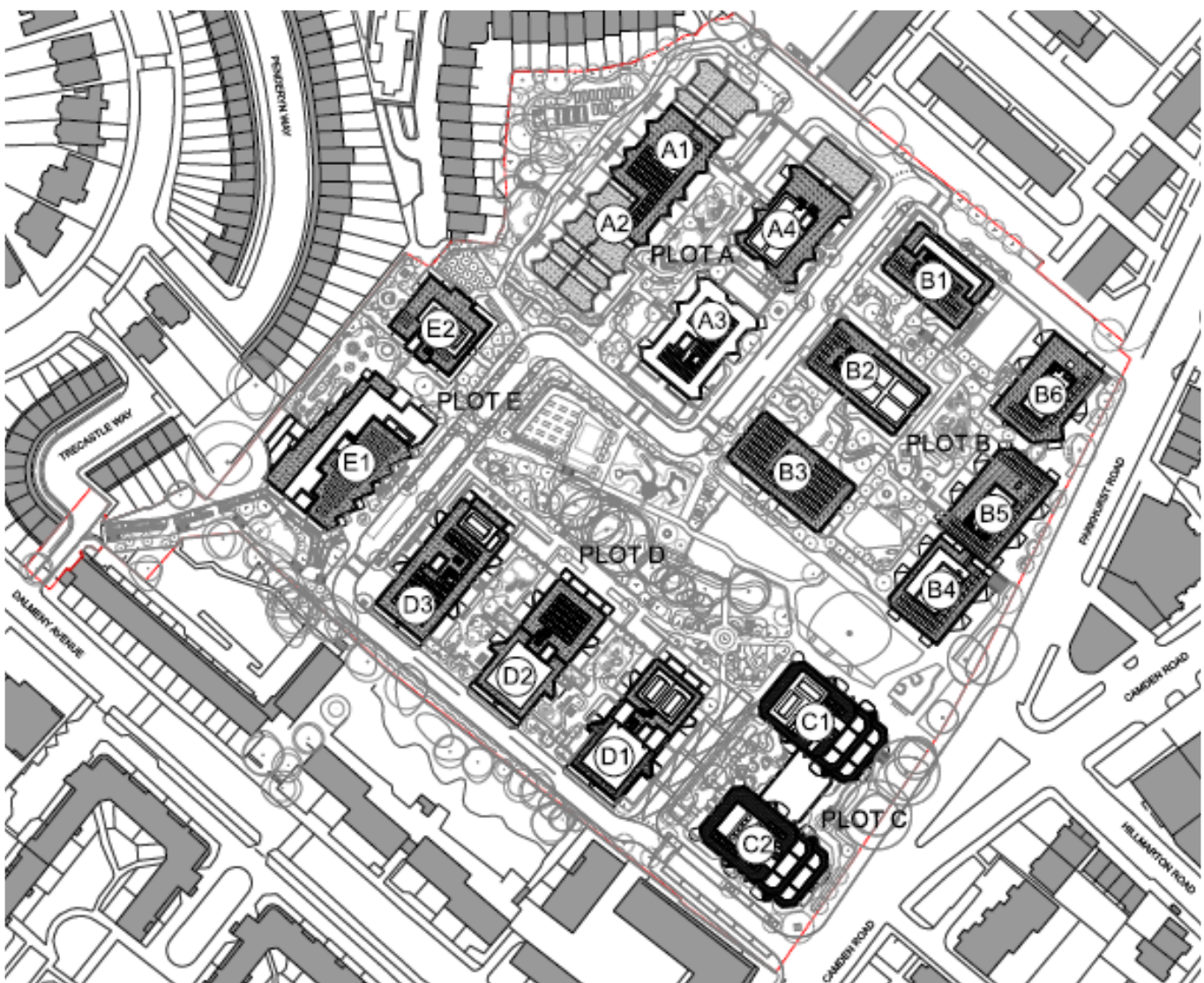
## 4. PROPOSAL

### Proposed Scheme

4.1.1. The development proposal involves demolition of the existing prison buildings, followed by a phased construction of a residential led, mixed use development including a public park, a women's building / centre and commercial uses mainly along the site frontage.

4.1.2. The description of the proposed development is:

'the phased comprehensive residential-led mixed use redevelopment comprising 985 residential homes including 60 extra care homes (Use Class C3), a women's centre (Use Class F.2) and flexible commercial floorspace (Use Class E) in buildings of up to 14-storeys, together with a new publicly accessible park, landscaping, public realm, pedestrian and cycle connections, highways/access works, cycle parking and Blue Badge car parking'.



**Figure 1.19: Proposed Site Plan (site edged in red)**

- 4.1.3. The site is a diamond shape, with north to the top of the above layout - the primary open space, a public park, is located towards the centre of the site where it extends to the street frontage on Camden Road, with an existing tree marking the gateway to the site. A new street, internal to the masterplan, enables vehicle access and egress from two points on Camden / Parkhurst Road, no further motorised vehicle access is provided and the site will be car free, save for 30 blue badge spaces. A new pedestrian and cycle connection is proposed to link the site through Trecastle Way to Dalmeny Avenue. The majority of the remainder of the site is used for landscaped open spaces including:
- a smaller public park focused on community growing in the north western corner of the site between the Bakersfield Estate and Block A1/2; a landscaped area with seating; and
  - communal gardens for residents.
- 4.1.4. Due to the topography of the site, the masterplan is terraced into three ground levels, basement level servicing is also created using the fall in levels beneath plots A and B.
- 4.1.5. In addition to the 985 proposed homes, there are non residential uses along the frontage of the site with Camden / Parkhurst Road. A 1,489sqm space at the upper and lower ground floor levels of Block C will be dedicated to women's services (Use Class F2); 1,822sqm of flexible commercial space (Use Class E) is distributed across one unit at the upper ground floor level of Block C1 and four units at the lower ground floor levels of Blocks B4, B5 and B6.
- 4.1.6. Communal resident facilities and staff facilities are provided at the ground floor of Plot E, Building E1 to serve the Extra Care units within this building.
- 4.1.7. The development also provides 1,334sqm of residents' facilities split across the lower and upper ground floors of Plot D. A recreation and work focused residents' lounge fronting the Public Garden provides space available to residents and residents' groups, but a reception / concierge on the upper ground floor level of Block D2 facing the internal street to the south west, will be dedicated to access and servicing for residents of the D blocks.
- 4.1.8. Beginning in the north western corner of the site, adjacent to the Bakersfield Estate and rear of homes on Crayford Road, the first proposed building has two cores – A1 & A2. Core A1 contains 55 homes, all social rent and core A2 contains 52 homes, all shared ownership. The overall maximum building height is 9 storeys and 26.5m, though the form of the building terraces down from the tallest section at the centre. The north west elevation overlooks a triangular shaped, publicly accessible, nature garden. Some homes on the lower and upper ground floors have private gardens that provide direct access from the public realm, in addition to access being provided through a communal corridor.



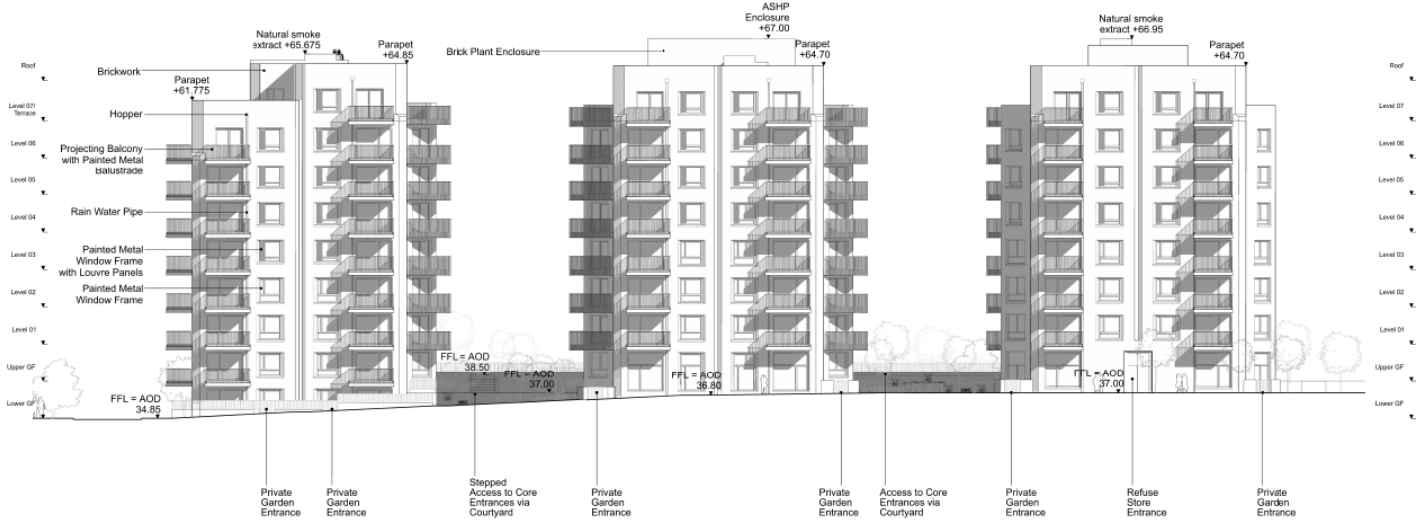
**Figure 1.20: A1 / A2 - North west elevation**

4.1.9. Also in the north western portion of the site are blocks A3 & A4 – these share a communal garden as well as a basement (for servicing and cycle parking) with Block A1/A2. The south eastern elevation of blocks A3 & A4 front the internal street to be created for the masterplan. Block A3 contains 67 market tenure (private sale) homes and Block A4 contains 61 social rent homes, both extend to a maximum of 9 storeys.



**Figure 1.21: A3 & A4 – south east elevation**

4.1.10. Blocks B1, B2 and B3 step along the opposite side of the internal street, each a maximum of 9 storeys in height. Block B1 (adjacent to the Holloway Estate) contains 45 market (private sale) homes, B2 contains 46 social rent homes, and B3 (closest to the park and with a slightly larger footprint) contains 60 market homes. There will be landscaped communal gardens between each block, principally to provide access from the internal street.



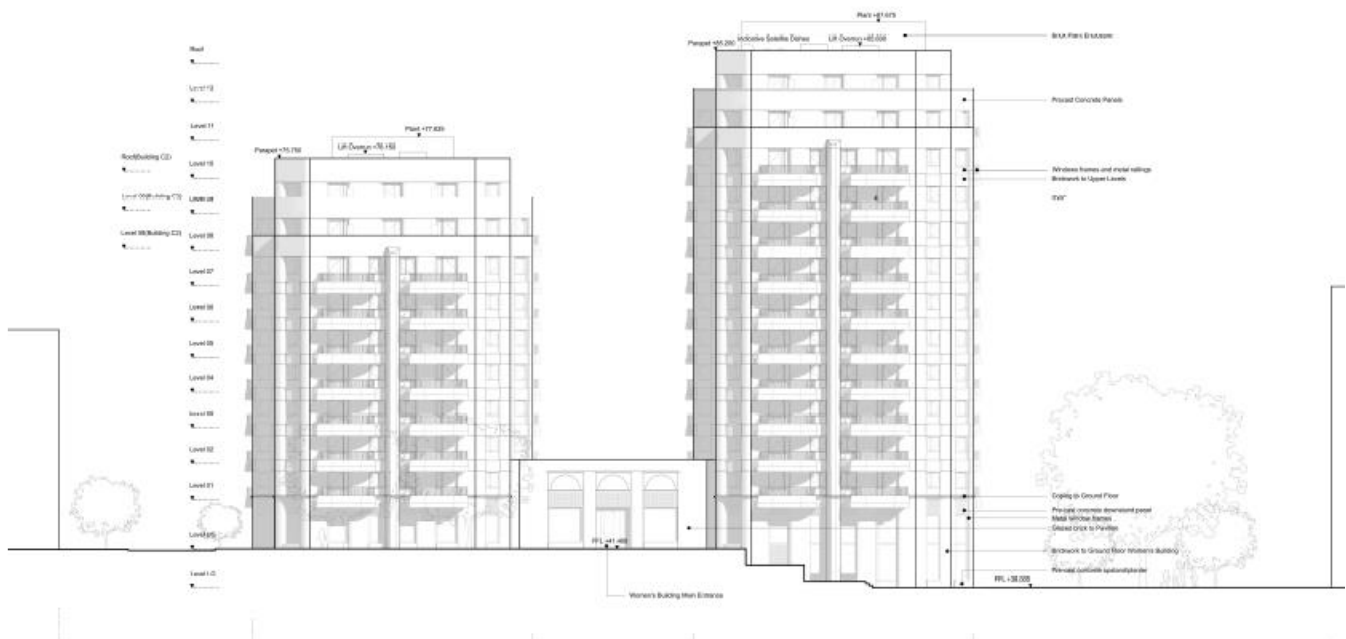
**Figure 1.22: B1, B2 & B3 north west elevation**

4.1.11. Sharing a communal garden and basement for servicing and cycle parking with blocks B1-3, buildings B6 and B4/5 have their frontage to Parkhurst Road. Block B6 is closest to the Holloway Estate and contains 38 social rent homes in a building up to 8 storeys in height, with two commercial units at lower ground floor level. A break at the southern end of Block B6 creates an eastern facing courtyard for the commercial units facing Parkhurst Road, and a visual separation from Block B4/5. Block B4/5 faces Parkhurst Road (south east) and turns a corner on the south western end of the building, to the gateway of the site, opposite the Category A tree that marks the entrance to the park. The block contains two cores – B4 has 49 homes (25 shared ownership and 24 market) extending up to 10 floors in height, and B5 has 83 shared ownership homes across a maximum height of 12 storeys. Block B5 also has a commercial unit at lower and upper ground floor level.



**Figure 1.23: B4/5 & B6 south east elevation**

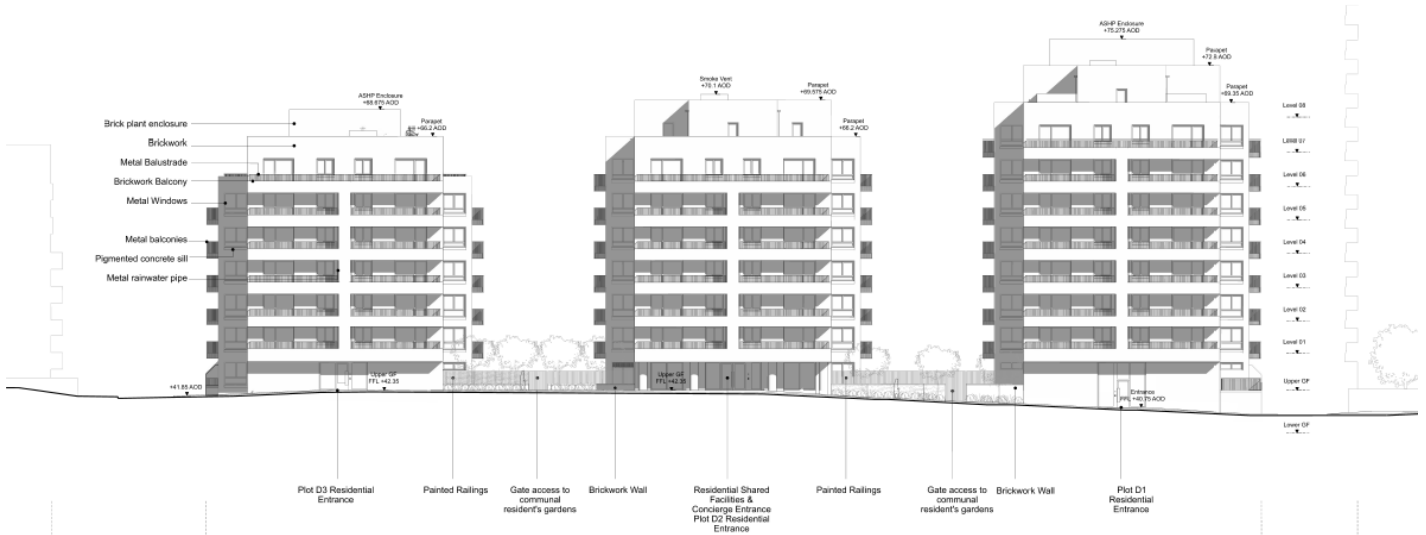
4.1.12. On the opposite side of the landscaped gateway to the site, is Block C, which contains the two parts (C1 & C2) linked by the women's building at upper and lower ground floor levels. Block C1 is located closer to the park and contains 89 homes across 11 floors of the 14 storey building. Block C2 contains 66 homes across 8 floors within an 11 storey building. Communal terraces are provided in each block and all the homes are social rent.



**Figure 1.24: C1 & C2 south east elevation**

4.1.13. Block D comprises three cores linked to a shared residential entrance on the south west side of the building (along the internal street), and a resident's lounge / community space on the north east side of the building facing the park. Communal gardens are created between the cores at podium level. The three blocks are all market homes and comprise (including the lower ground level communal uses):

- D1 – 10 storeys, 70 homes, roof terrace
- D2 – 9 storeys, 56 homes, roof terrace
- D3 – 8 storeys, 57 homes



**Figure 1.25: D1, D2, D3 south west elevation**

4.1.14. In the western corner of the site, beside a proposed pedestrian and cycle connection to Trecastle Way, is Block E1 – a 7 storey building with roof terrace containing 60 extra care homes (all social rent), with shared amenities at ground floor level. This block will be for residents over the age of 60 and operated by a care provider appointed by the Council.

4.1.15. The final building that is proposed for the site, sits at the western end of the public garden, adjacent to the rear of existing homes on Penderyn Way. Block E2 contains 31 market homes across 7 storeys.



**Figure 1.26: E1 & E2 south east elevation**

## 5. RELEVANT HISTORY

### Background

5.1.1. The site of the former Her Majesty's Prisons (HMP) Holloway was originally developed between 1848 and 1852 as a house of correction for both men and women. Modelled on



the style of Warwick Castle, the prison was an imposing structure built in stone, with a grand turreted gateway facing east onto Park Road (now Parkhurst Road).

- 5.1.2. In 1903 the prison became a facility for women only and is strongly associated with the Suffragette movement of that time, with many protestors incarcerated there, including Emmeline Pankhurst. Holloway Prison and the area surrounding it, including a safe house at 12 Dalmeny Avenue, became a focal point for protestors. This history is reflected in the name of a contemporary building adjacent to the site, with the Cat and Mouse library on Camden Road recalling the strategy used to catch, release and recapture Suffragette prisoners.
- 5.1.3. Between 1971 and 1985 the original prison was entirely demolished and rebuilt – it is these buildings that are currently in existence on the site. The Ministry of Justice closed Holloway Prison in 2016, with the buildings remaining vacant on the site.
- 5.1.4. The Holloway Prison Site Supplementary Planning Document (SPD) - A plan for the future of Holloway Prison site, was prepared by the London Borough of Islington (LBI) and adopted in January 2018. The SPD explained the site context and planning constraints before setting out key planning and development objectives for the Holloway Prison Site (HPS), including for the creation of a well-connected, sustainable and inclusive place. In considering future land use and development, a site capacity study was commissioned to test four scenarios of 400; 600; 700; and 900 dwelling units. Testing of the scenarios found that schemes of 700 or 900 units should be financially viable whilst also providing 50% affordable housing; open space; and social infrastructure including the women's building, some ancillary retail, managed workspace and such like of up to 3,500sqm.
- 5.1.5. In March 2019 the site was sold to Peabody, who in conjunction with London Square, stated their intention to build 1,000 homes on the site. On announcing the purchase, London Square said: 'The 10-acre site provides a significant opportunity to deliver a high quality and inclusive new neighbourhood which will deliver 60% genuinely affordable housing, green spaces, places to play, local shops on Parkhurst Road and Camden Road and a Women's Centre in line with the planning guidance issued by Islington Council in 2018'.

## Application History

- 5.1.6. The following applications for works to the prison site have been made since its closure:

Reference	Description	Decision	Date
P2020/0222/FUL	Temporary change of use of the existing Prison Visitors Centre (First Floor, part Ground Floor) from a use ancillary to a Prison (C2A) to a Homeless Shelter (Sui Generis), including associated works.	Approve	04/03/2020
P2019/2979/FUL	Temporary change of use of the existing Prison Visitors Centre (First Floor, part Ground Floor) from a use ancillary to a Prison (C2A) to a Homeless Shelter (Sui Generis), including associated works.	Approve	06/11/2019

**Table 1.2: Planning application history**

5.1.7. During operation of the prison, planning applications were approved for various works associated with the use of the site including:

- Construction of a boiler house & flue;
- The erection of a 5.2m high steel mesh fence;
- Conversion of a prison nursery to offices and workspace associated with rehabilitation programmes; and
- Construction of a new health care centre.

These applications are a matter of public record, though many of the plans associated with them are not available for viewing.

## Pre-Application

5.1.8. Pre-application enquiry Q2019/1197/MJR was submitted by the Applicants and their consultant team (AHMM architects, Avison Young planning and environment consultants and Velocity transport planning) in August 2018. The pre-application proposal has been through numerous revisions, including in response to comments received from the Design Review Panel (DRP). The most recent pre-application advice provided by the DRP is included in the appendices.

## Design Review Panel

5.1.9. The scheme has been assessed by the Council's Design Review Panel on 4 occasions culminating with a Chairs' Review, as a 5th appraisal, in September 2021 prior to the submission of the planning application.

5.1.10. The following comments were made within the most recent review of the proposals, with the full DRP response provided in the appendices:

- *Connections: The Chairs considered that the pedestrian and cycle connection to Trecastle Way/Dalmeny Ave has now been satisfactorily resolved. The failure to deliver the Crayford Road connection is considered regrettable but the Panel accept that this crosses 3rd party land and that it has not as yet been possible to secure necessary agreement from the City of London Corporation as landowner.*
- *Communal Residential facilities: The Panel had previously expressed concern that the on-site facilities to the base of the three 'D' buildings was intended for occupants of market sale flats only which was not supported. The applicant has subsequently confirmed that the 1400sqm space is to be available to all residents living on the development, regardless of tenure. This is supported by the Chairs who also noted that this communal central facility would give added emphasis to the communal nature of the public central park.*
- *Building Edges: The Panel had queried how successful the interface would be between the residential buildings and the public park stressing the importance of achieving a high standard of residential amenity. The highest regard needs to be paid to the detailed design of the interface between building edges and the internal street.*
- *Block B: the earlier requested changes to break up this previously long, large block, to this highly prominent edge, are now successful and that the bulk and massing has been suitably mitigated.*



- *Landscape Design: supportive of the landscape design, highly commending the proposed 'Garden of Memory' but also the provision of such a variety of landscaped and recreational spaces in general.*
- *Materials: The Chairs supported the design approach of more solid and formal balconies to the squares and streets and softer more informal balcony detailing to the semi-private and private spaces between the blocks. should planning permission be granted, a materials condition should require the production of 1:1 scale sample panels on site, for each building (or family of buildings), to aid in the determination process, the assessment of which could beneficially include the DRP members alongside officers.*

5.1.11. The DRP comments are addressed in the Urban Design section of this report.

## **Assessment Process**

- 5.1.12. Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 provides descriptions of development and applicable thresholds where submission of an Environmental Impact Assessment (EIA) is required. The proposal falls within category 10: Infrastructure projects (urban development projects), (ii) more than 150 dwellings.
- 5.1.13. With respect to the process involved with assessing this type of application, the Mayor is consulted on all planning applications that are of Potential Strategic Importance (PSI) to London. These are commonly described as 'referred' applications. Redevelopment of the Holloway Prison site would meet the criteria for a referable application as set out in the Mayor of London Order (2008), because it is a development of 150 residential units or more and also because it includes development over 30 metres in height (outside the City of London).
- 5.1.14. Once an application has been submitted, LB Islington is required to refer it to the Mayor who then has six weeks to provide comments on the application, assessing whether it complies with the London Plan policies. This is a consultation response known as Stage One. LBI officers would then make a recommendation on the application according to its Terms of Reference (in this case at Planning Committee). The resolution is then referred to the Mayor for a final decision through a Stage 2 referral. The Mayor has 14 days to make a decision to allow the Local Planning Authority resolution to stand, to direct refusal, or to take over the application, thus becoming the Local Planning Authority. Should a direction be issued that the Mayor is to be the Local Planning Authority (effectively calling in the application), three policy tests must be met, these are:
- i. The development would have a significant impact on the implementation of the London Plan;
  - ii. The development would have significant effects that are likely to affect more than one London borough; and
  - iii. There are sound planning reasons for intervention.

## **PART 2 – CONSULTATION**

## 6. CONSULTATION

### 6.1. Public Consultation – Process

- 6.1.1. For this type of proposal, the planning application and the Environmental Statement should be publicised in accordance with the procedures set out in article 15 and article 16 of, and Schedule 3 to the Town and Country Planning (Development Management Procedure) (England) Order 2015. This being a date not less than 30 days later than the date on which the notice is published. The Secretary of State was also notified of the submission of the application.
- 6.1.2. On 11 November 2021, six public site notices were posted in prominent locations at the front of, and near, to the application boundaries.



***Site Notice, Parkhurst Road***

- 6.1.3. On 11 November letters were sent to 11,734 adjacent and nearby properties. A site notice and press advert were displayed on the 11 November 2021.
- 6.1.4. The application was included in the public notices of planning applications on page 35 of the Islington gazette on 11 November 2021. The newspaper is also available to view online for free at: <https://www.islingtongazette.co.uk/e-edition>.



# ISLINGTON

## PLANNING APPLICATIONS

Islington Council has received the following applications for development. These applications may affect Conservation Areas or Listed Buildings. You can view full details of these applications and provide online comments on them at the council's website: <http://planning.islington.gov.uk/northgate/planningexplorer/generalsearch.aspx>

### COMMENTS SHOULD BE MADE BY \*\*\*\* 11 NOVEMBER 2021 \*\*\*\*

- P2021/2702/FUL Flat A, 11 Herbal Hill Gardens, 9 Herbal Hill, London, EC1R 5XB  
Refurbishment and reconfiguration of the existing mixed-use building and erection of a new three storey extension to rear (following demolition of existing addition), new and enlargement of existing roof terraces. External alterations to street frontage including creation of internal courtyard, new entrance lobby at ground floor and recladding of building. Excavation at lower ground floor level to increase floor to ceiling heights with associated access, landscaping, and cycle parking.
- P2021/3011/FUL 6 Coombs Street, London, N1 8DJ  
Replacement of existing single glazed timber windows with double glazed timber windows to the front and rear elevations to match existing.
- P2021/3019/FUL 2 New College Mews, London, N1 1PL  
Replacement of existing single timber glazed window with double glazed timber windows to the front and rear elevations to match existing.
- P2021/3020/FUL 3 New College Mews, London, N1 1PL  
Replacement of existing single timber glazed window with double glazed timber windows to the front and rear elevations to match existing.
- P2021/3021/FUL 4 New College Mews, London, N1 1PL  
Replacement of existing single timber glazed window with double glazed timber windows to the front and rear elevations to match existing.
- P2021/3045/FUL 9 Paget Street, London, EC1V 7PA  
Replacement of existing lower ground floor window within the front lightwell with inward opening French doors
- P2021/3101/FUL 80-90 Highgate Hill, London, N19 5NQ  
6 no. Three storey self-contained dwellinghouses (C3) (5no. 3-bed units and 1no. 2-bed unit), with associated roof terraces and other alterations (following demolition of the external terrace and removal of the public car park adjacent to the existing public house) and construction of a single storey extension to south elevation to provide additional WC facilities for the premises at 90 Highgate Hill
- P2021/3111/FUL 15B Cruikshank Street, London, WC1X 9HG  
Part demolition of existing facades to the east, west and south; removal of existing external terraces on the first floor; erection of glazed extensions with openable windows to accommodate new internal floor area to first floor bedrooms
- P2021/3133/FUL 185 Caledonian Road, London, N1 0SL  
Erection of mansard roof extension; alterations to rear fenestration; installation of rooflight; remedial works to building and shop frontage; and associated works to mixed-use building (Class E/ Class C3).
- P2021/3134/FUL 187 Caledonian Road, London, N1 0SL  
Erection of mansard roof extension; alterations to rear fenestration; installation of rooflights; remedial works to building and shop frontage; and associated works to building.
- P2021/3147/PRA The Whittington Hospital, Block K, Magdala Avenue, London, N19 5NF  
Application for Prior Approval Notification of proposed rooftop telecommunications installation including replacement of the existing antennas for 6x antenna apertures mounted on 5.8 metre high steel supports with the top of the steel supports measuring 32.55m from ground level, the replacement of 2x existing equipment cabinets with 5x new equipment cabinets along with development ancillary thereto.
- P2021/3149/PRA 185 Caledonian Road, Caledonian Road, London, N1 0SL  
Prior Approval application for the partial change of use of the basement and ground floor from retail (Use Class E) into 2x residential units (Use C3) at the rear with retained retail use at front.
- P2021/3166/FUL 75 A Chapel Market, London, N1 9ER  
Retrospective application for the refurbishment of the private terraced area to the rear of the property and the installation of a new rear access door and side window opening out onto the terraced area.
- P2021/3215/FUL 634-638 Holloway Road, London, N19 3NU  
Demolition of the existing buildings and erection of a part four storey part five storey building, comprising of 7 residential units (1 x 1-bed, 5 x 2-beds & 1 x 3-bed) on the upper floors and commercial office floorspace (Class E) at ground floor level as well as refuse and cycle storage.
- P2021/3234/S106A Former Territorial Army Centre, 65-69 Parkhurst Road, London, N7 0LR  
Application to modify a planning obligation (S106 Agreement) following a grant of planning Permission Ref: P2020/0648/FUL
- P2021/3235/FUL London Metropolitan University, 166 - 220 Holloway Road, London, N7 8DB  
Installation of a new air handling unit and associated ductwork to courtyard at ground floor.
- P2021/3273/FUL Former Holloway Prison, Parkhurst Road, London N7 0NU  
Phased comprehensive redevelopment including demolition of existing structures; site preparation and enabling works; and the construction of 985 residential homes including 60 extra care homes (Use Class C3), a Women's Building (Use Class F.2) and flexible commercial floorspace (Use Class E) in buildings of up to 14 storeys in height; highways/access works; landscaping; pedestrian and cycle connections, publicly accessible park; car (blue badge) and cycle parking; and other associated works. NB if you wish to submit representations, please do so before 15 December 2021.

#### Data Protection Act

Please note that representations on current applications could be published on the Internet. In doing so the Council's Planning Service will endeavour to comply with the Data Protection Act.

## Press Notice

- 6.1.5. Printed copies of the application documents were also placed on public display at the Cat and Mouse Library and Islington West library.



***Public display of A4 & A3 scale documents at Cat and Mouse Library***

6.1.6. In response to requests from stakeholders and members of the public, an additional printed copy of the application was placed at Archway Library and the proposed plans at the Cat and Mouse library replaced with A1 sized versions.

6.1.7. In response to requests from stakeholders and members of the public, consultation of the application was extended to 21 December 2021, with the site notices updated on 15 December 2021. Notwithstanding this, it is the Council's practice to consider representations up to the date of a decision.

**6.2. Public Consultation – Individual Responses**

6.2.1. A total of 124 letters of objection and 4 letters of support were received from the public in response to consultation on this planning application.

6.2.2. The letters of support received noted the following (summarised) points:

- The proposal looks like a very well thought through plan;
- Social housing reserved for women who have suffered through the criminal justice system is to be applauded;
- Welcome the proposals generally but would encourage more emphasis on getting the connections through the Bakersfield Estate and the Holloway Estate.

6.2.3. Many of the letters of objection submitted included similar content and structure to that of the objections submitted by Community Plan for Holloway (listed under public consultation – group responses). The following is a summary of the key points of objection:

## Land Use

- 6.2.4. Two letters objected to the proposed land use;
- Asking that the site either be used only for a park or playing fields for local residents, or repurposing of the existing buildings for 100% social housing;
  - One letter questioned why commercial space was needed despite the proximity of Holloway Road and Seven Sisters Road;
  - and another noted that the provision of non-residential uses was unclear; and
  - A large number of respondents objected to the lack of a dedicated community facility on the site.

## Women's Building

- 6.2.5. Objections to the women's building related to:
- Position within the site;
  - Position within a building shared with other uses;
  - Size is too small, with limited useable space;
  - Purported objections by 24/28 local women's organisations to the development brief that informed the proposed design;
  - A lack of evidence that the proposal is trauma-informed. There is no evidence that this evaluation has been carried out;
  - The design brief and proposal being prepared by experts in housing rather than women's services;
  - Small room sizes;
  - Insufficient daylight in the courtyard garden;
  - No feasibility study to inform the proposed design; and
  - Precise use of the space and access to it by men is unclear.

## Townscape

- 6.2.6. A small number of objections made specific reference to the nearby Conservation Areas, primarily in relation to the visual impact of tall buildings, which were seen as being out of character.

## Urban Design – Scale

- 6.2.7. Objections to urban design primarily related to the scale of the buildings, with over 60 comments on this matter, including:
- The scale being inappropriate to the character of the surrounding area;
  - The proposals not complying with the council policy on tall buildings;
  - Concerns about the 'long-term negative effect on the mental health and well-being of inhabitants in and around tall buildings;
  - Overlooking of adjacent homes / lack of privacy the potential for the scheme to act as a precedent for further tall buildings in the area;
  - Children can't be expected to grow up in tall buildings where getting down to the ground floor requires taking the lift; and
  - Proposal not adhering to the SPD, associated Capacity Study and Core Strategy (in relation to height).

## Urban Design – Appearance

- 6.2.8. Objections to the appearance of the proposed buildings (not already addressed in the above section on scale), included:
- The architecture is unimaginative as is the use of space;
  - It is a shame for example the site can't follow the layout and design, height and massing parameters achieved at the relatively new Packington Street development;
  - The architecture does not seem to reference either the legacy of the prison site, nor the surrounding area; and
  - More thought needs to be taken to better address the form and design of the proposals.

#### Urban Design – Layout

- 6.2.9. Several objections requested that the building frontages on Camden Road be moved back for ecological reasons (tree retention).

#### Housing – Amount

- 6.2.10. The principal source of objection to the housing was the amount proposed, here over 60 objections relating to population density / overcrowding / quantum of development were submitted:
- More housing proposed than in the SPD;
  - The development is too dense, by far more than any other development in this area;
  - It is over-developed and overcrowded;
  - I am aware that Islington has a desperate need for social housing but it is also important that new homes are quality homes in a thriving community that will stand the test of time; and
  - Will lead to over population.

#### Housing – Tenure

- 6.2.11. Over 24 objections were received to tenure, some concerned that there is not enough genuinely affordable housing, and others who felt that the proposed social rent homes are of a lesser quality and not sufficiently mixed with other tenures. Comments included:
- Peabody should offer 100% social rent housing;
  - Affordable housing isn't affordable;
  - Different tenures aren't integrated together;
  - Discrimination towards social housing tenants that only perpetuates separation and segregation which we often see in urban developments of this sort;
  - The social housing appears gated away from the private flats and stacked near the busiest roads and without sufficient light and ventilation due to their single-aspect design;
  - There need to be measures in place to make sure that buyers of the homes will actually plan to live/ or have permanent tenants in these homes;
  - I am concerned that these proposals will not deliver on genuine affordability or in terms of realistic rents compared with social housing;
  - No provision has been made for future thinking like co-housing that local people want;
  - With around 14000 people on the council housing waiting list we need to maximize good quality homes for residents in housing need;
  - Homes on the site must be let according to a council local lettings policy, but one where those in housing need from wards in the borough other than St George's Ward



can be housed there too. So a special local lettings policy for this site will be required and should be agreed by the council;

- The majority of homes with an attractive view over the central landscaped area are private tenure, whilst 85% of housing on Camden/Parkhurst Road is social tenure and none of the few private flats (in Block B) actually face the road. None of the 15 blocks are mixed tenure; and
- The Holloway prison site was purchased with a £39.864 million public grant and a £41.636 million loan from the Greater London Authority. A further £10 million public grant was received from the Mayor last year to ensure Peabody delivered on the planning requirement for 42% social housing on the site. We see the provision of 42% social housing as a positive but want to see a higher proportion of the 'affordable' homes delivered as socially rented and a higher proportion of the whole housing offer to be genuinely affordable, given the critical situation of low-income and key-worker households in the borough in housing need and given the extent of public subsidy and Islington's policy requirements.

### Housing – Quality

6.2.12. At least 18 objections were received specifically in relation to the quality of the proposed housing, with concerns including:

- Make sure social housing is big enough;
- Homes don't meet daylight standards;
- The development company fails to give the individuals and families a dignified quality of life within the building making it a poor and shortsighted endeavour;
- In relation to buildings fronting Camden Road there will be significant air quality and acoustic issues. Other recently constructed buildings nearby on the road have had to use winter gardens as mitigation. Assumedly this will mean additional planning consent will be sought at a later date. This seems disingenuous; and
- The documents confirm that over 200 rooms will not meet minimum recommended daylight levels due to the density of the buildings, and these are predominantly in the social housing. The proposed design means that over 53% of rooms will fail to meet recommended (BRE) levels of annual sunlight.

### Housing – Aspect

6.2.13. Over 15 objections have been received regarding the aspect of homes:

- Triangular Bay Windows are not Dual Aspect; and
- The whole concept behind this architectural feature is an abuse of the London Plan guidelines.

### Housing - Overheating

6.2.14. Concerns were raised regarding potential overheating of the homes.

### Open Space

6.2.15. There were 33 objections pertaining to open space / play space / green space, most related to an under provision for the future population, several also mentioned the play area within the public garden being unsafe due to the proximity of the internal street.

### Neighbour Amenities



- 6.2.16. Neighbour amenity concerns related principally to daylight / sunlight / overshadowing, as well as concerns regarding overlooking / privacy and visual impact / character:
- 10% of flats fail to meet minimum daylight requirements and over 53% of rooms fail to meet recommended (BRE) levels of annual sunlight;
  - Loss of daylight and sunlight to neighbouring homes and gardens including on average 30% of daylight for Crayford House residents and 53% for Kimble House;
  - Proposal would impact on my right of 'quiet enjoyment' of my home' (in relation to Block E2); and
  - Proposed balconies will restrict privacy for the residents and should altogether be avoided to the rear of block E1.

#### Local Services

- 6.2.17. Pressure on existing services was noted, along with a request for doctors, small shops and community facilities being needed within the proposed development;

#### Construction Impacts

- 6.2.18. In raising concerns regarding construction impacts, residents wanted to know:
- How long will the construction will take;
  - What hours construction will be undertaken;
  - Numbers of heavy lorries and machines per day and during what hours and which roads they will be using; and
  - Concerns regarding cracking due to heavy vehicle's passing.

#### Highways & Transport

- 6.2.19. With respect to mobility concerns, 13 representations related to pressure on roads / traffic; 11 referred to parking; nine noted pressure on public transport; five raised concerns about through traffic; four objected to the proposed Trecastle Way connection; one mentioned street width and one related to cycle parking.
- 6.2.20. Specifically in reference to the proposed Trecastle connection maintenance, littering, noise disturbance, opportunistic crime and security concerns were raised.

#### Sustainability

- 6.2.21. Over 30 objections were received that related to sustainability concerns, these included:
- Insufficient environmental credentials;
  - Why there are no water features on roofs and ground to combat excessive heat in the summer;
  - Too much stone / concrete, no effort of white roofs to repel sunlight, another heat sink contributing to global warming;
  - Need to ensure enough insulation and sustainable, efficient heating/cooling;
  - The lack of a visionary, forward-looking strategy to develop a long-term exemplar for sustainable urban living with respect to energy, waste and community living. The proposed scheme is barely minimally compliant with current minimum requirements. At present the language used in supporting documents is neither definitive or committing. Any redevelopment scheme of the former Holloway Prison site should be

driven by and its approval robustly conditioned to ensure a step change in in-use performance, both pre-commencement, on completion/occupation of each element and then throughout its life;

- Heating demand 72-162% more than targeted;
- No non-residential areas designed for natural ventilation and cooling, contrary to GLA and Islington policy requirements;
- Upfront embodied carbon emissions over double the 300kg/CO<sub>2</sub>/m<sup>2</sup> target, owing to overdevelopment that requires tall buildings, extensive concrete basements and large volumes of underground stormwater tanks;
- Without the basements, the build would progress faster and with less concrete;
- Are there any proposals for material re-use? Embodied carbon and demolition are serious factors impacting on climate change;
- This was a golden opportunity to provide more public green space and to demonstrate environmental awareness in light of the perilous plight we are in with regard to climate change; and
- Building B4, B5, B6, C1 and C2 need to be redesigned to be in compliance with future net zero targets.

## EIA

- 6.2.22. Some objections were received on air quality (mostly construction phase impacts) and microclimate (wind impacting the functionality and comfort for pedestrians).

## Other

- 6.2.23. A range of other concerns were raised that, where material planning considerations, will be addressed within the assessment, namely:

- The consultations held during the design process have been patchy, economical with the information provided, have not meaningfully responded to the legitimate questions raised and were dismissed genuine concerns. Contact with the architects was not allowed and
- There is no clear plan to combine community facilities with Bakersfield;
- Peabody and their excellent design team are all experienced at public consultation yet never have I witnessed such an obstructive and coercive consultation process;
- A publicly accessible park may attract people wanting access for the wrong reasons. For example, perpetrators of domestic violence watching the comings and goings in their victim's block. State of the art CCTV should be in place at the least, but it may not be a sufficient deterrent;
- Some renderings that include the number of floors of each building are failing to count the top floors planned for technical material ultimately giving the impression they will be shorter than planned'. 'There is a concerning lack of "legacy" offered within the proposals for the site. It is almost as though the whole history of Holloway Prison is wiped away. This is both a missed opportunity, but also concerning disregard for the cultural and historic significance of the site. It fails to commemorate and remember the huge numbers of women who used to live at the prison. There are many fantastic examples where legacies are recognised across the world. Whilst the legacy of Holloway is fraught with troubles and distress, there is no reason that this cannot be dealt with sensitively and respectfully. You only have to look at the way that in Berlin the former Berlin Wall is used as a legacy to educate and remember, without glorifying the atrocities that took place. Perhaps this could link back to the point on sustainability

and certain building materials could be reused across the scheme - perhaps in the landscaping if not suitable for the buildings themselves. There is a level of iconic status to the wonderful wavy boundary wall as well as the vivid brick tones. Could these be exploited, even just as fragments within the landscape?' 'The reference in the planning document to commemorating these women via murals, street naming and paving patterns is patronising and tokenistic'. 'There seems to be significant local opposition to these plans'. 'Failure to consult in any meaningful way with the public and the local residents for more than two years;

- The materials put out earlier as part of the consultation have been very general and there is now a large volume of material of a highly specialist nature. I don't believe that any tailored materials have been produced to let people on the surrounding estates understand the implications for them, estate by estate;
- I currently work with the elderly and am horrified that you are proposing that the older people's flats are single aspect, prone to overheating, and that their garden is north facing and in the shade of a huge tower block, impacting on their ability to grow things well and to enjoy their outdoor space in some sunshine'. 'Hillmarton Road and Camden Road / Parkhurst Road are already extremely fast roads, with cars frequently travelling well above the 20mph limit - they would benefit from significant traffic calming measures; and
- The pedestrian crossing at the junction of Hillmarton, Camden and Parkhurst Road is poorly laid out and requires significant wait times for pedestrians to cross.

### **6.3. Public Consultation – Group Responses**

6.3.1. In addition to letters received from individuals, representations were made by the following community stakeholder groups:

Community Plan for Holloway (CP4H)

6.3.2. The objection from CP4H states that:

'Approval of this application, in whole or in part, does not deliver the advertised benefits to the borough. It comes at great cost to the area and residents surrounding the former Holloway Prison. Many, if not most, faults with this application are a direct consequence of the extremely high number of proposed housing units and resultant population density for this site'.

6.3.3. The objection describes concerns relating to:

- Height, density and design
  - 'The proposal is for a level of housing density which is rare even in London'.
- Lack of community facilities
- Impact on the existing community service provision and facilities
  - Nursery places
  - Buses
  - Hilldrop Community Centre
  - Schools
  - GP surgeries

- Inadequate sunlight and daylight in proposed dwellings
  - The documents confirm that over 200 rooms in the proposed development will not meet minimum recommended daylight levels due to the density of the buildings. Even more worryingly, these rooms are predominantly in the social housing; private tenants can choose whether or not to buy a house with inadequate daylight, whereas social tenants must take what they are offered.
- Sunlight and daylight losses to neighbouring properties
  - ‘The density and height of the buildings creates a significant loss of daylight and sunlight to neighbouring homes and gardens. But how have residents been alerted to this and helped to understand the implications for their homes?’
- Overheating of units and lack of aspect
  - ‘The Application proposes to build 55% of the homes with only a single aspect’.
  - cooling system to address overheating - not acceptable that the design will increase fuel and maintenance bills, as well as carbon emissions, for an unknown number of homes.
- Social housing and shared ownership
  - ‘The Design and Access Statement records that 42% of the units will be social housing. This must not be reduced’.
  - ‘there should not be any shared ownership properties on the site. Instead this 18% should be a mix of social rent and London Living Rent, which are more affordable for ordinary Islington households’.
- Mix and allocation of tenure
  - None of the 15 blocks are mixed tenure, all blocks are either entirely for sale, or they are entirely for social rent. This segregation is not acceptable, as it contravenes Islington Council policy.
  - ‘there is a clear differentiation of quality of home in the overheating/air conditioning issue and the fact that the majority of homes with an attractive view over the central landscaped area are proposed as private tenure’.
- Women’s building
  - Non-compliance with Islington Planning Policy.
  - Lack of viability assessment
  - The Equality Impact Assessment
  - Women’s Building Garden (overshadowed)
  - Legacy
- Environmental Responsibility and Carbon Emissions
  - Environmental Responsibility and Carbon Emissions
    - ‘None of the non-residential areas are designed for natural ventilation and cooling, which is a GLA and Islington policy requirement and would minimise operational costs and carbon emissions.
    - The rooftop solar power is undersized against the Council’s target by about 40%
    - not a single component of the existing buildings will be reclaimed for re-use
    - The upfront carbon emissions of the construction are proposed at over 2 times higher than current benchmarks established to meet net zero carbon targets. The overdevelopment of the site is a contributory factor

to this unacceptably high footprint, requiring carbon intensive tall buildings, extensive concrete basements and large volumes of underground storm-water tanks’.

- Traffic and transport
  - ‘dominant road layout with a 2-way road cutting across the back of the central park, looping around the play area for ages 0 to 4’.
  - ‘The density of the site has also pushed cycle parking into basement spaces and into valuable outdoor amenity space, in some cases requiring 5 sets of doors to be opened to reach the outside, or a lift to be used’.
  - ‘This has to fit in with the Mayor’s Transport Strategy (March 2018) and Emerging Islington Local Plan Compliance’
  
- Poor and misleading consultation with the community
  - Lack of information about consultations. The public have not been properly informed of the development and how to express their views at each stage by Peabody or LBI’.
  - Inadequate timeframes
  - Lack of face-to-face meetings with the public.
  - Information not provided
  - Inequalities - no demographic information collected
  - Poor organisation of documents
  - Complex and inaccessible information
  - Lack of access to planning documents
  - Problems with Islington’s communications
  
- Consideration of alternatives
  - ‘ The submission is not valid as it fails to provide a correct consideration of alternatives which would demonstrate how the proposal has been arrived at and how it comprehensively complies with Policy.
  - The consideration of alternatives provided is flawed because it fails to consider any options that would have been compliant with a number of the fundamental policies relating to the massing and density of the site. The consideration of options that is provided is incomplete because there is a failure to fully assess compliance with policy, in particular the aspects that result in the overdevelopment of the site.
  - The viability assessment is also lacking in that it fails to consider alternative densities which comply more comprehensively with Policy and have a lower risk of failing to achieve consent’.
  
- Inaccuracy
  - ‘ We are concerned that at least one of the key illustrations of the project is materially inaccurate. The cover image/first image to the Design and Access statement shows an attractive outdoor café area. This image is repeated a number of times in the documentation. However this is highly misleading because it doesn’t actually illustrate the proposed landscaping master plan. The actual area on the plans consists of narrow paths, heavily over-shaded and surrounded by ‘rain gardens’ which in reality would be ditch-like planting areas for absorbing storm-water’.
  
- Omissions

- ‘The number of homes requiring air conditioning is not confirmed, so the carbon emission impact of the proposal has not been correctly assessed’.
- ‘The sun on ground analysis does not show whether all the communal gardens comply with minimum sunlight requirements (for example the sunlight access to the public space between the densely packed A2 and B1 blocks is not shown)’.
- ‘The sun on ground assessment does not confirm whether specific amenity areas comply with the minimum requirements. For example, the seating area of the Women’s Building Garden and the memory garden in the main park are specific destinations, providing their own specific amenity’.
- ‘In the sunlight and daylight assessments a number of the rooms in neighbouring properties have been miscategorised, and so the assessment of the impact is incorrect’.
- ‘Wind Assessment Model Not Synchronised with Plan’.

### St. Luke’s West Holloway Church

6.3.4. In their capacity as a local community organisation, the Church has said:

‘We have a good understanding of the needs of the local community and believe that the current proposal will be a detrimental addition to the local area. We seek an improved proposal which will comprehensively deliver decent quality homes and places to live, with the lowest possible environmental impact, supporting the local community, and providing a fitting legacy to the previous use of the site.

We have a number of objections to the proposals, which in many cases represent a specific failure to comply with the Planning Policy framework. These include:

- Height density and design failing to comply with specific Islington policies and having a severely detrimental effect on the local area and future users of the site.
- Lack of community facilities for nearly 3,500 new residents, many of them in social housing.
- Impact on existing local community facilities and public services.
- Poor levels of sunlight and daylight in proposed dwellings.
- Unacceptable loss of sunlight and daylight in neighbouring properties.
- Overheating of many proposed flats and single aspect design.
- Publicly funded social housing which includes shared ownership tenures unaffordable to many Islington residents.
- Mix and allocation of tenure discriminating against social housing tenants.
- A proposed ‘women’s building’ that is not fully funded and excludes the local community, with a rear garden that is not fit for purpose.
- A failure to propose an environmentally responsible construction, with excessive carbon emissions
- The failure to provide a traffic free design that supports cycling and other modes of transport.
- Poor and misleading consultation with the community.
- The failure to consider design alternatives with lower negative impacts, complying with policy.
- Multiple inaccuracies which may mislead the public in the consultation process.
- Omission of information that is required to make a full assessment of the impact of the proposals’.

Further details on each of these items can be found in the response to this Application which has been submitted by the Community Plan For Holloway, which we fully endorse as a local community representative body’.

#### Reclaim Holloway

6.3.5. In their representation Reclaim Holloway explain their objections including:

- Assessment of needs and lost infrastructure.
- Replacing lost services and meeting emerging needs - there is a significant need for women's centre services and little funding available.
- Quantum of housing versus women's building.
- Legacy of HMP Holloway and the struggle for women's rights.
- Deliverability and Alternatives

6.3.6. Reclaim Holloway's letter of objection includes a local needs analysis which explains services lost after the closure of the prison, how these were used by the wider community and how demographic trends within the borough should inform the needs case for a women's centre. Some of the services lost through closure of the prison are described as having taken place in a 350sqm facility used for psychotherapy practices, art therapy, crafts, textiles, cookery, ceramics, music and IT. In explaining the connections between the prison and local community, the flow of women through the gates is described as having been multi-directional, with women there regularly released on temporary licence (ROTL) for work or training and to maintain family ties. Research describes the need within the wider community for services to address challenges associated with mental health; domestic and sexual abuse; austerity and funding; poverty; and homelessness.

#### Hilldrop Area Community Association

6.3.7. The Hilldrop Community Association has said in response to the proposal:

‘It is overdeveloped with additional poor standard dwellings to the detriment of green space and communal facilities that would make it truly inclusive and benefit the health and wellbeing of its residents. The neighbouring properties will also be darkened due to this. There must be adequate communal spaces in the womens centre, and additional community rooms to provide for TRA meetings, and other inclusive community activities. Where will children play and young families meet? The plans for this new neighbourhood must allow consideration for green spaces (theres a road network when car use should be discouraged) and communal spaces to enable cohesion and play space’.

#### Network of Finsbury Park Women’s Group

6.3.8. The Network said they:

‘Our network does not consider the provision of facilities for local women and those for ex-offenders to be mutually exclusive. However, they are very anxious that there should be reliably women-only space on the site. (Whilst there is not a shortage of community space in the area there is a shortage of women-only space, something that many local women would really value.) We therefore want this facility to be women-managed and women-controlled (with perhaps some mixed areas). It would also be good if local women could be trained and employed in the workforce that constructs the buildings on the site. The groups in the network like the flexibility built into the design of the women's facility, the offices, the

hall, the prayer room, the various entrances, the toilet facilities, childcare provision, display space, and the garden. However, absolutely crucial is the promised feasibility study that will consider how the facility can be financially sustainable. If local groups are to be able to afford to hire the hall and office space the rents will need to be fairly low - so other sources of income will be necessary. Any cafe area could struggle financially and, while this could be mixed, there would need to be a women-only area'.

#### Islington Society

6.3.9. The Islington Society has said that they believe:

'that the development proposals make the site overcrowded and that the number of residential units exceeds the Council's own guideline of 720. It is also concerned that the site should have proper through-routes for pedestrians from Parkhurst Road, Dalmeny Avenue and to the north and east either from Bakersfield or through the City of London Corporation Holloway Estate. The Society applauds the balance struck in negotiations between the Council and developer on affordable housing and believes that the amount provided within the scheme is appropriate'. Further:

- Density – proposing the removal of Blocks B2 & D2 from the centre of the development.
- Permeability – Request a condition that access to the Trecastle Way connection be maintained, open and free for pedestrians at all times. Strongly recommend that the connections to Carleton Road & Crayford Road be implemented.

#### Bakersfield Estate Residents Association

6.3.10. Residents from the Bakersfield Estate objected generally to the height and density of the proposed development, and specifically to:

- Loss of daylight beyond BRE standards, with impacts on Vertical Sky Component, No Sky Line, Average Daylight Factor and overshadowing of gardens.
- Loss of privacy.
- Block A & A2 (request reduction in scale and increased set back from the boundary).
- Block E2 (reduce massing).
- Forecast population will put pressure on local facilities and public transport.
- Missed opportunity to improve cycle safety.
- Crime.
- Noise.
- Lack of ambition for legacy of the site.
- Short time frame to consider consultation material.

#### Penderyn – Trecastle Residents

6.3.11. A group of residents from Penderyn Way & Trecastle Way have raised objections to:

- The length of time for consultation on the application.
- Concerns raised with the Applicant not addressed.
- Height of the buildings on Plot E1 & E2.
- Overall density.
- Proximity of buildings E1 & E2 to the buildings on Penderyn Way & Trecastle Way.



- Daylight / Sunlight / Overshadowing.
- Overlooking.
- Over-dominance / impact on skyline.
- Trecastle connection.
- Impact on Penderyn and Trecastle community, nature and wildlife gardens

### Working Chance

6.3.12. Working Chance is a charity dedicated to supporting women leaving the criminal justice system, they said in their consultation response:

‘As an Islington-based charity working with women with convictions, we are very keen to see the site of the former women’s prison put to best use, for the benefit of the women it used to house, others like them, and their communities.

#### Our hopes for the Women’s Building

We are invested in the legacy of the site, having worked in and with Holloway Prison before it closed, and continuing to work with women who lived there. We know that the only fitting legacy for the site is to provide solutions for the problems that lead women into contact with the criminal justice system. A dedicated and inclusive Women’s Building is thus our top priority.

The women’s building must not be an afterthought, but centred as an important community space and central feature of the site, a healing space that acts as a positive legacy of the former prison. It should be gender responsive and trauma-informed, following the evidence on what works to support women in the community.

The Women’s Building must be an inclusive space, that is safe and secure for survivors of violence, those formerly or currently in contact with the criminal justice system, and migrants including those with insecure immigration status. It must be trans-inclusive and cater fully to women with children of all ages. It must be an accessible building. Further, it must have no connection whatsoever to the criminal justice system or its connected bodies, to ensure that it is truly a community space of healing for those who need it most.

We want to see ownership of the building by women’s support services, with an experienced women’s organisation or coalition of women’s organisations responsible for managing the building and any services carried out there. This is the best way to ensure that the Women’s Building is used in the most appropriate way.

#### Our concerns about the current plans

We welcome certain design aspects of the proposed plans, such as the private and safe spaces, the shaded windows and the women’s garden.

However, we also have some concerns. Currently, the Women’s Building is a single floor beneath a block of flats, rather than a standalone building. We feel that this doesn’t deliver on Peabody’s promise to provide a Women’s Building that is a fitting legacy for Holloway Prison.

We question whether the current single-floor plan can deliver the range of services and activities proposed for the building. Shared, multi-purpose spaces will not be appropriate for

many of the services, which will need permanent offices and private meeting rooms. We question whether the current plans deliver a trauma-informed environment.

There is no indication in the plans about whether there will be women's-only spaces in the building. Given the sensitive nature of the support which will take place in the building, we feel that women's-only spaces are a necessity so that all women feel secure in using the building. Given that the plans propose a single floor with multiple entrances, it is questionable whether a women's-only space would even be feasible.

In the proposed plans, the garden of the building is overlooked by the block of flats above, which will likely make women feel overlooked when they use the space. Given that the building will be used by women who have been to prison, and survivors of domestic abuse, this is not appropriate.

The plans as they stand do not appear to offer the gender responsive, trauma-informed space that is so needed on the site. We hope that the developers will reconsider a standalone Women's Building that can deliver the range of services women in the local community need, or ensure that the provision meets the needs listed above. It is vital that the Women's Building meets these requirements in order to provide a fitting legacy for this historical site'.

#### **6.4. External Consultees**

##### Environment Agency

- 6.4.1. Advised that 'We have no comments to make regarding the application for the former Holloway Prison site as it does not contain any constraints which fall within our remit'.

##### Thames Water

- 6.4.2. Raised no objection to the proposal subject to conditions and informatives on water, piling methods, groundwater, sewerage infrastructure, wastewater and surface water. Owing to a requirement to avoid piling within 15m of the Lee Tunnel that runs beneath the site, the Planning Officer has requested further information to demonstrate that this condition can be met without changes to the proposed site layout. The applicant team responded with information on asset protection measures for the tunnel, these were sent to Thames Water for comment, who responded on 24 January 2022 to say that the condition requested to address proximity to the Lee Tunnel is still required, and that details submitted in response to the condition should be prepared by a structural engineer.

##### Health and Safety Executive

- 6.4.3. Recent changes in legislation have introduced Planning Gateway One. These requires the consideration of fire safety matters (as they relate to land use planning) at the planning stage for schemes involving a relevant high-rise residential building. The Health and Safety Executive now acts a statutory consultee for these relevant planning applications. The HSE provided an initial consultation response on 29 November 2021 with a headline response of 'significant concern' relating to specific technical complexities that required clarification, more detailed information and design changes. The applicant prepared a response,

including amended and more detailed drawings. HSE issued a further consultation response to the updated information on 19 January 2022 with the headline response of 'content'.

#### Metropolitan Police

- 6.4.4. It is asked that this development is conditioned to achieve Secured by Design Gold accreditation to ensure that security is addressed adequately on the site.

#### Greater London Authority

- 6.4.5. In the Strategic Planning Application stage 1 referral response dated 20 December 2021, the GLA recommend:

'That Islington Council be advised that, whilst the application is strongly supported in strategic planning terms, the application does not yet fully comply with the London Plan for the reasons set out in paragraph 147'.

- 6.4.6. Paragraph 147 of the response then concludes the response by saying:

London Plan policies on housing supply, social infrastructure, town centres, housing and affordable housing, play space, urban design, tall buildings, heritage assets, transport, energy, climate change, urban greening, biodiversity and trees are relevant to this application. Whilst the application is strongly supported in strategic planning terms, the application does not yet fully comply with the London Plan, as summarised below:

Land use principles: The principle of the residential-led mixed use redevelopment of this impenetrable, vacant brownfield site which was previously owned by the public sector is strongly supported and accords with London Plan Policies H1, S1 and G4. Further discussion is required in relation to the proposed women's centre to ensure the space is delivered and secured in perpetuity, with the facility's relationship to the park at lower ground floor level more fully explored.

- Housing and affordable housing: The site is subject to the 50% threshold for affordable housing, given it was previously public sector land. The application proposes 60% affordable housing is proposed with a 70:30 tenure split between social rent and intermediate shared ownership. This is strongly supported and exceeds the London Plan threshold. Given that public subsidy is included in the affordable housing offer, the applicant should commit unconditionally to providing this level of affordable housing in the S106 agreement, without reference to grant funding. Providing this obligation is secured, together with an early review mechanism, the scheme is eligible for the Fast Track Route. The shared ownership housing affordability levels should be clarified and secured, together with the phasing approach proposed.
- Urban design, heritage and tall buildings: The design, layout, landscaping and public realm is strongly supported. The residential quality is supported and the architectural and materials quality of the scheme is of a high standard. Whilst tall buildings are proposed outside of a plan-led location, the height and massing of the scheme is acceptable and complies with the qualitative criteria for tall buildings set out in London Plan Policy D9. The scheme would cause a low level of less than substantial harm to heritage assets, which would be clearly and convincingly outweighed by public benefits in this case.

- Transport: The car-free nature of the scheme (excluding Blue Badge parking), cycle parking provision and the proposed pedestrian and cycle improvements are strongly supported. Based on the trip generation, a financial contribution of £850,000 is required to mitigate the impact on bus capacity on this corridor. Further discussion is required on the changes to the existing pedestrian crossing facilities on Camden / Parkhurst Road.
- Climate change and environmental issues: The energy, drainage and urban greening strategies are acceptable. The approach to retaining the majority of the existing mature trees within the site is supported. Energy efficiency improvements on non-residential floor space are required as well as mitigation measures to prevent overheating and address noise issues, together with other standard conditions and obligations’.

### Transport for London

6.4.7. Transport for London (TfL) are the responsible highways authority for Camden / Parkhurst Road, which is designated as a red route. A consultation response dated 22 December 2021 is broadly supportive of the proposal, but notes that ‘the following matters should be resolved before the application can be considered in line with the transport policies of the Intend to Publish London Plan:

1. Continue to develop the design of the proposed accesses and associated highway work for the proposal, taking into account of recommendations from Stage 1 Road Safety Audit;
2. Continue to engage with TfL on the proposed junction/ crossing improvement, and to secure the delivery by s278 agreement;
3. Secure financial contribution toward bus service improvement;
4. Secure financial contribution toward the delivery of future cycle route;
5. Secure the car and cycle parking proposal by condition alongside with the provision of shower and changing for non-residential part of the proposal;
6. Impose legal restriction to exempt future residents’ right for local parking permit;
7. Secure funding toward reviewing and extending local CPZ;
8. Secure appropriate contribution toward local walking/ cycling/ Healthy Street improvements;
9. Secure the submission and approval of the final DSP and Construction Environmental Management Plan by conditions
10. Review the Travel Plan ensuring it contributes positively toward the Mayor’s sustainable travel goal and secure them by s106 agreement’.

6.4.8. The above matters are addressed within the Parts 3 and 4 of this report.

## **6.5. Internal Consultees**

### Planning Policy

6.5.1. Planning Policy have been involved in pre-application discussions regarding the site and have provided detailed comments. The below is a summary of the comments provided:

‘It is recognised that this proposal is the result of a great effort of iterative design work with input from the Council, including pre app, design review panel, and feedback from the Council on a number of occasions over a series of proposals. Whilst there are clearly a

number of benefits to the scheme, there are also several policy concerns which will need to be balanced’.

‘From a policy perspective there are number of elements of the scheme that are positive:

- The provision of affordable housing
- The approach to open space and green infrastructure
- The provision of play spaces
- The provision of the women’s centre
- The provision of older peoples accommodation’

‘However there are also a number of policy concerns. In particular:

- The provision of Wheelchair Accessible Units
- The approach to dual aspect home designs
- If the need for wider social infrastructure to support the population increase has been considered.
- The approach to tall buildings is clearly contrary to adopted and emerging policy and would constitute a departure from the plan’.

The provision of open class E uses on the site could give rise to potential negative impacts individually and cumulatively. We note that these weren’t fully assessed as part of the impact assessment. Consideration should be given to the use of conditions to limit the size and types of the units in order to address this’.

### Urban Design

6.5.2. Observations provided by the Urban Design Officer conclude by saying:

‘This is a well-designed scheme from its legible urban form and architectural expression, to the richness of its materials palette and landscape features. The layout focuses on families of buildings configured around a new public park. They have also been configured to frame and animate the new internal street that weaves through the site, and to create a new ‘Address’ and street edge to Camden/Parkhurst Road. The architecture contains some outstanding buildings, notably the two C Buildings to the Camden Road frontage, and including the Women’s Building, the family of D Buildings to the edge of the park, and the Extra Care Building, E1, to the rear of the site. Other buildings are generally of a quieter appearance but are nevertheless full of subtlety and urban elegance. The landscape architecture is outstanding throughout presenting an ecologically rich, playable, and visually stunning environment.

While the proposal is significantly taller and more densely developed than its surrounding context, this formerly fortified site will nevertheless result in a development that is successfully integrated into the urban form through a combination of its land uses and its urban form. From its edges the scheme is both visually and physically permeable, characteristics that, coupled with a high quality of design, will help to stitch the scheme into its surroundings and offer a fine place to live and to visit’.

6.5.3. More detailed observations from the Urban Design Officer are explained further within the assessment section of this report (Urban Design).

## Conservation & Heritage

- 6.5.4. Conservation Officers advised that the proposal would result in (less than substantial) harm to the setting of Hillmarton Conservation area and that this harm would need to be weighed and balanced against other aspects of the scheme.

## Access & Inclusive Design

- 6.5.5. The applicant was involved at pre application stage and have hired an access consultant. A number of constructive meetings have taken place, and although some matters can be addressed at the detailed design stage and secured by conditions, a concern regarding the distribution of wheelchair units is noted.

## Housing

- 6.5.6. LBI's Housing Officer has said:

'As at the end of January 2022, there are over 12,200 local households registered onto Islington Council's Choice Based Lettings Housing Register for affordable rented accommodation. Unfortunately, it anticipated only 1,000 households can be provided with affordable rented accommodation each year in the next three years. Consequently, the provision of affordable rented housing at the Holloway Prison site is of the greatest importance to the housing services provided to our communities.

Islington Council is faced with a housing crisis like many of the 32 London Council's with over 890 homeless households living in expensive and inappropriate temporary accommodation with some of these households living in accommodation outside of Islington due to the housing crisis locally.

The Private Rented Sector is an important element of the housing market locally, but unfortunately, the Private Rented Sector rent levels are not affordable for households who have applied to join the Choice Based Lettings Housing Register and the 12,200 households cannot access this Private Rented Sector accommodation locally due to un-affordability of this accommodation.

Therefore, this planning application is of the greatest importance to meet the local housing needs of our communities. It can be seen if this accommodation was not provided at the Holloway Prison site then the housing pressures locally would increase resulting in the housing crisis becoming even more severe for our local residents.

We would to strongly recommend the approval of this planning application to ensure our local communities can benefit to meet local housing needs, improve the health of our residents who are living in overcrowded accommodation, ensure higher education attainment with residents having suitable accommodation to allow children to study in accommodation which is not overcrowded and increase the employment opportunities for our communities who will be living in truly affordable housing.

I can confirm the affordable rented housing proposed by Peabody Housing Association meets the housing needs of households on Islington Council's Housing Register in terms of 1, 2, 3, and 4 bedroom properties. The greatest housing need locally is for 1 and 2 bedroom accommodation.

Housing would prefer the Shared Ownership properties proposed by Peabody Housing Association be converted into Intermediate Rented accommodation in order to meet the local housing needs of Islington residents.

The affordable rented properties will be allocated through a local lettings scheme and this will allow the council to meet the identified housing needs.

Therefore, the scheme has the full support of housing. However, we would prefer that there are no Shared Ownership properties on this site and these properties are converted into Intermediate Rented accommodation.'

### Refuse & Recycling

6.5.7. No objection, only comment was regarding bulky waste collection, as it appeared that items would be stored in the refuse & recycling storage areas and could potentially cause an access issue to the bins. This comment was raised with the Applicant who responded on 26/11/2021 to say that:

- 'Residents will contact Peabody's appointed facilities management team when they have bulky waste to dispose of. Residents will have to provide evidence to the on-site facilities management team that they have paid for the bulky waste collection service.
- Where necessary, the on-site facilities management team will assist the residents to move their bulky waste from their units to the bulky waste stores.
- When sufficient bulky waste has accumulated, the on-site facilities management team will arrange collection through LBI. In the scenario within some of the plots where the distance between the building waste store and the collection vehicle exceeds 10m, on the agreed collection day the on-site facilities management team will transfer bulky waste items to a dedicated waste presentation point for collection by LBI's waste service.
- As the facilities management team are managing the bulky waste, they will ensure that the route/s to and from the general waste, food waste and recycling bins within the bin store rooms are not blocked or impeded. Each waste store has been provided with a dedicated separate area for the storage of bulky waste.
- Residents will be made aware of the above procedure for bulky waste when they move into their home.
- If needed, the bulky waste store areas could be caged to ensure they are only accessed by the facilities management team (and LBI's waste service).
- It is intended that there will be facilities management staff on-site Monday to Friday, approximately 7.00am to 4.30pm. It is intended that these staff will be located across the resident's facilities area in Plot D and the caretaker facilities in Plot A. In addition, Peabody has a dedicated resident phone line for all their homes for any queries relating to management/maintenance and security available from 8am–8pm, Monday to Friday. Residents will be made aware of the on-site staffing provision and the phone line details when they move into their home'.

### Health

6.5.8. Islington's Public Health Team provide the following comments in relation to the proposal and the Health Impact Assessment submitted with the application:

- Agree with HIA's overall assessment in that health impacts are largely positive with some neutral impacts and no negative impacts as a result of this development.
- Some impacts which are potentially negative, e.g. air quality as a result of construction dust, are mitigated via the Construction Management Plan rather than detailed in the HIA, which is acceptable.
- The HIA has taken on board advice from Public Health and is based on the well-recognised NHS London Healthy Development Unit's criteria for assessing health impacts, which is appropriate.
- The HIA team consulted with Public Health at an early stage which appears to have helped focus on the wider determinants of health, for example how clear routes through the site link a public garden in the centre of the site with the surrounding areas and allowing easy pedestrian access throughout the site. This encourages active travel around and through the site and provides areas for social interaction, which are beneficial to health and wellbeing, whilst also providing private and communal spaces for residents which is an important consideration.
- In terms of access to primary care, the HIA team has consulted with North Central London Clinical Commissioning Group, which has its own Strategic Estates Plan. The Council, via the Public Health Team, has advised NCLCCG on the potential impacts of larger developments in Islington to inform that plan, including the former Holloway Prison site, and the CCG has confirmed that the increased population can be adequately provided for within current primary care provision.
- It is noted that Public Health was consulted by the Council's planning team in the preparation of the Holloway Prison Site Supplementary Planning Document which was adopted in January 2018, and which steers towards healthier development of the site.

6.5.9. Subsequent to the above comments being made, on 07 January 2022 a consultation response was received from a consultant working on behalf of the NHS North Central London Clinical Commissioning Group (NCL CCG), seeking £442,020 towards replacement of the Goodinge Group and to support the merger of the Partnership Primary Care Centre (PCCC) with the Family Practice on Holloway Road. The contribution had not previously been identified as a requirement and therefore has not been factored in to the financial appraisal. The applicants' health care consultants were asked to respond and did so on 27 January 2022, saying that the methodology used within their Health Impact Assessment was sound and no additional health care places are required.

6.5.10. Table 4.1 of the applicant's Health Impact Assessment identifies 13 GP practices within 1.5km of the site. Three of the GP practices beyond 1km are in the London Borough of Camden. Over three-quarters of patients living in the Lower Super Output Area which includes the development site are registered with the seven practices within 1km of the site. The majority of these residents are registered at the two closest GP practices, the Partnership Primary Care Centre and the Goodinge Group Practice. Relatively few residents (10%) are registered with the six practices between 1km and 1.5km from the site.

6.5.11. In terms of contractual catchments (inner catchment areas submitted by GP practices), none of the catchments for the GP practices between 1km and 1.5km cover the development site.



6.5.12. The data demonstrates that new residents of the development are likely to register with the seven GP practices within 1km of the development site (not 1.5km).

#### Community Infrastructure Levy

6.5.13. There was broad agreement with the Applicant's calculation of Community Infrastructure Levy (CIL) payments, with a total of £13,622,376.72 for LB Islington and Mayoral CIL of £3,285,438.80, generating a total levy of £16,907,815.52.

6.5.14. CIL payments would be made by phase:

Phase	MCIL	CIL
1.1 (Plot C)	£131,351.85	£27,046.19
1.2 (Plot D)	£1,399,459.05	£6,148,251.04
1.3 (Plot E)	£241,150.57	£1,059,448.11
2 (Plot A)	£478,522.67	£2,102,296.23
3 (Plot B)	£1,034,954.66	£4,285,335.15

#### Trees

6.5.15. Islington's Tree Officer did not object to the proposed development, but made the following comments, which could be addressed by condition:

- Good scheme with respect to retention and design consideration of most significant / high value existing trees; increase to tree canopy; and other green infrastructure.
- Slight missed opportunity for vertical planting to be incorporated into the site-wide building design. This is a large and significant residential development scheme in London and this could have been a showcase for the future of tree planting, urban forestry and eco-system service provision in the urban environment.
- Need to see utility and underground service plans - the installation of these could have a significantly detrimental impact on existing trees and those to be planted
- Regarding the landscaping proposals, it appears to be a good scheme and my recent comments regarding some of the landscape elements around the significant large plane tree and the 'central park' area seem to have been taken into consideration. We would however, still like to see some detail with regard to the hard surfaces, paths (no-dig), equipment installation, etc. in these areas showing how they will not impact detrimentally on the existing retained trees. These elements should also be incorporated into the Tree Protection Plan and Arboricultural Method Statement.
- Would also like some of the tree species changed if possible. There is a significant reliance on *Betula utilis* and *Amelanchier lamarckii*, and would rather see some replaced by other appropriate species (e.g. different *Betula* species) for greater variety and arboricultural interest.

#### Greenspace and Leisure

6.5.16. Supportive of the public garden and noted this will provide much needed accessible greenspace into the area for residents. Additional suggestions are:

- The public park needs to be signed well to signify that it is a public space for use by the wider community and not just the residents of the estate.
- With the exception of the table tennis tables, there seems to be a lack of facilities targeted at the 13-18 year age group.

- Public WiFi with seated areas for school / employed work or other activities to support being online but outside; an outdoor gym; and water fountain/bottle refill should be included in the space.

Nature Garden provision is supported and a positive addition. Suggest:

- raised (wheelchair accessible) planters;
- fencing to stop dogs getting in;
- and to minimise the trees around the food growing plots as they need as much sunlight as possible to ensure they can successfully grow vegetables.

### Transport – Highways

- 6.5.17. Proposals can be supported from a local highway and transport perspective subject to conditions and obligations.

### Environmental Health

- 6.5.18. No objections subject to appropriate conditions. Several clarifications were sought by the Environmental Health team within their consultation response dated 29 November 2021, a response was received from the applicant on 17 December 2021 and where applicable, these matters are discussed within the assessment section of the report.

### Sustainability

- 6.5.19. The Council's Sustainability Officers and specialist sub-consultant (Etude) have provided consultation responses on the following matters -
- Pre-demolition (materials circularity)
  - Sustainable design standards
  - Minimising carbon emissions
  - Be Lean
  - Be Green
  - Be Seen
  - (Over)heating and Cooling
  - Materials and embodied carbon
  - Water
  - Biodiversity and Urban Greening
  - Waste
  - Circular Economy
  - Home Quality

These were consolidated into a Sustainability Request for Information sent to the Applicant on 06 December 2021. The Applicant responded to this on 20 December 2021.

- 6.5.20. The Council has also sought the involvement of, and received responses from, the Ellen MacArthur Foundation (21 December 2021) and relending (20 December 2021).

### LBI Building Control

- 6.5.21. Islington's Building Control team provided initial comments in relation to the submitted Fire Statement on 05 January 2021, with a request for further information / clarification. Additional information provided by the Applicant has now been reviewed and an updated

consultation response provided on 17 January 2022. A condition is recommended by Officers to ensure satisfactory safety measures are incorporated at the detailed design and specification stage.

## **PART 3 – EVALUATION**

## 7. LAND USE

### 7.1. Land Use – Overview

7.1.0. As noted in previous sections, the proposals seek to deliver 985 new homes including 60% affordable housing (by unit), which equates to 415 social rent units (60 of which are Extra Care Housing for the over 60s) and 189 shared ownership homes, equating to a 70/30 tenure split by units (75/25 split by habitable rooms). New social /community infrastructure in the form of a Women's Building is to be delivered, a new public open space, and new commercial floor space across 5 units largely focussed on the frontage of the site (with a further unit facing the new public park at the base of Block C1) all seeking a fully flexible Class E planning permission.

### 7.2. Residential (principle)

7.2.1. The London Plan supports the building of more homes through Policy GG4, which promotes the delivery of genuinely affordable homes and the creation of mixed and inclusive communities, with good quality homes that meet high standards. Policy GG2 requires development proposals to make the best use of land by enabling development on brownfield land well-connected by public transport and by applying a design-led approach to determine the optimum development capacity of sites.

7.2.2. The London Plan also supports increasing housing supply and optimising housing potential through Policy H1, which states that the potential for housing delivery on all suitable and available brownfield sites should be optimised.

7.2.3. Islington's Core Strategy (adopted 2011) supports the provision of high quality, inclusive and affordable homes, seeking to meet and exceed the borough housing targets (set by the Mayor of London). Whilst this policy (CS12) refers to following and not exceeding the densities level set in the London Plan, these measures have since been deleted from the current London Plan. Additionally, policy CS15 looks to provide inclusive spaces for residents and visitors and create a greener borough by creating new open spaces particularly in those areas that currently have little or no open space locally.

7.2.4. Development Management Policies (2013) has a number of policies which are relevant to housing, community uses and open and green spaces. Housing policies seek to ensure that new housing is of good quality, with residential space and design standard so that Islington can deliver an appropriate mix of housing sizes that meet an identified need, at high density whilst also delivering sustainable development.

7.2.5. The Holloway Prison Site Supplementary Planning Document (SPD) published in 2018 sets out key planning and development objectives for the site - those relating to land use are the provision of housing (and in particular maximising affordable housing); the provision of a women's building / centre; active uses along Camden / Parkhurst Road; and a publicly accessible open green space including play space. The emerging Site Allocation NH7 refers to the SPD being attributed *significant* weight, however that emerging Site Allocation itself is considered to hold only moderate weight at this time

7.2.6. In terms of emerging local policy, Strategic and Development Management policy H1 supports the delivery of genuinely affordable housing that is integrated and inclusive,

providing places where people of different incomes, tenures and backgrounds can live in mixed and balanced communities, which are economically, environmentally and socially healthy and resilient. Policy H1 also supports high density housing development and requires that proposals which include housing must make the most efficient use of land to ensure that the optimal amount of housing is delivered, while having regard to other Development Plan policies and the specific site context.

- 7.2.7. The emerging Local Plan Policy H2 states that Islington aims to meet and exceed the borough's housing target. Further, development proposals involving new housing must demonstrate that use of the building/site is optimised. Particular consideration must be given to the contribution a proposal makes to meeting need for particular types of housing; the contribution to meeting the borough's housing targets, the level of housing density; and social and strategic infrastructure requirements and impacts on existing and/or planned infrastructure. Given the overall quantum of housing which would be delivered through this proposal, the significant contribution it would make to the borough's housing target and the quantum of affordable housing and in particular the quantum of social rented housing, it is considered that the proposal complies with this policy, and this weighs strongly in its favour.
- 7.2.8. The emerging Local Plan Policy H7 Meeting the needs of vulnerable older people states that the need for accommodation for older people will be met primarily through delivery of conventional residential accommodation designed to be adaptable to changing needs over time. However, it acknowledges that there is some local need for affordable one and two-bed extra-care units. This specific type of specialist older persons accommodation may be acceptable on certain schemes, but only where the Council's Adult Social Care service consider that the proposed accommodation would meet a defined need. The policy also sets out detailed criteria for considering proposals for extra care units. The proposal, which includes 60 extra care units, is in line with this policy.
- 7.2.9. The emerging Local Plan identifies eight Spatial Strategy areas and sets out spatial policy for each of the areas. The Holloway Prison site is covered by Policy SP5 - Nag's Head and Holloway, which highlights that the Holloway Prison site is the key local housing site which will help to meet identified housing need in the borough, and will provide high levels of genuinely affordable housing, community uses including a women's building/centre and publicly accessible green open space. It is considered that, in respect of the quantum and type of housing and the provision of public open space, the proposal complies with this policy.
- 7.2.10. Emerging Site Allocation NH7 identifies the site for 'residential-led development with community uses (including a women's centre building), open space and an energy centre'. Similarly, it is considered that, in respect of the quantum and type of housing, the provision of a women's building and public open space, the proposal complies with this policy.
- 7.2.11. The London-wide Strategic Housing Market Assessment (SHMA) 2017 sets out an overall housing need figure for London - some 66,000 additional homes per annum. The Islington SHMA identifies a borough-level housing need of 23,000 dwellings over the period 2015 to 2035, or 1,150 dwellings per annum; the majority of this need is for genuinely affordable housing.
- 7.2.12. There is an extreme shortage of affordable housing in Holloway and the adjacent wards – the Council has around 9,331 households on the electoral register in these areas. The shortages by ward are summarised in table 3.1 below.

Ward	Households	Registered	1B	2B	3B	4B	5B	6B	7B+
Holloway	1505	600	25%	23%	20%	12%	7%	4%	8%
St George's	1425	550	20%	28%	18%	15%	10%	9%	
Caledonian	1950	834	20%	28%	21%	19%	10%	2%	
St Mary's	1196	786	25%	20%	22%	15%	7%	11%	
Highbury West	1475	600	20%	23%	21%	18%	12%	6%	
Finsbury Park	1780	650	23%	20%	18%	15%	12%	12%	

### ***Social housing need by ward***

- 7.2.13. The proposal involves the creation of 985 new homes, 415 of which will be social rent. As outlined above, delivery of genuinely affordable housing is a key priority of the Local Plan as well as the London Plan. The overarching strategic target over the plan period is for 50% of all new housing to be genuinely affordable and housing proposals are expected to deliver the maximum reasonable number of affordable homes, especially social rented tenure. Moreover, the affordable housing tenure split on all schemes must prioritise forms of affordable housing which are genuinely affordable for those in need, particularly social rented housing. The application proposes 60% affordable housing, of which (by unit) 70% is social rent and 30% is shared ownership. As such, the delivery of genuinely affordable housing across the estate, by ensuring that 415 of the new residential units would be for social rent, is supported in principle.
- 7.2.14. The proposal involves the redevelopment of brownfield land, identified as surplus to public sector requirements, on the edge of a town centre that is well connected to public transport and therefore meets the objectives of policy 11 of the NPPF (2019) and policy GG2 of the London Plan (2021). The location and proposed density of development make the fullest use of London's existing and future public transport, walking and cycling network, to support agglomeration and economic activity (GG5 G).
- 7.2.15. In principle, reviewed against strategic policies of the Development Plan and emerging Local Plan policies the principle of residential housing at this site is supported. This is subject to further assessment of acceptability against other policies within the development plan, including, housing mix, housing quality, design, amenity impacts (not an exhaustive list).

### **7.3. Community / Social Infrastructure**

- 7.3.1. HMP Holloway was closed in 2016 by the Ministry of Justice. Despite this, London Plan (2021) policy S1 (Developing London's social infrastructure)
- 7.3.2. Islington's Development Management Policy DM4.12 for the protection and provision of Social and strategic infrastructure and the equivalent policy SC1 of the emerging Local Plan, are applicable.
- 7.3.3. London Plan policy S1 (C) supports the provision of high quality, inclusive infrastructure that addresses a local or strategic need and supports service delivery. It supports (D) making the best use of land including the co-location of different forms of social infrastructure and the rationalisation or sharing of facilities. It expects new facilities to be (E) accessible by public transport and requires that (F) any losses of social infrastructure in areas of need are only supported where 1) there are realistic proposals for re-provision that contribute to serve the needs of the neighbourhood and wider community, or 2) the loss is part of a wider public service transformation plan. Part G requires that redundant social infrastructure should be



considered for full or partial use as other forms of social infrastructure before alternative developments are considered, unless this loss is part of a wider public service transformation plan (see Part F2).

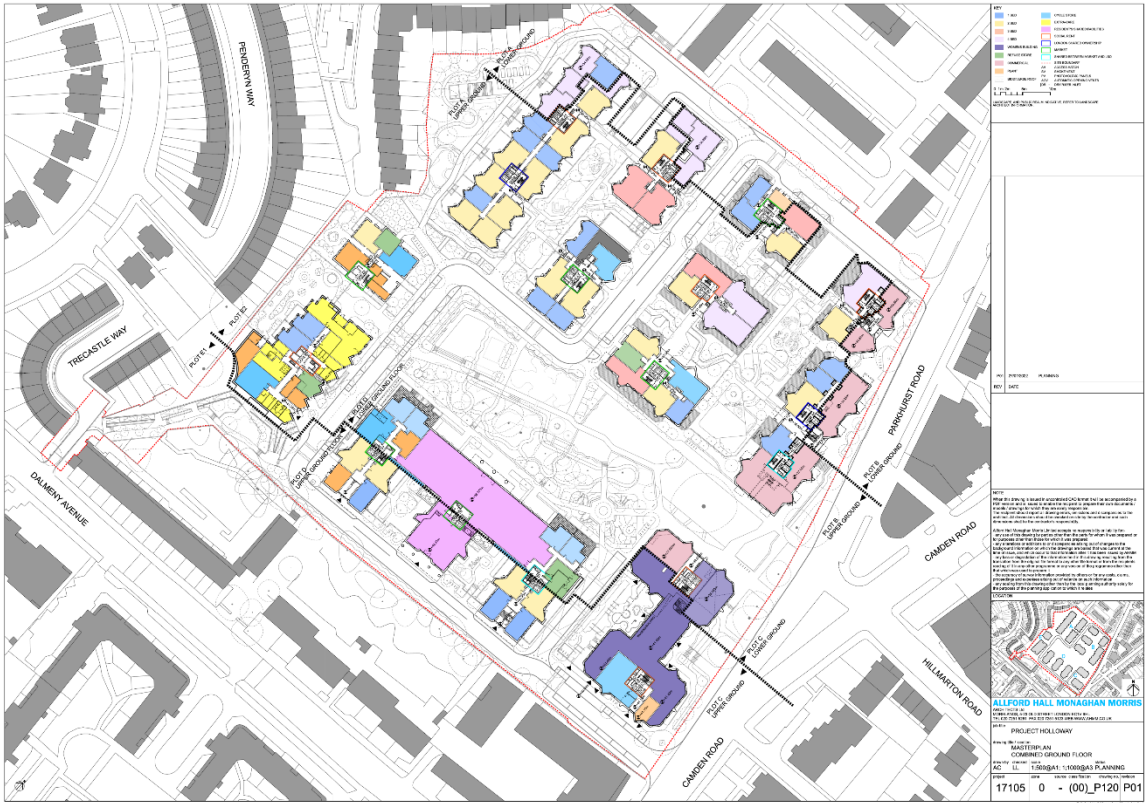
- 7.3.4. As noted in the adopted SPD for the site, the Former Holloway Prison use has ceased and is no longer required on the site. However, there were many associated ancillary uses to the main prison use that supported women in the criminal justice system and also women within the wider community. In this regard the reprovision of those services that were ancillary to / supported the main prison use require reprovision in order to comply with the adopted and emerging planning policies, as well as the SPD.
- 7.3.5. The application proposals provide a Women's Building of 1,489sqm in size, designed to be highly flexible, of very high quality with security and safety of users foremost in the design strategy. The design quality is high, the building would be secured at a peppercorn rent in perpetuity. Planning obligations seek to secure further funding from Peabody to deliver the fit out of the building to a category B standard to help give the eventual operator the best financial start, in order to deliver the maximum social value to women from the outset. With this in mind, the principle of the Women's Building as social infrastructure is supported in principle, further detail is provided at the 'Women's Building Section' of this report.
- 7.3.6. Development Management Policy DM4.12 also seeks from large scale developments such as this (Part B) further provision of social and cultural facilities. It states that "Developments that result in additional need for social infrastructure or cultural facilities will be required to contribute towards enhancing existing infrastructure/facilities or provide/contribute towards new infrastructure/facilities. This contribution will be addressed through CIL and/or section 106 obligations, as appropriate".
- 7.3.7. The proposals do not offer additional social infrastructure uses at the site over and above the Women's Building, however it is the view of the Council that there is sufficient social infrastructure capacity in the vicinity of the site, but that those facilities would benefit from investment in order to better cater for the increased population that would arise from this development. In this regard, it is considered that Community Infrastructure Levy funds would be appropriate to direct to existing local community and social infrastructure facilities in the vicinity of the site.
- 7.3.8. The proposals do include proposals for a resident's lounge at the base of Block D, alongside the new public park. Access arrangements for this area will permit residents and residents group to use this area. While this is not considered to be a social or community infrastructure use in the purest sense it does provide a community facility
- 7.3.9. In principle, the social and community infrastructure provision on the site is considered acceptable and to accord with policy DM4.12, emerging Local Plan policy SC1.
- 7.3.10. A detailed review of the Community and Social Infrastructure uses is undertaken later in the report.

## **7.4. Open Space**

- 7.4.1. The application site is in an area of open space deficiency. The masterplan proposes 10,480sqm of public open space, of which 6,228sqm is located within a central 'public

garden'. The internal pedestrian and vehicular access routes are also landscaped, and publicly accessible. There is also 5,103sqm of communal open space for residents at ground level; and 1,025sqm at roof or terrace level. The frontage of the site (1,463sqm) is also landscaped as an interface between the community / commercial uses and Camden / Parkhurst Road.

- 7.4.2. London Plan policy G4 expects Development Plans (part A) to (3) promote the creation of new areas of publicly accessible open space particularly green space, ensuring that future open space needs are planned for, especially in areas with the potential for substantial change and 4) ensure that open space, particularly green space, included as part of development remains publicly accessible. The policy expects development proposals to 1) retain protected open space and 2) create areas of publicly accessible open space, particularly in areas of deficiency. The development proposals are compliant with this policy.
- 7.4.3. The proposals also broadly comply with the strategic approach of Core Strategy policy CS15 through providing new publicly accessible open space from this large development with significant biodiversity enhancements. Development Management Policies (2013) policy DM6 sets out the requirement for 5.21sqm per resident and 2.6sqm per employee. This space is required in addition to private amenity space and landscaping, is required to be fully publicly accessible, without any restrictions and maintained in perpetuity. These spaces must maximise biodiversity benefits that complement surrounding habitats. The development proposals broadly comply with these requirements, with detailed analysis provided later in this report.
- 7.4.4. Emerging Local Plan policy G3 (new public open space) sets out the quantitative and qualitative standards for major new developments. The open spaces broadly comply with this emerging Local Plan policy G3 (New Public Open Space) and are considered a benefit weighing in favour of the proposal.



**Proposed Ground Floor Masterplan – Land Uses**

## 7.5. Class E Commercial Uses - Overview

7.5.1. The application seeks a flexible planning permission to secure the full range of class E uses across 1,822sqm (gross) of commercial floor space, spread across 5 units ranging from 97sqm to 700sqm. The floor space to be occupied by the commercial units is 1,294sqm.

7.5.2. Class E uses include the following:

Use Class E	Description of use
(a)	Display or retail sale of goods, other than hot food
(b)	Sale of food and drink for consumption (mostly) on the premises
(c) (i)	Financial services,
(c)(ii)	Professional services (other than health or medical services), or
(c)(iii)	Other appropriate services in a commercial, business or service locality
(d)	Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)
(e)	Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
(f)	Crèche, day nursery or day centre (not including a residential use)
(g)	Uses which can be carried out in a residential area without detriment to its amenity:
(g)(i)	Offices to carry out any operational or administrative
(g)(ii)	Research and development of products or processes
(g)(iii)	Industrial processes

### *Use Class E*

7.5.3. It is noted that the applicant has provided a retail impact assessment to assess the main town centre uses (Class E (a), (b) and d) only and no other uses.

7.5.4. Although other E uses such as offices, indoor recreation, health services, nurseries, research and development, and light industrial uses may not have such a pronounced impact on the viability of neighbouring centres akin to convenience retail uses, the impacts that could arise have the potential to be significant, especially if multiple units were to change to a singular E use.

#### Policy Context - Retail

7.5.5. London Plan policies dealing with town centre uses include Policy SD6 which places emphasis on the importance of town centres and high streets, noting that the vitality and viability of centres should be promoted and enhanced by encouraging a diverse range of uses, strengthening the role of town centres as a main focus for Londoner's sense of place and local identity and ensuring town centres are the primary locations for commercial activity and important contributors to the local and London wide economy.

- 7.5.6. Policy SD7 relates to how boroughs should take a town centre first approach and discourage out of centre development by applying the sequential test to applications for main town centre uses. Also required are impact assessments for proposals for new, or extensions to existing, edge or out of centre development for retail, leisure and office uses that are not in accordance with the Development Plan.
- 7.5.7. Policy E9 is clear that development proposals should support convenience retail in all town centres but also identify areas under served in local convenience shopping and related services and support additional facilities that serve existing or new residential communities in line with the town centre policies described above.
- 7.5.8. Islington Core Strategy Policy CS14 confirms that any major new retail development should be located within its defined network of town centres in accordance with the sequential assessment set out in PPS4.
- 7.5.9. Development Management Policy DM4.4 confirms that the Council will seek to maintain and enhance the retail and service function of Islington's town centres. It confirms that applications for more than 80sqm of main town centre uses should be located within identified centres. Where suitable locations within centres are not available, Local Shopping Areas or edge of centre sites should be chosen. Where this is not possible, out of centre sites may be acceptable where it is confirmed that sequentially preferable sites have been thoroughly investigated; where the development would not individually or cumulatively have a detrimental impact on the vitality and viability of designated centres or prejudice the prospect of future development; and where the development would be accessible by a sustainable choice of means of transport.
- 7.5.10. Development Management Policy DM4.4 also confirms that an impact assessment is required for applications for main town centre uses exceeding 80sqm.
- 7.5.11. The Holloway Prison SPD states as part of its key planning and design objectives that: "Active uses along Parkhurst Road and Camden Road, which could include, for example, a small amount of retail provision."
- 7.5.12. Additionally, the SPD states that there is unlikely to be a need for a new GP practice given nearby facilities can expand to support population growth. The SPD suggests that a small amount of retail may be acceptable to serve the local population (existing and new) and that café/restaurant use may assist with serving the local community and bringing activity to the street in the right locations (e.g., near open space and along Parkhurst Road), subject to an assessment of the impacts on nearby retail locations and consideration of amenity impacts. Finally, some support for business use was given, particularly small office / workspace providing for small businesses or affordable workspaces.
- 7.5.13. Emerging Local Plan Policies for Islington relevant to retail and other town centre uses include Policy R1 which discusses the policy context for new retail, leisure and services and culture and visitor accommodation. In respect of new retail uses, Policy R1 states that small shops contribute to the unique character of Islington and support local businesses. It confirms that the Council will protect existing small shops and promote new small shop provision as part of new developments.
- 7.5.14. Supporting text to Policy R1 goes on to state:

'LSAs and dispersed retail and leisure uses are an important part of Islington's retail offer. They complement the more significant retail offer in designated Town Centres and play an important role in serving the needs of residents across the borough. They provide a convenient, valuable service to their surrounding communities by meeting the day-to-day shopping needs of residents, workers and visitors as well as providing other services including some leisure uses. LSAs also play an important social role for the surrounding community, providing a commercial focal point and meeting point where people can interact and socialise. These areas contribute to the character and identity of an area'.

Emerging policy R3 'Islington's Town Centres' seeks to maintain and enhance the retail, service and leisure function of Islington's four Town Centres. B. Proposals for main Town Centre use floorspace should be located within a designated Town Centre. Proposals for these uses outside a designated Town Centre will only be permitted where they meet relevant criteria under Part C, D or E. Part F states that any proposal for main Town Centre use floorspace in an edge-of-centre location outside LSAs or in an out-of-centre location must:

I) meet the sequential test and actively investigate and consider sequentially preferable locations in line with the Council's retail hierarchy, and provide robust justification for not locating in sequentially preferable locations; and

II) provide a detailed impact assessment which determines whether there would be likely significant adverse impacts on relevant Town Centres and/or LSAs.

7.5.15. Policy R6 relates to maintaining and enhancing Islington's unique retail character. It confirms that the Council views the retention of small shops as a baseline and places great weight on the need to retain any shops which currently or potentially could be utilised by small retailers. In order to encourage new provision of small shop units, it states that the Council will seek to secure small shop units (generally considered to be units of around 80sqm GIA or less) suitable for occupation by small retailers by:

(iii) requiring proposals for major housing developments to incorporate small retail units where there is no accessible provision of essential daily goods available within a short walking distance (within 300m).

7.5.16. It is noted that the emerging retail policies R1 and R3 of the draft Local Plan are to be considered to have limited weight given they have been subject to modifications, whilst policy R6 can be considered to have moderate weight.

## **7.6. Use Class E - Retail**

### Retail Context

7.6.1. The site is located c. 550m south-west of Nag's Head town centre separated by intensive residential development. This is a 7-minute walk away from the site. Kentish Town Centre (Camden) is a 17-minute walk away.

7.6.2. There are four Local Shopping Areas (LSAs) within a 10-minute walking distance: Hillmarton Road LSA; Cardwell Terrace LSA; Brecknock Road LSA (650 metres away); Caledonian Road (Cottage Road) LSA (700 metres away).

- 7.6.3. Proposal: 1,822sqm (gross) of retail, leisure floor space across 5 units ranging from 97sqm to 700sqm. The floor space to be occupied by the commercial units, excluding the back-of-house space, is 1,294sqm

	Convenience floor space	Comparable floorspace	Retail service/leisure floor space	Food and beverage floor space	Total
NIA (sqm)	700	150	225	225	1,300
Net sales area (sqm)	525	105	158	158	945

### ***Retail floor space overview***

#### Retail Sequential test

- 7.6.4. The sequential test has investigated potential sites across Nag's Head, Kentish Town and the four surrounding LSAs. The proposal is for a total of 1,294sqm NIA floor space with units ranging from 97sqm – 700sqm. The approach taken within the sequential test has been considered by the Council's Planning Policy Officers and is supported. Permission is sought for flexible Class E, but the applicant considers it is likely to accommodate small scale convenience, comparison retail, retail service and leisure uses (café/restaurant). However, assessment of all scenarios is necessary given the open permission sought.
- 7.6.5. Sites in Nag's Head Town Centre have been comprehensively tested finding 38 vacancies (15/02/21) occupying c. 4,600sqm and are dispersed throughout the town centre. There was subsequently a reduction in vacancies to 12 (September 2021).
- 7.6.6. In regard to the relevant LSAs in the vicinity, four LSAs were tested and whilst some vacant units were identified in Cardwell Terrace LSA, Brecknock Road LSA, and Caledonian Road LSA they were found to be too small to accommodate the proposed floor space.
- 7.6.7. Within the centre of Kentish Town, 17 vacancies were found distributed throughout the centre although this equates to 12.6% vacancy rate which is just lower than the national average. Kentish Town is c. 17minute walk from the former Holloway Prison site and in the absence of applicably suitable vacant floor space, the distance is too great from the application site to meet the convenience needs of new residents.
- 7.6.8. It is concluded that the sequential test has assessed multiple town centre and LSA sites, which have been found to not include any vacant unit(s) of an applicable size even with a 20% floor space reduction of the proposed floor space or applicable site allocations.

#### Retail - Impact assessment

- 7.6.9. Islington's Local Plan (both adopted and emerging) seek to retain and enhance the retail hierarchy.
- 7.6.10. Nag's Head Town Centre has rightly been focused on for assessment along with Kentish Town (Camden) and four surrounding LSAs.
- 7.6.11. The proposal seeks a flexible Class E permission for all five units and specific uses have not been assigned to specific units at this stage. However, impacts on the range of E uses outside of convenience, comparison retail, retail services, and leisure and café/restaurant

use has not been assessed as part of retail impacts. The impacts of these uses have the potential to be significant if multiple units were to change to a singular E use.

- 7.6.12. One proposed unit is 700sqm (NIA). This is considered to most likely be in convenience shop (supermarket) use. Additionally, the applicant has assumed 150sqm (NIA) for comparison retail which may include a small pharmacy or mobile phone shop. A pharmacy would in fact constitute convenience retail floor space.
- 7.6.13. Two scenarios have been tested:
- Table 11A takes account of the fact that up to 50% of the turnover of the floor space could be new expenditure generated by the proposed housing on the former Holloway Prison Site. The impact assessment assesses the impact of the diversion of the remaining 50% of the estimated turnover.
  - Table 11B assesses a worst-case scenario impact, whereby 100% of the estimated turnover is diverted from surrounding centres.
- 7.6.14. The assessment utilises the Islington Retail and Leisure Study 2017 using zone 3 (Holloway), zone 5 (Archway) and Zone 7 (Barnsbury) in the retail study as the area where impacts are assessed. This is accepted. If the proposal sought c. 1,800sqm of convenience retail alone then Finsbury Park would likely need to be included. The scenario testing however does not seek to investigate the impact of different compositions of E uses given flexible Class E is sought across all units. In this regard, limited should be imposed on the range and quantum of E uses permitted.
- 7.6.15. The impact on site allocation NH1 has rightly been assessed and Policy and Planning officers accept the retail element of the NH1 site is very different from the proposal. The full flexibility sought for E uses across all units on the Holloway Prison site could have potential to see a convenience offer impact on the town centre and existing trade including on the NH1 site, especially if all or some units were to change to retail use. Officers hold concerns that a significant amount of the proposed floor space in retail use could undermine investment in the NH1 site. The applicant has however identified that the major supermarkets are currently overtrading demonstrating demand for additional convenience uses. Even if this is the case the NH1 site is in a prime town centre location which is important to retain the retail function and vibrancy of Nag's Head Town Centre. It is therefore considered appropriate to condition the quantum of retail floor space on the Holloway Prison site to not detrimentally affect investment on the NH1 site. This approach accords with the SPD which envisaged a small amount of retail to serve the new residents of the development.
- 7.6.16. A restriction on the quantum of floor space and number of units in convenience use is recommended so as to not jeopardise the future viability of the town centre and NH1 site allocation.

#### Retail - Scale, form and characteristics of the proposed floor space

- 7.6.17. The proposed Use Class E floor space provision at the site is for 1,294sqm NIA to be provided across five units ranging in size from 97sqm - 700sqm.
- 7.6.18. Using these assumptions, the five units would equate to 1 x 700sqm unit: 1 x 97sqm unit, 3 x 166sqm units (NIA). In order to not create a significant adverse cumulative impact on the



viability of surrounding centres, not create adverse amenity impacts through overly intensive Class E uses such as large cafes/restaurants and support small and independent businesses to operate the units, a reduction in the size of units is to be secured by planning condition (see further detail below).

- 7.6.19. In light of wider Class E uses outside of retail, retail services and café/restaurants, these are generally considered to be compatible with residential uses and the recommended conditions place limits on wider uses to ensure that the commercial uses at the site would not result in harm to the town centre or residential amenity.
- 7.6.20. The 700sqm (NIA) unit is considered by the applicant to be small in format. This is disputed given that emerging policy R3 requires development of over 200sqm of main town centre uses in designated Local Shopping Areas to meet the sequential test and provide an impact assessment, a single 700sqm shop is far larger than what is considered to be appropriate, especially in an out of centre location. For context the average size of a Tesco Express is 216sqm and a Tesco Metro is 1,052sqm. The average size of a town centre unit in Islington is c.185sqm. A 700sqm convenience unit within flexible Class E outside of a town centre or local shopping area is therefore not in-keeping with the character of the borough or retail hierarchy. In order to make the convenience retail unit acceptable, a reduction in size is to be secured by condition so that the function is to primarily meet the day to day needs of new residents and reduce potential impacts on nearby established retail designations. In this regard, a condition is recommended to restrict the total floor space in retail (Class E (a) to 700sqm (NIA) but also to ensure that no single unit is larger than 400sqm (NIA).
- 7.6.21. Allowing no more than a total of 700sqm (NIA) of retail floorspace with no single unit being larger than 400sqm (NIA) in size. The submitted Retail Impact Assessment (RIA) is a material planning consideration (the methodology and most conclusions of which have been accepted by Planning Policy officers) and as such it is considered that by limiting the unit sizes and numbers in this way, the needs of this development are able to be met without unacceptably impacting on Town Centre or LSA functioning. With this in mind and taking into account the evidence related to the sequential test it is considered the proposal is considered with London Plan policy SD7, Core Strategy policy CS14, Development Management policies DM4.4, and emerging Local Plan policies R1 and R3 given the particular characteristics and location (relative to sensitive retail locations) of this development, based on the assessment and conclusions of the RIA (moderated to restrict unit size to a maximum and limit overall floor area).
- 7.6.22. In relation to the size of the units provided, there is no specific provision of a 'small shop' unit as required by emerging policy R6, however this is considered to be justified in this context, including the fact that conditions are proposed to limited the overall size of the units, and the fact that a smaller unit is proposed (albeit this will be for other class E uses given the nature of the proposed provision).
- 7.6.23. The impact assessment calculates there is substantial overtrading of comparison turnover in Nag's Head of around £82.5m.
- 7.6.24. The majority of convenience and comparison turnover diversion will fall on Nag's Head (0.6%) and (0.8%) cumulatively for Angel, Archway, and Kentish Town. The Council considers this to be acceptable.
- 7.6.25. Given the range of convenience uses in proximity to the site and the overtrading of some operators, an element of convenience retail is concluded to be appropriate. However, this

should be limited to no more than 700sqm of convenience floor space and should be split between at least two units. For instance, one 400sqm unit and one 300sqm unit.

### Retail - Conclusions

- 7.6.26. Apart from Hillmarton Road LSA there is no convenience retail provision within 300m of the site. Draft Local Plan Policy R6 requires for major housing development to incorporate small retail units where there is no accessible provision of essential daily goods available within a short walking distance (within 300m). Small shops are considered as units of 80sqm GIA or less. The proposed units are significantly larger than 80sqm. However as required by adopted and emerging policy a Retail Sequential Test and Impact Assessment has been submitted with this planning application. It concludes that very limited impact would occur to the nearest Town Centres, Site Allocations and Local Shopping Areas. Officers are of the view that with restrictions on the quantum of retail floorspace the needs of the development will be met without unacceptably impacting on the listed economic areas. The Sequential Test and Impact Assessment is a material planning consideration that suggests that the characteristics of this development and its location in relation to Town Centres and Local Shopping Areas limit its potential impacts. Whilst a 'small' retail unit (around 80sqm) is not being provided in line with emerging policy R6, this is considered to be justified in this context, including the fact that conditions are proposed to limited the overall size of the units and the fact that a smaller Class E unit is proposed but that given the way that the retail and other Class E units are proposed to be managed this cannot be specifically used for retail in this situation.
- 7.6.27. Furthermore, it is also viewed as appropriate to limit the number of café / restaurant units to two (no permission to take up the largest unit for this use).
- 7.6.28. The impact assessment has comprehensively looked at the impact on relevant surrounding town centres and LSAs. Subject to planning conditions, retail uses up to 700sqm (NIA) at this site (no unit larger than 400sqm) are not considered to unacceptably impact on the functioning of these centres. Furthermore, in order to ensure that any impacts on local amenity are mitigated a restriction on the hours of operation are recommended.

### **7.7. Class E(b) – Sale of food and drink for consumption (mostly) on the premises**

- 7.7.1. Development Management Policy DM4.3 Location and concentration of uses details that Proposals for cafés, restaurants, drinking establishments, off licences, hot food takeaways, lap dancing clubs, nightclubs, casinos, betting shops, amusement centres and other similar uses will be resisted where they:
- i) Would result in negative cumulative impacts due to an unacceptable concentration of such uses in one area; or
  - ii) Would cause unacceptable disturbance or detrimentally affect the amenity, character and function of an area.
- 7.7.2. The submitted Impact Assessment assumes a proposed café/restaurant (Class E(b)) use of 225sqm. If this was the proposition, this would not be viewed as large enough to reasonably cause significant adverse impacts on nearby centres. In order to not create an overconcentration of food and beverage uses which could detrimentally impact the character and amenity of the predominantly residential site, a condition is recommended to

limit the number of café/restaurant Class E(b) use to no more than two units (excluding the largest unit which should remain in retail use).

## **7.8. Class E (c) - Financial services/Professional services**

7.8.1. Use Class E(c) has three further sub-classes:

- i. Financial services (i.e., banks and building societies)
- ii. Professional services (i.e., solicitors and estate agents)
- iii. any other services which it is appropriate to provide in a commercial, business or service locality

7.8.2. It is considered that all three sub-classes above correspond to the former A2 use, which in land use terms, would also fall under “retail and services” in the context of the Development Plan. The provision of financial or professional services are considered appropriate in this location.

7.8.3. Although this use class is typically categorised as a retail/service use, it is acknowledged that the operation of the E(c) uses is more akin to office accommodation compared to the other former A-uses such as retail, restaurants and pubs. It is judged that the proposed E(c) use is acceptable, provided such uses do not make up a significant proportion of the units.

## **7.9. Class E (d) - indoor sport, recreation or fitness**

7.9.1. The proposal seeks permission for this use at the ground floor areas of the building to be used for “indoor sport, recreation or fitness” principally to visiting members of the public, provided that they do not involve motorised vehicles or firearms.

7.9.2. Development Management policy DM4.12 encourages the introduction of social infrastructure, inclusive of gyms, where these are located in areas convenient for the communities they serve, are inclusive and accessible and complement the use of the area. In this, the proposal would introduce a high level of new residential accommodation, with any sport, fitness or recreation use being supported by and convenient to the increased population.

7.9.3. Gyms and fitness centres often rely on provision of additional air conditioning, and use of amplifiers for music in support of their operations. Moreover, additional noise mitigation measures are likely to be required for these uses due to their frequent use of exercising equipment such as heavy weights, in which further provisions of noise insulation are required to make the use acceptable and to protect the neighbouring living conditions. Should any further plant equipment be required this would be subject of a planning application.

7.9.4. The hours of operation of these leisure uses are required to be controlled to minimise the noise and disturbance to the surrounding neighbours during night-time and early morning. Conditions are recommended to this effect.

7.9.5. Overall, it is judged that the proposed leisure use is acceptable in land use terms, provided that the operation would not adversely affect the living conditions of the new residential homes within the development nor the vibrancy and activity of the street scene.

7.9.6. Furthermore, it is suggested to add a planning condition to remove permitted development rights from the scheme to change the use of the Class E commercial units to residential

(under Class MA) This is because the locations of the commercial units are not considered to be appropriate for residential by reason of exposure to road noise and such a change would undermine the place making principles of the development. Should such a change be sought, the LPA would expect to assess and consider such a proposal.

## **7.10. Land Use – Other**

7.10.1. London Plan Policy E3 (Affordable workspace), says that:

*‘planning obligations may be used to secure affordable workspace (in the B Use Class) at rents maintained below the market rate for that space for a specific social, cultural or economic development purpose such as:*

*1. for specific sectors that have social value such as charities, voluntary and community organisations or social enterprises’*

7.10.2. Although there is no affordable workspace incorporated into the commercial units, the women’s building should include a form of affordable workspace, and this has been secured at peppercorn rent.

## **Land Use - Conclusions**

7.10.3. In land use terms, the proposed development is considered to be acceptable in principle, subject to a further assessment of the other more detailed aspects of the proposal, and thus, on balance, would be consistent with the aims and objectives of NPPF as well as London Plan Policies GG2, E1, E, E3, GG4, S1, H1 and G4; Islington Core Strategy Policy CS12, CS14 and CS15, Development Management Policies DM4.12, DM6.2 and emerging Policies H1, H2, H7, SC1, G3, Spatial Strategy policy SP5 and the Site Allocation NH7. The proposal would deliver new genuinely affordable housing including for older residents with extra care needs; a public park; and a women’s building.

## **8. SPECIALIST, SOCIAL AND COMMUNITY INFRASTRUCTURE**

### **Specialist Social Infrastructure – a Women’s Building**

- 8.1.1. The Women’s Building will be located on the upper and lower ground floor levels of Plots C1 & C2. The building has a primary frontage onto Camden Road and Parkhurst Road, a secure courtyard garden to the rear, and a secondary entrance from the public park. The total internal floor space of the building is 1,489sqm.

#### Description of the Women’s Building

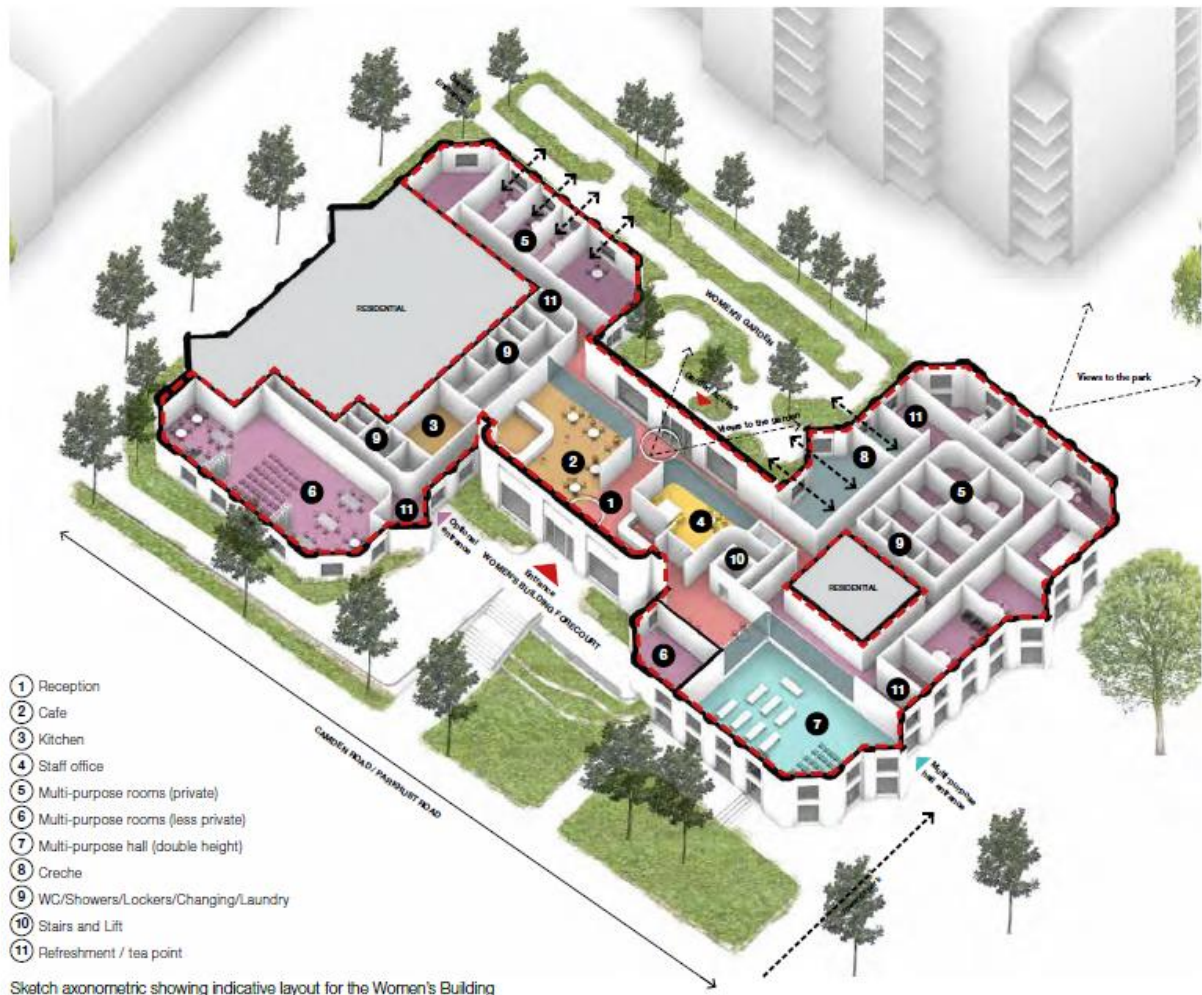
- 8.1.2. The building is composed of three main elements i.e., a reception and cafe area; a southern wing; and a northern wing. The building is served by a terrace facing Camden and Parkhurst Roads with a dedicated garden to the rear.
- 8.1.3. At upper ground level, a forecourt terrace of 315sqm, accessed by steps and a ramp will provide circulation space immediately in front of the primary entrance. This will also provide an overspill space for activities taking place within the building. A reception area of 85sqm would be located to the right of the front entrance, with a café of 100sqm with a 25 sqm kitchen (the latter to be constructed to a training standard). The rooms and courtyard garden beyond the front reception and café would have restricted access to provide safe spaces for services and activities.



*Figure - Women's Building Entrance on Camden Road (P.305)*

- 8.1.4. The southern wing would comprise a mix of small, medium and large rooms for meetings, private conversations and group activities, plus toilets, showers and storage spaces.
- 8.1.5. The northern wing would have a similar mix of rooms and supporting facilities, plus a prayer room, and crèche.
- 8.1.6. In total, at upper ground floor level, there will be 635 sqm of multi-purpose space as follows:
- 9 small, more private rooms (each 10 – 15sqm).
  - 6 medium, more private rooms (each 20 - 30sqm).
  - 2 medium, less private rooms (25 – 35sqm).
  - 2 large, less private rooms (40-45sqm).
- 8.1.7. At the lower ground floor of the northern wing, there is: a multi-purpose hall of 185sqm that is divisible into three smaller rooms; toilets; and a tea point / circulation space where visitors can arrive directly from the public park. This entrance is located near a heritage tree. The upper and lower ground floor levels are linked by a lift and stairs.





**Figure - Axonometric View of Proposed Women's Building (P.281)**

- 8.1.8. Between the two wings of the women's building is a 540sqm dedicated courtyard garden. Only users of the Women's Building can access this garden. The garden would comprise a series of small and enclosed seating areas embedded in planting designed to support physical and mental rehabilitation, contemplation, gathering, workshops, meetings and socialising. Three existing cherry trees will be transplanted into the Women's Garden from within the site. The relocation of the cherry trees will be secured by way of a Condition.
- 8.1.9. The layout of the garden creates small private alcoves that can serve a variety of functions. These are embedded in lush planting creating a calming and secure environment for women and children.
- 8.1.10. The garden is framed by a secure brick boundary wall for user privacy and safety. Other design features include flexible open space for social events or group exercise; a small scale play trail to complement the crèche; and community garden allotments.
- 8.1.11. The building has been designed with the needs of two separate user groups in mind i.e.:
- the provision of support and rehabilitation services to women with experience of the criminal justice system; and

- local women wishing to access support services and other women centred services and activities.
- 8.1.12. To meet the needs of the different user groups, the design of the building allows for some parts of the building to have restricted access to support the creation of privacy and safety for visitors whilst others are more open and public facing.
- 8.1.13. The building has also been designed in such a way that it is impossible to identify why individual women are accessing the building. This provides privacy to those women who are entering the building for more sensitive reasons.
- 8.1.14. The proposed design provides a range of different spaces – some smaller, some larger, some private, some open, with reconfigurable partitions, different security zones and different entrances, to enable the eventual operator to share parts of the space with different organisations if necessary.
- 8.1.15. This flexibility also allows for different types of activity to take place at different times of the day.
- 8.1.16. Within the range of rooms available, there is also the potential for operators of the building to support skills and employment opportunities by hosting (for example) education & training; performances & exhibitions; or markets.
- 8.1.17. The prominent position of the women’s building on the site, along with its markedly different façade treatment and scale, contribute to a visible and accessible base for women’s services.

#### The Fit Out of the Women’s Building

- 8.1.18. The Women’s Building is described on:
- pages 276 - 289 of the Design and Access Statement;
  - plans 17105\_3\_(00)\_P099\_P01, 17105\_3\_(00)\_P100\_P02, 17105\_3\_00\_P200\_P01, 17105\_3\_00\_P201\_P01, 17105\_3\_00\_P202\_P01, 17105\_3\_00\_P203\_P01, 1947-EXA-ZZ-ZZ-DR-L-00105\_P01, 1947-EXA-ZZ-ZZ-DR-L-00001 Rev P01; and
  - pages 39 – 42 of the Open Space and Recreation Assessment and Landscape Design Strategy.
- 8.1.19. The plans indicate a building that has been fitted out to what is considered to be a Category B standard. There is no single agreed definition of a Category B fit out. However, it is generally held to mean the fit out of a building so that it is available for the tenant to move into and that has been fitted out for their specific needs and requirements.
- 8.1.20. The applicants initially proposed that they would fit out the building to a shell and core standard only. They have therefore stated that the proposals set out in the plans are to be considered as indicative only. Again, there is no standard definition of a ‘shell and core’ fit out although this is generally held to mean that the construction of the exterior of the building is completed but the interior would be a shell with no lighting or other facilities.



- 8.1.21. The Heads of Terms for the s106 agreement (see below) require that the building will be fitted out to a Cat B standard. The cost of this fit out will be capped at £2.9 million (index linked). The s106 agreement will also secure the landscaping of the Women's Garden.
- 8.1.22. It is accepted that when an operator for the building is appointed, they should be able to influence the final internal fit out of the building - particularly as the building may not open until 2026/7. This will ensure that the internal layout of the building supports the agreed provision of services and the operator's management plan and funding model. Provision for this arrangement will be secured through the s106 agreement. Any alterations to the internal layout of the building will be subject to the agreement of the council in consultation with the operator of the Women's Building and the developer.

#### Heads of Terms for the s106 Agreement

- 8.1.23. The following Heads of Terms for the s106 Agreement are proposed in relation to the Women's Building.
- a) Delivery of the Women's Building to Cat B standard in accordance with the specification provided by the Council and subject to consultation with the women's building operator (subject to a restriction on occupation).
  - b) Delivery of the Women's Building Garden including landscaping (subject to a restriction on occupation).
  - c) Council to provide details of proposed Women's Building Operator, detailed fit out specification and outline grant funding case for the proposed use within 4 months of implementation.
  - d) Women's Building fit out costs to be capped at £2,900,000 (Index Linked).
  - e) Women's Building to be let at a peppercorn rent (in perpetuity) either to the Council or directly to a women's building operator of appropriate covenant – basic lease heads of terms to be included within S106.
  - f) Management Plan to be submitted which shall provide measures to ensure that the centre is a secure and safe space to support women (and to ensure that it is for exclusive use, with separate secured access etc (pre-occupation requirement in relation to the Women's Building)).
  - g) Nomination process whereby the Developer or Council (as appropriate, depending on which is the party granting the occupational lease), with input from/consultation with the Developer or Council, nominate appropriate operator (charity / other appropriate organisation to operate the facility).
  - h) Secured for exclusive use by an accredited provider of services for women including women with experience of the criminal justice system.
  - i) Final terms of maintenance / insurance responsibilities on the building lessee of building/space ('Women's Building Operator') to be secured through the S106 agreement.

- j) Continued engagement undertaken with stakeholders as per paragraph 4.24 of the Holloway Prison Site SPD.

8.1.24. The council has also separately committed to allocating 5% of its nominations for the new social rented homes to women leaving the criminal justice system. This commitment will be set out in the council's lettings policy for the site.

#### Operation of the Building

8.1.25. At this point in time, no organisation has been appointed to manage the building and no services have been commissioned. The council has appointed a senior female officer to act as the 'champion' for the Women's Building. This officer will work with the applicants to take forward a study to identify the most appropriate mechanism for the appointment of the operator and the funding and commissioning of services. This study will require the consultant to engage with the local community and other interested parties including existing operators and funding bodies.

#### Consultation

##### Statutory Consultees

8.1.26. The Greater London Authority is a statutory consultee for the application and said in its report dated 20 December 2021:

8.1.27. 'The facility is important in terms of the legacy of the former Holloway Prison redevelopment. Overall, GLA officers are supportive of the proposed design and sizing of the space, noting the planning policy considerations set out above. The potential for the centre to be expanded to incorporate the flexible commercial unit in Plot C fronting the park should be explored. Further discussion is required to clarify the means of securing the ongoing provision and management of the floorspace and this being secured in perpetuity, in line with London Plan Policy S1'.

#### MOPAC

8.1.28. On the 20th December 2021, the Mayor of London's Office for Policing & Crime (MOPAC) wrote:

'to express MOPAC support for the Women's Building as set out in the Design and Access Statement and plans. I am pleased to see that many of the elements identified during consultation with MOPAC and partners have been included. The plans as they are set out meet the space requirements both internally and externally, it is also clear that consideration has been given to the need for private and group settings for the centre. Importantly the design is trauma informed and elements related to safety have also been included. I also welcome the continued reference to the space being designed to serve women in contact with the criminal justice system'.

## Groups

- 8.1.29. Several responses from community groups raised concerns about the proposals for the Women's Building.

## Reclaim Holloway

- 8.1.30. In its objection to the application the Reclaim Holloway group state that it has taken legal advice on the application. It contends that the current proposals clearly fail to comply with planning policy in respect of the Women's Building, and that there are no other material considerations to justify the departure from planning policy.
- 8.1.31. Their objection continues that there is no evidential base for the assertion that the required Women's Building cannot be provided in a separate building of the necessary scale and significance consistent with the delivery of housing and particularly affordable housing. In particular, it is suggested that the Women's Building should:
- be a separate building;
  - be located in a prominent location;
  - be designed to provide the full range of services and provide an equivalent reinstatement of lost community space;
  - to be of a fitting scale and status to reflect the history of the site and the purpose of the building; and
  - should provide outstanding architecture; and
  - the building should reflect the legacy of the prison and the struggle for women's rights.

## Holloway Women's Building – a Local Needs Analysis

- 8.1.32. In support of their objection to the application Reclaim Holloway has submitted a document titled 'Holloway Women's Building – a Local Needs Analysis'. This has been prepared by an expert criminologist.
- 8.1.33. This Local Needs Analysis is a useful document that assists with the assessment of the application.
- 8.1.34. The main findings of this document are therefore summarised below. They are:
1. In its latter years, Holloway was a resettlement prison with women serving short sentences. Women were regularly released on a temporary basis for work or training or to build family ties. The flow of women through the gates of the prison was multidirectional. There was therefore a degree of 'porosity' between the services delivered on the site of the prison and the local area.

2. The closure of the prison led to a substantial reduction in specialist services for women affected by the criminal justice system in the local area and beyond.
3. The prison provided an impressive and innovative range of services to support women in the criminal justice system both during their incarceration and during their temporary and permanent release.
4. Wider support services are needed to support local women experiencing issues such as: domestic violence; sexual violence; homelessness; substance abuse and poverty.
5. The author advocates in favour of an approach to women's centres that provides holistic wrap around services in a 'one-stop-shop setting'. These centres are independent of the criminal justice system but welcome women from the wider community and women rebuilding their lives after criminal justice. The funding challenges associated with these buildings is also noted.

### Community Plan for Holloway

- 8.1.35. The Community Plan for Holloway group (CP4H) also objected to the proposals for the Women's Building and also stated that the proposals fail to comply with the council's planning policies.
- 8.1.36. Their objection is summarised as follows:
- Calculations show that the area for service provision and delivery within the prison was approximately 4600sqm, and this was used by women from both within and outside of the criminal justice system. The current proposal allocates approximately 920sqm of usable room space within the 1500sqm proposed for the 'Women's Building'.
  - The space has been designed without a thorough understanding of what services were delivered to women in HMP Holloway.
  - An increased population is expected to lead to an increase in service needs.
  - The space is undersized.
  - The space is poorly designed.
  - Many rooms have no windows for light or ventilation.
  - The façade is bland and unimaginative.
  - This proposal will not deliver a complete facility, but only a shell and core space.
  - The application confirms the facility solely as a women-only space which undermines its ability to support the wider community and local families.
  - There is little evidence that the needs of women have led to the design or spatial allocation.

- There is little evidence that the space is 'trauma-informed'.
- The sunlight levels and layout of the garden are not adequate
- Not a fitting legacy.

### Network of Finsbury Park Women's Groups

8.1.37. The Network of Finsbury Park Women's Groups has said:

'Our network does not consider the provision of facilities for local women and those for ex-offenders to be mutually exclusive. However, they are very anxious that there should be reliably women-only space on the site. (Whilst there is not a shortage of community space in the area there is a shortage of women-only space, something that many local women would really value.) We therefore want this facility to be women-managed and women-controlled (with perhaps some mixed areas). It would also be good if local women could be trained and employed in the workforce that constructs the buildings on the site. The groups in the network like the flexibility built into the design of the women's facility, the offices, the hall, the prayer room, the various entrances, the toilet facilities, childcare provision, display space, and the garden. However, absolutely crucial is the promised feasibility study that will consider how the facility can be financially sustainable. If local groups are to be able to afford to hire the hall and office space the rents will need to be fairly low - so other sources of income will be necessary. Any cafe area could struggle financially and, while this could be mixed, there would need to be a women-only area'.

### Individual Objections

- 8.1.38. 25 individual objections referred to the proposed women's building and echoed many of the concerns expressed by the groups referred to above.
- 8.1.39. However, in some instances, there seemed to be some misunderstanding around the proposed use of the space, with some objections referring to the creation of a remand centre or new prison. This does not form part of the current proposals.

### Summary of Concerns raised During Consultation

8.1.40. The main concerns raised in response to the consultation on the proposed Women's Building may be summarised as follows:

1. It is not a standalone building.
2. The building is too small. The space has been designed without a thorough understanding of what services were delivered to women in HMP Holloway. The building should be designed to provide the full range of services and provide an equivalent reinstatement of lost community space.
3. An increased population is expected to lead to an increase in service needs.
4. The building is not located in a prominent location

5. The building needs to be of a fitting scale and status to reflect the history of the site and the purpose of the building
6. The building should reflect the legacy of the prison and the struggle for women's rights
7. The façade is bland and unimaginative, and the building fails to provide outstanding architecture
8. The space is poorly designed
9. Many rooms have no windows for light or ventilation
10. The proposal will not deliver a complete facility, but only a shell and core space.
11. There is little evidence that the needs of women have led to the design or spatial allocation.
12. There is little evidence that the space is 'trauma-informed'.
13. The sunlight levels and layout of the garden are not adequate
14. The application confirms the facility solely as a women-only space which undermines its ability to support the wider community and local families.
15. There should be reliably women-only space on the site. (Whilst there is not a shortage of community space in the area there is a shortage of women-only space, something that many local women would really value.) This facility should be women-managed and women-controlled (with perhaps some mixed areas).
16. It would also be good if local women could be trained and employed in the workforce that constructs the buildings on the site.
17. The potential for the centre to be expanded to incorporate the flexible commercial unit in Plot C fronting the park should be explored (GLA comment).
18. Further discussion is required to clarify the means of securing the ongoing provision and management of the floor space and this being secured in perpetuity, in line with the London Plan (GLA comment).
19. Absolutely crucial is the promised feasibility study that will consider how the facility can be financially sustainable. If local groups are to be able to afford to hire the hall and office space the rents will need to be fairly low - so other sources of income will be necessary.

8.1.41. The concerns raised during the consultation process are considered in detail below.

#### Women's Building – Relevant Policy Context

8.1.42. The primary policies relevant to the consideration of this aspect of the application are:

- London Plan (2021) - S1 Developing London's social infrastructure.
- Islington Development Management Policies (2013) policy 4.12 'Social and strategic infrastructure and cultural facilities'.
- Holloway Prison Supplementary Planning Document (2018).
- The following emerging Local Plan (September 2019) policies are also of relevance:
  - Islington draft Local Plan - Site allocations - NH7 Holloway Prison, Parkhurst Road
  - Islington draft Local Plan, Spatial Area Strategy - Policy SP5 Nag's Head and Holloway – Part E
  - Islington draft Local Plan – Policy SC1: Social and Community Infrastructure

### Policy Assessment

#### London Plan (2021)

8.1.43. Policy S1 (Developing London's social infrastructure) of the London Plan states that:

.....'C) Development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and support service delivery strategies should be supported'.

D) Development proposals that seek to make the best use of land, including the public sector estate, should be encouraged and supported. This includes the co-location of different forms of social infrastructure and the rationalisation and sharing of facilities.....

G) Redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are considered unless this loss is part of a wider public service transformation plan.'

Paragraph 5.1.1 of the London Plan states that social infrastructure contains a broad range of land uses including community uses and criminal justice facilities.

Paragraph 5.1.5 of the London Plan states that:

8.1.44. 'A realistic proposal for replacement social infrastructure should be able to demonstrate funding, appropriate site availability and timely delivery of adequate facilities'.

8.1.45. Paragraph 5.1.8 of the London Plan states that:

'In all cases where housing is considered an appropriate alternative use opportunities for affordable housing provision should be maximised'.

- 8.1.46. Both the Women's Building and the prison fall within the definition of social infrastructure within the London Plan. The relevant parts of policy SC1 therefore apply.
- 8.1.47. Holloway Prison closed in 2016 with prisoners being relocated to HMP Downview and HMP Bronzefield. The closure of the prison formed part of a wider public estate transformation plan for women's prisons implemented by the Ministry of Justice. The loss of the prison as a place of incarceration is therefore accepted under parts D and G of SC1.
- 8.1.48. Part C of policy SC1 states that 'Development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and support service delivery strategies should be supported.'
- 8.1.49. As evidenced in the 'Holloway Women's Building – a Local Needs Analysis' study the prison served a much wider function within the local area. This case also echoed in the Holloway Prison Supplementary Planning Document (SPD) – see below.
- 8.1.50. Both the Needs Analysis and the SPD refer to the fact that the Prison had an important role in providing support and rehabilitation services for women in the local community. Both conclude that there is a need for the building to host:
- the community based rehabilitation and support services for women in the criminal justice system that were lost when the prison closed; and
  - a wider provision of support services and other activities for women.
- 8.1.51. In supporting the need for community based provision, the Needs Analysis Study refers to the 'multi-directional' and 'porous' nature of many services provided by the prison. It is indicated that many services provided by the Prison served women in the criminal justice system outside the walls of the prison.
- 8.1.52. It is further noted in the Needs Analysis Study that the prison services encompassed a number of support functions including: psychotherapy; art therapy; education (arts, crafts, textiles, cookery, ceramics, music and IT); training (including hairdressing and beauty); employment support; maternal and family support; substance misuse; debt counselling; people trafficking; housing support; and support for prisoners from overseas.
- 8.1.53. The extent to which these services in their entirety can be ascribed the 'multi-directional' or 'porous' nature described by the Study in terms of serving the local community is not substantiated. The Study states that over a six month period in 2017, 27 women were released from the prison on a temporary basis on 1502 occasions. It is understood that up to 500 women were located in the prison at any one time.
- 8.1.54. Many of these functions will now be provided in full or in part to prisoners within other parts of the prison estate.
- 8.1.55. Nonetheless, it is considered that all of the community based services referred to in the Study can be accommodated within the proposed layout of the Women's Building as shown in the floorplan although perhaps not all of them all at the same time.



- 8.1.56. The diverse range of room sizes provided in the building is designed to ensure that a range of different uses can take place in the building. These range from the large yet sub-dividable hall to the lower floor, to a series of large, medium and small rooms positioned throughout the building.
- 8.1.57. The majority of rooms have generous levels of secure inbuilt storage facilities. This allows for a range of uses to take place in the different rooms over different periods of the day/week. It enables a 'doubling up' of space in that both regular and intermittent user groups can safely store their possessions/materials/tools of their trade etc in a secure manner whilst the rooms are not in use.
- 8.1.58. To further accommodate a broad range of replacement and new services and functions, the spatial configuration of the women's building has been a major design consideration. Key to meeting multiple needs was the requirement for inbuilt flexibility. This has been achieved in a number of ways.
- 8.1.59. First, the ability to be able to segregate the building into 4 distinct 'quads', each of which can be accessed and used independently from the other, was a key driver for securing spaces for different services, groups and functions.
- 8.1.60. Secondly, the more sensitive the use and user group, the further these uses have been accommodated from the street edge, deeper into the building. For example, the two quadrants to the rear of the facility, to the upper floor, have been designed with the potential for enhanced privacy and security measures so as to be suitable for the provision of the most sensitive services, and those that require the most privacy, including those most associated with the criminal justice system.
- 8.1.61. Thirdly, the quad to Camden Road frontage, and the lower level quad that also fronts the edge of the public park, are suitable for a broader range of services and activities including those that do not require such high degrees of privacy and security. They are more likely to cater for the more generic support services as well as cultural and artistic facilities some of which may even benefit from a more visible presence within the public realm.
- 8.1.62. Fourthly, the pivot off which the four quads are orientated is a large, well lit, central entrance area with its café, lounge and reception space. This space is designed in a manner that does not discriminate amongst its various users but is safe, inclusive, and welcoming to all women. The concept behind this entrance design was to not intimidate or stigmatise different users of any of the services and facilities on offer.
- 8.1.63. Fifthly, each quad is provided with its own WC facilities, kitchenettes, and thus direct access to water sources. This is to enable a degree of independent yet flexible usage including, for example, facilitating use of different spaces for water dependent uses including some arts based activities, play, hairdressing and such like.
- 8.1.64. In respect of part C of Policy SC1, it is therefore considered that subject to the C at B fit out of the building it provides 'high quality, inclusive social infrastructure that addresses a local or strategic need'.
- 8.1.65. Paragraph 5.1.5 of the London Plan states that:

'A realistic proposal for replacement social infrastructure should be able to demonstrate funding, appropriate site availability and timely delivery of adequate facilities'.

8.1.66. Through the s106 agreement the building will be secured on the site at a peppercorn rent. The building will be delivered in Phase One of the development with its timely delivery secured through a pre-occupation clause in the s106 agreement. The proposals are therefore considered to meet the requirements of paragraph 5.1.5.

8.1.67. Paragraph 5.1.8 of the London Plan states that:

‘In all cases where housing is considered an appropriate alternative use opportunities for affordable housing provision should be maximised’.

8.1.68. This matter is dealt with elsewhere in the report.

#### Islington’s adopted Development Plan

8.1.69. Policy DM4.12 Social and Strategic Infrastructure and Cultural Facilities is relevant to the assessment of this application.

8.1.70. Part A of Policy DM 4.12 states that the council will not permit any loss or reduction in social infrastructure uses unless:

- i. a replacement facility is provided on site which would, in the council’s view, meet the need of the local population for the specific use; or
- ii.
- iii. the specific use is no longer required on site. In such circumstances the applicant must provide evidence demonstrating:
  - a) that the proposals would not lead to a shortfall in provision for the specific use within the local catchment;
  - b) that there is either no demand for another suitable social infrastructure use on site, or that the site/premises is no longer appropriate for social infrastructure uses; and
  - c) any replacement/relocated facilities for the specific use provide a level of accessibility and standard of provision at least equal to that of the existing facility.

8.1.71. The specific use of the site for the prison as place of incarceration is no longer needed. The relevant policy tests are therefore:

- a) that the proposals would not lead to a shortfall in provision for the specific use within the local catchment.
- b) In this case the reprovision of space for community based support and rehabilitation services for women in the criminal justice system is required. This requirement is considered in relation to Policy SC1 above.
- c) any replacement/relocated facilities for the specific use provide a level of accessibility and standard of provision at least equal to that of the existing facility.

8.1.72. The Women’s Building has not been relocated away from the prison site. The building will be open to all women in the local community and will host support services and activities to

women who are not in the criminal justice system. In these latter respects the proposals are considered to be more accessible and provide a greater standard of provision than were offered through the prison.

- 8.1.73. Part C of DM4.12 states that new social infrastructure and cultural facilities, including extensions to existing infrastructure and facilities must meet a range of criteria, including to: 'provide buildings that are inclusive, accessible, flexible, sustainable and which provide design and space standards which meet the needs of intended occupants.'
- 8.1.74. It is considered that a building that has been constructed to a shell and core standard does not meet these requirements. To ensure that these requirements can be met a fit out to a Cat B standard must be secured through the s106 agreement. This will ensure that the building meets the bespoke requirements of the end user in this case the operators of the Women's Building. The cost of the Cat B fit out is estimated to be £2.9 million.
- 8.1.75. The supporting text to DM 4.12 states in para 4.69 that the development or redevelopment of social and strategic infrastructure should be designed to meet the needs of intended occupants, taking into account any appropriate regulations and national design and space standards. Again, it is considered that a building that has been constructed to a shell and core standard does not meet these requirements. To ensure that these requirements can be met a fit out to a Cat B standard must be secured through the s106 agreement.

#### Holloway Prison Site Supplementary Planning Document

- 8.1.76. The council adopted the Holloway Prison Site Supplementary Planning Document (SPD) in 2018 following public consultation.
- 8.1.77. Section 3.1 of the SPD describes the key planning and development objectives for the site including (inter alia) affordable housing and:

'The provision of a women's building/centre that incorporates safe space to support women in the criminal justice system and services for women as part of a wider building that could also include affordable workspace to support local organisations and employment opportunities'.

With the exception of the provision of affordable workspace it is considered that the current proposals meet these requirements.

- 8.1.78. Paragraphs 4.14 to 4.25 of the SPD set out further details of the council's position on the Women's Building.
- 8.1.79. Paragraph 4.14 notes that the prison is a form of community use and can be considered to be part of the social infrastructure of the borough and London. It also notes the important social role played by the prison in supporting women within the criminal justice system both within Islington and beyond.
- 8.1.80. Paragraph 4.15 notes that Islington's planning policies strongly protect existing social infrastructure.
- 8.1.81. Paragraph 4.16 notes that it is important to look at the localised impact of the prison's relocation and ensure that 'the relevant social infrastructure is still adequately provided for'.

This paragraph also acknowledges the historic importance of the women's prison at a local, regional and national level.

- 8.1.82. Paragraph 4.17 notes that the council's planning policies place a great emphasis on the retention of existing social infrastructure. It is further noted that the closure of the prison is considered to be a loss of social infrastructure and that no new prison will be provided on the site.
- 8.1.83. Paragraph 4.18 of the SPD notes that:
- 'in considering the different elements of the policy it is important to distinguish between the pure built facilities and the activities and services that took place on the site.'
- 8.1.84. This paragraph notes that the prison provided important support and rehabilitation services to vulnerable women. The relocation of the prison spaces outside of London means that the immediate local need for those services that were provided in the prison are no longer met. Particular regard should therefore be given to the need for these support and rehabilitation services both locally and across London.
- 8.1.85. This point is considered further in paragraph 4.19 of the SPD. This notes that at the time that the SPD was prepared the Mayor's Office for Policing and Crime (MOPAC) indicated a gap in female offender service provision in North East London. MOPAC highlighted the need for women's centre provision in London to support the transition from custody and providing alternatives to custody. MOPAC's representation on the application states that it continues to support the provision of the Women's Building.
- 8.1.86. Paragraph 4.20 of the SPD states that:
- "The continued presence of a base for women's services, including female offender services, should therefore be provided as part of any future development proposals for the site in order to ensure equivalent levels of provision and access".
- 8.1.87. Paragraph 4.21 states that:
- 8.1.88. "In addition to space to provide support for women in the criminal justice system, it will also be important to provide space for support and services for women more generally. Estimates suggest there are around 40 organisations in operation in the borough providing support and activity especially for women. There are also other organisations who now operate outside the borough but that still have strong local connections. The long standing connection between the presence of a women's prison and the growth of locally based specialist women's voluntary and community groups should continue to be supported."
- 8.1.89. Paragraph 4.22 continues:
- 'The purposeful location of a number of women's services into one building would be beneficial in assisting and enabling the rehabilitation and integration of hard to reach groups of women beyond those in the criminal justice system; including those that are vulnerable, homeless and those that fall between services and agencies.'
- 8.1.90. Paragraph 4.23 discusses the potential role of any building in supporting the aims of the council's Violence against Women and Girls Strategy (2017-2020) through the creation of 'safe spaces'.

- 8.1.91. Paragraph 4.24 notes that a number of stakeholders across a range of sectors and local residents identified the need for a women's building in their responses to the consultation on the SPD. It is also noted that in developing future proposals for the site it will be important to ensure that there is continued engagement with a broad range of stakeholders. This engagement is to be secured through a legal agreement attached to any future planning consent.
- 8.1.92. Paragraph 4.24 concludes:
- 8.1.93. 'It will be important that a safe, women only space, with separate and secure access and outdoor amenity space is provided as part of a high quality flexible facility that can allow multiple services to operate from the building and provide a safe and pleasant space for clients operating the services. Whilst the council is keen to see a suitably sized building that can accommodate these facilities provided on site, it should be noted that it is highly unlikely that the council will be able to fund any services within this building'.
- 8.1.94. Paragraph 4.25 of the SPD notes that there is potential for the building to provide affordable workspace and a range of well - being, therapeutic and family support services.
- 8.1.95. For the reasons set out in relation to policies SC1 and DM 4.12 above, the proposals are considered to meet the requirements set out in the SPD with the exception of the provision of affordable workspace.
- 8.1.96. The SPD states that affordable workspace could be provided but does not explicitly require this in contrast to other elements of a women's building that are required.
- 8.1.97. The building will however contain a kitchen fitted out to a training standard. It will also deliver employment and training benefits including for example, spaces for training and employment coaching.
- 8.1.98. As noted above, there is a provision in the draft heads of terms for the s106 agreement that the women's building operator will be given an opportunity to amend the internal fit out of the building. This will be subject to the agreement of the council and the developer. If affordable workspace is considered to be a priority by the operator, a small area of affordable workspace could be incorporated within the final fit out of the building.
- 8.1.99. It is notable that the SPD does not stipulate the size of the building or require a stand alone building. It does however require that the building should be 'suitably sized'.
- 8.1.100. The SPD also requires that in considering the different elements of the policy it is important to distinguish between the pure built facilities and the activities and services that took place on the site.
- 8.1.101. Figure 4 of the SPD shows a 'Concept Plan' for the site. This indicates at a very broad level how a future development could be accommodated on the site.
- 8.1.102. Whilst this concept plan has long been superseded by the current proposals, it should be noted that the concept plan does not indicate the presence of a stand - alone women's building on the site or indicate the size of the building.

- 8.1.103. The Background to the SPD on page 1 notes that the SPD should be read in conjunction with the Holloway Prison Site Capacity Study and the Viability Assessment of Development Scenarios - both published alongside the SPD. Both documents were developed to inform the development of the SPD but neither are of themselves policy documents and should be weighted accordingly.
- 8.1.104. The Site Capacity Study sets out four potential development scenarios but does not specifically refer to the women's building. It is however assumed that in each of the four scenarios the site will deliver circa 3,285 square metres of community and retail space plus a nursery.
- 8.1.105. The study indicates a preference for the community and retail facilities to be located on Parkhurst Road and Camden Road.
- 8.1.106. The Viability Assessment of Development Scenarios document assumed a women's building covering an area of circa 4,000 sq. feet (or 372 square metres).

### The Emerging Local Plan

#### Emerging Spatial Strategy Area - Policy SP5

- 8.1.107. The emerging Local Plan identifies eight Spatial Strategy areas and sets out spatial policy for each of the areas. The Holloway Prison site is located within the area covered by Policy SP5 - Nag's Head and Holloway, Part E of which states that
- 8.1.108. 'The Holloway Prison site is the key local housing site which will help to meet identified housing need in the borough. The site will provide, inter alia, high levels of genuinely affordable housing, community uses including a women's building/centre and publicly accessible green open space.'
- 8.1.109. The provision of a Women's Building is in accordance with the emerging policy SP5.

#### Emerging Site Allocation

- 8.1.110. The Holloway Prison site is the subject of site allocation NH7 in the draft Islington Local Plan Site Allocations 2019. Minor amendments to the site allocation were made in 2021.
- 8.1.111. Site allocation NH7 requires 'a residential led development with community uses (including a women's centre building), open space and an energy centre'.
- 8.1.112. The allocation also notes that:
- 'The adopted Holloway Prison Site SPD provides detailed guidance on the development considerations and must be read alongside this allocation. The SPD will be given significant weight in terms of any future determination on the site'.
- 8.1.113. The proposals for a Women's Building is in accordance with the emerging policy NH7.
- 8.1.114. Significant weight should be accorded to the SPD in accordance with NH7.



## Emerging policy SC1 'Social and Community Infrastructure'

- 8.1.115. The emerging policy in the draft Local Plan deals with the provision of and the loss of social infrastructure. This sets out, amongst other things, that new and/or extended on-site provision of social and community infrastructure may be required as part of the supporting infrastructure for significant new housing and mixed-use development proposals, in order to mitigate the impacts of the development on local services and meet the needs of occupiers.
- 8.1.116. The policy also protects against a loss of existing social and community infrastructure uses and seeks their replacement; and sets out several different routes through which the loss of social infrastructure could potentially be justified.
- 8.1.117. It is considered that this policy can be given limited to moderate weight at this point in time, as some elements of the policy require additional modifications as discussed prior to and during the Examination. In addition, the Planning Inspectors may suggest further modifications to the policy. All of these modifications will be subject to a further round of consultation.
- 8.1.118. Policy SC1 states that new social infrastructure should be inclusive, accessible, flexible, sustainable and provide design and space standards which meet the needs of intended occupants'. A Cat B fit out of the building will therefore be secured through the s106 agreement.

### Consideration of Consultation Responses

- 8.1.119. The key matters raised in the consultation responses are considered below.

- a) The building is not a standalone building.

The relevant planning policies referred to above do not stipulate that a standalone building is required.

Although there are residential uses located on the floors above the women's building, these have entirely separate entrances and servicing areas, meaning that the women's centre / building can operate with autonomy. A Management Plan will be secured in the s106 agreement. This plan will demonstrate how the Women's Building can be operated safely and independently from the rest of the development.

- b) The building is too small.

The relevant planning policies referred to above do not stipulate what size the building should be.

Paragraph 4.18 of the SPD notes that:

'in considering the different elements of the policy it is important to distinguish between the pure built facilities and the activities and services that took place on the site.'

The SPD also requires that the building should be 'suitably sized'.

There is therefore no policy requirement to replace the relevant floor space within the Prison on an exact like for like basis.

Reclaim Holloway state that calculations show that the area for service provision and delivery within the prison was approximately 4600sqm, and this was used by women from both within and outside of the criminal justice system. They further state that the current proposal allocates approximately 920sqm of usable room space within the 1500sqm proposed for the 'Women's Building'.

Reclaim Holloway note that the area of 4 600 square metres was used by women both within and outside the criminal justice system. Some of this space will therefore have been re-provided elsewhere within the prison estate. It is therefore unreasonable to expect that exactly the same floor space should be re - provided within the Women's Building and the relevant policies do not require this.

During the development of the current proposals research was carried out into existing women's buildings.

The proposed size of the Holloway Women's Building is considerably in excess of other successful women's buildings. For example:

- Brighton Womens Centre – approx. 250sqm.
- Hibiscus, Holloway Road – approx. 250sqm.
- Beth Centre, Lambeth – approx. 400sqm.
- Anawim Centre, Birmingham – approx. 580sqm inclusive of 7 bedsits.
- Advance, Hammersmith – approx. 400sqm.
- Cambridge Womens Centre – 987sqm (converted office building)

Most of these spaces have been provided in converted buildings while the proposed space will be provided in a bespoke building with inherent added flexibility.

- c) The space has been designed without a thorough understanding of what services were delivered to women in HMP Holloway. The building should be designed to provide the full range of services and provide an equivalent reinstatement of lost community space.

As highlighted above, there is no policy requirement for the Women's Building to enable the re - provision of the full range of services that was provided at the Prison or provide an equivalent reinstatement of lost community floor space. Elements of the support and rehabilitation services relating to the former prison will now be provided elsewhere.

The Women's Building must however re-provide space for the rehabilitation and support services that were delivered in the local community (as helpfully listed in the Needs Analysis Study). It is considered that the Women's Building is able to accommodate the community based rehabilitation and support services whilst also accommodating additional services and activities for women.

- d) An increased population is expected to lead to an increase in service needs.

The proposals are considered to provide sufficient space to replace the rehabilitation and support services that were by provided by the prison to women within the local community. They also facilitate the provision of services and activities to a wider group of women in the local community who do not have experience of the criminal justice system. The current proposals are therefore considered to facilitate an increase in the level of services that are provided to women when compared to the services that were previously offered by the prison.

- e) The building is not located in a prominent location

The public facing parts of the building are located in a prominent location facing Camden Road and Parkhurst Road. This is considered to be a prominent location. Any location towards the interior of the site would be less prominent.

The building will also have quieter and more discrete entrances to provide privacy and safety to service users.

- f) The building needs to be of a fitting scale and status to reflect the history of the site and the purpose of the building

This concern is addressed in the response to concerns A,B,C,E,G and H.

- g) The building should reflect the legacy of the prison and the struggle for women's rights

In June 2021 Peabody commissioned a specialist study (Representing the Heritage of Holloway Prison, Sept 2021). This study considered the legacy of the site and was developed to capture both the physical remains and the story of the prison, and to then memorialise its legacy within the women's building, garden of the women's building, and the wider public realm.

This study was developed to ensure that the legacy of the women who were incarcerated within the Holloway Women's Prison site, and important features of the prison itself, will be appropriately recorded and meaningfully reflected within the proposed redevelopment of the site.

Implementation of the key findings contained within the legacy report following consultation with women with experience of the criminal justice system and other interested parties will be secured through the Section 106 agreement.

- h) The façade is bland and unimaginative, and the building fails to provide outstanding architecture

The Council's Urban Design Officer has provided the following observations on the design of the building:

'The elevational treatments to these non-residential uses are clearly expressed and appropriately and legibly differentiated from the elevations to residential uses including a dramatic double height space to the Women's Building to its edge to the park.'

The two C buildings comprise the landmark element of the site. They form a pair of richly designed, visually prominent buildings, emphasising and celebrating the significance and presence of the development in its context.

This significance is enhanced by the design and location of the Women's Building to the base of these buildings with its further distinguishing elevational treatment that effectively signifies a more civic use, clearly differentiating it from its residential and commercial neighbours. This 'Base' element accommodates both the women's building and the (return) entrance lobbies to the two residential buildings above.

To the primary frontage to Camden Road the elevational treatment to the Women's Building creates a fine new edge to the street. It is centred on the single storey linked entrance element with its tall and dramatic archways. This element seamlessly merges with the double height spaces to the east and the single storey spaces to the west, creating a strong and unifying element.

The return edges to the new street to the west and the public park to the east contain the residential entrances to the two buildings above. They do not however detract from the prominence of the Women's Building but have been successfully immersed as ancillary elements.

The rear elevation of the Women's Building has a strong similarity to the front elevation creating a fine edge to the facility's dedicated garden and allowing for high levels of visual permeability between the outdoor and indoor spaces.

The brickwork to the women's buildings comprises darker hues than those to the upper floors. The pattern and expression draws on inspiration from artwork by Anni Albers. It also includes a glazed brick for added differentiation of use and as an expression and reflection of the civic nature of the facility '.

- i) The space is poorly designed

The concern is addressed in detail above.

- j) Many rooms have no windows for light or ventilation

There are 4 small 'private' internal rooms being provided in the 'women's centre' part of the site. The remaining 20+ rooms are all externally lit and ventilated to the exterior. These 4 internal rooms could however have glazed elements added to their doors/walls to bring in borrowed natural light should the end users require this - but privacy may be a more important factor here.

There may be some elements of mechanical ventilation needed to the facility including to the café kitchen and to the banks of WC facilities.

- k) The proposal will not deliver a complete facility, but only a shell and core space.

The fit out of the Women's Building is to be secured through the s106 agreement.

- l) There is little evidence that the needs of women have led to the design or spatial allocation.

The council has prepared a women's building 'spatial brief'.

Public consultation on the draft brief took place in June 2020.

The spatial brief is not a statutory planning document.

The purpose of the spatial brief was to engage with a very broad spectrum of stakeholders including the operators of Women's Buildings to inform the development of the proposals for the Women's Building. This engagement was further informed by desktop research; consultation with women with lived experience of the criminal justice system, and site visits to precedent and women's buildings.

The Reclaim Holloway objection states that the spatial brief performed an 'unexpected U-turn inconsistently with the emerging development plan and the SPD.....and accepts Peabody's designs and proposals without objection'.

Throughout the course of the application the council has negotiated significant improvements to Peabody's proposals for the site.

These include:

- More Space – progressively securing an increase in the size of the facility from 800sqm, to 1,100sqm, to 1,320sqm to the final proposal for 1,489sqm
- Securing a stronger, more pronounced, and well defined street presence.
- The provision of additional entrances, including secure and discrete emergency exits, to ensure flexibility of the spaces and to help protect the safety of users of the facility.
- Differentiation between potential user groups with a more flexible layouts including the provision of semi - independent 'quads' each being serviced by WCs and Kitchenettes.
- Provision of a larger kitchen to enable its potential use as a training facility.
- A more prominently positioned café.
- A sunnier garden.
- The creation of a 'useable' semi-public piazza to Camden Road forecourt.
- The inclusion of a prayer room.
- The comment that the council has accepted Peabody's designs and proposals without objection is therefore incorrect.

- m) There is little evidence that the space is 'trauma-informed'.

The designs have been 'trauma informed' to incorporate for example:

- A progression from more public to more private spaces.
- Removal of unintentional emotional triggers, including the red tiled façade as very initially proposed.
- Light and bright interiors.

- Toilets, storage and tea making facilities arranged to enable users to access them independently.
- Creation of a physical space for women to support and empower one another.
- Welcoming entrance spaces.
- A peaceful, safe and dedicated garden.

As noted above, the final fit out of the building will be agreed with the Women's Building operator and there will be an opportunity for that operator to ensure that the final implementation of the fit out meets their requirements, supports their business plan and is therefore fully trauma informed.

- n) The sunlight levels and layout of the garden are not adequate

The sun on ground for the courtyard is assessed within the Sunlight Daylight Report as being 62.5% on 21st March and 78.9% on 21st June. This is well in excess of the minimum sunlight standards.

- o) The application confirms the facility solely as a women-only space which undermines its ability to support the wider community and local families.

The building will not be open exclusively to women. Women may need to visit the building with male relatives including children or supporters. However, the internal layout of the building is designed to provide private and safe spaces for women only services and activities.

- p) There should be reliably women-only space on the site. Whilst there is not a shortage of community space in the area there is a shortage of women-only space, something that many local women would really value. We therefore want this facility to be women-managed and women-controlled (with perhaps some mixed areas).

The s106 agreement will secure the exclusive use of the building by an accredited provider of services for women including women with experience of the criminal justice system.

The s106 agreement also requires that a management plan is submitted. This will provide measures to ensure that the centre is operated as a secure and safe space to support women.

The precise details of how the building will be managed will be a matter for the future operator of the building in agreement with the council and the developer.

As noted above, the internal layout of the building allows for each of the four quads to be operated independently and safely from the rest of the building. Each quad has its own toilets and tea making facilities. This arrangement would allow security and privacy for women only events to take place at the same time as events that are open to all or other genders.

- q) It would also be good if local women could be trained and employed in the workforce that constructs the buildings on the site.

The applicants will work with the council to seek to ensure that 30% of the construction training apprenticeships delivered on the site will be provided to women. This will be secured through the s106 agreement.

- r) The potential for the centre to be expanded to incorporate the flexible commercial unit in Plot C fronting the park should be explored.

The GLA note in their consultation response that the building could be extended into Plot C to provide affordable workspace. The current proposals do not include affordable workspace and the applicants have not agreed to the extension of the building into Plot C. The SPD states that affordable workspace could be provided but does not explicitly require this.

The building will contain a kitchen fitted out to a training standard. It will also deliver employment and training benefits including for example, spaces for training and employment coaching.

As noted above, there is a provision in the draft heads of terms for the s106 agreement that the women's building operator will be given an opportunity to amend the internal fit out of the building. This will be subject to the agreement of the council and the developer. If affordable workspace is considered to be a priority, a small area of affordable workspace could be incorporated within the final fit out of the building.

- s) Further discussion is required to clarify the means of securing the ongoing provision and management of the floorspace and this being secured in perpetuity, in line with London Plan Policy S1.

As specified in the draft Heads of Terms for the s106 agreement the building will be secured as a women's building in perpetuity at a peppercorn rent. The operator will however pay other reasonable charges such as a service charge and insurance. The s106 agreement also requires the submission of a management plan by the developer.

- t) Absolutely crucial is the promised feasibility study that will consider how the facility can be financially sustainable. If local groups are to be able to afford to hire the hall and office space the rents will need to be fairly low - so other sources of income will be necessary.

The council has appointed a senior female officer to act as the 'champion' for the women's building. This officer will work with Peabody to take forward a feasibility study to identify the most appropriate mechanism for the appointment of the operator and the funding and commissioning of services. Both parties are committed to taking this study forward and a joint brief has been prepared.

- u) Paragraph 4.24 of the SPD states that in developing future proposals for the site it will be important to ensure that there is continued engagement with a broad range of stakeholders.



Paragraph 4.24 of the SPD states that this engagement is to be secured through a legal agreement attached to any future planning consent. This engagement has therefore been secured through the Heads of Terms for the s106 agreement.

- v) A Health Impact Assessment of the proposals has not been completed .

Reclaim Holloway state that a Health Impact Assessment of the proposals has not been completed This is incorrect.

### Conclusion

- 8.1.120. Provided that the relevant Heads of Terms to be included in the s106 agreement and the relevant condition in relation to the cherry trees are secured, the proposals for the Women's Building are considered to comply with the relevant policies including London Plan SC1, Policy DM4.12, the Holloway Prison SPD and the emerging policies NH7, SP5 and SC1.
- 8.1.121. It is acknowledged that the SPD states that affordable workspace could be provided and the GLA asks that it is provided in Plot C, no affordable workspace is provided within the building. However, there are other spaces within the building that could support the provision of women's employment skills and training. Affordable workspace could be provided within the final fit out of the building but the area of this space is likely to be quite small.

### **Social Infrastructure - General**

- 8.1.122. Islington's existing and emerging Local Plans contain policies that strongly protect existing social and community infrastructure and promote or require the provision of new social infrastructure and cultural facilities associated with major new housing developments.
- 8.1.123. Existing Local Plan Policy DM4.12 A states that the council will not permit any net loss or reduction in social infrastructure unless a replacement facility is provided on site to meet the need of the local population, or that the specific use is proven to be no longer required on site. Emerging Local Plan policy SC1 D requires the protection of existing social and community infrastructure uses unless; an on-site replacement is provided, the use is no longer required on site, or that it represents part of a public sector estate rationalisation plan. Emerging Policy SC1 B goes further, stating that new and/or extended on-site provision of social and community infrastructure may be required to support new housing and mixed use developments to mitigate the impacts of the development on local services and meet the needs of occupiers.
- 8.1.124. Paragraph 4.26 of the Holloway Prison Site SPD states "In addition to the retention of some social infrastructure use associated with the sites historical use as a prison, it is also important to consider what social infrastructure uses will be required on the site in the future as part of its redevelopment." Consideration of social infrastructure on the site is dominated by discussion about the specialised facilities and services offered by the Women's Building. There is no evidence the proposal has considered what further social infrastructure will be required to provide for the significant uplift in local population from the scheme or plans for the proposal to enhance existing provision, for which there was strong support for as part of the consultation process.

- 8.1.125. In accordance with London Plan policy S3 (Education and childcare facilities), no education or childcare facilities are included within the proposal as there is already considered to be a sufficient supply of good quality education and childcare facilities in the local area. During pre-application negotiations, Officers said in relation to a potential crèche: 'LBI has consulted the Commissioning and Operations Manager for Learning & Schools who has confirmed that one is not needed in this location, with sufficient capacity available locally for future residents'.
- 8.1.126. An opportunity to provide additional social and community infrastructure might exist on Plot D, where a large section of the ground floor consists of extra resident facilities. Alternatively, one of the flexible class E units could be used for a social infrastructure use. If no additional infrastructure can be secured on site, contributions towards an off-site provision should be secured through legal agreement, in line with DM4.12 B and in consultation with appropriate Council departments.

## **Social Inclusion**

- 8.1.127. London Plan Policy GG1 requires development to be inclusive and to promote social integration. Islington's Core Strategy objectives seek to promote mixed communities and require social housing units to be fully integrated within the whole scheme. Emerging Policy Plan1 B (ii) requires development proposals to be Connected; to "promote positive social contact, behaviours and community cohesion." Reducing social inequality is key to objective 1 and 6 of the Council's vision for the emerging Local Plan. Plot D is the only block to feature no social rented housing and it is the only block where extra facilities are proposed for residents such as concierge, screening rooms and exercise studios. This design has the potential to exclude; and create unequal social dynamics between different tenures within the scheme. This is worsened by the fact that these facilities are likely to be visible to residents of the other blocks when using the public park.
- 8.1.128. In order to address this, the s106 legal agreement seeks to secure the Block D Resident's Facility:
- For access by residents of the whole Development;
  - provision of an area to be determined within the Resident Facility for use by local residents and local resident groups – details to be provided of management arrangements / booking systems / charges with not less than one day a week being free of charge for residents and/or local resident groups; and
  - Submission of a Community Engagement Plan, in accordance with policy, outlining how the development will contribute to the local community both in relation to the site community and the wider borough community and to use reasonable endeavours to achieve outcomes set out in the Plan.

## **9. HERITAGE & CONSERVATION**

### **9.1. Heritage legislation, policy and guidance**

- 9.1.0. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'
- 9.1.1. Section 70(2) of the Town and Country Planning Act 1990 states that in dealing with a planning application 'the authority shall have regard to the provisions of the development plan, so far as material to the application... and to any other material consideration.'
- 9.1.2. There are the following additional requirements when considering planning applications which affect the setting of a listed building or the character and appearance of a conservation area.
- 9.1.3. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.
- 9.1.4. Section 72(1) of the Act states: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area"'.
- 9.1.5. The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of in listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.

### **National planning Policy Framework**

- 9.1.6. The National Planning Policy Framework (NPPF) sets out the Government's policies for decision making on development proposals. At the heart of the framework is a presumption in favour of 'sustainable development'. Conserving heritage assets in a manner appropriate to their significance forms one of the 12 core principles that define sustainable development. NPPF policy advises that for new development to be sustainable it needs to encompass an economic, social and environmental role, with the latter including the protection and enhancement of the built and historic environment. Paragraph 8 notes that these roles are mutually dependent and should not be taken in isolation; and that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Paragraph 7 of the NPPF states that the environmental role of a development includes protection and enhancement of the historic

environment, while section 12 sets out how the historic environment should be conserved and enhanced.

9.1.7. The NPPF addresses consideration of potential impacts to designated and non-designated heritage assets at paragraphs 199 – 203 which state, inter alia, that: ‘

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal...

9.1.8. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

9.1.9. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

- 9.1.10. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 9.1.11. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'
- 9.1.12. Significance is defined in the NPPF as: 'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.'
- 9.1.13. The setting of a heritage asset is defined in the NPPF as: 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'
- 9.1.14. Paragraph 9 of the NPPG notes that 'Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.'
- 9.1.15. Paragraph 17 of the NPPG provides guidance on assessing whether a proposal results in substantial harm to a heritage asset and states that:
- 'What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting*
- Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance (emphasis added) rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.*
- 9.1.16. Paragraph 20 of the NPPG defines public benefits as: 'Anything that delivers economic, social or environmental progress...Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.'

9.1.17. The Historic England (formerly English Heritage) guidance document Conservation Principles (2008) sets out a framework for assessing the significance of historic buildings and places. It defines significance as the ‘sum of the cultural and natural heritage values of a place, often set out in a statement of significance.’ It is commonly agreed that Grade I and II\* buildings are of “exceptional” and “particularly important” interest; therefore these are generally considered of greater significance.

9.1.18. Historic England’s Advice Note No. 4 Tall Buildings December 2016 states at paragraph 5.5 that:

*When considering any proposal that has an adverse impact on a designated heritage asset through development within its setting, great weight should be given to the asset’s conservation’, with any harm requiring a ‘clear and convincing justification’ (NPPF paragraph 132). In assessing this justification, and in weighing any public benefits offered by a tall building proposal, local planning authorities will need to pay particular regard to the policies in paragraphs 8 and 9 of the NPPF that state that economic, social and environmental gains are to be sought jointly and simultaneously in order to deliver positive improvements in the quality of the built, natural and historic environment. This may involve the examination of alternative designs or schemes that might be more sustainable because they can deliver public benefits alongside positive improvement in the local environment. If a tall building is harmful to the historic environment, then without a careful examination of the worth of any public benefits that the proposed tall building is said to deliver and of the alternative means of delivering them, the planning authority is unlikely to be able to find a clear and convincing justification for the cumulative harm’*

9.1.19. London Plan policy HC1 is concerned with heritage assets and states, at Part C: *‘Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.’*

9.1.20. Policy CS9 of the Core Strategy is concerned with ‘Protecting and Enhancing Islington’s Built and Historic Environment’ and states, inter alia, that: ‘High quality architecture and urban design are key to enhancing and protecting Islington’s built environment, making it safer and more inclusive. B. The historic significance of Islington’s unique heritage assets and historic environment will be conserved and enhanced whether designated or not. These assets in Islington include individual buildings and monuments, parks and gardens, conservation areas, views, public spaces and archaeology.’

9.1.21. Policy DM2.3 of the Council’s Development Management Policies document is concerned with Heritage and states, inter alia, that:

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) 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.

**C. Listed buildings**

- iii) New developments within the setting of a listed building are required to be of good quality contextual design. New development within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.'

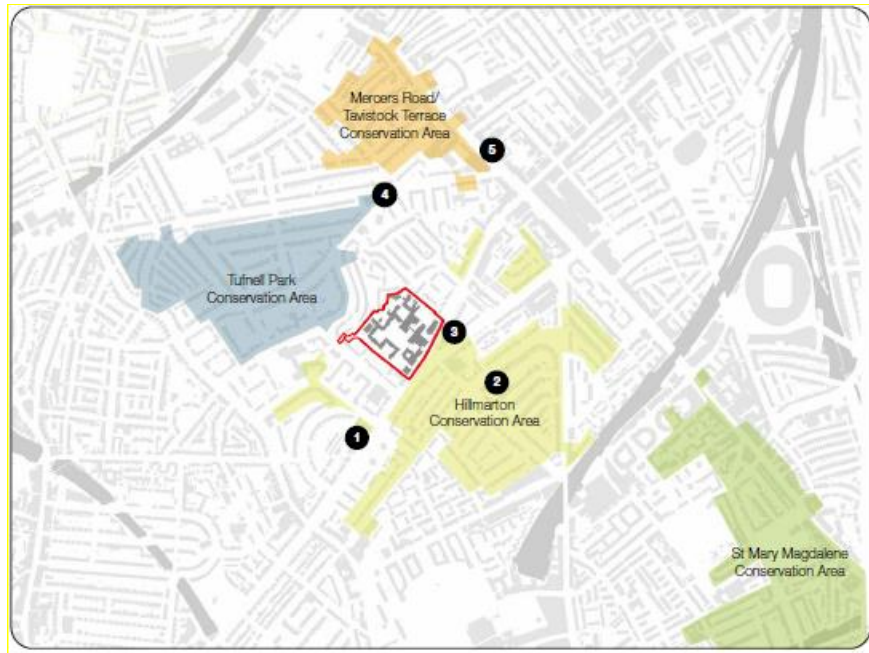
9.1.22. Policy DM2.5 'Landmarks' of the Council's Development Management Policies document states that (A) views of well-known local landmarks will be protected and stringent controls over the height, location and design of any building which blocks or detracts from important or potentially important views. Part B of the policy lists the Camden Road New Church Tower and Spire (which differs to the statutorily listed parts of that building complex) as LL4.

**9.2. Heritage & Conservation – Assessment**

9.2.0. There are no listed buildings within the site. The Grade II statutorily listed Verger's Cottage and remodelled entrance (part of the former Camden Road New Church complex and now used as Islington Arts Factory), is located opposite the site at 2 Parkhurst Road. The site is not within a Conservation Area, but is visible from both the Hillmarton and (but to a lesser extent) the Tufnell Park Conservation Areas.

9.2.1. Tufnell Park Conservation Area lies directly to the north and northwest. The Conservation Officer concluded that "despite this proximity, the proposal is not considered to have a significant detrimental impact on its setting". This is due to the change in gradient / site levels relative to this part of the application site and the lower building heights / proximity of buildings that otherwise obscure the development from views from this conservation area. This is illustrated in verified view A9 (Carleton / Huddleston Road junction). In this regard the setting of the Tufnell Park Conservation Area is considered to experience a minor impact, if not neutral.





**Site Context - Conservation Areas**

9.2.2. Hillmarton Conservation Area was designated in 1990. The Conservation Area Guidelines (were adopted in 2002) and describe the area as follows;

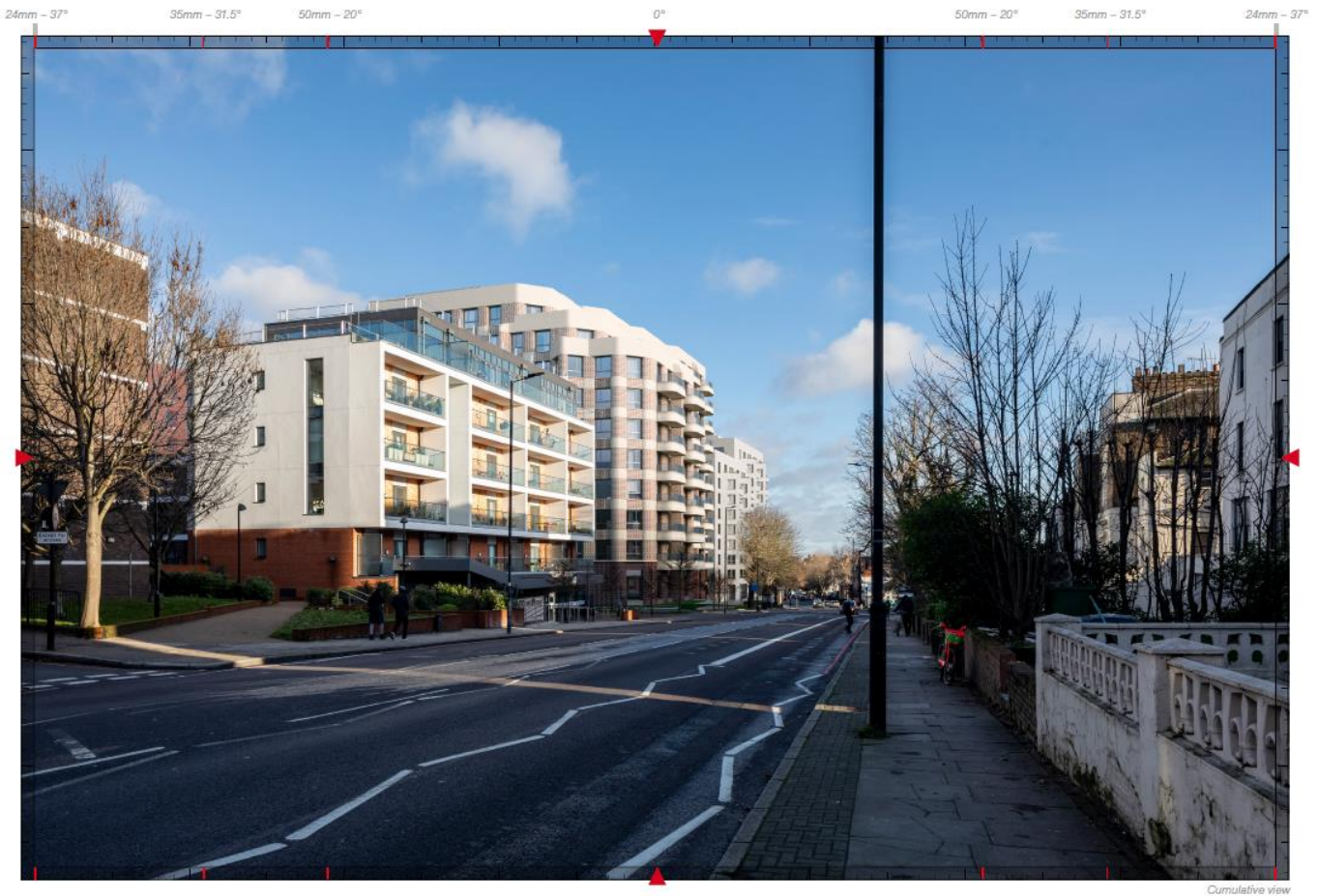
*The majority of the area was first developed in the 1850's and 1860's, either with pairs of three and four storey semi-detached villas or as terraces, some in small groups. Some of the villas were designed by Truefitt. The area has a spacious scale, with wide streets and grand houses often with views between the villas into the substantial rear gardens. There are many fine mature trees both in public and private areas which enhance the character of the area. The three churches or former churches in Camden Road and Hillmarton Road are fine examples of mid-Victorian ecclesiastical architecture, and the Camden Road church is an important landmark. The generally consistent and architectural quality of the architecture gives the area a special character and appearance which it is considered essential to preserve and enhance.*

9.2.3. Of note is the following *'Although there is little scope for large scale redevelopment within the area there are a few sites and poorly designed buildings where development might benefit the area. It is important that new development conforms to the established scale of the area ...*

9.2.4. The Applicant has submitted "A Townscape, Visual and Above Ground Built Heritage Assessment", included within Volume 2 of the Environmental Statement, that finds:

'There would be effects on the ability to appreciate the heritage significance of the Hillmarton Conservation Area and the former Camden Road New Church as a result of the Development considered in isolation. The effect on the Hillmarton Conservation Area would be minor in scale and neutral in nature due to the balance of potentially adverse and potentially beneficial effects. The effect on the non-designated heritage asset, the former Camden Road New Church, which is a designated LBI landmark, would be minor in scale and adverse in nature due to a loss in dominance of the landmark spire in views from the north-east part of Camden Road; as the church is a non-designated heritage asset "a

balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset” (Ref 1-8, paragraph 203)’.



**Site Viewed from Hillmarton Conservation Area (ES Volume 2, Townscape, Visual and Above Ground Built Heritage Assessment, View 12 page 77 / 78)**

- 9.2.5. With respect to impacts to the Hillmarton Conservation Area, the Conservation Officer considers that “The proposed works along Camden Road and Parkhurst Road would however, cause harm to the setting of the Hillmarton Conservation Area. The site lies immediately adjacent to the north western edge of the Hillmarton Conservation Area, which is characterised by two and three storey Victorian semi-detached and terraced houses. Along this part of the site, the proposal would see the creation of two buildings with the appearance of three, all more than 8 storeys in height, and most of which breach the Council’s 30m policy. This site is not designated as a site suitable for this height.
- 9.2.6. The scale of buildings B4, B5, C1, and C2 are viewed as excessive when compared to the existing buildings on both sides of the road. A significant amount of sky would vanish, and there appears to be a looming effect over the buildings to the south and southeast. This is not considered to be an enhancement of the setting of the conservation area, nor does it preserve that setting. The scale of the harm is less than substantial, but nonetheless, is contrary to policy.
- 9.2.7. It is the view of planning officers, considering both the applicant’s submission and the Conservation Officers comments that the harm lies to the lower end of the scale of less than substantial harm. Having regard to the requirements of the NPPF, the public benefits of the scheme are able to be balanced against the harm caused to the setting of the Conservation

Area. This is explored in the planning balance section. The harm however weighs against the proposals.

- 9.2.8. Paragraph 200 of the NPPF requires clear and convincing justification for any harm to be provided. The scale and quantum of development has been assessed under viability to determine if it is necessary to deliver 60% affordable housing. The conclusions to that review are that the scale and quantum is needed. Given the significant need for housing and affordable housing, the need for the quantum proposed is supported and considered to provide clear and convincing justification for the less than substantial (lower end of the scale) harm to the Hillmarton Conservation Area.

#### Former Camden Road New Church and Spire

- 9.2.9. *As noted above the former Church and spire is a non-designated heritage asset, being a local landmark and protected by policy DM2.5 (Islington DM Policies). However the associated Vergers Cottage and associated remodelled entrance is a Grade II listed building. The Vergers Cottage and its listing status is explained below (as taken from the Historic England listing website).*

- 9.2.10. Policy DM2.5 states that 'local landmarks will be protected and stringent controls over the height, location and design of any building which blocks or detracts from important or potentially important views'

- 1.1.1 As can be seen within View A6 below, it is clear that the role of the former Church and spire as a local landmark is diminished as a result of the development. Whilst a zoomed view with the spire completed has also been submitted by the applicant, which raises the prominence of the spire the heritage asset was nevertheless designated as a local landmark with the spire missing. In this regard whilst the backdrop has improved undoubtedly in design quality the height and massing behind the spire can be considered to detract from the view. Balancing design quality against the height and bulk, this is considered to be a minor policy breach which weighs against the proposals.







*Verger's Cottage (part of the former New Church and Spire complex of buildings)*

9.2.11. As noted above, the Verger's Cottage is a grade II statutorily listed building. The Verger's Cottage and re-modelled entrance by Ernest G Trobridge, of 1908, part of the former Camden Road New Church complex, of 1873-4, are listed at Grade II for the following principal reasons:

Design/ Aesthetic interest: as a well composed building, innovative in its use of materials and expressive of the architect's individual style combined with his Swedenborgian beliefs;

- Interior: for the intact plan-form of the cottage and distinctive quality and survival of the decorative vitreous mosaic tiled entrance with intact floor signage, and for its impressive and well-finished fixtures and fittings;
- Historic interest: as an early example of the work of Trobridge commissioned by The Camden Road Society of the Jerusalem New Church due to his architectural skills and background as a Swedenborgian.

Having regards to the reasons for listing and the orientation to which you view the Verger's Cottage (with the Holloway Prison development directly behind you), it is considered that the proposed development, whilst in the setting of this designated heritage asset, would not cause harm to the ability to experience or appreciate that design/aesthetic or historic interest. In this regard it is considered that a neutral impact to the setting of this heritage asset and its ability to be appreciated would be introduced.

9.2.12. Although heritage and conservation matters have been considered early on and throughout the design process, on the basis of developments scale and heights, it is deemed that the proposal does not fully comply with London Plan policy HC1, Islington Core Strategy Policy CS9, Development Management Policies 2013 DM2.3 or DM2.5 and emerging Local Plan

DH1, DH2 and DH3 as well as Islington's Hillmarton Conservation Area Design Guidelines (2002) and the Islington Urban Design Guide (2019).

- 9.2.13. The less than substantial harm to the Hillmarton Conservation Area and the breach to local landmark policy DM2.5 will weigh against the scheme in the consideration of planning balance.

## 10. URBAN DESIGN

### 10.1. Urban Design - Overview

10.1.0. In terms of design of the built environment, the National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. London Plan Policy D3 (Optimising site capacity through the design-led approach) is concerned with good quality and contextual design and states, inter alia, that developments should:

‘enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.’

10.1.1. The London Plan Policy D3 also states developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well. Furthermore, London Plan Policy D4 (Delivering Good Design) expects the design of development proposals to be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising local evidence, and expert advice where appropriate. In addition, boroughs and applicants should make use of the design review process to assess and inform design options early in the planning process. These policies are supported emerging guidance on Good Quality Homes for All Londoners, module A – Assessing Site Capacity and C – Housing Design Standards, are relevant to the assessment of this application. These standards are discussed further within the report.

10.1.2. Islington’s Core Strategy Policy CS8 (Enhancing Islington’s character) states that the scale of new development will reflect the character of a surrounding area. Policy CS9 (Protecting and enhancing Islington’s built and historic environment) states that high quality architecture and urban design are key to enhancing and protecting Islington’s built environment, making it safer and more inclusive. Moreover, where areas of Islington suffer from poor layout, opportunities will be taken to redesign them by integrating new buildings into surviving fragments of historic fabric. All development will need to be based on coherent street frontages. Part E of this policy states that ‘Tall buildings (above 30m high) are generally inappropriate to Islington’s predominantly medium to low level character, therefore proposals for new tall buildings will not be supported. Parts of the Bunhill and Clerkenwell key area may contain some sites that could be suitable for tall buildings, this will be explored in more detail as part of the Bunhill and Clerkenwell Area Action Plan’.

10.1.3. Development Management Policy DM2.1 (Design) requires all forms of development to be of a high quality, incorporating inclusive design principles while making positive contributions to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. All new developments are required to improve the quality, clarity and sense of space around or between buildings, reinforce and complement local distinctiveness and create a positive sense of place. Point vii specifically states that buildings should respect and respond positively to existing buildings, the streetscape and the wider context.

- 10.1.4. Islington's Urban Design Guide SPD states that good development should demonstrate qualities of contextual appropriateness, have good connections, exhibit sustainable properties, with the built and natural environment being designed in an inclusive manner. It states in para 4.2 that:  
'These principles are definitive and vital to the creation of successful places, and proposals will need to demonstrate commitment to creating an environment of the highest quality through assimilation of these principles'.
- 10.1.5. Historic England's Historic Environment Good Practice Advice in Planning Note 3 (The Setting of Heritage Assets), the Holloway Prison Site SPD and the Mayor of London's Character and Context SPG are also relevant to the consideration of this application.
- 10.1.6. This application has evolved over the past two and a half years through a series of pre application meetings including design based and other specialist topic workshops covering a wide range of inter-related disciplines.
- 10.1.7. The scheme has been assessed by the Council's Design Review Panel on 4 occasions culminating with a Chairs' Review, as a 5th appraisal, in September 2021 prior to the submission of the planning application.
- 10.1.8. As part of the scheme's evolution, it was subject to three masterplan iterations. Masterplans 1 and 2 were considered unacceptable by the Council's planning authority due to their poor urban form and resulting adverse impacts.

## **10.2. Proposed Layout**

- 10.2.0. The proposal under consideration is based on the concepts and layout developed as part of the third masterplan for the site. It demonstrates significantly enhanced urban qualities than the earlier iterations including a greater emphasis on the use of individual buildings rather than an over reliance on the 'big block' form. To this effect the scheme has been transformed during the pre-application phase from one comprising 5 relatively monolithic blocks to that of a finer grain of development with 15 separate buildings carefully arranged in clustered 'families' of buildings, so as to effectively frame and animate the new public park, the semi-private communal gardens, and the new and existing streets and pathways.
- 10.2.1. The site was formerly that of a women's prison. It comprised a fortified and inward looking built form that turned its back on its surroundings. It was positioned behind formidable walled barriers and presented impenetrable and unwelcoming edges to its neighbours including onto Camden/Parkhurst Road. The only entrances into the site, vehicular and a pedestrian, were via the Parkhurst Road edge.
- 10.2.2. The existing prison buildings comprise a series of loosely configured low rise quads, with a general 4 -5 storey ambient, interspersed with open spaces of varying qualities.
- 10.2.3. Neither the architecture of the buildings nor their form have notable design merit although the site with its long history of incarceration does have significant social, historical and cultural associations. The site benefits from a large number of mature trees including a sole Category 'A' tree, the 'Gym Tree', located towards the front of the site, visible from Camden/Parkhurst Road. This tree was in situ when the original 19th Century prison was operational and so has added legacy value.





*Proposed Site Layout*

### 10.3. Street book

- 10.3.0. Islington's Street book Supplementary Planning Document (2012) sets out a process for the design and renewal of streets based. This section of the report explains the observations of the Council's Urban Design Officer, with regard to how successfully the proposal addresses the key design principles within the Streetbook SPD.

#### Principle 1 - Contextual Appropriateness

- 10.3.1. At 4.16ha, this is a very large urban site. It has also historically been a heavily fortified site. As such there is some inherent justification, as well as capacity, to create a new context within its boundaries. However, a well-designed development should also display qualities of contextual compatibility and so sit comfortably within its surroundings regardless of the size of site and earlier form. Contextual fit has therefore been assessed in a range of ways. Primarily centred on the urban form this also encapsulates the quality of the physical and visual connections, the storey height ambient, and the proposed land uses.
- 10.3.2. The proposals demonstrate a site becoming physically and visually better integrated with its context. To this effect vehicular connections have been appropriately positioned to the primary Camden/Parkhurst edge. This has the advantage of capitalising on the site's position on a main road and minimising vehicular impact to the site's remaining three residential edges. This primary edge is also to accommodate new pedestrian and cycle routes into the site making it highly permeable to these sustainable modes of travel and transport. To the site's secondary edge, to Trecastle Way/Dalmeny Avenue, a new cycle and pedestrian connection is proposed. This will connect the site to adjacent neighbourhoods to the west, including to important educational social infrastructure. This route will also enable local residents to safely visit the site from this edge.
- 10.3.3. An additional pedestrian and cycle connection is indicated to the site's north eastern edge, connecting to Crayford Road and surrounding residential neighbourhoods. While this connection is not coming forward as part of this planning application due to it involving 3rd party land, the scheme has been designed to accommodate it, in this location, in the future. Thus in terms of physical connections associated with the locality's movement structure and hierarchy, the scheme presents a compatible contextual fit.
- 10.3.4. The layout of the scheme also provides for a good degree of visual permeability and therefore interconnectedness between the surrounding context and the scheme. This is achieved through the configuration of the buildings and open spaces around the site – the urban form.
- 10.3.5. Camden/Parkhurst Road accommodates the primary entrance into the new park with a legible well landscaped entrance that in effect extends the park up to the street edge. It has been designed with sufficient width to afford long views into the site including of the public park. This primary pedestrian entrance is flanked by substantial buildings including the site's tallest 'landmark' building, Building C1, which houses part of the Women's Building at its base. These features serve to increase the prominence of this entrance and thus increase the site's visual permeability.
- 10.3.6. Visual permeability is also achieved by the configuration of the buildings to either side of the park. The buildings are mostly laid out in a perpendicular form with their narrower frontages

facing the park. This affords multiple views from the adjacent Dalmeny Avenue Estate to the south west, and from the Holloway Estate to the north east, between the new buildings and through to the new park.

- 10.3.7. Views are also afforded from the homes that back onto the site's north western edge due to the spacing and design of these buildings to the rear of the site, creating visual connections between the existing and the proposed new neighbourhoods.
- 10.3.8. Thus configuration of the buildings to the site's secondary edges enables multiple visual breaks with newly created vistas established between the homes and gardens of adjacent properties with the site. This transforms the site from its historically fortified form, to one that is characterised by a considered series of built and open forms as one moves around the edges of the site. Such form ensures a degree of visual permeability between the places to the edges of the scheme and the scheme itself, helping to stitch the new development back into its immediate context.
- 10.3.9. In terms of achieving a contextual fit through the proposed land uses, this part of the Borough has a deficit of open space. The proposed new public park responds to this need providing a new recreational facility for the benefit of surrounding local communities as well as future residents of the site. Positioned and configured to function as the heart of the new development, and with a connection directly onto Camden Road, the park has been creatively designed to cater for a diverse range of recreational needs. Secondary, more local access is provided via the new pedestrian and cycle connection to Trecastle Way/Dalmeny Avenue while the potential for a further future secondary connection to Crayford Road has been accommodated in the layout of the scheme.
- 10.3.10. Other land uses include the provision of commercial/retail outlets to the Parkhurst Road frontage which will provide goods and services to adjacent neighbourhoods as well as residents of the scheme. A Women's Building is also proposed to the Camden Road frontage. This is to contain a range of services for women living in the wider context of north and north east London.
- 10.3.11. The predominant use of the site is however residential. The housing mix comprises 60% social and affordable housing and a range of 1 – 4 bed homes. This tenure and typology split has been derived in part in response to local need and will offer new high quality homes to local people. This is a major contextual benefit of the proposed development.
- 10.3.12. The general storey height ambient sits at 8 floors. Whilst higher than the existing and contextual storey height ambient of 4-5 floors, is considered to be acceptable given the scale of the site whereby it can, in part, create its own context, having regard as well to the site's long history of contextual 'separateness', and given the need to develop scarce urban land in an efficient and sustainable manner.
- 10.3.13. Heights are arranged across the site in a rational manner with the highest buildings facing onto the primary Camden/Parkhurst Road, and dropping down as they abut the most recessed part of the site to its rear.
- 10.3.14. Nine of the fifteen buildings rise above 30m, although three of these exceed the height as a result of PV panels only. Three of the six buildings that more fundamentally breach this height are located to the Camden/Parkhurst Road frontage, Buildings B5/B4, C1 and C2, while the remaining building, D1, lies immediately to the rear of the C buildings and rises to

10 floors, with D2 sitting behind again rising to 9 floors (with plant and parapet exceeding the 30m).

- 10.3.15. It should also be noted that in respect of Building D2 the front parapet also rises to just above the 30m threshold. For architectural considerations this infringement is considered, on balance, to be acceptable.
- 10.3.16. Whilst the site is not designated as being suitable for accommodating tall buildings within the Local Plan, defined in Islington as those in excess of 30m, there are a range of mitigating circumstances, including design rationale, for this policy breach as discussed in more detail below.

#### Principle 2 - Good Connections

- 10.3.17. As demonstrated in the contextual assessment above, the site has been designed to be well connected along its primary frontage to Camden/Parkhurst Road. To this effect it comprises two road junctions into and out of the site, at either side of the site. Both junctions have also been designed to accommodate cyclists and pedestrians including through the provision of pavements framed by buildings and animated by well landscaped edges. To the centre of this frontage are two further pedestrian and cycleway entrances. These are also attractively designed connections, framed by buildings and well considered landscaping.
- 10.3.18. Safe and sufficient pedestrian connections to the main road are also important given the location of bus stops just outside of the site boundary, together with the existing connection with Hillmarton Road opposite that leads directly to the Caledonian Road tube station.
- 10.3.19. A further combined pedestrian/cyclist connection is proposed to the north western edge of the site, connecting up to Dalmeny Avenue. This is to provide safe and more direct access to between the site and the local primary and secondary schools. As such it is a critical connection for future residents of the scheme.
- 10.3.20. A similar cycle/pedestrian connection was sought as part of the scheme connecting the site to the neighbourhoods to the north east, via Crayford Road. However, the connection crosses 3rd party land and it has not been possible for the applicant to secure this connection as part of the planning application. While this is unfortunate given the importance of ensuring the site is well connected, the scheme has been designed to accommodate it in the future.
- 10.3.21. A pedestrian only connection physically exists, and is possible to reinstate, into the Bakersfield Estate located to the site's north western boundary. This will be subject in part to the desire of the residents of that estate as to whether they seek for this connection to be reinstated. It does not currently form part of the planning application but the design of the scheme is such that it could be readily accommodated.
- 10.3.22. There are no direct connections between the City of London estate to the site's north eastern edge and the site itself. However, as with the Crayford Road connection, physical connections could readily be established should they be sought from existing or future residents of this estate and those of the proposed development.
- 10.3.23. There are extensive level changes across the site. It is therefore important to note that the scheme has been designed so that all pedestrian connections are fully 'accessible'.

### Principle 3 - Sustainable Properties

- 10.3.24. The development is proposed to a maximum site capacity. It has been demonstrated that it will provide good quality homes that meet or exceed minimum space standards, with a high proportion of homes with two aspects, and that receive compliant levels of sunlight and daylight penetration. Each home has its own balcony together with access to semi communal gardens or terraces. Each home will benefit from an energy efficient design minimising on the use of energy for heating and cooling purposes.
- 10.3.25. By creating such a high quality environment, where people will want to live, and to visit, the scheme is efficiently utilising scarce urban land.
- 10.3.26. The proposal is also 'car free' whereby only car parking for those with accessibility needs will be allocated a space. Cycle parking is provided throughout the development with cycling facilitated as a dominant form of movement and transportation.
- 10.3.27. The pedestrian environment within the site is designed to a high quality with good levels of overlooking and animation to the pedestrian routes and indeed all parts of the public realm. These measures will help promote walking as an enjoyable and safe mode of transport.
- 10.3.28. The site is well connected to London's public transport infrastructure with bus stops located immediately to the front of the site and Caledonian Road tube Station a 10 minute walk away.
- 10.3.29. The vast majority of new homes will receive BRE compliant levels of daylight and sunlight penetration helping reduce reliance on artificial lighting and enhance wellbeing.
- 10.3.30. Technical devices and design based solutions have been deployed to minimise heat loss and help prevent overheating caused by solar gain ensuring the development meets sustainable development requirements in this respect as well.
- 10.3.31. Air source heat pumps are proposed which, together with the use of photovoltaics, will reduce carbon emissions and contribute towards the creation of sustainable sources of energy for the scheme.
- 10.3.32. The landscape design includes a sustainable urban drainage system (SUDS) to help mitigate flooding. It includes ecological diversification on the site through its landscape and planting plans. Green roofs are proposed throughout the development which further improves the site's ecological and sustainable properties.
- 10.3.33. The open spaces all benefit from levels of sunshine that exceed the minimum standards as prescribed within the BRE guidance which coupled with the high quality of design will encourage their use fostering sociability, wellbeing, and physical fitness.
- 10.3.34. Bat and bird boxes are also proposed to selected locations throughout the scheme to aid in ecological protection and diversity.

### Design Principle 4 - An Inclusive Built and Natural Environment

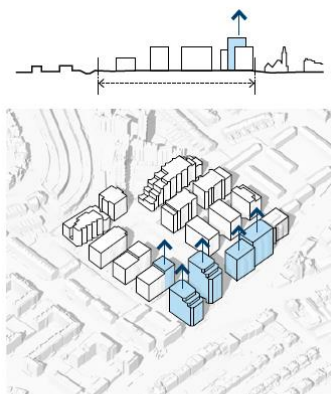
- 10.3.35. Both the public realm, and the 'semi-public' realm – i.e. the resident courtyards, terraces and gardens, have been designed to be fully accessible.
- 10.3.36. There is level access into and through the public park with pathways designed to accommodate wheelchair use.
- 10.3.37. The park and other open spaces have also been designed for use by all age groups with active play areas situated alongside more peaceful and passive areas.
- 10.3.38. The proposed pedestrian connections to the front of the site, to Camden/Parkhurst Road, and to Dalmeny Avenue to the north west, have all been designed to be fully accessible.
- 10.3.39. These new routes and open spaces have also been designed with well-considered safety measures to further their inclusive properties with good levels of overlooking and active street frontages that will help reduce the threat of anti-social including aggressive behaviour. Front doors and communal entrances, to all but part of Building A1/A2, are located directly off the pavement edge, furthering street animation and promoting safety.
- 10.3.40. The landscape has been designed in an integral manner to the structuring of the scheme. It is of a very high quality, rich in sustainable, fun, and place-making features.
- 10.3.41. A Women's 'Building' is proposed to the base of buildings C1 and C2. It fronts onto Camden Road with a double return to the 'internal' street to the south west and the public park to the north east. It has a dedicated garden to its rear with a semi-public forecourt fronting Camden Road.
- 10.3.42. The proposal includes 12% accessible homes including the 60 homes within the Extra Care facility on the site.

## 10.4. Building Height / Scale

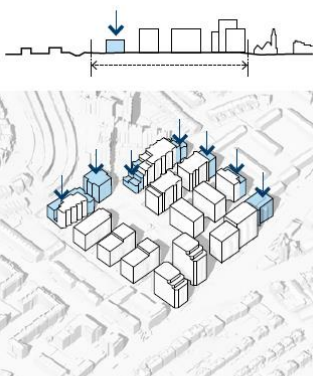
### Height – Qualitative Assessment

- 10.4.0. The scheme has a general storey height ambient of 8 storeys. While this is considerably higher than the contextual ambient height of 4 - 5 storeys, it is a sufficiently large and historically fortified and insular looking site that, to a degree, is able to comfortably establish a context within a context. The proposed heights across the scheme, whilst taller than the surroundings, do nevertheless respond to the surrounding context and to the site's changing edge conditions and characteristics. This is demonstrated by the location of the tallest buildings to the Camden/Parkhurst Road edge, a wide and primary street within the surrounding movement hierarchy. The lowest buildings are positioned to the north western edge where the scheme abuts the low rise homes of Trecastle and Penderyn Way. To this edge are the 5 – 7 storey Extra Care building and a relatively small 7 storey apartment building.
- 10.4.1. The heights also respond to and aid in, the urban structuring of the development by placing the tallest buildings to the front of the site. These four frontage buildings range from 8 to 14 storeys. The highest building (Building C1) at 14 storeys, positions its tallest element to the most recessed location from the street frontage with the building stepping up from 12 storeys to the street frontage, to 13, and then to 14 storeys. Its shorter 'sister' building (C2), also fronting onto Camden Road, is similarly designed and in turn steps from 8 storeys to the street frontage up to 9, and then to 10 storeys.
- 10.4.2. To the north eastern part of this long frontage, separated from Buildings C1 and C2 by the new entrance to the park, are a further two buildings. The larger building (Building B4/B5) rises from 9 storeys as it frames the park entrance up to 11 storeys as it steps along the street edge toward the Holloway Road. It then abuts a smaller 8 storey building (B6) which returns onto the new street into the site.
- 10.4.3. While Buildings C1, C2 and B4/5 and D1/D2 exceed 30m in height, there are a range of mitigating circumstances and design measures that justify this policy departure.
- 10.4.4. Firstly, the buildings are all well designed. Buildings C1 & C2 are of a highly original and unique architectural style presenting a richly distinct and urbane frontage to the site. The prominence of horizontal elements, characterised by large curved balconies and banding of materials, serve to break up the massing together with the 3 storey 'set back' roof features. The buildings are joined at their base by the distinctively designed Women's Building. These elements have been comprehensively designed to create a high quality architectural set piece.
- 10.4.5. Building B4/5 is also classified as a high building, rising as it does to an 11 storey element and therefore in excess of 30m. This too has been crafted in a way that helps mitigate the impact of its height on its context as evidenced by its 'reading' as two buildings – the lower B4 to the park entrance, and the taller (B5) element to its south east.
- 10.4.6. The other tall building at 10 storeys is Building D1, one of a family of three buildings that frame the south western edge of the park and the new vehicular route within the site. It is positioned to the rear of C1 and C2 and thus forms a cluster of the site's taller buildings positioned to the front of the site.

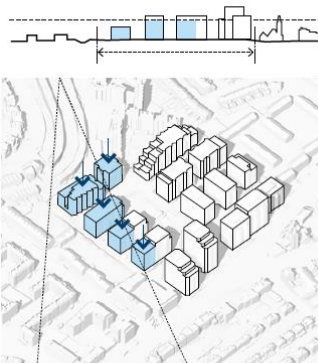




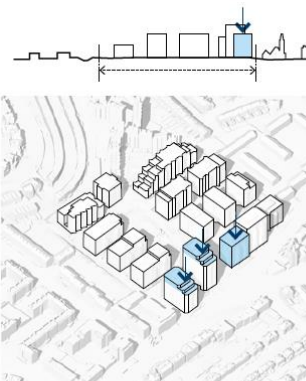
**Taller buildings towards street frontage**  
 The tallest buildings in the masterplan are located along Camden and Parkhurst road. These buildings mark the entrance to the masterplan and line the primary urban route.



**Lower buildings towards the neighbours**  
 The lower buildings in the masterplan are located on the boundary to the site.



**Lower for the view towards St. Paul's**  
 The south west corner buildings are reduced to ensure they are not visible in front of the dome of St. Paul's in LV4B



**Reduced for local townscape**  
 Stepped back façades and reduced height elements for local views from the Hillmorton Conversation Area and Camden Road views North and South.

**Scale (DAS page 116).**

- 10.4.7. This building is part of a well-considered composition of three buildings, joined at their base by an extensive communal residents' facility. These buildings step down in height as they progress towards the rear of the site and similarly they step down as they face the new street and outlook toward the communal gardens of the Dalmeny Avenue Estate to their rear.
- 10.4.8. Such height differentials combined with fine architectural qualities and characteristics, make for an outstanding composition with the height of D1 being compatible with its neighbouring properties on the site and in relation to the spaces it abuts.
- 10.4.9. Importantly, the tall buildings on the site do not block views to St Pauls Cathedral – either the Dome or the Western Towers. And while there will be a minor infringement to the eastern threshold within the view corridor, this is only visible from a vantage point from the Archway Road. It is considered to be of a minor nature given the scale of the streetscape and roofscape surrounding St Paul's Cathedral, and the distance of the view affected so as to be virtually imperceptible.
- 10.4.10. Heights have also been configured and considered in response to the broader urban form of the scheme, helping to structure the spaces that new buildings frame and face.
- 10.4.11. The central park's edges have been carefully considered with buildings stepping in height around its edges being lower to the rear with a 7 storey buildings forming an end vista and the clustered families of buildings, the three D1, D2 and D3 buildings to the south west, which step from 10 to 9 to 8 floors as they move more deeply into the site, while to the park's north eastern edge are a family of five buildings of 8 and 8 – 9 floors each.
- 10.4.12. To the site's north western edge, the 'rear' of the site, the buildings are at their lowest in response to their location within the urban structure. They range from 5-7 floors (Building E1), 7 floors (Building E2), to the 'crumbled' building adjacent to the Bakersfield Estate and Crayford Road edge (A1/A2) which rises up in a stepped and staggered form from 2 storeys up to an element of 9 storeys. This less 'formal' design helps reduce the impact of height and mass in this sensitive location with its animated architecture while also responding to the form of the Bakersfield Estate with its changing heights and form.

## Height – Policy Compliance

- 10.4.13. Further to the above qualitative analysis on building heights, the Planning Officer has undertaken a quantitative analysis of the building scale relative to planning policy to understand where breaches of the Council's Tall Buildings policy occur, and to what extent.
- 10.4.14. London Plan Policy D9 seeks to ensure that there is a plan-led and design-led approach to the development of tall buildings across London and that the visual, functional, environmental and cumulative impacts of tall buildings are addressed to avoid adverse or detrimental impacts.
- 10.4.15. Part B of Policy D9 states that boroughs should determine which locations are appropriate for tall buildings (subject to meeting the other requirements of the Plan) and states that tall buildings should only be developed in these suitable locations.
- 10.4.16. Part C of Policy D9 sets out the qualitative criteria for assessing the impact of tall buildings where tall building developments are proposed. These are divided into;
- 1) visual impacts; A variety of long range, mid-range and immediate views should be assessed to ensure tall buildings contribute positively to the character of the area and avoid harm to heritage assets. Tall buildings should make positive contribution to the existing and emerging skyline and not adversely affect local or strategic views.
  - 2) functional impacts ;The architectural and materials quality of tall buildings should be of an exemplary standard. Tall buildings should aid legibility and wayfinding and have a positive impact on the public realm.
  - 3) The environmental impacts including wind, microclimate, daylight/sunlight, glare impacts should be assessed. Cumulative visual, function and environmental impacts should also be assessed, taking into account other permitted developments.
- 10.4.17. In addressing D9c(1) visual impacts, it is considered that the proposed heights across the scheme, whilst taller than the surroundings, do nevertheless respond to the surrounding context and to the site's changing edge conditions and characteristics. However, the visual impact to the north, west and east would be limited. Some harm to the setting of heritage assets is identified within the submitted Townscape, Visual and Above Ground Built Heritage Assessment, most notably as a result of the development on Camden Road/Parkhurst Road where the tallest parts of the scheme are most visible.
- 10.4.18. Of relevance here is the section within the London Plan D9 c(1) d which states 'proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. '
- 10.4.19. As is explored further within the report, the public benefits of the development as a whole, are weighed against the less than substantial harm that results in line with the policy.
- 10.4.20. In relation to functional impacts, the exceptional design quality of the C1 building and its lower sister building C2 is considered to meet this policy. The buildings, as noted by the Urban Design Officer, are of exceptional quality, highlights the importance of the Women's Building and reinforces the entrance to the site and the new public open space as well as the sites sense of place, making it a focal point in collaboration with the new public open

space. The architectural qualities of the other tall buildings B4/5 and D1/2 are also considered to be of a high standard.

- 10.4.21. Officers have reviewed the site and surrounding context, the proposed height and massing and layout and have considered the conclusions and recommendations of the applicant's Environmental Statement in relation to functional, environmental and cumulative impacts, including daylight, sunlight and overshadowing and wind microclimate. (These are considered in more detail elsewhere within the report).
- 10.4.22. This has concluded that the environmental and cumulative impact of the scheme is acceptable and would not give rise to any unacceptable impacts and this view is supported by the Councils independent reviewer AECOM. As such, officers consider that the scheme does therefore comply with the qualitative criteria for tall buildings set out in Part C of London Plan Policy D9.
- 10.4.23. The Council's policy for tall buildings is Core Strategy CS9E which states that tall buildings (those in excess of 30m) are generally inappropriate to the medium and low rise character of Islington and that tall buildings will not be supported. It states that the only locations where tall buildings may be developed are specific identified locations within the Finsbury Local Plan area. The Holloway Prison site is not one of these areas and tall buildings are deemed inappropriate under the current policy, including DM2.1.
- 10.4.24. Under the emerging Local Plan which is currently in Examination and will replace the Islington Core Strategy and the Development Management Policies 2013, tall buildings are, as with the current plan, not acceptable on the Holloway Prison site. The emerging Local Plan contains a comprehensively updated planning policy on tall buildings – Policy DH3. The policy is based on extensive and detailed work undertaken by Urban Initiatives and set out in the Islington Tall Buildings Study. Local Plan Policy DH3 identifies locations which are potentially suitable for tall buildings. No such locations were identified within the Holloway Prison site. The wider area in which the site is located was assessed as not suitable for development of tall buildings, as it is not within the Central Activity Zone, an opportunity area, or an area of intensification or town centre that has good access to public transport, and due to its character.
- 10.4.25. In terms of the approach to tall buildings, the Holloway Prison SPD and the site allocation for the site are consistent with the existing and the draft new policy, and the evidence behind it. The Holloway Prison SPD (2018) provides information on the existing heights of this area and the site. The policy is clear that development on the Holloway Prison site should be below 30m in height.
- 10.4.26. The proposal for the Holloway Prison site contains tall buildings, over 30m in height. Nine of the 15 buildings which comprise the development are over 30m in height. Three of these buildings are 9 storeys tall and a comparatively small element of the building is above 30m (PVs). The table below sets out the buildings which are over 30m in height (excluding those with PVs only over 30m):

Building Core	Maximum Storeys	Maximum Height (m)	Policy Breach	
			m	%
A1+	9	28.55	-1.45	-5%
A2	7	25.17	-4.83	-16%
A3	9	28.97	-1.03	-3%

A4+	9	29.14	-0.86	-3%
B1+	9	28.15	-1.85	-6%
B2	8	29.6	-0.4	-1%
B3	8	28.62	-1.38	-5%
B4*	9	33.9	3.9	13%
B5	11	39.1	9.1	30%
B6	8	25.25	-4.75	-16%
C1	14	49.6	19.6	65%
C2	10	36.47	6.47	22%
D1	10	36.97	6.97	23%
D2*	9	31.2	1.2	4%
D3+	8	29.37	-0.63	-2%
E1	7	26.02	-3.98	-13%
E2	7	24	-6	-20%

\*parapet and core overrun only above 30m+.  
+ includes 1 floor semi below ground

***Figure showing Building Heights Exceeding Policy - Measurements***

- 10.4.27. There is variation in the extent of breaches – with D2 only 4% taller than policy, yet C1, the tallest proposed building, 65% taller than policy.
- 10.4.28. When considering the distribution of the tall buildings across the site, it is clear that they are positioned closest to Camden / Parkhurst Road where the elevated scale is more so in proportion to the surrounding streetscape.



**Figure showing Building Heights Exceeding Policy – Spatial Distribution**

10.4.29. Regard has also been had to the advice with regard to tall buildings that is contained within Paras 5.63 – 5.66 of Islington's UDG SPD. This advises that tall buildings can contribute positively to their context by a range of techniques and considerations including:

- Becoming a focal point
- Providing a successful contrast with its surroundings
- Reinforcing a sense of place
- Highlighting the importance of a public building

10.4.30. Para 5.66 states that:

'In all cases, a building which is substantially taller than its surroundings should be designed to an exceptional standard, with an integrity that is carried through every facade and relates to the immediate neighbours and wider surroundings'.

10.4.31. Therefore, in its current form, the proposal needs to be considered as a departure from the Local Plan. To be acceptable any such departure from Local Plan policy must be robustly justified by other material considerations and would need to demonstrate overriding planning benefits. While the scheme does not include any landmark very tall towers, the large proportion of buildings higher than 30m and the amount to which they are higher than the surrounding context, is a clear increase in scale which will change the character of the area. The proposal is a marked move away from the typical lower rise character of some residential areas in Islington which has been identified and long protected by the tall buildings policies in Islington.

## **10.5. Bulk and Massing**

10.5.0. This is a large scale urban development. The earlier iterations displayed an unacceptably harmful reliance on a big block/coarse grain form that bore no relation to the surrounding urban form and offered little by way of integration and other qualitative place-making qualities. The scheme has therefore been significantly refined over the pre application process, most dramatically in how it progressed from one comprising 5 big blocks to that under consideration comprising 15 distinctively individual buildings and/or families of buildings.

10.5.1. This change in form has had a dramatic and beneficial impact on the quality of the urban form including mitigating harmful effects associated with the bulk and massing of the development. The change, from big blocks to buildings, has created a more visually and physically permeable scheme. And as a result, the form relates better to its surrounding context appropriately mitigating impacts associated with bulk and mass.

10.5.2. The ensuring bulk and massing is at its greatest to the front of the site, to the primary frontage along Camden/Parkhurst Road. In contrast, it is at its most sculptured and crafted to the rear of the site where it abuts the backs of multiple homes. For example, Building A1/A2 is stepped and staggered to its edges. This creates a visual intrigue but also serves to effectively mitigate the visual impact of the building's bulk and mass.

10.5.3. Building E1 has also been crafted to minimise the impact of bulk and mass, in this instance by lowering the height of the building to its rear, where the building abuts existing homes, creating a visually animated zig zagged built form, and pulling additional height, bulk and mass to the street edge where it is less impactful.

10.5.4. The configuration of the buildings, particularly in relation to the edges of the park, and the new streets and neighbouring homes to the periphery, largely comprises buildings that are



laid out in a perpendicular manner to these sensitive edges. This has effectively resulted in reducing the impact of mass and bulk on surrounding homes and open spaces. As one moves through the park, and along the new street, the buildings generally present their narrower elements and, in this manner, offer multiple views through the site, into the residential courtyards, and though to the public park beyond. This visual layering creates a successful degree of animation and richness. The elongated form also enables a good level of sunlight and daylight penetration to those communal residential gardens between the buildings, as well as to the new public park.

- 10.5.5. This spatial form therefore helps ensure that the scale of the buildings, including their combined heights, mass and bulk, does not overwhelm the public realm, the site's more sensitive edge conditions and characteristics, or the adjacent residential context.
- 10.5.6. Bulk and mass have also been effectively addressed by the architectural qualities of each building. This includes the use and design of a range of balconies that animate the façades, to the richness and detailing of the materials. In accordance with the advice within Para's 5.79 and 5.80 which relate to the impacts created by larger developments and long street frontages such as this scheme to its Camden/Parkhurst Road frontage, the guidance advises that:  
'Breaking down a long street frontage ... can help prevent buildings appearing monolithic and can provide them with a more human scale'.
- 10.5.7. The architecture further addresses the impact of bulk and massing in that it enables the buildings to be read and experienced in a variety of beneficial ways - individually, as part of a distinct family of buildings, and as part of an overarching comprehensive development. This is further enhanced by the architectural variety coming forward which also minimises the effects of bulk and mass.
- 10.5.8. In this manner the mitigation of the effects of bulk and mass has been an integral and successful element of the new urban form.

## **10.6. Elevational Treatment**

- 10.6.0. The architecture is contemporary and urbane with a subtle mix of building designs, clustered in well mannered 'families' to either side of the park, with more 'individualistic' buildings positioned to the primary street edge to the front of the site, and to the most recessed positions to its rear.
- 10.6.1. The materiality of the buildings is very strongly brick based reflecting a dominant London characteristic. However there are a range of colours and tonal shades within the brick selection coupled with variations in patterning. These differences, whilst subtle, will help distinguish building from building as well as families of buildings from other families of buildings. With the exception of Buildings C1 and C2, with their bespoke and richly textured brick patterns and textures, and which form the development's 'landmark', all brickwork is be of standard sized brick modules laid in a stretcher bond.
- 10.6.2. The materiality of the scheme demonstrates a richness of palette that reinforces the high quality of the architecture and contributes positively to distinctive place making properties, presenting lively and attractive elevations.

- 10.6.3. Throughout the scheme there are 4 distinct types of balcony that have been selected and applied in accordance with the location of the building within the scheme, and subject to its architectural character. These balcony types include:
- Deep concrete balconies with metal handrails - Buildings C1 and C2
  - Brick balconies – partial use to Buildings D1 – D3 and B4 – B6
  - Concrete balconies with metal guarding and hand rails – Buildings A3 – A4, B1 – B6 and E2
  - Balconies with painted metal guarding with angled metal flats for privacy and painted metal handrails and soffits – Buildings A1/A2; partial use to Buildings A3, A4, B1 – B3; E1; partial use to the D Buildings.
- 10.6.4. The prime elevations facing the park all have solid deep set balconies concealing their occupants and thereby providing privacy from the public realm. Along Camden and Parkhurst Roads the balcony treatment is more solid and the balconies are of a deeper design. This is so as to provide a better acoustic protection against the noise of the main road.
- 10.6.5. Metal, and therefore more transparent, balconies are used in the less formal and more communal locations.
- 10.6.6. With regard to the important interface between the ground floor elevations and the adjacent public, semi-public, and private realms, these have been carefully considered and designed with clearly demarcated thresholds. This not only aids in the legibility of the scheme but also ensures adequate privacy is afforded to ground floor homes.
- 10.6.7. Ground floor entrances are located to the street edges, including to individual ground floor flats wherever feasible. This helps create attractive, safe and lively bases to each building which in turn helps create safe and animated streets and spaces that adjoin them.
- 10.6.8. To the Camden/Parkhurst Road frontage, and the flanking buildings' returns into the park, active uses line these ground floors. These uses include commercial uses to the B Buildings and the Women's Building to the C Buildings. The elevational treatments to these non-residential uses are clearly expressed and appropriately and legibly differentiated from the elevations to residential uses including a dramatic double height space to the Women's Building to its edge to the park.

#### Elevations – Building A1/A2

- 10.6.9. This is a highly distinctive building located to the rear of the site adjacent to the Bakersfield Estate and to homes to Crayford Road.
- Designed to be considerably less formal than its neighbours within the scheme. This is in response to its recessed position located deep within the site and in acknowledgment of the nature and sensitivities associated with the proposed community garden to its north western edge.
  - It also responds to advice from Islington's Design Review Panel that suggested this building should be designed in a directional manner, signalling a new pedestrian and cycle connection to its north east. While this connection is not coming forward as part of this application due to third party land issues, it is likely to come forward in the medium to longer term.
  - Thus the elevations comprise a series of stepped volumes and mass, emphasised by a range of balconies, terraces and biodiverse roofs to all levels, and to all elevations. This stepped articulation creates a degree of architectural playfulness to

this part of the site that is welcomed, as well as being a successful device to lower the height of the building and reduce the impact of bulk and mass as it meets the park to one end and the neighbouring homes to Crayford Road to the other end.

- The balconies are edged with painted metal railings creating a further lightness to the elevations while large roof terraces are staggered up the building over 7 different levels.
- These devices create a distinctive and highly animated building appropriate to the characteristics to this part of the site.
- The materials palette is proposed to be a light red brick with a natural variation of tone created by the traditional firing process. A light flush mortar to match the brick tone is proposed while the fenestration and the metal work to the balconies is proposed to be of a light green/grey colour.
- Parapets and balcony bases comprise concrete bandings which serve to enhance the stepped and staggered architectural appearance.
- The combined effects produce a building of a high quality that responds to its location on the site and within its broader context.

#### Elevations – Buildings A3 / A4 / 1 / B2 / B3

10.6.10. These buildings are positioned to the centre of the eastern part of the site. They comprise a distinctive family of five buildings framing the new street whilst also effecting fronting onto and framing the new park. They are designed with a quiet architectural language throughout, of similar qualities and characteristics, using a light buff coloured brick with light coloured concrete balconies and light coloured metal balustrading.

- They are richly animated with balconies and fenestration patterning which help mitigate the combined impact of height, bulk and mass by presenting a visual lightness as well as orderly facades.
- While less architecturally flamboyant than other buildings on the site, they form a quiet backdrop to the park to their west and to the Holloway Estate to their east, presenting a sense of calm and orderliness against which other elements of the scheme, including the park and the more characterful buildings A1/2, D1 – D3, assume some visual prominence.
- Their architecture and elevational treatment is therefore considered to be of a suitably high quality of design.

#### Elevations – B4 / B5

10.6.11. This building occupies a key frontage position onto Parkhurst Road with an important return façade onto the park. It is of a similar quiet and background architectural language to the family of five buildings to its rear. This is in part so as to help mitigate the visual impact of height and mass to the street edge, particularly given the building exceeds 30m in height, and in part so as not to visually compete with the landmark architecture of the adjacent C1 and C2 Buildings that also front this prominent and primary street.

- A further reasoning behind the simplicity of the elevational treatment is due to the impact on the setting of the adjacent local landmark, Camden New Church as well as on the character and qualities of the broader Hillmarton Conservation Area. The landmark church will retain a degree of visual dominance within the streetscape against this new backdrop and will not therefore be overly competing in terms of visual prominence.

- The proposed materials are a light grey brick with a matching flush mortar colour. The fenestration is a pale green grey smooth metal finish. The balconies are brick with balustrades made with rods and a metal flat handrail.
- The roof top plant enclosure is within a brick structure to match the façade brick. The ground floor level garden walls are also proposed to use the same brick. This serves to help create a unity and calmness to the overall composition of this large building.
- The ground floor comprises commercial/retail uses and units. The elevational treatment is expressed in a manner to reflect this functional change with large expanses of glazing and clearly demarcated entrances.
- The elevational designs are therefore considered to be acceptable.

#### Elevations – B6

10.6.12. This building, at 8 storeys, is the smallest to this long primary frontage. It has a return into the site facing onto the new street with the Holloway Estate beyond. While of a similar architectural language to the adjacent B4/B5 building, the materiality differs with the use of a warmer and darker red/brown brick that relates well to the adjacent to the Holloway Estate. This change in materiality also serves to mitigate the mass of the development to this long and prominent street frontage. The fenestration treatment is also similarly simple and calm and proportionately echoes those of the adjacent B buildings. It too comprise a light green grey metal matt smooth finish fenestration treatment.

10.6.13. As with Building B4/B5 brick balconies are proposed for privacy and environmental protection from the main road whilst displaying a simple volume that helps maintain architectural simplicity and clarity. Similarly the roof top plant enclosure is housed within a brick structure to match the façade brick, and the garden walls are also designed using the same brick, creating a unity and calmness to the overall composition of this prominently positioned building

- Commercial units are located to the ground floor of this building and, as with Building B4/B5, the elevational treatment is expressed in a manner to reflect this functional change with large expanses of glazing and clearly demarcated entrances.
- The elevational designs are therefore considered to be acceptable.

#### Elevations – C1/C2

10.6.14. These two buildings comprise the landmark element of the site. They form a pair of richly designed, visually prominent buildings, emphasising and celebrating the significance and presence of the development in its context.

- This significance is enhanced by the design and location of the Women's Building to the base of these buildings with its further distinguishing elevational treatment that effectively signifies a more civic use, clearly differentiating it from its residential and commercial neighbours. This 'Base' element accommodates both the women's building and the (return) entrance lobbies to the two residential buildings above.
- To the primary frontage to Camden Road the elevational treatment to the Women's Building creates a fine new edge to the street. It is centred on the single storey linked entrance element with its tall and dramatic archways. This element seamlessly merges with the double height spaces to the east and the single storey spaces to the west, creating strong and unifying element.
- The return edges to the new street to the west and the public park to the east contain the residential entrances to the two buildings above. They do not however detract from the prominence of the Women's Building but have been successfully immersed as ancillary elements.

- The rear elevation of the Women's Building has a strong similarity to the front elevation creating a fine edge to the facility's dedicated garden and allowing for high levels of visual permeability between the outdoor and indoor spaces.
- The elevational treatment to the upper floors of the two buildings that rise above the Women's Building is richly characterised with tall brick 'piers' marching around each building and emphasising verticality. This is counter balanced with strong horizontal banding that is further expressed in the detailed design of the voluminous balconies.
- The series of recessed upper floors are also emphasised with deep concrete banding that emphasis the setback elements to the buildings' frontages.
- The rear elevations are quieter than the front and flanks but are none the less highly urbane and that of Building C2 in particular forms a highly attractive 'backdrop' to the public park.
- The materials palette comprises a pre cast concrete in a warm cream tone with an aggregate blend with brown and natural stone. The brickwork comprises three brick tones furthering this visual richness. The fenestration comprises metal polyester powder coated elements in a blue grey tone, complementing the brick and concrete palette.
- The brickwork to the women's buildings comprises darker hues than those to the upper floors. The pattern and expression draws on inspiration from artwork by Anni Albers. It also includes a glazed brick for added differentiation of use and as an expression and reflection of the civic nature of the facility.
- These buildings are considered tall buildings and as such the Council's development policies require that their design quality be of an exceptional nature. It is considered that this policy requirement has been met with regard to this fine pair of landmark quality buildings.
- The elevational designs are considered to be exceptional.

#### Elevations – BD1/D2/D3

- 10.6.15. These three buildings are designed as a highly coherent family of buildings, an entity. They share an outstanding architectural quality including a strong and solid materiality.
- The buildings are 'tied' at the base by a single storey of accommodation at lower ground floor level. This contains communal facilities for residents of the development. This base connects directly to the public park and this sensitive relationship is celebrated by a colonnaded feature with double height columns creating a formal and well-structured edge to the park. The fenestration to the base is broad and expansive, further signifying and reflecting the communal shared uses behind this part of the facade.
  - The elevational treatment above the base is largely uniform across the three buildings. It cleverly changes in detail and expression according to the edge conditions with the more formal façade to the park, a formal but more open elevational façade to the street, and the least formal and more animated facades face out over the communal residents gardens. This adds a richness and to each building as well as to the quality of the overall composition.
  - Residential entrances are located to the street edge via communal lobbies. The central building, Building D2, contains the primary lobby for the three buildings, housing the concierge facility together with an element of shared resident facilities. Less 'significant' entrances are positioned directly off the street edge leading directly into Building D1 and Building D3.

- The materials palette comprises a rich, dark red, brick with accents of dark brown and with a complimentary coloured mortar. There is a strong terracotta coloured emphasis to the ancillary elements including to the pigmented concrete window sills and coping stones, a terracotta coloured painted metal balustrade guarding and handrails, and a dark terracotta coloured powder coated aluminium fenestration.
- The combined effect of this materiality creates a sculptural element to the architecture that further signifies the fine architectural quality of these buildings.
- The elevational designs are considered to be exceptional.

### Elevations – E1/E2

- 10.6.16. These two buildings are loosely ‘related’ to one another with their pale brickwork and complimentary bronze coloured fenestration. They are positioned to the rear and most sensitive part of the site, where it abuts the small scale homes to Trecastle and Penderyn Way.
- 10.6.17. Building E1 has been designed to reflect and reinforce its differing edge conditions and as such the elevational treatment to each façade subtly alters accordingly. To the new pedestrian and cycle route, that connects the site to Dalmeny Avenue, the elevation has been designed with balconies running up the façade. This is designed in part to help promote pedestrian safety through enhanced overlooking, as well as creating a suitably animated and effective frame to the new route.
- The primary southeast facing façade, to the new street, has a saw-tooth form, stepping along this edge. This is designed, in part, so as to enable the building to act as a directional signifier, leading to and from the new pedestrian connection.
  - Building E1 also has a close and important interface with Building E2. Its north east facing façade houses the building’s primary entrance creating, in effect, a 3rd ‘frontage’. Balconies also line the façade furthering its architectural richness
  - To its rear the building faces the rears of several homes to Trecastle and Penderyn Way. The building drops to five floors to this edge and its stepped form, whilst apparent, is of a far more gentle expression than that to the street edge.
  - Balconies line and animate each of the four façades and have been designed as integral façade elements. They do however differ in their design, responding to the changing edge conditions. To the rear façade the balconies are brick and metal offering enhanced levels of privacy, with more open metal balconies to the streetside, and concrete and metal balconies to the elevations facing the new connection and as well as onto Building E2.
  - The architectural treatment is richly animated with the series of stepped facades to front and back designed in part to maximise sun and daylight levels into the homes as well as directing the pedestrian from the park to the new pedestrian connection.
  - The materials palette is simple yet urbane comprising a pale grey brick with matching mortar with a soft gold coloured aluminium to the fenestration and balconies. A pigmented light grey concrete is proposed to the base of some balconies.
  - The elevational design is considered to be exceptional to this building presenting a unique and characterful response to this sensitive part of the site.
- 10.6.18. Building E2 is designed in a similar albeit quieter architectural language to Building E1 and within a more formal geometric form.

- The building presents an important end vista to the park and is therefore highly visible. It has responded to this key location through a highly formal elevational response comprising a ‘solid’ brick building wrapped in gold coloured metal balconies. The effect is highly urban and yet captures a softness of expression that will not compete with the park, but complement it. The balconies provide an elegant architectural element, an important animating and ‘overlooking’ feature that will be of benefit to the safety and attractiveness of the public realm.
- The palette of materials is similar to that of Building E1 but comprises a darker grey brick with matching mortar whilst the fenestration and balcony materials are similar comprising gold coloured metal and aluminium but with a darker grey pre cast concrete element to the balconies and a grey pigmented concrete banding.
- The elevational design is considered to be of a high quality.

#### Response to Character and Context

10.6.19. In accordance with London Plan policy GG2 (Making the best use of land), the proposal enables the development of brownfield, surplus public sector land, on a site that is well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. During the pre-application process, the Applicant proactively explored the potential to intensify the use of land to support additional homes and undertook a design led approach to determine the optimum development capacity of the site, having reduced their initial proposal from 1,100 homes to 985 homes, yet more than the scenarios envisioned within the 2018 SPD for the site. Trees not previously accessible by the general public are being used as a catalyst for the creation of a ‘public garden’ that will contribute to the future character of this distinct place. The landscape strategy for the site will significantly increase biodiversity, through new green / blue infrastructure; landscaped public realm and residential communal open spaces at ground and roof level. To support a strategic target of 80% of all journeys using sustainable travel, and to better integrate the previously isolated site with the surrounding neighbourhood, a new pedestrian and cycle connection to Trecastle Way is proposed, with passive provision for a second connection through the Holloway Estate to Crayford Road, should landowners permission (and planning consent) be granted.

10.6.20. The Holloway Prison Site SPD says at paragraph 4.7:

*‘In considering development options for the site it is important to take into account the need to make the most efficient use of the site and assume appropriate densities, whilst providing high quality design that responds to the sites context. The urban design study looked at the following scenarios’:*

Scenario	Number of dwellings*
A	400
B	600
C	700
D	900

\* Figures are rounded and may be subject to minor amendments.

10.6.21. The proposed number of homes; resulting population; density (of people and housing); and overcrowding were all raised as objections by residents and community groups – whilst this



is reasonable and the conflict with scenarios in the SPD is acknowledged, a more holistic understanding of these topics is needed.

- 10.6.22. The 985 units proposed for the site vary in their tenure (social rent / shared ownership / market) and type (from 1 to 4 bedrooms in size). Using the GLA's population yield calculator and assuming a PTAL of 3 – 4 as a median, this would result in a future population of 2,197 people, including 531 children.
- 10.6.23. Population density is not an issue per se (indeed, dense urban settlements offer many advantages in terms of sustainability and access to opportunities), what is important to consider is the contextual appropriateness and quality of what is proposed – these themes are explored throughout this part of the report.
- 10.6.24. It is also important to understand that high density housing does not necessarily equate to overcrowding. Along with many other London Boroughs, LB Islington faces an acute shortage of affordable housing, contributing to homes with more people living in them. Overcrowding can occur in private rented or Council homes where households cannot afford or find available, homes large enough to meet their needs. The new housing proposed by this scheme, and particularly the 415 social rent homes, will help ease this critical shortage, by better matching homes to the right household size and freeing up existing accommodation; for example, through the 60 social rent extra care homes that could enable residents to move to a smaller, more comfortable home better suited to their needs, thereby making their existing council accommodation available to another family.
- 10.6.25. Regarding the quantum of development (number of dwellings), exceeding the scenarios set out within the SPD, it is considered that whilst the scenarios were useful in managing developer expectations for the site, the current proposal addresses many of the qualitative concerns that had been linked to a perimeter block of 900 units.
- 10.6.26. Officers had sought to reduce the overall quantum of development throughout the majority of pre-application negotiations however, as the proposal changed significantly to address urban design and quality of accommodation concerns, and was supported by a greater level of technical detail including a financial appraisal, the departure from the scenarios in the SPD is considered to be justified.
- 10.6.27. The current proposal includes a larger women's building than first envisioned and 60% rather than 50% level of affordable housing provision as part of the scheme.
- 10.6.28. London Plan policy D3 states that '*all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations*'.
- 10.6.29. The London Plan proposes more efficient uses of the city's land, saying:
- The key to achieving this will be taking a rounded approach to the way neighbourhoods operate, making them work not only more space-efficiently but also better for the people who use them. This will mean creating places of higher density in appropriate locations to get more out of limited land, encouraging a mix of land uses, and co-locating different uses to provide communities with a wider range of services and amenities' (paragraph 1.2.2).*

*'The benefits of this approach are wide-ranging, going well beyond the simple ability to provide more homes and jobs. High-density, mixed-use places support the clustering effect of businesses known as 'agglomeration', maximising job opportunities. They provide a critical mass of people to support the investment required to build the schools, health services, public transport and other infrastructure that neighbourhoods need to work. They are places where local amenities are within walking and cycling distance, and public transport options are available for longer trips, supporting good health, allowing strong communities to develop, and boosting the success of local businesses' (paragraph 1.2.3).*

10.6.30. Similarly, Standard 6 of the London Housing SPG states that:

*'Development proposals should demonstrate how the density of residential accommodation satisfies London Plan policy relating to public transport access levels (PTALs) and the accessibility of local amenities and services, and is appropriate to the location'.*

10.6.31. The quantum of homes considered viable by the Applicant (985), on a site of 4.16Ha that must also accommodate a new public park; provide outdoor amenity space for future residents; and circulation for the movement of people and goods, means the height of buildings has pushed upward.

10.6.32. Although the proposal does not comply with the Council's Tall Buildings policy and there are concerns that this results in harm to the setting of a nearby Conservation Area, the arrangement of the tall buildings has sought to avoid the protected view corridor to St Paul's (LV4 and LV5); step away from lower buildings at the edges of the site; and work with the space visually afforded by the intersection of Camden / Parkhurst and Hillmarton Road.

10.6.33. The density of the proposed development is proportionate to the site's connectivity and accessibility (London Plan D2 A - D2 Infrastructure requirements for sustainable densities). Thames Water and TfL have indicated that approval of the development is contingent upon upgrades to infrastructure, to be secured through conditions and Section 106 contributions. Additional infrastructure, proportionate to the development will be delivered through Community Infrastructure Levy (CIL) contributions, payable by phase.

10.6.34. Pre-application negotiations and reviews, including Design Review Panels informed a range of amendments to the masterplan, with significant changes to scale, mass and layout. Examples of design scrutiny that resulted in the changes to the draft masterplan are shown on pages [60 - 91] of the Design and Access Statement, including:

- Removal of development along the south western boundary of the site, parallel to the Dalmeny Avenue Estate and previously within several metres of the homes above the Cat and Mouse library;
- Splitting the blocks on Parkhurst Road into two parts, rather than a single staggered elevation; and
- A shift from large, monolithic perimeter blocks to individual buildings, with an arrangement that better responds to solar orientation.

10.6.35. The pre-application process also helped shape how the development proposal responds to the spatial context of the surrounding area – beginning to link a site in the heart of an urban area and yet isolated and cut off from the surrounding urban fabric. The proposed scheme will create a new public park to attract people into the centre of the site, and a new pedestrian route for future residents to more directly access nearby schools. Subject to the agreement of adjacent land owners, the Applicant has also committed (through the Section 106) to undertake best endeavours to create further connections to existing streets and paths. The proposed public realm, including the pedestrian / cycle connection to Trecastle Way will have good levels of passive surveillance from the new homes, and also follow secure by design principles, secured by condition.

10.6.36. The proposal will help Build Strong and Inclusive Communities (London Plan Policy GG1) by:

- Creating a new pedestrian and cycle connection to enhance the permeability of a neighbourhood (GG1 - G).
- The women's building creating a good quality community space, able to accommodate the services, amenities and infrastructure needed by women within the wider community (including those with exposure to the criminal justice system). (GG1 – G)
- A public park that will encourage and strengthen the local community by increasing active participation and social integration (GG1 – C).
- Providing extra care housing and a public park to help address social isolation (GG1 – C).

10.6.37. Maintaining design quality is important and Officers have sought to secure this through detailed plans, sections, and examples of materials within the DAS. Conditions will be used to ensure that design quality is maintained through to completion.

#### Topography

10.6.38. In support of London Plan policy D1, development proposals should take advantage of any level changes, looking to optimise urban greening and sustainable drainage while ensuring an accessible and inclusive scheme.

10.6.39. In response to the steeply sloping site and a desire to retain some of the mature trees in situ, the masterplan proposes terracing the site to create an accessible public realm, but with parking and servicing proposed at lower ground (basement) levels, facilitated by the fall in the land.

10.6.40. The Design and Access Statement contains an Inclusive Design Statement (Chapter 9). Although the measures set out within it are broadly aligned with London Plan policy D5 (Inclusive Design), the Council raised concerns with elements of the proposal including detailed arrangements for building access and entry, landscaping, and parking. The applicant responded on 17th December 2021 and the Council's Inclusive Design Officer was re-consulted. In order for some residual details to be addressed, it is recommended that the Inclusive Design Officer be consulted on relevant applications for discharge of conditions.

## **10.7. Urban Design – Policy Compliance & Conclusions**

- 10.7.0. The site historically has had no positive contextual relationship with its surroundings in either form or function. The scheme design has been demonstrated as successfully opening up this formerly fortified site and connecting it back into its surroundings. It is considered to be sufficiently contextually compatible with its range of new entrances and routes into and through the site, connecting neighbourhoods and social infrastructure. It is visually and physically permeable and has been configured within a highly legible urban form.
- 10.7.1. It achieves high levels of energy efficiency and is enriched by a range of sustainability measures embedded within its landscape and built environments.
- 10.7.2. Whilst higher than its surroundings, the scheme accommodates the tallest buildings to the front, onto a main road, and steps down in height to its edges thereby helping to achieve a neighbourly response within a high density development.
- 10.7.3. It is acknowledged that the breaching of the Council's policy on tall buildings is a departure from the Local Plan and weighs against the scheme. However while some buildings exceed the 30m height restriction as prescribed in Policy CS9, consideration must also be given to the quality of the urban form including its contextual compatibility, the associated high architectural quality of the buildings, the fine quality of the open spaces adjoining the buildings. These factors are weighed in the final planning balance.

## 11. LANDSCAPE & ECOLOGY

### 11.1. Landscape Design

- 11.1.0. The landscape design is of a very high quality. It is full of character and delight for multi-generational use with a community focus, with a good balance of hard and soft landscape elements that have been conceived in accordance with the primary functions and the positioning of each space within the scheme.
- 11.1.1. Key design drivers, as described in the accompanying landscape report, include:
- connecting - people to nature and people to each other;
  - enabling - through shared ownership and management;
  - wellbeing - through exercise, nourishment and rest and relaxation; and
  - nurturing with spaces to live, grow and interact.
- 11.1.2. Elements of each of these drivers are clearly evident in the detailed designs. At the heart of the scheme is a new rectilinear public park. This creates a focus for the new development, for wider communities, as well as acting as a green and playable heart. It capitalises on the existing retained cluster of trees currently located in the centre of the site, retaining as many of these as possible, as well as focusing the design on the site's only Category A tree, a large and mature London Plane, positioned towards the park's street entrance.
- 11.1.3. At the centre of the new park is a destination playground with an extensive array of play structures. This abuts a rolling lawn to its north and lawn area to its south, all occupying the lower level of the park. A well-considered edging treatment wraps around the edge of the park where it abuts the street and incorporates a 'seat-able' edge, bleacher seating and planting, and an in-ground rain garden with crinkle cut benches. These are framed to look out over the play areas and to protect them from the street edge.
- 11.1.4. To the park's upper level, retained and celebrated in response to the dramatic change in levels across the site, is a series of interconnected spaces which are more intensely planted than those at the lower level. This part of the park contains a discovery eco play garden with habitat features and interpretation, an agility training area beneath tree canopies, a hammock lounging zone, and a memory garden which is to utilise palettes and structures from the former prison.
- 11.1.5. At the entrance of the park lies the large Category A tree. This is celebrated through its uncluttered setting as an important feature of the site – both for its history given its age, and for the future given its inherent beauty.
- 11.1.6. Buildings line each edge of the park. These however have been configured with sufficient gaps and spaces between them ensuring that the park is appropriately framed but not overwhelmed by built form.
- 11.1.7. The park is considered to be a creatively designed space that will accommodate a range of passive and recreational functions for a multi-generational audience.
- 11.1.8. It is supplemented by a range of other open spaces throughout the site, each with a primary function and bespoke characteristics designed in response to that function. Each

space is also flexibly designed, offering a range of amenity and recreational benefits. These spaces include:

- 1) **Nature Garden** – this is a triangular shaped space located to the north western most part of the site between the Bakersfield Estate and Building A1/A2. The primary function is as a community garden for growing and harvesting food and horticultural education. It is also designed as an ‘eco buffer’ with existing trees retaining privacy with existing neighbouring homes. It will contain wildlife habitats and refuge for birds, bees, bats, and bugs.
- 2) **Eco Garden** – this is located to the front of Building A1/A2, between the nature garden and the public park. It contains a large and continuous rain garden and is an integral element of the site’s SUDS properties.
- 3) **Women’s Garden** – this is located to the rear of the Women’s Building. It is only accessible from this facility and is only for use by those using it. Key themes for the design of this garden include connecting, empowerment, and ecology. The layout creates small private alcoves which can serve a variety of functions. These are embedded in lush planting creating a calming and secure environment for women and children.

The garden is enclosed by a secure and relatively high brick boundary wall for user privacy and security. Three existing cherry trees are to be transported from elsewhere on the site into the garden as an element of continuity and beauty.

**Memory Garden** – this is located to the south western corner of the park and, whilst an integral part of the park, has a bespoke character based on the legacy of the prison and its occupants.

- 4) **Residents’ Communal Gardens** – there are five such gardens within the scheme accessible only to those residents within the adjoining building/s. Ground floor flats have terraces backing onto these spaces though the communal gardens are only accessed via entrances off the communal lobbies in order to minimise private encroachment. They have been conceived as an ‘extension to the home’ and as ‘vibrant community spaces’ which cater for a range of users and activities. Their designs are of a high quality with a considered mix of movement routes, quiet areas, planted areas, and active areas.
- 5) **Extra Care Garden** – this is for the sole use of the residents of the extra care facility. It is located to the rear of the building and has been beautifully designed as a sensory garden.
- 6) **Residential Street** – the streets have been very carefully landscaped so as to achieve a green and sustainable scheme but also to emphasise the pedestrian orientated nature of the public realm, as opposed to a car dominated one. They will help create a fine pedestrian experience as well as being attractive to look out on to.
- 7) **Roof terraces** – these provide residential amenity space at an elevated level, taking advantage of maximum sun exposure and good views. They include areas of biodiverse planting, seating pockets, growth spaces, sun loungers, and social seating areas for the enjoyment of the residents within that building. Access is therefore only available to the residents of each building that contains a communal roof terrace. Terraces are provided equally to market, shared ownership, and social rent buildings.

- 11.1.9. It is considered that the landscape design is of an outstanding quality throughout the development that will enrich the lives of future residents and visitors to the site whilst promoting a sustainable and biodiverse environment.
- 11.1.10. A policy appraisal of the open space is included in section 13 of this report (Shaping Good Places – Open Space).

## **11.2. Green infrastructure and the Urban Greening Factor**

- 11.2.0. Emerging Local Plan Policy G1 requires developers to consider green infrastructure at an early stage of the design process as part of an integrated design approach and incorporate the provision of green infrastructure into the design rather than as an ‘add on’ at the end of the design process. It is evident that provision of quality open space was a key consideration throughout the design process, and the final design is in part a result of prioritising the provision of quality outdoor space for both residents and the public. The large central public open space has been sited centrally and generously proportioned to form the focus of the development. It also retains mature trees from the existing development. Building massing has evolved from perimeter blocks to freestanding buildings in part to improve the light to the spaces surrounding them, including the resident’s communal gardens. A range of open space types are proposed. In addition to the large central public open space there are also residential street spaces with trees and hedges, rooftop gardens, communal resident’s gardens, a biodiversity focussed nature garden, a women’s garden for use by the women’s centre, and a garden for the extra care home. Landscaping is also proposed along Camden Road and Parkhurst Road.
- 11.2.1. The Urban Greening Factor was introduced in the London Plan 2021 under policy G5. Islington have adopted a policy for the Urban Greening Factor in the emerging Local Plan under policy G1 part E. The policy states that major developments are required to conduct an Urban Greening Factor assessment in accordance with the methodology in the London Plan, and that schemes must achieve an UGF score of 0.4 for developments that are predominately residential.
- 11.2.2. The urban greening factor assessment is set out on page 66 of Open Space and Recreation Assessment and Landscape Design Strategy. It states that the scheme achieves a rating of 0.42, slightly above the target for residential led development, which is supported. No associated plan has been provided which shows where these landscape elements exist on the site. It is considered good practice to include a plan so that the location of the different uses can be viewed and checked. This can also be used to determine if opportunities have been missed for higher scoring surface cover types (i.e. more valuable from a green infrastructure perspective).
- 11.2.3. The assessment indicates that the scheme has a relatively good proportion of high scoring elements. High scoring elements include the standard trees in natural soils, extensive green roofs, flower rich perennial planting, and rain gardens. The high proportion of trees in natural soils is in part due to the retention of trees in open spaces from the existing development, which is supported and indicates that the UGF and green infrastructure has been considered early in the design process which accords with policy G1.



- 11.2.4. It is very encouraging to see that the UGF targets have been met in this proposal. Submission of the plan showing UGF uses across will allow further exploration of whether yet more higher scoring land covers may be added to the proposal, without harming the other functions of the open spaces.

#### Open Space - Public

- 11.2.5. The proposal incorporates public outdoor open and play spaces (extending beyond consideration of resident benefit) and these are explained and addressed in detail in further sections further of this report (landscape and ecology).
- 11.2.6. Development proposals should address deficiencies in the provision of publicly accessible open space and make available a sufficient amount of play and recreation space that is designed to meet the qualitative standards identified in London Plan (2021) policy T6. In doing so, the proposal should be able to demonstrate that it meets the objectives and standards contained within London Plan policies GG3, D5, D6, S4, G1, G4, G5, G6, G7, G8, SI 1 and SI 13; standards 4 and 5 of the Housing SPG (2016); Policy DM6.2 of the Islington Development Management Policies (2013); and SC2 of the Draft Islington Local Plan (2019).
- 11.2.7. Policy DM6.2 of the Development Management Policies (2013) details that developments in excess of 200 residential units or 10,000sqm gross external floor space are required to provide on-site publicly accessible open space. Public open space provision must also maximise biodiversity benefits, supporting the Council's Biodiversity Action Plan. Paragraph 6.20 of the Development Management Policies DPD (2013) sets a requirement of 5.21sqm of public open space per resident and 2.6sqm per employee or hotel resident for new developments. Policy G4 of the draft Islington Local Plan (2019) also emphasises the importance of developments protecting, enhancing and contributing to the landscape and biodiversity value of the borough.
- 11.2.8. The proposal provides 10,480sqm of designated public open space (the public garden, nature garden and proposed connection which is landscaped and features play-along-the-way facilities). Using the GLA population yield calculator and considering the range of employment uses possible within the commercial units, this leads to a public open space requirement of 11,615 – 12,196sqm for the site. Noting the extent of public open space proposed the proposal would have a shortfall of between 1,135 – 1,716sqm. Although the landscaped space along Camden / Parkhurst Road will include functions such as pedestrian circulation space and forecourts for commercial units, there is undeniably a new publicly accessible open space being created within the south eastern edge of the site, measuring 1,463sqm. The public open space is detailed in green on the image below. The shortfall in quantum of public open space is therefore limited and noting the scale of the development and quality of publicly accessible space, this should not weigh against the application in the planning balance.



- 11.2.9. Paragraph 4.30 of the Holloway Prison SPD details that 'Islington has one of the lowest proportions of green space in the country and the site falls within a part of Islington that is particularly deficient in open space. There are no major open spaces in close vicinity to the site with provision limited to smaller urban squares and pocket spaces. The site represents a unique opportunity to address this deficiency by providing a space that can serve the local area. A site of this size is required to provide high quality, publicly accessible open space on site, which also includes formal play space and playable space. This should form a focal point of any new development, easy to navigate and be connected by permeable routes. The provision of open and green space should be an integral part of the design of any scheme'.
- 11.2.10. The proposed central public garden alone measures 0.62Ha – slightly larger than nearby Foxham Gardens (0.58Ha).
- 11.2.11. The development proposal also creates new public realm within and through the site. The streets, open spaces and proposed connection are well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Proposed landscape treatments, planting, street furniture and surface materials are of a good quality, fit-for-purpose, durable and sustainable. Lighting, including for advertisements, is to be carefully considered and well-designed in order to minimise intrusive lighting infrastructure and reduce light pollution. Further details of the design will be secured through condition, so too further improvements, such as free drinking water.
- 11.2.12. Regarding the role of open space in creating a healthy city (London Plan policy GG3), TfL's guidance on Healthy Streets is an appropriate measure of the quality of the proposed public realm. Appendix D of submitted the Transport Assessment includes a Healthy Streets Check for Designers, concluding that the proposed layout would achieve

an overall total of 84%. For matters within the site boundary and within the control of the applicant, the indicators are met through:

1. **Pedestrians from all walks of life** - the streets and open spaces are designed at gradients that are wheelchair accessible, with further landscape design details such as drop kerbs to be secured by condition.
2. **People choose to walk, cycle and use public transport** - the proposed masterplan will provide walking and cycling infrastructure to enable people to access local schools; parks; shops; services and places of employment.
3. **Clean air** - Chapter 8 (tables 8.12 & 8.13) of the Environmental Statement indicates that at operational stage, the scheme would have a negligible impact on existing air quality. The air quality positive approach (ES Appendix 8.8), explains that the proposed masterplan has been designed to reduce exposure to emissions, including with the public garden being located in the centre of the development, away from main roads and vehicle tailpipe emissions. Significant tree planting and green infrastructure also act as barriers to road traffic emissions and promote cycling and walking through the Site. These measures also support policy SI 1 (c) and GG3 (F) of the London Plan, which are designed to ensure that large-scale developments deliver maximum air quality benefits and improvements, and incorporate best practice and good design measures to reduce exposure to air pollution as far as possible.
4. **People feel safe** - footpaths, open spaces and streets will have good levels of passive surveillance from the windows and balconies of the new development. The forecast population should also generate a footfall that keeps public spaces sufficiently active at different times of the day and night. Street and off-carriageway facilities for walking and cycling will meet relevant lighting standards. Further Secure by Design measures will be required through condition.
5. **Not too noisy** - to ensure that the proposed development has a negligible impact on baseline noise levels at operational phase, the volume of mechanical plant will be limited by planning condition.
6. **Easy to cross** - The application proposes to improve the geometry of the existing junction at Camden / Parkhurst / Hillington Roads to make it safer and more convenient for pedestrians to cross (see pages 33 – 34 of the submitted Transport Statement). The upgrades to the junction would be secured through a S.278 Agreement between the Applicant and Transport for London.
7. **Places to stop and rest** - The submitted Open Space and Recreation Assessment and Landscape Design Strategy indicates that there will be a range of seating within the public realm and open spaces, enabling people to stop and rest along their journey. The seating is well distributed throughout the site including around the Plane Tree at the gateway to the site; and along the Trecastle Connection. The seating designs vary depending on their context – with benches, bleachers, and lounge seating set into planting; as well as toddler scale seating within the play areas. The communal garden for the extra care will have routes and seating options that cater for able-bodied and those with mobility impairments.
8. **Shade and shelter** - For pedestrians, there are distances of between 50 and 150 metres between sheltered areas such as awnings – these provide shade and shelter

from high winds, heavy rain and direct sun. Paragraph 11.6.30 in chapter 11 of the submitted Environmental Statement explains that ‘there would be no instances of strong winds which would pose a safety concern for the pedestrians and occupants’ of the development and that the microclimate would be suitable for the corresponding uses throughout the year (paragraph 11.7.5).

9. **People feel relaxed** - The footpath on Camden / Parkhurst Roads falls outside the Site and is the remit of TfL, and LB Islington is the Local Highway Authority for the remaining street network. The street within the site would not be dominated by motorised traffic (it is a car free development, but vehicle access is needed for deliveries), and should be kept in a clean, well maintained condition by the Applicant (Peabody) who will remain responsible for maintenance for the life of the development.

10. **Things to see and do** – the Design and Access Statement and the Open Space and Recreation Assessment and Landscape Design Strategy, indicate that the Site will be developed with attractive (near range) views, planting, active uses and public art to support an interesting and stimulating pedestrian experience.

11.2.13. Furthermore, in accordance with London Plan policy GG3 (G), the proposal creates new public open spaces (the public garden and nature garden); improved access to these spaces through the creation of a new pedestrian / cycle connection offers green infrastructure (SUDS, biodiverse planting with an improved Urban Green Factor); new spaces for play and recreation, plus funding to improve existing local sports facilities (Chambers Road Playground). For policy GG3 (I) the nature garden, along with private residential balconies and terraces will provide opportunities for growing healthy food.

11.2.14. Design of the open space also supports policy GG6 Increasing efficiency and resilience – the landscaped open spaces and tree coverage will help reduce or offset the urban heat island effect, and reduce the risk of flooding by including sustainable drainage.

#### Open Space - Play Space

11.2.15. Children’s play space should be designed to be stimulating and incorporate greenery, be overlooked to enable passive surveillance, be accessible to all tenures and be safely accessed from the street by children and young people independently.

11.2.16. The central public garden includes a destined play space and other play spaces are dispersed throughout the site – some public and some communal.

#### Communal Open Spaces

11.2.17. Communal open space needs are not quantified in planning policy, with Table 3.2 of the London Plan 2021, stipulating only ‘sufficient space to meet the requirements of the number of residents’.

11.2.18. In assessing how the proposal adheres to the standards within Table 3.2 of the London Plan (Qualitative design aspects to be addressed in housing developments), the proposed public and communal open spaces:

- Provide sufficient space to meet the requirements of the number of residents – each block has either a ground / podium level open space or terrace for the sole use of residents in that building.

- Are designed to be easily accessed from all related dwellings.
- Are generally located to be appreciated as an outlook from the individual homes.
- Are positioned to allow overlooking – save for the women’s building garden (which is a specialist, dedicated open space); there are ‘eyes on the street’ for all public and communal open spaces. At pre-application stage, the southwestern end of Block E1 was redesigned not only to introduce more light and air into homes, but also to enable views over the connection to Trecastle Way. Homes on the lower ground floor levels of Blocks B1 and B2 were also redesigned to create terraces with secondary entrances adjacent to the nature garden – this is intended not only to support passive surveillance, but also to create a more active pedestrian interface.
- Are designed to support an appropriate balance of informal social activity and play opportunities for various age groups – Childrens’ play spaces are available at ground level for a range of ages; the communal garden for Block E1 is a sensory garden and is also supplemented by a communal roof terrace that is fully disabled accessible. In response to observations from the Council’s Parks Team, Wi-Fi, drinking fountains and an outdoor gymnasium equipment will also be sought through condition to support the 13 – 18 year old age range.
- Meet the changing and diverse needs of different occupiers, with

## 12. HOUSING

### 12.1. Site Wide

#### Access and circulation

- 12.1.1. At a site wide level, pedestrian, vehicle and cycle access arrangements are safe and rational.
- 12.1.2. In response to concerns raised in residents' representations at the pre-application stage regarding the dimensions and layout of the street within the site, the Applicant's Transport Consultant provided a review of potential access options. The preferred option is explained in the table below.

Option	Description	Reversing Minimised	Typical Road Width	Land Take
Option 1	Preferred Option - Two-way road through the site	Yes	4.9 to 5.5m	3,625 sqm
Option 2	Two cul-de sacs with turning heads	No	5.5m	4,352 sqm
Option 3	A one-way route with contraflow cycle lane	Yes	5.7m	3,971 sqm
Option 4	A two-way route with bollards or similar modal filtering system to prevent general through traffic	No	5.5m	3,925 sqm
Option 5	A one-way route with contraflow cycle lane with bollards or similar modal filtering system to prevent general through traffic	No	5.7m	4,352 sqm

**Table - Site access options**

#### Refuse and recycling

- 12.1.3. The Delivery and Servicing Plan submitted with the application explains at paragraphs 4.2.7 – 4.2.9:

*'It is proposed to collect all refuse associated with the residential units using the servicing bays provided on street or using the podium servicing bays within Plot A and B. The refuse collection vehicles will stop and collection operatives will be able to safely wheel bins to and from the back of the vehicle. The bin presentation point has been designed to ensure that*

*pedestrian movement along the footway is not hindered on bin collection day as no bins will be presented outside. The wheeling route will be step-free.*

*The proposals provide several opportunities for commercial delivery to take place, including designated loading bays.*

*All commercial tenants will provide their own interim waste stores within their premises as part of their fitout. It is proposed that commercial waste stores will be provided at lower ground floor level. This waste stores will be used by all commercial occupiers and will be the location where all commercial waste will be stored prior to collection. The commercial tenants appointed waste management contractor will ensure an appropriate strategy and undertake waste collections. This will take place using the podium loading bay provided within Plot B and from on-street loading bay for Plot C’.*

- 12.1.4. The Delivery and Servicing Plan explains that communal refuse, recycling and food waste containers, communal bin enclosures and refuse stores will be easily accessible to and usable by all residents including children and disabled people, and located on a hard, level surface. The location should satisfy local requirements for waste collection and, if within buildings, should be positioned to limit the nuisance cause by noise and smells, and provided with means for cleaning.
- 12.1.5. In accordance with paragraph C.1.3.3 Module C, the different uses are designed to protect the quality of home life. The spatial arrangement of the masterplan has improved throughout the pre-application process to better protect the quality of home life from amenity impacts associated with a commercial interface (noise, ventilation, refuse collection, parking arrangements and access routes). In blocks B5 and B6 there are no walls shared directly with a home and a commercial unit, and within Block B4, only the kitchen of home B4\_UG\_01 adjoins a commercial unit. Block B has a basement level servicing area for cycle parking and bin storage that is shared with residents. Residential lobbies are separate from those used by the commercial units and the women’s building. Conditions will also be used to ensure that noise, lighting and ventilation arrangements for the commercial units mitigate any residual amenity impacts.
- 12.1.6. Within each residential dwelling there is adequate and easily accessible storage space for the collection of refuse, recycling and food waste. Bin numbers have been quantified using residential waste generation metrics detailed within the Guidance.

### Safety and Security

- 12.1.7. In accordance with London Plan policy D11 (Safety, security and resilience to emergency), at pre-application and application stages, the proposed development has been reviewed by the Metropolitan Police, Health and Safety Executive and LB Islington’s Building Control service. Further measures to reduce and mitigate the risks set out within the London Risk Register and Designing Out Crime standards will be secured by condition.
- 12.1.8. The Fire Statement submitted with the application has been reviewed by the Health and Safety executive and the Council’s Building control team, each of whom commented on the proposals and sought further information / clarifications. Subject to appropriate conditions, the proposal is considered to accord with London Plan policy D12 (Fire Safety).

- 12.1.9. London Plan Policy 7.3 Designing out Crime requires development proposals to take account of the principles set out in national guidance and Secured by Design best practice. Buildings and spaces should deter criminal opportunism and provide residents with an increased sense of security, without being intimidating or reliant on excessive management, for example they should not create a fortress like environment. Passive surveillance (or eyes on the street) is encouraged, including through active frontages (ground floor uses with a visually permeable elevation and a generous distribution of entrances). The proposal should demonstrate that it is safe and secure, meeting the relevant objectives within policy D11 of the London Plan (2021).
- 12.1.10. The inclusion of commercial units at the ground floor level of Blocks B and C supports Standard 10 of the Housing SPG by providing active frontages facing publicly accessible space, in order to provide natural surveillance and activity.
- 12.1.11. Further security measures would be required to ensure that the safety of future residents, employees and visitors is protected. These include security entrance doors to all buildings, access control of the lifts and stairwells, security-rated glazing, encrypted fob access for the bike and bin stores, appropriate CCTV and security lighting. These elements would form part of the Secured by Design Gold accreditation which would be required by condition and additional lighting details would be required through condition.

Entrance and threshold

- 12.1.12. In accordance with Standard 8 of the Mayor of London’s Housing SPG, all communal entrance lobbies are visible from the public realm and clearly identified. The proportions and appearance of the communal entrances differs between buildings, but not tenures. Where possible, homes at lower or upper ground level that interface with a street or other public space, have been given direct access (in addition to a communal hall

**12.2. Within the Home**

Access & Circulation - Internal

- 12.2.1. Proposals should ensure that the number of dwellings accessed from a single core does not exceed eight per floor. Deviation (by exception) from this requirement will need to be justified and mitigated by maximising corridor widths (beyond 1500mm) and introducing natural ventilation/daylight to corridors.
- 12.2.2. There is a maximum of 8 units per core in all blocks, apart from the Extra Care provision to Building E1 which has 12 units per core. This core is generously sized to promote interaction between residents and benefits from natural daylight and ventilation. Considering that only 1 of the 15 blocks is non-compliant, and this has been mitigated through design, this not considered to weigh against the planning balance.
- 12.2.3. Representations from residents have been received raising objections to the ventilation of the new homes, including the shared corridors. Due to the layout of the blocks, with many of these including residential units at the end of corridors, some level of ventilation will be required to these corridors. Any associated noise will be addressed through appropriately worded conditions.

	A	B	C	D	E
Total residential floors:	33	53	21	25	14



Total with ventilation:	26	8	4	6	14
Percentage with natural light & ventilation:	79%	15%	19%	24%	100%
Social rent floors:	17	16	21	-	7
Total SR with ventilation:	12	2	4		7
				-	
Percentage with natural light & ventilation:	71%	13%	19%	-	100%

### Private Internal space

- 12.2.4. Standard 24 of the Mayoral Housing SPG, policy D6 of the London Plan (2019) and table 3.2 of the Islington Development Management Policies describe minimum standards of private internal space for new developments. Standard 25, (demonstrating that dwellings will accommodate the furniture, access and activity space requirements relating to the declared level of occupancy and the furniture schedule set out in Approved Document Part M), could be addressed by condition.

Table 4: Minimum space standards for Gross Internal Area (GIA) in new dwellings Accommodation	Minimum GIA (sqm)	Minimum Storage (sqm)
1B2P	50	1.5
2B4P	70	2
3B5P	86	2.5
4B6P	99	3

### Spatial Quality

- 12.2.5. In response to London Plan policy D6 (A) Housing quality and standards, the proposed housing is viewed of a high quality standard with:
- Adequately sized rooms and storage that meet or exceed the minimum internal space standards for new dwellings contained within Table 3.1 of the London Plan (see unit area schedules within the Schedule of Accommodation). Comfortable and functional layouts that are fit for purpose, including features (typical layouts for each block are provided within the DAS).
- D6 (B) The qualitative aspects of successful, sustainable housing described in table 3.2 of the London Plan are addressed and explained below.
- 12.2.6. All units have a floor to ceiling height of 2.6m in accordance with LBI's adopted and draft standard (noting this is a higher requirement than the London Plan and Mayor's Housing SPG).

### Open Space - Private

12.2.7. Policy D6 (Housing quality and standards) states that in relation to private outside space:

*'Where there are no higher local standards in the borough Development Plan Documents, a minimum of 5sqm. of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.'*

12.2.8. This minimum private open space requirement is also reflected in standards 26 & 27 of the London Housing SPG; Development Management Policies DPD Policy DM3.5; and Draft Local Plan Policy H5.

12.2.9. All residential units will have access to private amenity space, either in the form of a private garden, balcony or terrace. All private amenity spaces have been designed to be of a high quality and size that meets or exceeds the above standards.

#### Privacy

12.2.10. Privacy is considered with respect to both the residents external to the site and those who will be living within it. Paragraph 2.3.34 of the Housing SPG sets out expectations for the home as a place of retreat, saying that 'factors to be considered include privacy, the importance of dual aspect development, noise mitigation, floor to ceiling heights, daylight and sunlight'. In relation to this point, Standard 28 says that 'design proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces'. These objectives are also reflected in London Plan (2021) policies D1, D6.

#### Aspect and Outlook

12.2.11. Development Management Policy DM3.4 details that new residential units are required to provide dual aspect accommodation unless exceptional circumstances can be demonstrated. Where dual aspect units are not possible or unfavourable, the design must demonstrate how a good level of natural ventilation and daylight will be provided for each habitable room. Paragraph 2.3.39 of the Housing SPG says that 'Single aspect dwellings are more difficult to ventilate naturally and more likely to overheat (see Standard 29 and London Plan 2016 Policy 5.9). This is an increasing concern in London due to anticipated temperature increases related to climate change, coupled with the urban heat island effect that is experienced in high density areas of the city. The design of single aspect flats will need to demonstrate that all habitable rooms and the kitchens are provided with adequate ventilation, privacy and daylight and the orientation enhances amenity, including views. North facing single aspect dwellings should be avoided wherever possible'.

12.2.12. Dual aspect dwellings are described within paragraph 3.6.4 of the London Plan (2021) as those with 'opening windows on at least two sides have many inherent benefits. These include better daylight, a greater chance of direct sunlight for longer periods, natural cross-ventilation, a greater capacity to address overheating, pollution mitigation, a choice of views, access to a quiet side of the building, greater flexibility in the use of rooms, and more potential for future adaptability by altering the use of rooms'. Standard 29 of the Housing SPG (2016) says that developments should minimise the number of single aspect dwellings and avoid single aspect, north facing units, with 'north facing' defined as an orientation less than 45 degrees either side of due north (page 86, Housing SPG, 2016).

12.2.13. In their Stage 1 referral, the GLA has said:

*'A dual aspect unit is defined in the London Plan as one with openable windows on two external walls which may be on either opposite sides of a home or on adjacent sides of a home where the external wall of a home wrap around the corner of a building. The provision of a bay window does not constitute dual Aspect.*

*The applicant proposes 52% genuine dual aspect units which are all on the corners of the proposed buildings. Of the single aspect units proposed, the vast majority (441 homes) would be provided with stepped / double aspect. Whilst the applicant describes these as dual aspect, GLA officers would describe these homes as 'enhanced single aspect' units. Examples of this typology of unit are set out below. Within these homes the building and residential layout is projected through a series of angled 'pop out' bay window features to provide glazed facades facing in two different directions, ensuring improved daylight and sunlight levels, greater opportunity for ventilation, and improved outlook from within the living space.*

*This approach is supported and helps to mitigate a number of the downsides commonly associated with single aspect units and is supported. This is demonstrated in the applicant's daylight and sunlight assessment which shows that 93% of the habitable rooms tested will achieve the recommended BRE benchmark. This represents a high level of compliance for a scheme of this density and scale'.*

## 13. Highways and Transportation

13.1.1. The site has a PTAL (Public Transport Accessibility Level) of between 0 (worst) and 6 (best) due to the rear of the site currently having no direct street access, yet an active street frontage that is well serviced by buses. The site is well-connected by foot and bike and is considered to be accessible by public transport. The site is within the Holloway West Controlled Parking Zone with restricted parking during weekday working hours.

### Cycle parking

13.1.2. Residential development should provide dedicated long-stay parking space for cycles in accordance with the London Plan and guidance in the London Cycling Design Standards:

- One long-stay space per studio or one bedroom (one-person) dwelling;
- One and a half long-stay spaces per one bedroom (two-person) dwelling;
- Two long-stay spaces per two or more bedroom dwelling.

13.1.3. In addition, for developments of between 5 and 40 dwellings at least two short-stay cycle parking spaces should also be provided, with at least one additional space per 40 dwellings thereafter.

13.1.4. In line with the London Cycling Design Standards, the cycle parking is conveniently located, secure and accessible. Communal cycle stores have an appropriate mix of stand types and adequate spacing and facilities for larger cycles. Appendix H (page 222) of the Transport Assessment shows the number, distribution and type of cycle parking proposed for each block.

13.1.5. A combination of two-tier and accessible cycle parking is proposed – up to 80% gas lifting and 20% accessible to people with non-standard bicycles.

13.1.6. At the level of detail provided within the Transport Assessment, the proposal is considered to accord with London Plan (2021) policy T5, though a condition is recommended to secure further details, inclusive of provision for specialist and electric bike storage.

### Car parking

13.1.7. The development will be car free, with the exception of accessible (Blue Badge) parking at a rate of 3% (30 spaces), and 6 large servicing bays. 20% of parking spaces will offer electric vehicle charging, with passive provision on the remaining 80%. Car club provision is yet to be confirmed.

13.1.8. Careful consideration has been given to the siting and organisation of car parking – with blue badge parking closest to the building entrances where Wheelchair Accessible Units are placed, and delivery bays accommodated within the street design - these do not negatively affect the use and appearance of the public open spaces. The number of parking spaces conforms to the maximum residential parking standards set out in Table 10.3 of Policy T6.1. Parking and urban mobility measures such as the new connection, demonstrate that the proposal meets the objectives contained within London Plan (2021) policies T1, T2, T6, T6.1, T6.2, T6.3, T6.4 and T6.5 (as applicable), Development Management Policies DM8.1, DM8.2, DM8.3, DM8.4, DM8.5 and DM8.6 and draft Islington Local Plan T1, T2, T3, T4 and T5.

- 13.1.9. Vehicular entrance to the estate is from Parkhurst Road at the northern eastern corner of the site and Camden Road (a continuation of Parkhurst Road) at the south eastern corner of the site. The site frontage is permeable for pedestrians, but with access focused on a gateway in the centre of the site frontage. A new pedestrian and cycle connection to Trecastle Way is proposed in the south west corner of the site, and two further connections, to the Bakersfield Estate and Crayford Road (through the Holloway Estate) are to be designed for future connection.
- 13.1.10. Chapter 10 of the London Plan sets out transport policies and locally, Core Strategy policies CS10 and CS18 and chapter 8 of the Development Management Policies set out the Council's transport policies with chapter 7 setting out transport policies in the emerging Local Plan Policies.
- 13.1.11. The application is accompanied by a Transport Assessment which provides details of the existing highways network and transport infrastructure as well as the existing and proposed delivery / servicing arrangement, car parking, cycle parking and pedestrian movements. The application is also accompanied by an Active Travel Zone audit with recommendations for improvements to the highway network following the principles of Health Streets Indicators. Some of these improvements, in particular those related to trips by bus and bike including benches and cycle parking stands outside of the site itself, would be delivered as part of this application and financed by the applicant through the section 106 agreement.
- 13.1.12. The proposal is considered to be acceptable in terms of highways impacts and sustainable transport options, subject to conditions. The application sets out adequate provision for waste storage, accessibility, cycling, collections and deliveries, and includes some measures to promote sustainable modes of transport. The proposal would be acceptable in highways terms and would comply with Islington Core Strategy (2011) Policies CS11 and CS13; Islington Development Management Policies DM8.2, DM8.5 and 8.6. The proposal is therefore acceptable in terms of transport / highways subject to conditions and S106 contributions.

## 14. Energy & Sustainability

### 14.1. Pre-Demolition & Circular Economy

14.1.1. Policy SI7 of the London Plan (2021) states that 'referable applications should promote circular economy outcomes and aim to be net zero-waste. A Circular Economy Statement should be submitted, to demonstrate:

1. How all materials arising from demolition and remediation works will be re-used and/or recycled
2. How the proposal's design and construction will reduce material demands and enable building materials, components, and products to be disassembled and re-used at the end of their useful life.
3. Opportunities for managing as much waste as possible on site
4. Adequate and easily accessible storage space and collection systems to support recycling and re-use
5. How much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy
6. How performance will be monitored and reported'.

14.1.2. Emerging guidance within the Islington Local Plan – Strategic and development management policies (Nov 2018) has similar objectives, policy 3 Policy S10: Circular Economy and Adaptive Design says that:

- A. 'All developments must adopt a circular economy approach to building design and construction in order to keep products and materials in use for as long as possible and to minimise construction waste.
- B. Buildings must be made from components and materials that can be re-used or recycled. Building design must enable deconstruction to ensure the maximum value of building components can be recovered and re-used at the end of the building's life. Where demolition and remediation works are necessary, materials must be re-used and/or recycled.
- C. A minimum 10% of the total value of materials used in the construction of both major and minor developments must derive from recycled and re-used content in the products and materials selected.
- D. All developments must be designed to be flexible and adaptable to changing requirements and circumstances over their lifetime; including changes to the physical environment, market demands and land use.
- E. All major developments (including refurbishment and redevelopment of existing buildings), minor new build developments, and larger minor extensions are required to provide an Adaptive Design Strategy as part of the SDCS. This must demonstrate how a circular economy approach has been adopted as part of the building design and construction, and how the building will adapt to change over its lifetime. The Strategy must include evidence to demonstrate that the development will be designed and constructed to:
  - a. last as long as possible and suit its anticipated lifespan – the strategy must specify the intended overall design life of all buildings in the development.
  - b. avoid construction waste and the unnecessary demolition of structures.
  - c. be built in layers to allow elements of buildings to be replaced overtime, supporting a modular design.

- d. be adaptable – the plan form, layout and structure enable the building to be adapted to respond to change and/or adapted for various uses throughout its life
- e. enable ease of deconstruction - building materials, components and products can be disassembled and re-used at the end of their useful life; and
- f. maximise the re-use and/or recycling of all materials arising from demolition and remediation works.

F. All development must minimise the environmental impact of materials through the use of sustainably sourced, low impact and recycled materials, using local supplies where feasible.

G. All developments are required to take all possible measures to minimise the impact of construction on the environment and comply with Islington's Code of Practice for Construction Sites'.

14.1.3. The pre-demolition audit appended to the Circular Economy Statement finds that there are 36,911.46 tonnes of waste associated with demolition of the existing, disused, prison buildings and external areas - generating a potential income / saving of £939,610 and diverting 99.55% of the waste to recycling. The audit assumes that, aside from items retained for a legacy project by the Islington Museum and Peabody, that 'there are no items suitable / viable for reclamation / reuse'.

14.1.4. The Sustainability Review Mechanism to be secured through the S106 Agreement will help at stage 0 (demolition and enabling) to:

- a) Explain the specific measures being undertaken to move products up the hierarchy, from recycled to salvaged or re-used.
- b) Explain the actions being taken to find buyers for Key Demolition Products (KDP) including bricks, timber and non-ferrous metals, as well as other components of the existing prison fit out.
- c) Update the Construction Environmental Management Plan (CEMP) to align with the pre-demolition audit and the 'reduce; re-use; recycle' hierarchy. Provide copies of the Sustainability Policy and a Site Waste Management Plan (SWMP) to demonstrate the same.
- d) Update the Cost Plan should be offset to reflect the revenues raised / costs saved by the sale of demolition materials by the reuse or recycling of existing materials.

## **14.2. Sustainable Design Standards**

14.2.1. The BREEAM pre-assessment provided with the application indicates that the non-residential elements will achieve an 'excellent' rating – this target is welcomed, but a condition is recommended to achieve an 'outstanding' rating for the non-residential elements.

14.2.2. A condition will be used to ensure that commercial units are delivered to BREEAM Non-domestic Refurbishment and Fit-out standards.

## **14.3. Minimising Carbon Emissions**

14.3.1. The London Plan sets out a CO<sub>2</sub> reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. Based on

SAP10 carbon factors, a regulated emissions saving of 52.1%, against a Part L 2013 baseline is predicted. The proposal exceeds this London Plan target.

- 14.3.2. Council policy requires onsite total CO2 reduction targets (regulated and unregulated) against Building Regulations 2010 of 40% where connection to a decentralised energy network is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to of 39% where connection to a decentralised energy network is possible, and 27% where not possible. Based on SAP10 carbon factors, a saving of 45.6% is predicted for the entire development. This exceeds the Council target of 27%.
- 14.3.3. In accordance with the Council's Zero Carbon Policy, the Environmental Design SPD states "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution". The Environmental Design SPD states "The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement." The Energy Statement quotes an offset contribution of £1,581,500.

#### **14.4. Be Lean**

- 14.4.1. Page 13 of the Sustainable Design and Construction Statement says that the 'be lean' levels of performance anticipated are respectively a 10.1% improvement over Part L 2013 and a 4.3% for domestic and non-domestic spaces. These levels are respectively just compliant (minimum 10%) and non-compliant (minimum 15%) with the requirements of the London Plan.
- 14.4.2. Council policy DM 7.1 (A) states "Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development."
- 14.4.3. Low-energy lighting is proposed throughout the development, with daylight sensors and presence detection controls in the appropriate areas. The quoted efficacy values for the non-residential elements are good, although improvements to lamp efficacies might be possible in certain areas.
- 14.4.4. Further improvements to energy specifications are to be sought through condition.

#### **14.5. Be Green**

- 14.5.1. Ground source heat pumps were previously assessed as a potential energy supply source for the development. However, these have been ruled out, for a number of reasons, many of which relate to ground and near-surface conditions.
- 14.5.2. Heating and hot water to the residential element of the development will be provided via air source heat pump systems, provided at block level. These in turn will serve communal systems for each block, with heating and hot water delivered via HIUs within the individual properties.
- 14.5.3. For the non-residential element, it is proposed that heating and cooling will also be provided via air source heat pump systems.



- 14.5.4. The energy statement indicates that the development will be future-proofed for connection to a heat network. Drawings have been provided showing district heating connection points and reserved plant room space at block level. Connection points are also included on the heating system schematic. Further details regarding designated / protected district heating pipework routes from the blocks to the edge of the site, as well as brief commentary on the anticipated flow and return temperatures for the heating system, will be sought by condition.
- 14.5.5. Solar PV arrays are also proposed for the development, with a total area of around 1500m<sup>2</sup> area. Through condition, the specification of the PV output will be further increased, with increased panel numbers; increased panel density in particular areas; and upgrades to best practice 360W+ panels.

## **14.6. (Over) Heating & Cooling**

- 14.6.1. In accordance with council policy 'Applications for major developments are required to include details of internal temperature modelling under projected increased future summer temperatures to demonstrate that the risk of overheating has been addressed'. Dynamic thermal modelling using CIBSE TM59 methodology has been carried out for the residential element, with a focus on a selection of units thought to be at higher risk of overheating. The results from this show that, for the sample of units in question, under a baseline passive design approach (based on mechanical and natural ventilation), many of the tested areas will fail the overheating criteria. Modelling of an enhanced passive design solution (the above approach plus night-time ventilation and external blinds) provides substantially improved results, but a number of areas still fail the criteria. A further scenario of a tempered air supply plus external blinds was modelled, and this shows all areas passing the overheating criteria.
- 14.6.2. Supplementary modelling is also undertaken under several other scenarios. In its conclusions, the overheating analysis for residential uses suggests that a passive design solution will be pursued, with the potential for the enhanced passive design and tempered air solutions to be applied to those dwellings most at risk of overheating.
- 14.6.3. Council policy states 'Use of technologies from lower levels of the hierarchy shall not be supported unless evidence is provided to demonstrate that technologies from higher levels of the hierarchy cannot deliver sufficient heat control'. Discussion of the cooling hierarchy is provided in both the Overheating Assessment and the wider SDCS. This covers approaches including thermal mass, glazing areas and g-values, external shading via balconies, internal and external blinds, natural ventilation including windows and louvred panels (to enable night-time ventilation), and mechanical ventilation. A tempered air option, using some active cooling capacity integrated within the MVHR units, is also to be considered in properties at greater risk of overheating.
- 14.6.4. The assessment indicates that additional high impact passive design measures (Enhanced passive design solution) have been identified to reduce further the overheating risk through passive design measures within the dwellings that are not meeting the TM59 requirements with the above passive design measures - external blinds; and side hung balcony doors left 20% open overnight'.
- 14.6.5. The conclusion of the overheating risk assessment (page 24) states: 'Based on the inputs and assumptions outlined within this report, the results of the simulation using Enhanced

passive design measures show that 98% of the assessed worse-case scenario living-kitchen areas are passing the TM59 methodology and 86% of assessed bedrooms, where louvres could be provided. 10% of bedrooms where louvres could not be provided are passing the TM59 methodology with passive design measures and will therefore require tempered air cooling'. Islington Council expects 100% of the rooms to comply with CIBSE TM59. Conditions are sought to further reduce the incidence of overheating through detailed design.

#### **14.7. Water**

- 14.7.1. While green roofs are proposed which is welcomed, there is no discussion of using blue roof attenuation. Blue roofs should be considered before attenuation tanks in accordance with the London Plan drainage hierarchy and can be combined with green roofs and PV panels.
- 14.7.2. The use of permeable paving, rain gardens, tree pits and rainwater harvesting for irrigation is welcomed - further details on the design of these elements will be required by condition.
- 14.7.3. There does not appear to be any discussion of rainwater or greywater recycling – this is a theme to be addressed through the Sustainability Review Mechanism where detailed consideration should be given to the potential of rainwater harvesting.

#### **14.8. Biodiversity & Urban Greening**

- 14.8.1. The development appears to be maximising biodiversity green roofs which is welcomed and these are being combined with solar panels which is also welcomed.
- 14.8.2. The green roofs must promote ecological diversity including planting based on wildflowers and no more than a maximum of 25% sedum planting. They should also have a varied substrate depth of on average 80-150mm.
- 14.8.3. There must be a focus on biodiversity-based planting throughout the soft landscaping and the applicant must also think ahead to ensure that the design factors in the incorporation of integrated bat boxes and swift bricks.
- 14.8.4. Consideration should also be given to maximising the greening of vertical surfaces as far as reasonably possible, in accordance with Policy G5 of the emerging Local Plan. Vertical greening must maximise benefits for biodiversity, avoid excessive water demand and incorporate planting rooted in soil from both ground level and roof level planters, where practical.

#### **14.9. Sustainability - Conclusion**

- 14.9.1. The Sustainable Design and Construction Statement states that the development 'meets the highest standard of Sustainable Development'. Despite a number of strong elements, the development does not comply with Passivhaus and/or the LETI requirements, it does not achieve Net Zero Carbon on-site or low levels of embodied carbon. It is therefore not correct to say that it meets the highest standard of Sustainable Development.
- 14.9.2. Further work is needed to improve the sustainability of the proposal and to provide clear evidence as to how this will be achieved. A sustainability review mechanism is therefore to be included within the Section 106 agreement, ensuring that at the best possible endeavours

are made to improve the sustainability of the project at each stage of development, including demolition of the existing prison building. The client, lead contractor, and a range of specialist consultants (architecture, sustainability, daylight / sunlight, landscape architecture, waste & drainage), will need to be engaged with addressing this challenge.

## 15. Housing - Health

15.1.1. The health of communities is a very important consideration as part of new development. Health Impact Assessments are required in order to assess how new development will affect the health of local communities. In the case of Holloway, as the proposal is over 200 units and 10,000sqm, a complete assessment using the NHS London Healthy Urban Development Unit (HUDU) rapid Health Impact Assessment (HIA) Tool was required. The HIA demonstrates how the proposal would create a healthy, inclusive and safe place, responding to policy 8 of the NPPF (2019); policy GG3 of the London Plan (2019); policy DM6.1 of the Local Plan; H1 of the emerging Local Plan (2019) and the LBI document Health Impact Assessments (HIA) for Major Applications: Guidance and Screening.

### Health Infrastructure contributions

15.1.2. Infrastructure requirements may be funded through both planning obligations and the CIL. Planning obligations are specific requirements to be fulfilled by developers to ensure that impacts arising from a new development are addressed. Infrastructure needs and requirements change over time in response to the development and growth of Islington as well as changing objectives and priorities for both the Council and its partners. The Islington CIL is used to fund the provision, improvement or replacement of community infrastructure that supports the development of the borough.

15.1.3. The Holloway Prison Site Supplementary Planning Document (SPD) (January 2018) notes, at paragraph 4.27 that the uplift in population associated with any development will generate additional demand for health facilities in the area. The work with the CCG (Clinical Commissioning Group) at the time identified that that was unlikely to be the need for a new GP practice on the site provided the nearby facilities (the Partnership Practice and Goodinge Health Centre) can be expanded to support population growth. The CCG have responded to the Holloway Prison proposal and are seeking a developer a financial contribution (£442,020) to increase the capacity of the Partnership Primary Care Centre or the Goodinge Group Practice. For the Partnership Primary Care Centre this contribution would be used for the conversion of non-clinical space and additional IT provision. For Goodinge the contribution would be used to help deliver the new facility. The new facility here would be part of a comprehensive scheme to deliver a new health centre alongside other community services and uses.

15.1.4. Using the GLA population yield calculator the Holloway Prison proposal has a population yield of 2,207 people. The HIA identifies that there are 13 GP surgeries within 1.5km of the site. An alternative tighter buffer of 1km identifies 7 GP surgeries. The Healthy Urban Development Unit for London guidance recommends a ratio of GPs to patients of 1:1,800. Neither the 1km nor the 1.5km buffer for GP surgeries exceeds this recommended ratio. Given the relative accessibility of the location in relation to other practices in addition to Goodinge existing provision is considered adequate. It is noted that Partnership Primary Care Centre has recently taken in the practice list from the Family practice on Holloway Road and is the closest practice to the site. Notwithstanding this service provision can change over time and future reviews of local infrastructure will take this into account and can consider the views of healthcare partners as part of any future local infrastructure review with funds available through CIL. Planning and Development will work with the CCG to determine whether a reasonable contribution from CIL might be necessary to support future development, in particular considering improvements at the Partnership Primary Care

Centre. If the need is identified in the future, a request for an allocation of funding can be made through council's existing S106 and CIL allocation processes.

15.1.5. The proposed development supports the objectives of London Plan policy GG3 (creating healthy city), by:

- (GG3 C) Using TfL's Healthy Streets approach to designing the transport and public realm elements of the proposal.
- (GG3 D) The Health Impact Assessment (HIA) submitted with the application finds that across the 51 questions raised by London Healthy urban Development Unit (HUDU) Rapid Health Impact Assessment Tool, the proposal would yield 43 positive impacts and 8 neutral impacts.
- (GG3 E) Planning for appropriate health and care infrastructure. LBI's Public Health Strategist observed in their consultation response, that:
  - 'In terms of access to primary care, the HIA team has consulted with North Central London Clinical Commissioning Group, which has its own Strategic Estates Plan. The Council, via the Public Health Team, has advised NCLCCG on the potential impacts of larger developments in Islington to inform that plan, including the former Holloway Prison site, and the CCG has confirmed that the increased population can be adequately provided for within current primary care provision'.
- GG3 (G) The proposal creates new public open spaces (the public garden and nature garden); improved access to these spaces through the creation of a new pedestrian / cycle connection offers green infrastructure (SUDS, biodiverse planting with an improved Urban Green Factor); new spaces for play and recreation, plus funding to improve existing local sports facilities (Chambers Road Playground).
- GG3 (H) The new buildings are well insulated, with double glazed windows, and ventilated.
- GG3 (I) The nature garden, along with private residential balconies and terraces will provide opportunities for growing healthy food.

## 16. Neighbouring Amenity

### Daylight & Sunlight

- 16.1.1. The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan Policy D6 identifies that the design of development should provide sufficient daylight and sunlight to surrounding housing that is appropriate to its context, whilst minimising overshadowing and maximising the usability of outside amenity space.
- 16.1.2. In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) Guidelines are adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 16.1.3. The starting point must be an assessment against the BRE guidelines and from there a real understanding of impacts can be understood. Knowing very clearly what the actual impacts are in the first instance is consistent with the judgement made in '*Rainbird vs Tower Hamlets [2018]*'.
- 16.1.4. Once the transgressions against the BRE guidelines are highlighted, consideration of other matters can take place.
- 16.1.5. The 'Effective Use of Land' section in the Government's Planning Practice Guidance (PPG), confirms that consideration is to be given as to whether a proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, setting out that all development should maintain acceptable living standards, although what will be appropriate will depend to some extent on the context. The Guidance cites city centre locations where tall modern buildings predominate as an area where lower daylight levels at some windows may be appropriate if new development is to be in keeping with the general form of its surroundings.
- 16.1.6. The starting point must be an assessment against the BRE guidelines and from there a real understanding of impacts can be understood. Knowing very clearly what the actual impacts are in the first instance is consistent with the judgement made in '*Rainbird vs Tower Hamlets [2018]*'
- 16.1.7. Once the transgressions against the BRE guidelines are highlighted, consideration of other matters can take place.
- 16.1.8. Of note is the recent publication of Government's Planning Practice Guidance (PPG) revised on 22/07/2019, as follows:

#### ***How are daylight and sunlight regulated?***

*Where a planning application is submitted, local planning authorities will need to consider whether the proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, as well as assessing whether daylight and sunlight within the development itself will provide satisfactory living conditions for future occupants.*

*In some cases, properties benefit from a legal 'right to light', which is an easement that gives a landowner the right to receive light through specified openings, and can be used to prevent this from being obstructed without the owner's consent. Such rights are not part of the planning system, but may affect the scope for development on neighbouring sites.*

Paragraph 006 Reference ID: 66-006-20190722

***What are the wider planning considerations in assessing appropriate levels of sunlight and daylight?***

*All developments should maintain acceptable living standards. What this means in practice, in relation to assessing appropriate levels of sunlight and daylight, will depend to some extent on the context for the development as well as its detailed design. For example in areas of high-density historic buildings, or city centre locations where tall modern buildings predominate, lower daylight and sunlight levels at some windows may be unavoidable if new developments are to be in keeping with the general form of their surroundings. In such situations good design (such as giving careful consideration to a building's massing and layout of habitable rooms) will be necessary to help make the best use of the site and maintain acceptable living standards.*

Paragraph: 007 Reference ID: 66-007-20190722

- 16.1.9. Whilst BRE guidelines are intended for use in adjoining dwellings, paragraph 2.2.2 (of the BRE guidelines) confirms that they may also be applied to existing non-domestic buildings where occupants have a reasonable expectation of daylight.
- 16.1.10. When assessing the reduction in skylight or sunlight beyond BRE guidance, the impact should be assessed as minor, moderate or major adverse. The below table indicates the impact against the reduction values:
- 16.1.11. Factors tending towards a minor adverse impact include: only a small number of windows or limited area of open space are affected; the reduction of light is only marginally outside the guidelines; an affected room has other sources of light (other windows); or there are particular reasons as to why an alternative, less stringent, guideline should be applied.
- 16.1.12. Turning to major adverse impacts, these factors include: a large number of windows or large area of open space is affected; the reductions in light are substantially outside the guidelines; and most or all of the windows/rooms of the property are affected.
- 16.1.13. BRE Guidelines paragraph 1.1 states:  
*"People expect good natural lighting in their homes and in a wide range of non-habitable buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by".*
- 16.1.14. Paragraph 1.6 states:  
*"The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design...In special circumstances the developer or local planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings".*

## Daylight Guidance

- 16.1.15. The BRE Guidelines stipulate that... *“the diffuse daylighting of the existing building may be adversely affected if either:*
- *the VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value*
  - *the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.” (No Sky Line / Daylight Distribution)”.*
- 16.1.16. The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value achievable is almost 40% for a completely unobstructed vertical wall. At paragraph 2.2.7 of the BRE Guidelines it states:  
*“If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time”.*
- 16.1.17. At paragraph 2.2.8 the BRE Guidelines state:  
*“Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside”.*

## Sunlight Guidance

- 16.1.18. The BRE Guidelines (2011) state in relation to sunlight at paragraph 3.2.11:  
*“If a living room of an existing dwelling has a main window facing within 90° of due south, and any part of a new development subtends an angle of more than 25° to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:*
- *Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and*
  - *Receives less than 0.8 times its former sunlight hours during either period and*
  - *Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.”*
- 16.1.19. The BRE Guidelines) state at paragraph 3.16 in relation to orientation: *“A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit.”*
- 16.1.20. The guidelines go on to state (paragraph 3.2.3): *“... it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90*



degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun”.

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

### **Overshadowing Guidance**

- 16.1.22. The BRE Guidelines state that it is good practice to check the sunlighting of open spaces where it will be required and would normally include: ‘gardens to existing buildings (usually the back garden of a house), parks and playing fields and children’s playgrounds, outdoor swimming pools and paddling pools, sitting out areas such as those between non-domestic buildings and in public squares, focal points for views such as a group of monuments or fountains’.

- 16.1.23. At paragraph 3.3.17 it states: “It is recommended that 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. If a detailed calculation cannot be carried out, it is recommended that the centre of the area should receive at least two hours of sunlight on 21 March.”

### **Alternative Targets**

- 16.1.24. Appendix F of the BRE Guidance: ‘*Setting Alternative Target Values for Skylight and Sunlight Access*’ provides a methodology for setting alternative daylight and sunlight target values. The guidelines provide a self-regulating methodology to establish a set of consistent target values which can be determined using the ‘mirrored massing concept’. This essentially assumes a hypothetical massing is in place based on a development site which is of an equivalent height to the neighbouring building that could be affected by the new development.

#### *Without overhangs/balconies*

- 16.1.25. The BRE recognises that existing architectural features on neighbouring properties such as balconies and overhangs inherently restrict the quantum of skylight to a window. The BRE guidance state that “*Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even the modest obstruction opposite may result in a large relative impact on the VSC, and on the area receiving direct skylight. One way to demonstrate this would be to carry out an additional calculation of the VSC and the area receiving direct skylight, for both the existing and proposed situations, without the balcony in place*”.
- 16.1.26. The applicant has undertaken a ‘without overhang/balconies’ assessment having identified where necessary.

### **Analysis of Daylight and Sunlight Impacts to Neighbouring Properties**

- 16.1.27. The Applicant has submitted a comprehensive Daylight and Sunlight Assessment dated November 2021 prepared by Point2. The report and annexes consider the impacts of the proposed development on the residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines.
- 16.1.28. In modelling the assessment, Point2 have attempted to obtain the floor plans of the nearest neighbouring properties identified, outlining that various online resources have been searched, including Local Planning Authority planning records, online real estate agencies, and council tax/valuation office agency records etc.
- 16.1.29. Where the room layout information has not been available, assumptions have been made regarding the likely use and internal configuration.
- 16.1.30. It should be noted that a number of windows/rooms are designated as 'residential' or 'domestic', as although the Applicant acknowledges that these properties are within domestic residential use, the room use could not be established or has been assumed.
- 16.1.31. Paragraphs 13.2 and 13.3 of the Daylight and Sunlight report assert:  
*"In order for a site of this nature and opportunity to be fully realised, consideration must be given to the site context, with a degree of flexibility applied to the BRE guideline recommendations, as they were intended. It is our view, based upon an analysis of the wider context, that alternative targets should be applied that are appropriate for the urban context within which the site is situated. Our view is that a VSC target of 20% for unencumbered windows would be a more appropriate level of retained daylight for the site.*
- Taking into account the site context, the architectural features of the neighbouring buildings (which often limit their access to natural light) and applying the alternative target criteria, there is a very good rate of compliance to the VSC, NSL and APSH forms of assessment. Buildings have been designed and located on site to limit any noticeable effects to neighbouring residential properties wherever possible. It has also been demonstrated that the majority of gardens will meet guidance and where they do not, any noticeable effects are likely to be short term with any affected gardens meeting BRE levels of direct sunlight within a maximum of 17 days of the BRE target March 21st test date".*
- 16.1.32. The report concludes that a number of neighbouring properties relevant for assessment do not meet the relevant BRE daylight, sunlight and overshadowing tests.
- 16.1.33. The axonometric view below shows the proposed buildings in situ and their relationship with existing built-form and consequently existing dwellings in the surrounding area.



**Axonometric view of proposed development and surrounding properties (Daylight and Sunlight Report page 107)**

16.1.34. The following properties meet the BRE guidance in regards to daylight (VSC and NSL) and sunlight (APSH):

- 370, 371 and 374 Camden Road;
- Camhurst Court;
- Whitby Court;
- McMorran House;
- 25-40 Fairweather House;
- 52, 54, 60, 62, 63 and 64 Penderyn Way;
- 41, 43, 45, 51 and 53 Crayford Road;
- 42 and 44 Carleton Way;
- 2, 4, 6, 8, 10 and 12 Trecastle Way;
- 3, 5, 7, 9, 11, 13, 15, 17 and 19 Trecastle Way;

16.1.35. In regards to daylight, the submitted report indicates that a total of 1,422 windows and 951 rooms facing the Site were tested in regards to Vertical Sky Component (VSC) and No Sky Line (Daylight Distribution). The report indicates that 986 (69%) of windows would meet BRE guidance in regards to VSC, and 839 (88.3%) rooms assessed would meet BRE guidance relating to NSL (DD).

16.1.36. Turning to sunlight, the submitted report indicates that only those buildings identified by application of the BRE preliminary 25° line test and orientation test, as explained above, have been tested. As such, a total of 606 windows in regards to (APSH) were assessed and 551 (91%) would meet BRE criteria. When assessed against an alternative target (without balconies and overhangs), 582 (96%) would meet BRE guidance.

	Total Number Assessed	Number that meets BRE	%	Number of reductions beyond BRE	%
<b>Daylight VSC</b>	1,422	986	69%	436	31%

<b>Daylight NSL (DD)</b>	951	839	88.3%	112	<b>11.7%</b>
<b>Sunlight</b>	606	551	91%	55	<b>9%</b>
<b>Overshadowing</b>	60	50	83.3%	10	<b>16.7%</b>

**Table : Overview of daylight and sunlight impacts on neighbouring homes**

16.1.37. The following properties would see reductions in excess of 40% to either VSC or NSL, or both, and have been investigated further by Officers below:

- Bakersfield Estate
- 63-69 Penderyn Way
- 71 – 85 Penderyn Way
- Crayford House
- 2 Parkhurst Road (Islington Arts Factory)
- Poynder House
- 2-5 Prospect Place
- 275 Camden Road (Cat & Mouse Library)
- 1-12 Fairweather House

16.1.38. Bakersfield Estate: located to the north west of the site, the two blocks which are closest to the site range from 4 to 10 storeys each. 409 windows and 207 rooms were tested. 168 (41%) windows in regards to VSC and 48 (25%) rooms in regards to NSL would fail to meet BRE guidance.

16.1.39. In VSC, 82 of the 168 transgressions are within the 20-30% range, with 40 of the 168 transgressions being more severe at over 40% reductions. It is noted that the highest of these reductions is 73%, 70%, 69%, 61% to Block 1 and 81%, 80%, 79%, 63% to Block 2. However, it should be noted that 109 of the 168 windows which see a reduction beyond BRE guidance are either overhung, blinkered or smaller secondary windows to bays.

16.1.40. 207 windows were tested in relation to sunlight (APSH), 168 (81%) of which would meet BRE guidance. It is acknowledged that 37 of the 41 which do not meet BRE guidance are bedrooms, in which 36 of these are already restricted due to overhangs/recesses. The 2 remaining rooms which see reductions are living rooms, and it is noted that these only marginally transgress the BRE guidance with respect to annual sunlight (retaining 23% and 24% respectively, marginally less than the 25% target by BRE).



**Neighbouring Bakersfield Estate elevation, showing the architecture causes overhangs to a number of windows**

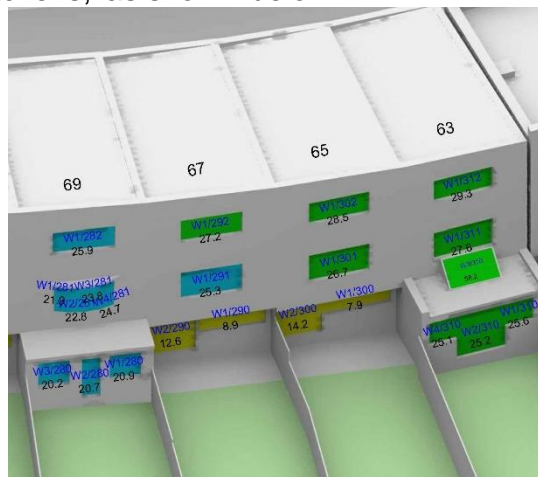
- 16.1.41. 71-85 Penderyn Way: these properties are located to the north-west of the site. This terrace of dwellings consists of 3 storey properties, in which the rear windows and rooms face the site. 42 windows and 24 rooms were tested. 12 (28.6%) windows and 16 (66%) rooms would meet BRE guidance.
- 16.1.42. To 71-77 Penderyn Way, the reductions are limited to windows only in regards to VSC, with no reductions beyond BRE guidance with regards to room NSL.
- 16.1.43. 79-83 Penderyn Way would see reductions to numerous windows at ground, first and second floors, whilst bedrooms would also see reductions in NSL at first and second floors. It should be noted that the majority of the windows which see reduction would however retain value of at least 20% in VSC.
- 16.1.44. 85 Penderyn Way would see reductions of 45% and 82% to 2 of the 3 windows serving the kitchen/diner at ground floor level. These windows and the room itself are perceptible to high changes due to the overhang above ground floor level (shown in the figure below), with very low value in VSC as existing.
- 16.1.45. All of the dwellings within this terrace are dual aspect with further outlook onto Penderyn Way to the front of the dwellings. The original architecture of these terraced dwellings includes an overhang to the ground floor windows (unless an extension has been built to the rear) which serve kitchens, as shown below.





**Rear windows of 71-85 Penderyn Way**

- 16.1.46. 63-69 Penderyn Way: these terraced properties are located to the north-west of the site. 26 windows and 12 rooms were tested at these properties, all of which are located to the rear of the properties. 12 (46%) of the windows would meet BRE guidance in regards to VSC, whilst 10 (83%) rooms would meet BRE guidance for NSL. There would be no reductions beyond BRE guidance to 63 Penderyn Way.
- 16.1.47. To 65 and 67 Penderyn Way, the kitchen windows at ground floor would see reductions ranging from 27.8% to 44.8% in regards to VSC. However, these kitchens would not see reductions beyond BRE guidance in regards to NSL daylight distribution.
- 16.1.48. 69 Penderyn Way would see reductions to all but 1 window, however all windows would retain a VSC value of at least 20%. The kitchen at ground floor would see reduction in NSL of 30.7% and the bedroom at first floor level would see a reduction of 20.4%, minimally beyond BRE guidance.
- 16.1.49. All of the dwellings within this terrace are dual aspect with further outlook onto Penderyn Way to the front of the dwellings. The original architecture of these terraced dwellings includes an overhang to the ground floor windows (unless an extension has been built to the rear) which serve kitchens, as shown below.



**Rear windows of 71-85 Penderyn Way**



**Rear elevation (as built) of Penderyn Way properties**

- 16.1.50. 2-5 Prospect Place: located to the north-east of the site. 12 windows and 11 rooms were tested at these properties. Only 1 window (8.3%) would meet BRE guidance in regards to VSC, whilst 3 rooms (27%) would meet BRE guidance in regards to NSL. The reductions in VSC to the windows would be between 37.3% and 55.7%, however it should be noted that the majority of these windows retain values of high-teen %. Turning to the daylight distribution (NSL), the 7 rooms would see reductions in excess of 36.4%, rising to 55.9%. It should be acknowledged that a small number of windows at ground floor level to this building, are overhung by existing architectural features.
- 16.1.51. The windows to this building which face the site are not orientated within 90degrees due south and therefore not been assessed in relation to sunlight.
- 16.1.52. The dwellings within this building appear to be dual aspect with LKD and bathrooms to the elevation of the windows tested, with bedrooms to the rear.
- 16.1.53. 275 Camden Road (Cat & Mouse Library): located to the south of the site. 37 windows and 25 rooms were tested. 19 (51%) of the windows would meet BRE guidance in regards to VSC, whilst 11 (44%) rooms would meet BRE guidance in regards to NSL.
- 16.1.54. In regards to the existing VSC of the windows, a large number currently receive in excess of 35%. Although 18 (49%) of the windows would see transgressions, a large number of windows would still retain a value of at least 15%. The largest reduction of 92.5% are due to these windows having very low existing single number value. It should be acknowledged that a number of windows to this building are overhung by existing architectural features which means these windows, whilst the building line is very close to the boundary of the site and therefore susceptible to significant reductions following development of the site. Further, it should be noted that the dwellings which would see reductions in daylight are dual aspect and located to the corner of the building, with windows to the LKDs facing outward onto Camden Road.
- 16.1.55. The windows to this building which face the site are not orientated within 90degrees due south and therefore not been assessed in relation to sunlight.



**Neighbouring 275 Camden Road, showing the walkway overhangs and close proximity along the site boundary**



**The corner of neighbouring 275 Camden Road**

- 16.1.56. 1-12 Fairweather House: located to the north of the site. 68 windows and 36 rooms were tested. 56 (82.4%) of the windows in regards to VSC, whilst all (100%) rooms in relation to NSL would meet BRE guidance. Where there are transgressions in VSC to windows, although 10 of the 12 reductions would be significant reductions of 47.9% and above, these windows would retain a VSC value of at least 12.3%. Further, although these windows would see reductions, the rooms themselves would not see reductions in NSL beyond BRE guidance, therefore retaining their current daylight distribution.
- 16.1.57. 24 windows were tested in relation to sunlight (APSH), in which all windows meet BRE guidance.
- 16.1.58. Crayford House: located to the north of the site. 60 windows and 42 rooms have been tested. All (100%) of the windows at Crayford House would see reductions of at least 30% in regards to VSC. 49 windows would see a reduction of between 30% and 40%, whilst 11 windows would see a reduction in excess of 40%. It is acknowledged however that all of the windows which see a reduction in VSC would retain a value of at least 20% (with the exception of one window which would retain a 19.9% value). Of the 42 rooms tested, 14 would meet BRE guidance in regards to NSL.



16.1.59. 42 windows were tested in relation to sunlight (APSH), in which all windows meet BRE guidance.



**Neighbouring Crayford House**

16.1.60. 1-30 Kimble House: located to the south and is a five storey residential building. It should be noted that neighbouring 250 Camden Road sits between 1-30 Kimble Way and the site. 30 windows and 30 rooms were assessed. Zero (0%) windows would pass BRE guidance in regards to VSC, however all 30 (100%) rooms would meet BRE guidance in regards to NSL. All windows assessed would see a reduction of at least 38%, with the highest reduction being 80%. The highest level of reductions are at first floor level, and the level of reduction percentage decreases towards the upper most floor. It is noted that the windows and rooms at first floor and above (all of which are kitchens and bathrooms) face the site are set back from overhanging walkways (as shown in the figure below). Further, all of the impacted windows are to the kitchen or bathroom to the dwelling, the occupants benefit from dual aspect outlook to the front of the building to their main living spaces and bedrooms.

16.1.61. The windows to this building which face the site are not orientated within 90degrees due south and therefore not been assessed in relation to sunlight (APSH).



**Kimble House elevation facing the site, showing the overhanging walkways**

16.1.62. Poynder Court: located to the east and is four storeys in height. 23 windows and 23 rooms were assessed. 19 (82.6%) windows all 23 (100%) rooms would meet BRE guidance. Although the majority of the windows to the front elevation facing the site would see

reductions in VSC, these are limited, mostly, to between the 20-30% range (2 windows would see reductions in excess of 30%). All of the windows which do not meet BRE guidance would however retain a value of at least 17.7% in VSC, whilst the rooms which they serve would not see any reduction in daylight distribution NSL.

- 16.1.63. The windows to this building which face the site are not orientated within 90degrees due south and therefore not been assessed in relation to sunlight (APSH).



**Poynder House front elevation**

- 16.1.64. Islington Arts Factory, 2 Parkhurst Road & 291 (a-c) Camden Road: located to the east of the site, it includes dance studios and community use, it is not in use for residential accommodation. 55 windows and 15 rooms were assessed at this building. 37 (67.3%) windows and 11 (73%) rooms would meet BRE guidance.

- 16.1.65. Parkhurst Petrol Station (Future Development): located to the east, this site is currently a petrol station with forecourt. It has a live planning application (Reference: P2015/0330/FUL) which is awaiting a final decision. A resolution to grant planning permission subject to conditions and completion of a legal agreement was reached at the 20 June 2017 Planning Committee. Nonetheless, the Applicant has tested this site as though the neighbouring development of that application has been approved and built, using Average Daylight Factor (ADF). Of the 25 bedrooms tested, 22 (88%) would meet or exceed the 1% recommended ADF target for bedrooms. Further, of the 8 living/kitchen/diners tested, 6 (75%) would meet or exceed the 2% recommended ADF target for LKDs. Turning to sunlight (APSH) for this potential neighbouring building, all of the tested windows would meet BRE guidance.

- 16.1.66. Other neighbouring properties: The following properties would experience minimal reductions (of between 20% - 30%) in regards to VSC:

- 72-122 Dalmeny Avenue
- 30-52 Dalmeny Avenue
- 6-28 Dalmeny Avenue
- 376 Camden Road
- 388 Camden Road
- 390 Camden Road
- 13-24 Fairweather House
- Bunning House
- 43 Crayford Road
- 47 Crayford Road
- 49 Crayford Road

- 16.1.67. Further to the above, the following properties would see minimal reductions, however the report shows that these have balconies/overhangs which cause the main reduction in light received, so the harm could be considered negligible.

- 27 Trecastle Way
- 25 Trecastle Way
- 54-70 Dalmeny Avenue
- 1-30 Kimble House

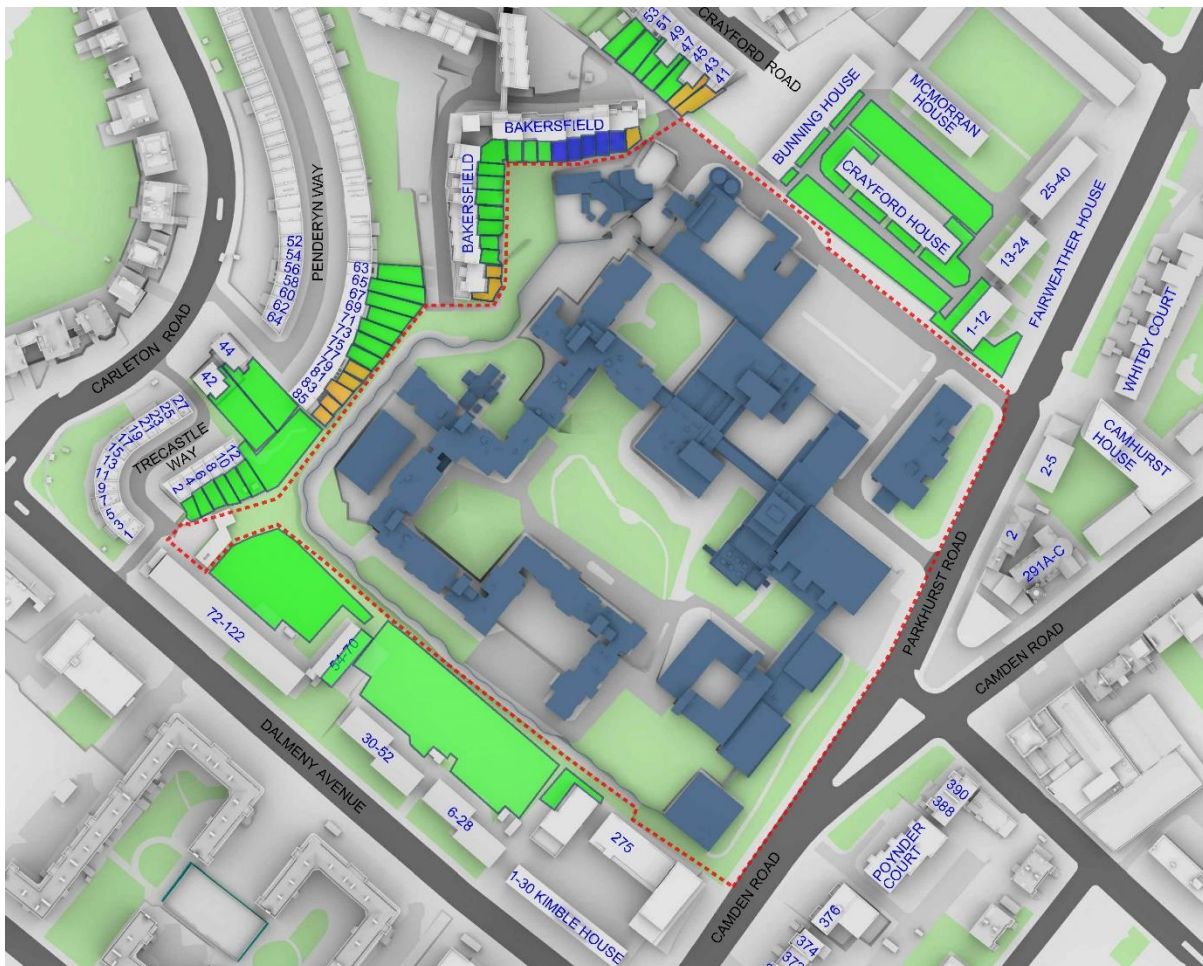
- 23 Trecastle Way
- 21 Trecastle Way
- 1 Trecastle Way
- 41 Crayford Road
- 56 Penderyn Way
- 58 Penderyn Way

Overshadowing

16.1.68. The BRE guidelines state that to appear adequately sunlit throughout the year, at least half of an amenity space should receive at least 2 hours of sunlight on 21st March (the spring equinox, when day and night are roughly the same length of time).

16.1.69. The submitted report by the Applicant indicates that a total of 60 neighbouring amenity spaces (including private gardens, communal open spaces and play spaces) have been assessed. The assessment indicates that in total, 10 of the 60 neighbouring amenity areas (16.7%) would fail to meet BRE guidance. The reductions are all to private amenity spaces (rear gardens), at 77-85 Penderyn Way; 26, 44 & 45 Bakersfield; and 41 & 43 Crayford Road.

16.1.70. Within the Bakersfield Estate, 5 homes will experience an increase in sunlight to their gardens as a result of the demolition of existing buildings, structures and walls on site.



**Location Plan showing neighbouring amenity spaces tested**





**Figure showing the extent of a BRE compliant massing to the site**

### **Daylight and Sunlight Summary**

- 16.1.71. A comprehensive assessment of the proposed development on surrounding windows and rooms to nearby dwellings has been undertaken in accordance with BRE guidance and practice. It has to be acknowledged that there would be minimal impacts to neighbouring properties and that this is regrettable.
- 16.1.72. As highlighted above, the majority of neighbouring properties would not see a noticeable reduction in daylight in line with BRE guidance. In regards to daylight, 69% of windows would meet BRE guidance in regards to VSC and 839 (88.3%) rooms assessed would meet BRE criteria relating to NSL (DD). There are a number of instances where there are reductions in either VSC or NSL, but not both. When an alternative target is tested (specifically the 'without overhangs/balconies' exercise), a higher percentage (75%) would meet BRE guidance in regards to VSC to windows.
- 16.1.73. In regards to sunlight (APSH), 91% of neighbouring properties would meet BRE guidance. Again, there are instances where architectural features such as overhanging walkways and balconies which exacerbate the impact upon sunlight to neighbouring windows, when the alternative target exercise is undertaken in this instance, 96% of windows would meet BRE guidance.
- 16.1.74. Turning to overshadowing, the proposal would see reductions beyond BRE guidance to 10 neighbouring rear gardens, whilst 5 gardens would see an increase in sunlight on the ground due to the removal of existing structures and boundary treatments to the site.
- 16.1.75. These transgressions weigh against the scheme, however the context of the neighbouring properties affected, such as architectural features and whether the dwellings are should be taken into consideration. The BRE guidelines should be viewed flexibly and considered with regard to the prevailing urban context. The overall planning balance is covered in a later section of this report below.

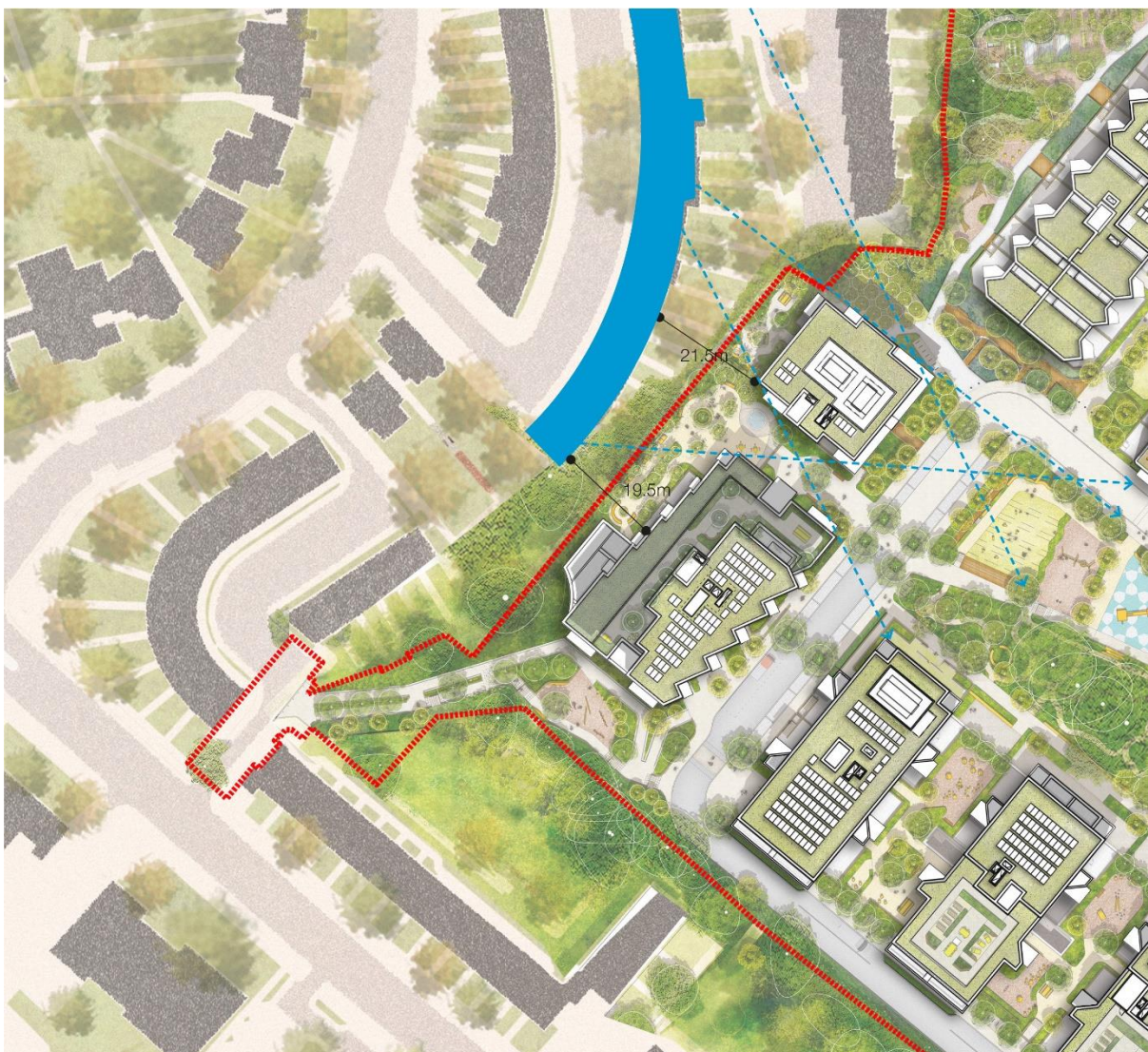


## Overlooking

16.1.76. Development Management Policy 2.1 states 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'*

16.1.77. Pages 88 – 90 of the DAS explain how the Applicant has responded to the concerns of Penderyn Way residents regarding privacy and overlooking. At ground level, block E1 is set back 19.2m from its nearest neighbour (24.5m at the upper floor balcony), and block E2 is 21.5m (at both ground and upper floor balcony levels).



**Figure showing Blocks E1 & E2 - Setback distances, overlooking and outlook**

16.1.78. Block C2 is placed 18m from homes above the Cat and Mouse library. Block D is approximately 40m from the rear of homes in the Dalmeny Avenue Estate. The south western corner of A2 is 18m north from homes in the Bakersfield Estate and at the north

western corner of A1, where the setback is less than 18m from homes in the Bakersfield Estate, windows are angled to avoid views between habitable rooms. The A1/A2 building is tallest in the centre, terracing down at the north east and south west elevations that are closer to either end of the Bakersfield Estate.

16.1.79. In addition to placement of the buildings on the site at least 18m from existing neighbours, the fenestration of buildings has also been designed to minimise overlooking (for example the north eastern elevation of block B6, adjacent to the Holloway Estate, as explained on page 246 of the DAS). Communal roof terraces provided on Blocks B1, B4, D2 & E1 are also pulled back from the edge closest to the exterior of the site.

## **Noise & Disturbance**

16.1.80. London Plan policy D14 (A) says that In order to reduce, manage and mitigate noise to improve health and quality of life, residential development proposals should manage noise by:

*'mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses.'*

16.1.81. Noise is addressed primarily within chapter 9 of the ES.

16.1.82. During construction works, existing residents surrounding the site and those living within completed phases of the development are likely to experience elevated noise levels. The implementation of noise and vibration control and management measures through a Construction Environmental Management Plan and compliance with the Code of Construction Practice will help to reduce the likelihood of noise disturbance to occupants of these properties. LBI's Code of Practice for Construction Sites (CoPCS) advises that sites will be allowed to carry out noisy work between:

- 08:00 to 18:00 - Monday-Friday.
- 08:00 to 13:00 – Saturdays.

16.1.83. No noisy works are to take place outside of these hours without prior permission (including Sundays and Bank Holidays).

16.1.84. The CoPCS further states that if noise levels from a site are more than 10 dB(A) above the 'background levels' (LAeq,T), there will be significant effects and measures must be taken to reduce the noise.

16.1.85. The development is largely residential, with some commercial floorspace proposed and a Women's Building. The non-residential elements have been designed to limit the impact on existing and future residents, though standard conditions will be applied to restrict noise emissions at operational phase.

16.1.86. The development will avoid significant adverse noise impacts on health and quality of life, whilst existing noise generating uses will not place unreasonable restrictions or impacts upon the development.

16.1.87. Overall, the proposal is considered to meet London Plan policy D14; Islington Development Management policies DM3.7 & DM2.1

## Outlook

16.1.88. Outlook, sense of enclosure and over-dominance of buildings is often referred to and is in fact cited within Policy DM2.1 as a material consideration. Given the relatively low rise nature of much of the existing prison and the fact it is pulled in from the site boundary, the development of new buildings will undoubtedly affect the outlook for some neighbouring residents. However, the introduction of the proposed buildings is not considered to create an unusual or unreasonable relationship to surrounding properties in the estate or in the surrounding area.

## Construction Impacts

16.1.89. While construction impacts arising from a development are not on the whole a material planning consideration, a number of residential occupiers residing in properties neighbouring the site have raised concerns about the impacts on their lives from demolition and construction.

16.1.90. Construction will result in noise, disturbance, dust and vibration impacts, all of which can be minimised if managed properly. The Construction and Environmental Management Plan (CEMP) and Environmental Statement submitted with the application explain the extent of these potential impacts and how they will be mitigated. Conditions will be required to provide further details of construction logistics and management.

## Amenity Impacts - Conclusion

16.1.91. Draft Local Plan policy PLAN1 states that:

*'A good level of amenity must be provided, including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution (such as air, light and noise), fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, overdominance, sense of enclosure and outlook'*

Through a series of changes to layout; scale; massing; and design, the proposed development is considered to minimise impacts on residential amenity but would nonetheless result in some adverse impacts in terms of loss of daylight and sunlight to neighbouring residential properties.

16.1.92. Impacts on neighbouring amenity such as overlooking, outlook, sense of enclosure, noise / disturbance and transport impacts are considered to have been successfully mitigated and minimised, subject to appropriate conditions as detailed in Appendix A.

16.1.93. Save for the daylight, sunlight and overshadowing impacts on neighbouring homes that are considered to weigh against the scheme, the application is otherwise considered to be acceptable and in accordance with London Plan policy D6, Islington Development Management policy DM2.1, and emerging local plan policy PLAN1, H4 (G), H5 (A, F).

## **17. EQUALITIES**

### **Equalities Impact Assessment**

- 17.1.1. In relation to the Equality Act 2010, an Equalities Impact Assessment (EqIA) is a way of measuring the potential impacts (both positive and negative, temporary and permanent) that a proposal may have on the key protected characteristics covered by the Equality Duty and on Human Rights. An EqIA was submitted with the application to anticipate and mitigate against impacts that the proposal could have on people with the protected characteristics.
- 17.1.2. Regarding the temporary, construction phase of the scheme, the assessment finds there will be positive impacts associated with employment and skills, but negative amenity impacts (noise, disturbance) could affect local populations living near the site, including those within protected groups who may be more likely to spend more time at home than others. During construction there would be a benefit to a group typically disadvantaged in the construction sector - of the apprentices to be delivered, the scheme has an aspirational target that 30% of these opportunities will be filled by women. This will be assisted through the Women's Trade Network of which Peabody is a founding member.
- 17.1.3. At operational phase, the creation of a permeable site with increased public open space, enhanced connectivity and integration with the surrounding neighbourhood is found to be beneficial to all persons in the local area.



## 18. PLANNING OBLIGATIONS & CIL

### Planning obligations

- 18.1.1. As per Government guidance, 'Planning obligations are legal obligations entered into to mitigate the impacts of a development proposal. This can be via a planning agreement entered into under section 106 of the Town and Country Planning Act 1990 by a person with an interest in the land and the local planning authority; or via a unilateral undertaking entered into by a person with an interest in the land without the local planning authority. Planning obligations run with the land, are legally binding and enforceable. A unilateral undertaking cannot bind the local planning authority because they are not party to it. Planning obligations are also commonly referred to as 'section 106', 's106', as well as 'developer contributions' when considered alongside highways contributions and the Community Infrastructure Levy.
- 18.1.2. Draft Heads of Terms for the Section 106 Agreement are contained in Appendix C.

### Community Infrastructure Levy

- 18.1.3. Community Infrastructure levy (CIL) applies to most new developments (new buildings or extensions) which involve creating 100m<sup>2</sup> or more of gross internal floor space. CIL is a source of funding from new development to help support local infrastructure. Funding raised through the levy can be used to pay for improvements such as parks, play spaces, education, health facilities and the transport network. Dispensations may be sought for development such as social housing or charitable relief.
- 18.1.4. The Mayor's Community Infrastructure Levy (MCIL1) was introduced in 2012 to help finance Crossrail and on 1 April 2019 the new, replacement charging schedule (MCIL2) came into effect in order to fund Crossrail 1 (the Elizabeth Line) and Crossrail 2. If approved, the proposed development would be subject to (CIL) applied at a rate of £50 per square metre of additional Gross Internal Area (GIA).
- 18.1.5. The Islington CIL5 came into effect on 1 September 2014 and the charge varies between £0 to £400 depending on the location and type of development.
- 18.1.6. Credits for demolition and social housing relief can be used to reduce the amount of CIL payable.
- 18.1.7. The total LBI CIL payable will be £13.6m and Mayoral CIL will be £3.3m – Total £16.9m.

Plot/s	Phase	MCIL	LBI CIL	Total
C	1.1	£131,351.85	£27,046.19	£158,398.04
D	1.2	£1,399,459.05	£6,148,251.04	£7,547,710.09
E	1.3	£241,150.57	£1,059,448.11	£1,300,598.68
A	2	£478,522.67	£2,102,296.23	£2,580,818.90
B	3	£1,034,954.66	£4,285,335.15	£5,320,289.81
Total:		£3,285,438.80	<b>£13,622,376.72</b>	£16,907,815.52

**Table showing CIL payable by phase**



## 19. AFFORDABLE HOUSING & DEVELOPMENT VIABILITY

### Affordable Housing Policies of the Development Plan

- 19.1.1. Policy H4 Part A of the London Plan (2021) sets the strategic target for 50% of all new homes delivered across London to be genuinely affordable; and sets out specific measures to achieve this strategic aim which include requiring major developments which trigger affordable housing requirements to provide affordable housing through the threshold approach set out in Policy H5 of the London Plan, and then using grant to increase affordable housing delivery beyond the level that would otherwise be provided.
- 19.1.2. The specific measures further require all affordable housing providers with agreements with the Mayor to deliver at least 50% affordable housing across their development programme, and 60% in the case of strategic partners; and require developments on public sector land to deliver 50% affordable housing on each site. Public sector landowners with agreements with the Mayor to follow the London Plan's portfolio approach are required to deliver at least 50% affordable housing across their portfolio of sites. Part B of Policy H4 of the London Plan requires affordable housing to be provided on site.
- 19.1.3. Policy H5 of the London Plan sets out the threshold approach which applies to major development proposals which trigger affordable housing requirements. Part B of Policy H5 sets out three separate threshold levels of affordable housing for sites. For this planning application Part B (2) of Policy H5 is relevant. Part B (2) of Policy H5 requires public sector land to provide 50% affordable housing where there is no portfolio agreement with the Mayor.
- 19.1.4. The relevant threshold level of affordable housing set by Policy H5 Part B is required to be met through development value alone, and therefore be provided without public subsidy.
- 19.1.5. Part C sets out that applications must meet or exceed the relevant threshold level of affordable housing on site without public subsidy, be consistent with the relevant affordable housing tenure split, meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant and demonstrate that they have taken account of the strategic 50% target in Policy H4 and have sought grant to increase the level of affordable housing.
- 19.1.6. Compliance with Part B and Part C of Policy H5 afford proposals the ability to progress down the Fast Track Route in which the submission and consideration of site-specific financial viability assessments at the planning application-stage is not required.
- 19.1.7. Part E of Policy H5 sets out the requirement for schemes progressing down the Fast Track Route to be subject to an Early Stage Viability. This would be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted (or a period agreed by the borough).
- 19.1.8. The stated purpose of the London Plan's threshold approach is to embed affordable housing requirements into land values in order to create consistency and certainty across London.
- 19.1.9. Part F of Policy H5 states that where an application does not meet the requirements set out in Part C, it must follow the Viability Tested Route in which detailed site-specific

financial viability assessment is required to be submitted for review in order to ascertain the maximum level of affordable housing using the methodology and assumptions set out in London Plan and the Mayor's Affordable Housing and Viability SPG. Part F of Policy H5 further requires applications progressing down the Viability Tested Route to be subject to both Early Stage and Late Stage Viability Reviews, and the imposition of Mid Term Viability Reviews prior to the implementation of phases for large phased schemes.

- 19.1.10. Policy H6 of the London Plan sets out the required split of affordable housing tenures for residential developments in London.
- 19.1.11. Part A (1) of Policy H6 states that a minimum of 30% low-cost rented homes, as either London Affordable Rent or Social Rent should be provided.
- 19.1.12. Part A (2) of Policy H6 states that a minimum of 30% intermediate products which meet the definition of genuinely affordable housing, including London Living Rent and London Shared ownership should be provided.
- 19.1.13. Part A (3) of Policy H6 states that the affordable housing tenure of the remaining 40% should be determined by the borough as low-cost rented homes or intermediate products based on identified need.
- 19.1.14. With regard to the Council's Local Plan, Policy CS12 Part G of the Core Strategy (2011) sets out the borough-wide strategic target for 50% of additional housing built in the borough over the plan period to be affordable. Policy CS12 Part G requires residential and mixed-use schemes to provide the maximum reasonable amount of affordable housing, especially social rented housing, taking account of the overall borough-wide 50% strategic affordable housing target.
- 19.1.15. Policy CS12 Part G states that 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.
- 19.1.16. In addition, Policy CS12 Part G further requires an affordable housing tenure split of 70% social rent and 30% intermediate housing.
- 19.1.17. The 50% borough-wide strategic affordable housing target set by Policy CS12 Part G aligns with the London Plan's 50% strategic affordable set by London Plan Policy H4 and therefore assists in the delivery of the London-wide strategic 50% affordable housing target.
- 19.1.18. Policy CS12 Part G further aligns with the affordable housing tenure split set out in Policy H6 of the London Plan by requiring an affordable housing tenure split of 70% social rent and 30% intermediate housing.

### **Assessing the proposed development against the affordable housing policies of the Development Plan**

- 19.1.19. The 985-unit proposed development provides 60% on-site affordable housing by unit. The proposed scheme provides 593 affordable homes of which 415 units are for social rent (including 60 Extra Care Homes for older people) and 178 units will be intermediate housing as London Shared Ownership which reflects an affordable housing tenure split of

70% social rent (by unit) and 30% intermediate housing (London Shared Ownership) (by unit).

- 19.1.20. It should be noted that the London Plan measures affordable housing on a per habitable room basis. The applicant's Affordable Housing Statement outlines that the proposed scheme's affordable housing provision when measured on a habitable room basis reflects 62% at an affordable housing tenure split of 75% social rent and 25% intermediate (London Shared Ownership).
- 19.1.21. Paragraph 50 of the GLA's strategic planning application stage 1 referral report outlines that the applicant (Peabody) is a Registered Provider and a strategic partner of the Mayor of London under the 2016-2021 Affordable Homes Programme with a commitment to provide 60% of homes as affordable across their programme across London as a whole.
- 19.1.22. Paragraph 50 of the GLA's strategic planning application stage 1 referral report states:  
"GLA officers understand that affordable housing grant would be used within the scheme. It is also noted that Peabody purchased the site with the aid of a £41.6 million loan from the Mayor's Land Fund."
- 19.1.23. It is noted that in addition to the £41.6 million loan from the Mayor's Land Fund, the applicant received a grant of £39.9 million from the Mayor of London. In November 2020, it was reported that further grant was to be provided by the Mayor of London to ensure that 70% of the affordable housing units would be delivered as social rent units at Target Rent rather than as London Affordable Rent. The precise level of funding provided by Mayor of London in order to facilitate the provision of 70% of the affordable units as social rent was stated to be subject to final design and planning approval as this would determine the final number of homes on the site.
- 19.1.24. The applicant's Affordable Housing Statement states that 50% affordable housing provision is being provided without grant, with the additional 10% affordable housing (to reach 60% affordable housing) being provided through the utilisation of grant.
- 19.1.25. The proposed scheme's 60% affordable housing (by unit) provision exceeds both the 50% strategic affordable housing target set by London Plan Policy H4 and the 50% borough-wide strategic affordable housing target set by Policy CS12 Part G of the Core Strategy (2011).
- 19.1.26. The Holloway Prison site constitutes public sector land, and in line with Policy H5 Part B (2) is required to provide 50% affordable housing without grant, where there is no portfolio agreement with the Mayor of London. The proposed scheme provides in excess of the 50% affordable housing requirement set by Policy H5 Part B (2), and in line with Policy H4 Part A (2) uses grant to increase affordable housing provision beyond 50% to reach 60%.
- 19.1.27. The affordable housing tenure split of the proposed scheme's 60% affordable housing at 70% social rent and 30% intermediate housing is compliant with both London Plan Policy H6 and Policy CS12 Part G of the Core Strategy. An affordable housing tenure split of 70% social rent and 30% intermediate housing meets the requirements of Policy H6 by providing a minimum of 30% low cost rented housing as social rent and a minimum of 30% intermediate housing as London Shared Ownership, with the remaining 40% provided as social rent. The proposed scheme's affordable housing tenure split therefore

complies with the 70% social rent and 30% intermediate tenure split required by Policy CS12 Part G.

- 19.1.28. In addition to providing 60% affordable housing at a policy compliant affordable housing tenure split, the proposed scheme is providing a Women's Building at a peppercorn rent in perpetuity, with best endeavours to secure funding to fit it out to category B, and meeting all the reasonably required S106 contributions. The proposed scheme therefore accords with Policy DM9.2 of the Development Management Policies (2013) which sets out that planning obligations will be used by the council to deliver sustainable development.
- 19.1.29. The proposed scheme is therefore fully compliant with Policy H4, Policy H5 and Policy H6 of the London Plan (2021) and is further compliant with Policy CS12 Part G of the Core Strategy (2011) and Policy DM9.2 of the Development Management Policies (2013).
- 19.1.30. The Holloway Prison Site SPD forms an important material consideration to be considered in light of adopted Development Plan policy. The Holloway Prison Site SPD sought to assist in the implementation of Policy CS12 Part G in respect to the Holloway Prison site. The Holloway Prison Site SPD set out that viability testing undertaken to support the SPD had demonstrated that the site could viably provide 50% affordable housing at a 70% social rent and 30% intermediate (London Shared Ownership) affordable housing tenure split through development value alone. The July 2017 viability testing of indicative development scenarios further tested the provision of London Living Rent as the intermediate tenure, replacing London shared ownership, and found that this could be viably provided by the larger Scenario 2 and Scenario 3 indicative schemes whilst still providing 50% of the units as affordable housing. At paragraph 4.11, the Holloway Prison Site SPD outlined that the provision of grant should be used to increase levels of affordable housing beyond what is viable without grant.
- 19.1.31. The proposed scheme provides 60% affordable housing, 10% additional affordable housing above the 50% strategic target established by Policy CS12 Part G, at a policy compliant tenure split of 70% social rent and 30% intermediate housing (London Shared Ownership) which has been achieved through the use of grant from the Mayor of London. The proposed scheme's affordable housing provision is therefore consistent with the affordable housing objective set out within the Holloway Prison Site SPD.

### **Consideration of emerging planning policy**

- 19.1.32. The Council's emerging Local Plan was subject to Examination in Public in the autumn of 2021. Following on from the Examination, consultation will take place on further Main Modifications to the Plan.
- 19.1.33. Whilst it has yet to form adopted Development Plan policy, the policies of the Council's emerging Local Plan can be afforded limited to moderate weight taking into account the advanced stage of the plan, the extent of objections received and consistency with the NPPF.
- 19.1.34. Draft Policy H3 Part A of the Council's emerging Local Plan requires a minimum of 50% of the total net additional conventional housing built in the borough over the plan period must be genuinely affordable. Affordable housing tenures which are not considered to be genuinely affordable will be resisted and will not be counted towards the level of affordable housing provision on individual schemes.

- 19.1.35. Part D (i) of Draft Policy H3 requires developments on public sector land to provide 50% affordable housing by net additional unit without public subsidy. Part D (ii) of Draft Policy H3 requires applicants to maximise the delivery of on-site affordable housing in excess of 50% through principally the use of public subsidy.
- 19.1.36. Part H of Draft Policy H3 requires an affordable housing tenure split of 70% social rent and 30% intermediate housing. Part H of Draft Policy H3 sets out that the majority of intermediate units should be London Living Rent, and regard will be given to the priorities set out in the Council's Housing Strategy and other agreed evidence of housing need.
- 19.1.37. The proposed scheme provides 50% affordable housing by net additional unit as required by Draft Policy H3 Part D (i) and uses grant to deliver additional on-site affordable housing in excess of 50% to reach 60% affordable housing by net additional unit as required by Draft Policy H3 Part D (ii).
- 19.1.38. The affordable housing tenure split of the 60% affordable housing consists of 70% social rent and 30% London Shared Ownership housing. Whilst this complies with adopted policy in the Core Strategy and the London Plan, it is acknowledged that there is a conflict in relation to the emerging Local Plan in terms of Part H of Draft Policy H3 which is clear that the majority of intermediate units should be London Living Rent – this element of the policy is considered to have moderate weight at this time.

#### **Consideration of the proposed scheme's affordable housing provision with the policies of the NPPF (2021)**

- 19.1.39. The NPPF (2021) forms a significant material consideration in the determination of planning applications. The overarching objective of the NPPF is to facilitate the delivery of sustainable development. Given the statutory primacy of the Development Plan in decision-making, the policies of the NPPF should be considered through the prism of adopted Development Plan policy
- 19.1.40. The NPPF requires the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Given the constrained land supply in the borough, it is imperative that land is used effectively in line with the policies of the adopted Development Plan that includes the maximisation of affordable housing in line with planning policies.
- 19.1.41. The proposed scheme's 60% affordable housing provision at a policy compliant affordable housing tenure split of 70% social rent and 30% intermediate housing (London Shared Ownership) is compliant with Development Plan policy and is considered to comply with the NPPF's objective of ensuring the effective use of land in meeting the need for homes.

#### **Review of the applicant's financial viability assessment**

- 19.1.42. As outlined above, the proposed scheme fully complies with the affordable housing policies of the adopted Development Plan. In the circumstances, there is no policy requirement for the applicant to provide a viability assessment which justifies the affordable housing contribution. However, paragraph 4.5.9 of the supporting text for London Plan Policy H5 states that where a scheme meets the threshold level of affordable housing, but the borough, and/or the Mayor where relevant, are not satisfied that the other relevant Development Plan requirements and or obligations for the scheme are met, then



the applicant can be asked to provide detailed viability information and be required to follow the Viability Tested Route.

- 19.1.43. In the present case, the quantum of development proposed by the applicant results in breaches of the Council's Tall Buildings Policy as set out in Part E of Policy CS9 and Part C of Policy DM2.1. The site is also not identified as suitable for a tall building within the emerging Local Plan nor does this site's emerging Site Allocation (NH7) identify the site as suitable for a tall building.
- 19.1.44. Consequently, at the pre-application stage, the Council requested that the applicant provide a financial viability assessment of the proposed scheme to demonstrate that the quantum of development proposed by the applicant was necessary in order for the scheme to viably deliver 60% affordable housing at an affordable housing policy compliant tenure split of 70% social rent and 30% intermediate housing.
- 19.1.45. In support of their application, the applicant provided a financial viability assessment (dated November 2021) produced by the applicant's viability consultant DS2.
- 19.1.46. A site-specific financial viability assessment constitutes a material consideration in the decision-making process that should be considered in light of adopted Development Plan policy, national planning policy and the relevant guidance on viability set out in the National Planning Practice Guidance ('NPPG'), the Mayor of London's Affordable Housing and Viability SPG (2017) and the Council's Development Viability SPD (2016). The financial viability assessment provided by the applicant, is a material consideration when considering whether justification exists to accept a departure from the Council's Tall Buildings Policy and other factors that may weigh against the scheme.
- 19.1.47. The applicant's financial viability assessment adopts the residual land valuation approach to assess the viability of the proposed scheme and compares the residual land value generated by the proposed development to a Benchmark Land Value. Where a residual land value is equal or greater than the Benchmark Land Value, a development is considered viable. Conversely, where a residual land value is below a Benchmark Land Value, a development is considered to be unviable
- 19.1.48. The residual land valuation approach involves first calculating the estimated Gross Development Value of the scheme, which is the sum total of all private residential sales values, affordable housing sales values and the value of capitalised commercial floorspace. Once the Gross Development Value has been established, the Gross Development Cost needs to be determined which is the sum total of all development costs including build costs, build cost contingency allowance, professional fees, marketing, sales and legal costs, finance costs, CIL and Section 106 costs and the developer's profit. The Gross Development Value minus the Gross Development Cost produces the residual land value, which reflects the money left over to buy the land.
- 19.1.49. The NPPG, the Mayor of London's Affordable Housing and Viability SPG (2017) and the Council's Development Viability SPD (2016) as well as guidance published by the RICS all confirm that a Benchmark Land Value should in most circumstances be based on the site's Existing Use Value (EUV) plus a landowner premium. This is commonly referred to as the EUV plus premium approach and operates on the premise that a landowner would require a premium above the Existing Use Value of their site in order to be incentivised to release their site for development.

- 19.1.50. The Mayor of London's Affordable Housing and Viability SPG at paragraph 3.46 outline that the level of premium above a site's EUV could be between 10%-30%, but this must reflect site specific circumstances and will vary. The NPPG in respect to viability states that the premium should provide a reasonable incentive for a landowner to bring forward land for development while allowing a sufficient contribution to fully comply with policy requirements. In addition, the NPPG states that the premium should reflect the cost implications of all relevant policy requirements, including planning obligations and, where relevant, any Community Infrastructure Levy (CIL) charge should be taken into account.
- 19.1.51. In some cases a site may be capable of being developed for more than one use, or benefit from an extant planning permission. This would represent an Alternative Use Value (AUV) for the site, which may exceed the EUV plus a premium of 20-30%. In these circumstances it may be appropriate to base the Benchmark Land Value upon an Alternative Use Value (AUV). The Mayor of London's Affordable Housing and Viability SPG (2017) which assists in the implementation of London Plan policy, at paragraphs 3.51 and 3.52 sets out guidance on how AUVs should be approached.
- 19.1.52. The applicant's financial viability assessment models the 985-unit proposed scheme with 60% affordable housing at an affordable housing tenure split of 70% social rent and 30% London Shared Ownership. The applicant's financial viability assessment adopts a peppercorn rent (i.e. nil rental value) for the Women's Building in perpetuity, and as such the Women's Building has a nil value within the appraisal. The applicant's financial viability assessment assumes that the Women's Building will be delivered in shell and core form and does not therefore include any costs associated with a fit out for the Women's Building. The applicant's financial viability assessment also includes an estimated cost of meeting S106 contributions equating to £3,085,849, estimated LBI CIL charge of £13,663,408 and estimated MCIL2 charge of £3,355,289.
- 19.1.53. In terms of key input assumptions, the applicant's financial viability assessment of the proposed scheme calculates a Gross Development Value of £399,795,219, and further includes £44,796,685 of grant funding as additional revenue. The applicant's build costs have been assessed by the applicant's appointed cost consultant (Faithful & Gould) who have produced a cost plan setting out a total build cost of £301,259,460 which is inclusive of a 5% contingency allowance. The applicant's financial viability assessment adopts a developer's profit targets of 17.5% on private residential sales values, 6% on affordable housing sales values and 15% on capitalised commercial floorspace.
- 19.1.54. Based upon the applicant's adopted input assumptions within the appraisal of the 985-unit proposed scheme, the applicant's financial viability assessment reports a residual land value of £14,392,745. The applicant's adopted Benchmark Land Value equates to £58,380,000. The applicant's financial viability assessment compares the residual land value of £14,392,745 against their adopted Benchmark Land Value of £58,380,000, and concludes that that the scheme has a deficit of approx. £44 million.
- 19.1.55. This position raises concerns about the deliverability of the proposed scheme. However, the applicant's financial viability assessment has been reviewed by the Council's independent viability consultants, BPS Chartered Surveyors ('BPS') who produced their report (dated January 2022) setting out their review of financial viability of the proposed scheme (see appendix 5).
- 19.1.56. In their review of the applicant's financial viability assessment, BPS agree that all the input assumptions adopted within the applicant's residual land valuation of the 985-unit

proposed scheme are reasonable with only a very minor adjustment made to the value of the scheme's social rented units by BPS, and an amendment made to the estimated S106 contributions.

- 19.1.57. The applicant's cost plan setting out the proposed scheme's build costs has been reviewed by BPS's appointed cost consultant ('GBA') who concluded that the applicant's build costs are within acceptable estimating margins of their own assessment of build costs. BPS have further included the estimated costs associated with a CAT B fit out for the Women's Building within their appraisal of the proposed scheme of £2.9 million.
- 19.1.58. Other than the approach to the fit out of the women's building, the only point of disagreement between BPS and the applicant's financial viability assessment is the approach taken to establishing a Benchmark Land Value for the Holloway Prison site.
- 19.1.59. The applicant's approach has been to essentially 'borrow' the Benchmark Land Value of £58,380,000 originally adopted by BPS as part of their 'Viability Assessment of Development Scenarios' report undertaken in July 2017 ("the 2017 Assessment"). The purposes of the 2017 Assessment was to support the Holloway Prison site capacity studies and informed the requirements in the 2018 SPD.
- 19.1.60. In particular, the 2017 Assessment tested the viability of three indicative site capacity assumptions for the Holloway Prison site and concluded that the delivery of 50% affordable housing at a policy compliant tenure split of 70% social rent and 30% intermediate housing was viable.
- 19.1.61. In establishing the Benchmark Land Value for this assessment, BPS began by utilising a Depreciated Replacement Cost valuation for the Holloway Prison building. BPS noted that the Depreciated Replacement Cost valuation was endorsed by the 2014 RICS Valuation – Professional Standards ("Red Book") as being suitable for specialist properties that are not traded and for which no market evidence of value is available. Based on BPS's assumptions in July 2017, the figure reached by BPS was £27 million and considered to represent the site's Existing Use Value.
- 19.1.62. In order to establish the appropriate premium above EUV, the 2017 Assessment noted that the residual land value of £58,380,000 generated by the 'Scenario One' indicative development scenario was considered to be compliant with the 2014 version of the NPPG as the site value fully reflected the cost of meeting planning policy requirements. It was noted by BPS in their report that the uplift from £27 million to £58.38 million reflected a premium of 116%.
- 19.1.63. It will be apparent from this that, although the figure of £58.38 million was expressed as an EUV (based on depreciated replacement cost) of £27 million with a 116% premium, it was in fact based on what was considered to be a policy compliant indicative AUV at that time. Since then, the RICS has published a Guidance Note on depreciated replacement cost method of valuation for financial reporting Guidance Note (November 2018), paragraph 3.4 of which advises that:
- 19.1.64. *"The value of a specialised property (or a specialised plant and equipment asset) is intrinsically linked to its use. If there is no demand in the market for the use for which the property is designed, by the current owner or any other market participant, the specialised features will either be of no value or may have a detrimental effect on value as they represent an encumbrance. If the specialised property is not to be retained for the delivery*

*of a product or service because there is no longer demand for it, it follows that the use of DRC would be inappropriate. No hypothetical buyer would consider procuring a modern equivalent asset if this would immediately be redundant.”*

- 19.1.65. This advice is considered directly relevant in the present case: there is no wider market for prison sites which provides comparable transactions on which an EUV can be based, nor is there any realistic prospect of any purchaser acquiring the site for prison use on the basis of the depreciated value of the existing buildings. Paragraph 3.4 thus supports the view that, in the particular circumstances of this case, the Benchmark Land Value of the site is more appropriately based on an AUV.
- 19.1.66. In this regard, it should be noted that the 2017 Assessment was based on indicative development scenarios and was intended to support the Holloway Prison SPD. Its purpose was not to “fix” a Benchmark Land Value, but to guide a future purchaser of the site in ensuring that planning policy requirements would be appropriately accounted for in the price paid for the site. In contrast, BPS’s more recent review of the viability assessment of the 985-unit proposed scheme has been undertaken at a much finer grain, using a detailed cost plan specific to the proposed scheme and establishing private residential sales values through reference to a pricing schedule which itself is informed through review of detailed floorplans.
- 19.1.67. It should also be noted that the 2017 Assessment was produced within a different National Planning Policy context in terms of the 2012 version of the NPPF and the 2014 version of the NPPG in respect to viability, and a different Development Plan context in terms of the 2016 London Plan. Since July 2017 there have been changes to the National Planning Policy context with the adoption of the NPPF (2021), the updated NPPG in respect to viability, and changes to the Development Plan in terms of the adoption of the new London Plan in March 2021. In addition, there have been changes in both costs and values since July 2017, as well as the adoption of MCIL2. All of these changes would be expected to be fully reflected in Benchmark Land Value as required by the NPPG.
- 19.1.68. The NPPF and the NPPG in respect to viability provide that planning policy requirements including affordable housing requirements should be clearly set out in Development Plans. The NPPF and the NPPG set out that area-wide viability assessments undertaken at the Plan-making stage should ensure that planning policy requirements are viable and deliverable.
- 19.1.69. Once a Development Plan is adopted setting out clear planning policy requirements, developers and landowners are required to take account of the costs of meeting planning policy requirements when drawing up development proposals and acquiring sites so that the price paid for land allows for the viable delivery of policy compliant schemes.
- 19.1.70. The London Plan (2021) adopts a threshold approach which is designed to ensure that planning policy requirements around affordable housing are clear and readily understood by the market, and consequently imbedded into land values. This approach accords with the NPPF and the NPPG in respect to viability.
- 19.1.71. The NPPG in regards to Benchmark Land Value in decision-making (i.e. site-specific financial viability assessments submitted alongside a planning application) sets out that the premium above Existing Use Value should take account of the cost implications of all relevant policy requirements, including planning obligations and, where relevant, any Community Infrastructure Levy (CIL) charge should be taken into account.

- 19.1.72. The applicant's £58,380,000 Benchmark Land Value reflects a land value originally generated from a residual land valuation of an indicative scheme based on assumed costs and values from July 2017.
- 19.1.73. Clearly, both costs and values have changed since July 2017, and these have now been determined through review of a detailed development proposal on a current day basis. The appraisal of the 985-unit proposed scheme adopts these current day costs and values, alongside current planning policy requirements to derive a residual land value, it is therefore illogical to compare the resultant residual land value against a Benchmark Land Value which is static and wholly unresponsive to those same changes.
- 19.1.74. The Holloway Prison site is somewhat unique as the site's use as a prison (Use Class C2A) has ceased and there would appear to be no prospect of the site being retained for use as a prison. It could therefore be argued that the site therefore has a negligible Existing Use Value. The Council's emerging Local Plan contains a Draft Site Allocation NH7 which seeks a residential-led redevelopment with community uses (including a women's centre building), open space and an energy centre on the site.
- 19.1.75. In light of this, it is considered that an Alternative Use Value (AUV) approach is required to be adopted to establish a Benchmark Land Value for the site. For the purposes of the financial viability assessment, Planning Officers sought to establish an indicative AUV scheme for the Holloway Prison site to derive a Benchmark Land Value. Taking an urban design approach, building heights within the 985-unit proposed scheme which breached the 30 metre height limit were removed. As a result of these changes, the number of units was reduced from 985 to 911, with the rest of the proposed scheme including the amount of commercial floorspace and the floorspace of the Women's Building remaining the same. The changes made to the 985-unit proposed scheme to reach the indicative AUV scheme is outlined on page 11 of the BPS report.
- 19.1.76. The purpose of the indicative 911-unit AUV scheme was to provide a proxy policy compliant scheme to generate an AUV based Benchmark Land Value for use within the viability assessment exercise. BPS undertook a residual land valuation of the indicative 911-unit scheme reflecting 50% affordable housing at a policy compliant tenure split of 70% social rent and 30% intermediate housing (shared ownership), the Women's Building at a peppercorn rent into perpetuity and benefiting from a CAT A fit out and included estimated S106 contributions and LBI CIL and MCIL2 charges as development costs. BPS's residual land valuation of the indicative 911-unit AUV scheme produced a residual land value of £11.49 million.
- 19.1.77. In the circumstances, the applicant's view that £58.38 million represents the Benchmark Land Value is not accepted. The figure of £58,380,000 is not considered to accord with the requirements specified in the NPPG and it is therefore considered that it should be disregarded.
- 19.1.78. It is considered that a Benchmark Land Value of £11.49 million, which reflects the cost of meeting planning policy requirements, represents an appropriate Benchmark Land Value for the purposes of the financial viability assessment of the proposed scheme and accords with the requirements set out in the NPPG. The applicant's position of an approx. £44 million deficit is therefore not accepted.

- 19.1.79. It is widely recognised that residual land valuations are highly sensitive to minor changes to key input assumptions. Minor changes to key input assumptions can have a significant impact on the residual land value output. This is illustrated in the sensitivity analysis undertaken on the indicative 911-unit AUV scheme by BPS as outlined on page 12 of the BPS report. For example, BPS's sensitivity modelling of the indicative 911-unit AUV scheme shows that a 5% decrease in construction costs and a 10% increase in private residential sales values generates a residual land value of £43,902,321; and a 10% decrease in construction costs and a 10% increase in private residential sales values generates a residual land value of £54,490,627.
- 19.1.80. However, in their financial viability assessment of the 985-unit proposed scheme, BPS have adopted their Benchmark Land Value of £11.49 million as a fixed acquisition cost in their appraisal in order to outturn either a surplus or a deficit.
- 19.1.81. The conclusion of the BPS financial viability assessment is that the proposed scheme modelling 60% affordable housing (including £44,796,685 of grant funding), the Women's Building at a peppercorn rent into perpetuity alongside all reasonably required S106 contributions and CIL payments generates a deficit of £4.73m. BPS comment at paragraph 2.13 of their report that this indicates that the proposed scheme is unviable in planning terms although the size of the deficit sum should be seen as effectively a marginal position given the scale of the development.
- 19.1.82. BPS conclude that the results of the viability assessment indicates that the quantum of development proposed by the applicant combined with grant funding is required to deliver 60% affordable housing at a policy compliant tenure split of 70% social rent and 30% intermediate housing (London Shared Ownership).
- 19.1.83. In conclusion, the financial viability assessment of the proposed scheme undertaken by BPS indicates that the quantum of development proposed in the planning application in combination with grant funding is required to viably deliver 60% of the proposed scheme's 985 residential units as affordable housing at a policy compliant tenure split of 70% social rent and 30% London Shared Ownership. The proposed scheme provides 593 affordable homes of which 415 units are for social rent (including 60 Extra Care Homes for older people) and 178 units will be intermediate housing as London Shared Ownership. The BPS financial viability assessment, as a material consideration within the wider decision-making process, provides justification for the departure from the Council's tall building policy.
- 19.1.84. The proposed scheme provides 60% affordable housing, which exceeds the 50% strategic affordable housing target set by Policy H4 of the London Plan and Policy CS12 Part G of the Core Strategy, and delivers the affordable housing provision in accordance with the affordable housing tenure split required by Policy CS12 Part G. The proposed scheme provides 985 new homes of which 42% will be for social rent which is considered to be a significant benefit of the scheme. The majority of housing need in Islington is for social rented housing.
- 19.1.85. The conclusion of BPS's financial viability assessment of the proposed scheme shows that the scheme generates a deficit of £4.73m. This indicates that any further increase in affordable housing provision or other additional S106 costs would serve to increase the scheme's deficit. However, as previously outlined in this report, the proposed scheme is fully compliant with the affordable housing policies of the adopted Development Plan. The proposed scheme also provides a Women's Building at a peppercorn rent into perpetuity

and provides the reasonably required S106 contributions. It is therefore considered that the proposed scheme is eligible to follow the Fast Track Route set out in Policy H5 of the London Plan subject to the 60% affordable housing provision at a tenure split of 70% social rent and 30% intermediate housing (London Shared Ownership) and an Early Stage viability review mechanism being secured in the Section 106 Agreement.

### **Early Stage Viability Review Mechanism**

- 19.1.86. The purpose of a viability review mechanism is to re-appraise the viability of a scheme at a further point in time to verify whether improvements in viability have since taken place which would allow for the viable delivery of affordable housing and/or planning obligations which were not viable at the time that the scheme was granted planning permission. Viability Review Mechanisms should therefore be utilised where a deficit in policy compliance existed at the planning application stage and seek to ensure that any future improvements in viability is captured in delivery.
- 19.1.87. Paragraph 3.65 of the Mayor of London's Affordable Housing and Viability SPG (2017) sets out that additional affordable housing provision sought by a viability review mechanisms should be capped at 50% affordable housing, with footnote 30 further outlining that the cap could alternatively be set at the Local Plan strategic target.
- 19.1.88. As previously outlined, the proposed scheme fully complies with the affordable housing policies of the Development Plan and provides a level of affordable housing in excess of the London-wide 50% strategic affordable housing target set by Policy H4 of the London Plan and the borough-wide 50% strategic affordable housing target set by Policy CS12 Part G of the Islington Core Strategy (2011).
- 19.1.89. The GLA's strategic planning application stage 1 referral report (dated 20 December 2021) considered that the proposed development was eligible to progress down the Fast Track Route providing that the 60% affordable housing provision at a tenure split of 70% social rent and 30% intermediate housing (London Shared Ownership), together with an Early State Viability Review mechanism, was secured within a S106 Agreement.
- 19.1.90. Paragraph 52 of the GLA's strategic planning application stage 1 referral report states:
- “Given the scheme exceeds with planning policy requirements and tenure mix, the purpose of the review would be to consider if the affordability of the proposed intermediate homes can be improved.”
- 19.1.91. An Early Stage Review shall be secured in the Section 106 Agreement and will be triggered in the event that an agreed level of progress on implementation is not made within 24 months of the permission being granted. The Early Stage Review, if triggered, would measure changes in the scheme's Gross Development Value (GDV) and Build costs between the date of the application-stage financial viability assessment (undertaken by BPS Chartered Surveyors) and the point of review. Any surplus identified through the Early Stage Review would be used to convert the shared ownership tenure units to London Living Rent.
- 19.1.92. As outlined above, the applicants are coming forward with a scheme that is £44 million in deficit according to their financial viability appraisal. The BPS report indicates that the scheme is in deficit by £4.73 million. It is noted that even relatively minor changes to some



of the input assumptions in financial viability appraisals can have a significant impact on whether a scheme is in deficit or surplus.

- 19.1.93. The delivery of 60% genuinely affordable housing is considered to carry significant weight in the planning balance particularly when considering the breach of the council's Tall Buildings policy. It is considered necessary to make the development acceptable in planning terms.
- 19.1.94. The GLA has stated in its Stage One response to the application that:
- '.....60% affordable housing is proposed with a 70:30 tenure split between social rent and intermediate shared ownership. This is strongly supported and exceeds the London Plan threshold. Given that public subsidy is included in the affordable housing offer, the applicant should commit unconditionally to providing this level of affordable housing in the S106 agreement, without reference to grant funding.'
- 19.1.95. If at a later date, the applicants seek to reduce the delivery of affordable housing on the grounds that the scheme is not viable, the viability and planning balance of the scheme including the construction of tall buildings will clearly need to be considered afresh.
- 19.1.96. In the event that the applicants came forward with a proposal to add additional units to the scheme by seeking further efficiencies or extensions to buildings the viability would have to be considered afresh.

## 20. ENVIRONMENTAL IMPACT ASSESSMENT

### Review of EIA

- 20.1.1. On behalf of the Council, consultants AECOM have reviewed the ES and supporting appendices submitted in support of the Development against the requirements set out in Schedule 4 of the EIA Regulations. Each topic in the ES was reviewed based on the suitability of the following:
- Assessment Criteria and EIA Methodology;
  - Baseline Conditions;
  - Inherent Design Mitigation;
  - Potential Environmental Impacts and Effects;
  - Additional Mitigation, Compensation and Enhancement Measures;
  - Assessment Summary and Residual Environmental Impacts and Effects;
  - Cumulative Effects;
  - Non-Technical Summary; and
  - Appendices.
- 20.1.2. The findings of this review are summarised in Appendix D of this report.

### **Environmental Statement Procedure**

The Environmental Impact Assessment (EIA) is a process that identifies the likely significant positive and negative environmental effects of a proposed development, both from any related demolition and construction works, and once the proposed development is complete and operational. The process aims to prevent, reduce and mitigate any adverse significant environmental effects, where these are identified. Proposed developments to which EIA is applied are those that are likely to have significant effects on the environment by virtue of factors such as their nature, size or location. The process and outcomes of the EIA are presented in a single Environmental Statement (ES). The ES reports the potential environmental effects associated with the proposed development: both direct and indirect, and also examines cumulative effects. The scope of the ES includes the natural, built and human environments and includes a description of the proposed mitigation measures.

### ES regulation

- 20.1.3. The 2011 EIA Directive 1 on the assessment of the effects of certain public and private projects on the environment was replaced in 2014 by a fully updated EIA Directive 4. The 2014 EU Directive has been transposed into UK Law through Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (Statutory Instrument 2017/571), referred to in this report as the '2017 EIA Regulations'. The 2017 EIA Regulations came into force on 16 May 2017.

### ES Scoping

- 20.1.4. On 137 May 2020 the applicant requested a scoping opinion as to the content of the Environmental Statement (ES) to be prepared in connection with the development. The Council issued its scoping opinion under 2020/1244/EIA on 17 July 2020 following consultation with a range of statutory bodies and other stakeholders and after getting the submission independently reviewed by AECOM.
- 20.1.5. The Council's Scoping Opinion set out a commentary on the methodology and preferred content of topics of the EIA and resultant ES.

- 20.1.6. It was recommended in the Scoping Opinion that the ES should report how primary, secondary and tertiary mitigation has been incorporated into the EIA process. Both embedded design and control measures should be considered as inherent mitigation and included within the assessment of effects. The ES should make clear the mitigation and enhancement measures committed to within the ES, including details of how these will be secured, the timing and responsibility for implementing them.
- 20.1.7. It was also agreed that the following topics be scoped out of the EIA (subject to appropriate details being provided as a part of the planning application):
- • Archaeology;
  - • Ground conditions and contamination;
  - • Transport;
  - • Noise and vibration from operational stage road traffic & non-plant sources;
  - • Light pollution;
  - • Solar glare;
  - • Risks of major accidents and disasters;
  - • Surface water drainage and flood risk; and
  - • Waste management.
  - The following topics were requested by LBI to be scoped into the EIA:
  - • Greenhouse gases and climate change;
  - • Health and wellbeing;
  - • Townscape Visual and Heritage (Above Ground Setting) Effects;
  - • Socio-economics;
  - • Air Quality;
  - • Noise and Vibration;
  - • Ecology;
  - • Wind Microclimate; and
  - • Daylight, Sunlight & Overshadowing

The scoping opinion from the Council confirmed that it was in general agreement with the proposed scope of the ES.

#### ES Review

- 20.1.8. The application is supported by an ES coordinated by Avison Young, containing the following technical assessment chapters:
- Socio-economics
  - Air Quality Demolition, Construction and Refurbishment prepared by Trium
  - Noise and vibration
  - Ecology
  - Wind microclimate
  - Daylight, Sunlight, Overshadowing
  - Greenhouse gases
  - Townscape, Visual and Above Ground Built Heritage Assessment.
- 20.1.9. The ES was formally consulted on and reviewed by a number of internal (i.e. within the Council) and external consultees. Internally this includes the following departments within the Council: Building Control, Sustainability, Conservation, Urban Design, Environmental Health, Nature Conservation, Economic Development, Green Space, Tree Management and Transport.

- 20.1.10. Externally consultation responses were received from the Environmental Agency, Historic England, Historic England's GLAAS, Natural England, Transport for London (TfL), Metropolitan Policy Service, the Greater London Authority (GLA), Thames Water.
- 20.1.11. The ES was also subject to an independent review by AECOM. Their initial ES Review Report dated 19 January 2022 is attached as Appendix C of this Committee Report.
- 20.1.12. The report by AECOM assessed the ES and graded everything with either a pass (complies with requirements of EIA), concerns (clarification is required to achieve full compliance) or fail (significant omissions/inadequacies requiring additional information in accordance with a Regulation 25 request). In summary the report noted a number of issues with the ES and clarifications were requested; however, no Regulation 25 requests were made (meaning that no aspects of the ES fail). Where concerns are noted within AECOM's report, clarifications were requested from the applicant for them to submit additional information.

### ES methodology

- 20.1.13. The ES identifies the 'baseline', which considers the existing conditions of the area where the development would be located. Within the baseline conditions, a number of key environmental, social and economic aspects are identified (these are defined as 'receptors'). The sensitivity of the receptors is identified within the ES and the impact of the proposals and size of impact (impact magnitude) is considered against the receptors. Impacts are identified during the construction works (i.e. temporary impacts) and for when the development is completed and in use (i.e. permanent impacts). The size of the impact and the sensitivity of the receptor are used to determine the scale of an effect.
- 20.1.14. Effects are defined as being either 'negligible', 'minor', 'moderate or 'major' in scale and 'neutral', 'beneficial' or 'adverse' in nature. Once the effect has been identified, the assessment then determines whether the effect is considered 'significant' or 'not significant'. Significant effects are considered material to the planning decision process. Residual effects of moderate and major scale are considered significant, but would be dependent on the relevant technical assessment, as well as the existence of published assessment guidance.
- 20.1.15. Where published assessment guidance is not definitive in respect of categorising/determining significant environmental effects, professional judgement is applied, taking into account the duration, extent and context of the effect, to determine significant effects. The definitions of the scale of predicted effects are generally as follows:
- Negligible: imperceptible effect
  - Minor: slight, very short or highly localised effect
  - Moderate: limited effect (by magnitude, duration, reversibility, value and sensitivity of receptor) which may be considered significant
  - Major: considerable effect (by magnitude, duration, reversibility, value and sensitivity of receptor) which may be more than of a local significance or lead to a breach of a recognised environmental threshold, policy, legislation or standard
- 20.1.16. Following the above, for any significant adverse effects identified any measures to reduce or remove these effects are identified. These measures are referred to as 'mitigation measures'. Once the mitigation measures are put forward, the effect is re-assessed to understand whether the scale of the effect has changed because of the mitigation

measures. Cumulative effects resulting from a combination of the proposal and other surrounding development schemes are also assessed. All of the likely effects of the development are reported within the ES, and the likely significant residual (after mitigation measures) effects are specifically highlighted.

### EIA – summary and analysis

20.1.17. The aim of EIA is to protect the environment by ensuring that when deciding whether to grant planning permission for a project which is likely to have significant effects on the environment, the local planning authority does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process. A summary and analysis of the primary sections of the ES are summarised below. The majority of the matters considered within the ES are interrelated to the main planning assessment of the proposals, which is set out within other sections of this Committee Report.

### Socio-Economics

20.1.18. The ES summarises the significance of the socio-economic factors from the development as follows:

- Generation of temporary construction jobs
- Enhance local labour provision through additional population
- Uplift in income and expenditure
- Council Tax revenue
- Capacity for schools and healthcare services
- Community facilities and open space

20.1.19. A number of issues were initially raised by AECOM regarding the methodology of the assessment as regards socio-economics. In particular, the 1.5km radius catchment from the centre of the site used to assess GP facilities and open space. AECOM suggested that a 1km radius may be more appropriate in the case of this assessment. WSP, the authors of this chapter, responded with detailed explanations relating to their choice of methodology, WSP also note that the stand-alone Health Impact Assessment (HIA) which accompanies the planning application also utilises a radius of 1.5km. It was concluded that the justifications were appropriate.

20.1.20. In relation to Education infrastructure, the applicant was also asked to consider the likely effects considering a 95% school capacity. It is confirmed that this would not change the assessment for secondary school pupils. There would remain a surplus of 594 secondary school places, and as such the likely effect would remain insignificant. In relation to primary school places, the deficit in places would rise from -2 (as originally stated in ES Volume 1, Chapter 7: Socio-economics) to -145. As a result, mitigation would be required in the form of funding secured from Community Infrastructure Levy (CIL) receipts. This is acceptable and no further issues are raised.

20.1.21. A further suggestion from AECOM was to factor in an element of displacement when estimating additional local spending, as many residents would not be new to the local area and thus not all residents would generate new expenditure. WSP responded that by applying a 25% displacement effect, the additional household expenditure to the local economy would fall from approximately £17.4 million to approximately £13.1 million. WSP find that this change would not affect the findings of this chapter, i.e. the effect is still considered to be direct, long-term and of major beneficial significance at the district level

and of moderate beneficial significance at the regional level. It is therefore considered that this issue can be closed out without applying a displacement factor.

20.1.22. No other issues with the methodology, baseline or environmental assessment relating to socio-economics were identified by AECOM

20.1.23. Overall the proposal is expected to result in a number of beneficial impacts and no adverse socio-economic effects have been identified in the ES. Therefore, no mitigation measures are required.

#### Air Quality

20.1.24. All of the Borough is an Air Quality Management Area (AQMA). This designation has been applied due to the high traffic flows which give rise to concentrations of pollutants nitrogen dioxide (NO<sub>2</sub>) and fine particulates (PM<sub>10</sub>) that exceed the national, health based targets. The ES examines the likely impact of the development on air quality during construction and in its finished form.

20.1.25. Baseline air quality conditions in the study area were determined based on LBIs monitoring data and other publicly available data. It was shown that existing nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) concentrations were below the national air quality objectives for most of the study area, with the exception of receptors on the junction between Parkhurst Road and Holloway Road.

20.1.26. The main effect during construction relates to dust generated from demolition activities and earthworks. A qualitative construction dust risk assessment was carried out. The ES notes that without proper mitigation, some degree of dust impact may occur at neighbouring receptors. To prevent this dust management proposals would be included in the CMP.

20.1.27. A quantitative assessment using dispersion modelling of impacts from construction vehicles exhaust emissions was also carried out, based on the number of vehicles generated by The Works. The impacts of construction vehicles was anticipated to be insignificant.

20.1.28. Air quality dispersion modelling was also carried out to predict the impacts of additional road traffic on local roads, resulting from the proposal, as well as the expected concentrations of key pollutants at sensitive receptors within the proposed development. The buildings would utilise air source heat pumps (ASHPs) and photovoltaics (PVs) to provide heating and hot water and therefore would have no building-related emissions. Accordingly, the scheme is not predicted to result in any significant effects on the receptors considered and air quality for future residents would be acceptable. As such, no mitigation beyond the best practice design measures are required.

#### Noise and Vibration

20.1.29. The construction phase has the potential to have significant noise impact on neighbours if not sufficiently monitored and controlled, and significant effects at a number of receptors are predicted. Proposed mitigation measures are set out in the Mitigation and Monitoring Measures section of the ES. It is noted that construction effects are temporary and significant impacts are only likely to occur for short-periods within the overall programme. In particular it was noted that when activities are occurring closest to the site boundary,

this could result in temporary effects on residents at Fairweather House; Bunning House; Bakersfield and properties along Dalmeny Avenue. Noise monitoring would be undertaken at the site boundary closest to the most sensitive receptors to actively manage noise levels on-site. Activities would be undertaken to minimise environmental impacts with ongoing monitoring and record-keeping taking place. The full details would be secured within a CMP required as a planning obligation.

20.1.30. With regards to the completed development, all fixed plant installations would be fitted with standard attenuation and acoustic screening, as required to meet the Council's noise emissions limits. No additional mitigation would be required beyond this.

#### Wind and Microclimate

20.1.31. The wind microclimate assessment, submitted as part of the ES, considers the potential wind effects with respect to pedestrian comfort and safety during demolition and construction of the development and after its completion. The baseline scenario has wind conditions typical of a low-rise suburban area. The wind microclimate at the existing Site and in the surrounding area is relatively calm. The conditions are suitable for standing use (at worst), and predominantly suitable for sitting, during the windiest season.

20.1.32. Locations were assessed at ground level within the site, and around surrounding buildings and open spaces. A computer model was carried out which did not identify any significant effects upon completion of the development. During construction, hoarding would be in place around the site to limit access to authorised personnel only. The completed development would be suitable for the intended uses throughout the year.

20.1.33. Following the incorporation of inherent mitigation measures, wind tunnel testing when the Development is complete, with the inclusion of the proposed landscaping scheme, all conditions within the Site would be suitable for the corresponding intended uses throughout the year. The likely effects at the Site would be expected to be insignificant to direct, long-term, local and be of moderate beneficial significance.

#### Daylight, Sunlight, Overshadowing and Light Pollution

20.1.34. The ES referred to a report by Point 2 Surveyors examined the impact of the development on existing and proposed daylight and sunlight conditions, and also examined the potential for overshadowing and light pollution from the development.

20.1.35. Within the ES all permanent residential receptors are assigned a high sensitivity rating and are given equal weighting in the assessment these units. The daylight, sunlight, overshadowing and light pollution impacts are assessed comprehensively within the Neighbouring Amenity section of this Committee Report. In summary, it is considered that the completed development would result in some significant impacts on residential occupiers. It is stated ;

*'Following completion of the Development, the results of the assessment show that the majority of existing residential properties surrounding the Site are predicted to receive adequate levels of daylight with 41 of the 73 properties assessed experience insignificant effects. The remaining properties would experience effects beyond the BRE Guidelines, however, this is not unusual given the urban context of the Site and its surroundings and it is considered that the general overall daylight availability for the affected residential properties remains adequate...'*

*Where the levels of daylight are lower than those recommended by the BRE Guidelines and those seen in the local area, this is generally attributable to existing*



*architectural features (access decks, overhangs and roof eaves) which limit the access to daylight and when considering the additional analysis with these features removed the affected properties would generally be left with commensurate levels of daylight.*

*Generally, adequate sunlight levels, in line with BRE Guidelines, would be achieved for the vast majority (91%) of southerly orientated rooms assessed within the sensitive receptors. In the instances where BRE Guideline levels of sunlight were not predicted to be achieved, the overwhelming majority are bedrooms for which the BRE acknowledge sunlight is less important and the levels of retained sunlight will generally remain reasonable for an urban location.*

*Again, there are instances where the retained levels of sunlight are lower due to the existing architectural features that limit access to sunlight, however when the effects of these features are not considered within the analysis, the retained sunlight levels would be in line with what would be expected in a more urban area.*

*In terms of the potential for the Development to result in overshadowing of existing amenity spaces in the vicinity of the Site, 50 out of the 60 amenity spaces assessed remain compliant with the criteria set out in the BRE Guidelines. 4 gardens within the Bakersfield Estate would experience effects that are considered major beneficial in significance. Whilst the gardens that do not meet the BRE Guidelines fall short of the guidance on March 21st, they would achieve 2 hours of sun on ground by no later than 7th April which is just 17 days after the BRE target test date. When a degree of flexibility is applied to the sun on ground assessments, taking into consideration the urban context, the majority of gardens that do not meet the BRE Guidelines would only experience a relatively short-term effect upon their direct sunlight availability. ‘*

20.1.36. It is accepted by AECOM that this would amount to a direct, long-term, local likely effect of minor adverse significance.

#### Greenhouse Gases

20.1.37. The ES looked at the likely significant effects of the development on greenhouse gas (GHG) emissions through consideration of the direct and indirect GHG releases associated with the Development. This includes an assessment of the direct and indirect release of GHGs during Site preparation, demolition and construction works. The GHG assessment also estimates the GHG emissions associated with the completed and operational Development taking a lifecycle approach and considered the mitigation measures and specific design measures provided by the scheme to minimise its GHG footprint.

20.1.38. This has concluded that the Development would lead to GHG emissions throughout its lifetime, which are described as significant in accordance with IEMA best practice guidance on the assessment of GHGs for EIA. Although the individual contribution of the Development to total GHG emissions (from local through to global scale) is small, the IEMA guidance recognises that the contribution of GHG emissions to climate change is a cumulative global issue, and as such it is important for developments of all scales to acknowledge the significance of any increases in GHG emissions. The mitigation measures (i.e. re-use of materials on site; minimising energy use from construction activities; implementation of a CLP; promoting sustainable forms of transport for construction staff; implementation of a CEMP and off-setting regulated emissions through a carbon offset contribution) are all supported.

#### Built Heritage

- 20.1.39. The ES includes a Townscape, Visual and Built Heritage Assessment which considers the potential for impacts during the demolition, construction and completion of the proposal.
- 20.1.40. The heritage value of the buildings around the site and the site's location near to Conservation Areas is acknowledged, and the ES identifies the following:  
*'The Works would have significant effects on the Hillmarton Conservation Area and the former Camden Road New Church but insignificant effects on all other heritage assets within the built heritage study area. They would have significant effects on townscape character and local views, particularly close to the Site. The effects on distant views including the designated LBI views of St Paul's Cathedral from Archway Road and Archway Bridge would be insignificant to minor in scale. All effects associated with the Works would be temporary and would last until the construction works associated with the Development has been completed.'*
- 20.1.41. No significant effects relating to the construction phase of the proposal were identified. The assessment of townscape effects is considered in terms of how the proposal would affect the character of the area. This includes impacts on designated (e.g. listed buildings/features and conservation areas) and non designated heritage assets. The ES, through the Townscape, Visual and Built Heritage Assessment, considers the surrounding townscape and views likely to be experienced by people within the surrounding area.
- 20.1.42. The assessment methodology within the ES has criteria based on the level of change to the heritage significance/value of the assets reviewed, considering the physical impacts and impacts on the setting of assets. Each level on the scale is considered to be described clearly and in sufficient detail. A matrix for determining the significance of effect, based on the sensitivity of the receptor and the magnitude of change, is provided in the ES. The measures to mitigate built heritage effects are included within the design of the proposal and therefore no mitigation measures are proposed.
- 20.1.43. On completion of the development, the proposal is reported in the ES to result in a number of significant effects:  
 In relation to heritage assets  
*'There would be effects on the ability to appreciate the heritage significance of the Hillmarton Conservation Area and the former Camden Road New Church as a result of the Development considered in isolation. The effect on the Hillmarton Conservation Area would be minor in scale and neutral in nature due to the balance of potentially adverse and potentially beneficial effects. The effect on the non-designated heritage asset, the former Camden Road New Church, which is a designated LBI landmark, would be minor in scale and adverse in nature due to a loss in dominance of the landmark spire in views from the north-east part of Camden Road; as the church is a non-designated heritage asset "a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset" (Ref 1-8, para.203). While there would be noticeable visual changes to the settings of some other heritage assets within the study area, no effects are assessed to the heritage significance or appreciation of heritage significance of any of the other heritage assets in the study area. The Approved Projects, in particular the Islington Arts Factory development, which would reinstate the spire of the former Camden Road New Church adjacent to the Site, would increase the cumulative effects on three heritage assets assessed in comparison to the Development considered in isolation; all cumulative effects would be beneficial in nature.'*

20.1.44. In relation to townscape

*'The Development would have significant localised beneficial townscape effects on its surrounding context and some significant effects further from the Site where streets and spaces align with the Development, which would be beneficial or neutral in nature. Any potential adverse townscape effects of the completed and operational Development have been mitigated or minimised during the iterative design development process prior to submission and all significant effects of the completed and operational Development would be beneficial or neutral in nature. The Approved Projects would not alter the townscape effects in comparison to the Development considered in isolation.'*

20.1.45. Further analysis of impact on visual amenity is contained in

*'The Development would have significant localised beneficial effects on visual amenity within its close surrounding context and some significant effects further from the Site where streets and spaces align with the Development. There would be an adverse nature of effect on View 7 from the north-east end of Camden Road resulting from a loss in dominance of the spire of the former Camden Road New Church in views from this part of Camden Road. All other visual effects would be beneficial or neutral in nature. Potential adverse visual effects of the completed and operational Development have been mitigated or reduced during the iterative design development process prior to submission and all significant effects of the completed and operational Development. Except in the case of Views 8 and 8N from Camden Road, east of the former Camden Road New Church, the Approved Projects would not alter the effects in comparison to the Development considered in isolation.'*

### **Health Impact Assessment**

20.1.46. The Health Impact Assessment was reviewed by health impact specialists at AECOM. The Applicant was initially asked to clarify the 1.5km radius catchment from the centre of the site used to assess GP facilities and open space. AECOM suggested that a 1km radius may be more appropriate in the case of this assessment; however the applicants have reviewed the justification and are content with the methodology. It is also noted that the Health Impact Assessment is comprehensively assessed in other sections of the committee report.

### **ES conclusions**

20.1.47. In January 2019, following consultation with a range of statutory bodies and other stakeholders, the local planning authority issued a scoping opinion which set out a commentary on the methodology and preferred content of topics which should be included within the scope of the ES.

20.1.48. Officers consider that the ES, its accompanying suite of associated documents and the standalone reports which comprise the planning application are sufficiently comprehensive and complete to allow the local planning authority to take into account the likely significant effects of the development when making a decision. The ES was independently reviewed by AECOM who also considered the information to be sufficient.

20.1.49. The ES conclusions on the likelihood and extent of harm, its scale (Negligible, Minor, Moderate and Major) and the significance of residual effects are considerations which form part of the planning recommendation for the approval of the proposed development.

20.1.50. Overall, following the clarifications and corrections that have been put into place by the Applicant as a result of liaison with AECOM, it is considered that there are no outstanding issues and therefore a Regulation 25 request for further information is not necessary.

## 21. PLANNING BALANCE

- 22.1 As identified within this report, the proposed development would result in identified benefits and identified harm in planning terms.
- 22.2 Section 70(2) of the Town and Country Planning Act 1990 states that in dealing with a planning application 'the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material consideration.'
- 22.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'
- 22.4 There are the following additional requirements when considering planning applications which affect the setting of a listed building or the character and appearance of a conservation area. (Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.
- 22.5 Section 72(1) of the Act states: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.
- 22.6 The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 22.7 The NPPF states at paragraphs 132 and 134-135, inter alia, that:
- 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification...
- Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 22.8 The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

## Assessment of Harm

- 22.9 It is considered that the highly prominent tall buildings on Camden/Parkhurst Roads will be out of scale when compared with the existing buildings on both sides of these roads. Due to their height, there will be a looming effect over the buildings to the south and south east which is not considered to be an enhancement to the setting of the Hillmarton Conservation Area and will result in some harm to its setting.
- 22.10 Overall, it is considered that this harm will constitute less than substantial harm to the significance of designated heritage assets. In cases where the degree of harm is considered to be less than substantial, paragraph 134 of the NPPF requires that the harm should be weighed against the public benefits of the proposal. The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is that where harm is identified, that harm should be given considerable importance and weight in the planning balance.
- 22.11 The proposal would also result in conflict with policy in relation to tall buildings namely London Plan Policy D9 (part B) and Policy CS9 of Islington's Core Strategy.
- 22.12 London Plan Policy D9 seeks to ensure that there is a plan-led and design-led approach to the development of tall buildings across London and that the visual, functional, environmental and cumulative impacts of tall buildings are addressed to avoid adverse or detrimental impacts.
- 22.13 Part B of Policy D9 states that boroughs should determine which locations are appropriate for tall buildings (subject to meeting the other requirements of the Plan) and states that tall buildings should only be developed in these suitable locations.
- 22.14 Policy C9 of Islington's Core Strategy states that tall buildings (defined as being above 30 metres) are generally inappropriate to Islington's predominantly medium to low level character and therefore such proposals will not be supported except in parts of the Finsbury Local Plan (Area Action Plan for Bunhill and Clerkenwell). The site is located outside of the Finsbury Local Plan area so by default is not identified as being an appropriate location.
- 22.15 In addition, Islington's Draft Local Plan (2021) sets out the criteria for assessing tall buildings and includes specific sites which are considered potentially suitable (in principle) for tall buildings. This strategy is informed by the Council's Tall Buildings study (2018). The Holloway Prison site is not currently included as one of these specific sites which is considered potentially suitable in principle for tall buildings.
- 22.16 The conflict with London Plan policy on tall buildings has also been acknowledged within the GLA's Stage 1 response. GLA officers stated that that there was less than substantial harm to Grade II listed buildings: to the Hillmarton Conservation Area and to a non-designated heritage asset. It was assessed that these were all at the low or very low end of the scale for 'Less than substantial harm'. It was concluded however that this low level of less than substantial harm would be outweighed by public benefits, in line with the criteria set out in London Plan Policy D9.

- 22.17 The GLA also concluded that notwithstanding this conflict, the height and massing of the scheme was acceptable and complies with the other qualitative criteria for tall buildings set out in London Plan Policy D9.
- 22.18 The proposal will result in harm to the residential amenities of properties by reason of loss of daylight. The most significantly affected are those properties in Bakersfield Estate and Penderyn Way. However properties in Crayford House, 2 Parkhurst Road (Islington Arts Factory) Poynder House 2-5 Prospect Place 275 Camden Road (Cat & Mouse Library) 1-12 Fairweather House would all see reductions in excess of 40% to either VSC or NSL. For the Bakersfield Estate, 168 (41%) windows in regard to VSC and 48 (25%) rooms in regard to NSL would fail to meet BRE guidance.
- 22.19 At 71-85 Penderyn Way only 12 (28.6%) windows and 16 (66%) rooms would meet BRE guidance. At 63-69 Penderyn Way 12 (46%) of the windows would meet BRE guidance in regard to VSC, whilst 10 (83%) rooms would meet BRE guidance for NSL.
- 22.20 The overall level of transgression is therefore proportionately high and in some instances is severe. (in the Bakersfield Estate, 40 of the 168 transgressions see over 40% reductions) Whilst some inevitable loss/harm would be expected due to the underutilised nature of this central London site, and there are some explanations of figures in terms of overhanging balconies/secondary windows, it is acknowledged that the level of harm created as a result of the development impacts many nearby residents and in some cases impacts some residents severely.

### **Assessment of Benefits**

- 22.21 The proposal will result in a substantial public benefit through the delivery of 60% affordable housing including good quality genuinely affordable social rented housing. The large site area is unusual in Islington as there are few opportunities for large scale residential development within the Borough. The number of units produced from this one site will therefore greatly assist in addressing a significant and pressing need for genuinely affordable housing within the borough and is therefore viewed as a substantial public benefit. In addition, provision is made for 60 extra care homes (again to be let at social rents) which is also a significant contribution towards meeting this need within the borough. The GLA has indicated that grant has been confirmed to deliver 60% affordable housing and this should be secured unconditionally.
- 22.22 A scheme that is compliant in terms of the tall buildings policies has been assessed as part of the council's viability analysis of the proposals. A tall buildings policy compliant scheme was considered to deliver 900 new homes including 318 homes for social rent. The current proposals deliver 985 new homes including 415 homes for social rent. The substantial increase in the number of homes for social rent may therefore be balanced against the breach of the tall buildings policy.
- 22.23 The proposed development would deliver a Women's Building of 1, 1489 sqm with active frontage to Parkhurst Road. Its internal design remains flexible to meet the needs of future operators. This is in line with the Holloway Prison Site SPD and other relevant policies and provides a safe, women- only space with separate and secure access and outdoor amenity space. In this regard the re-use of the former Women's Prison site is strongly supported and

the building is viewed as an appropriate and well considered space offering a high-quality piece of social infrastructure. The public benefit of this space is viewed as important both within the borough and North East London.

- 22.24 The proposed development includes proposals for public realm and tree and landscape improvements to the surrounds of the site. The site was previously restricted to public access and the opening up of the site is seen as valued public benefit. It enables new pedestrian routes across the site, most notably to Trecastle Way and the creation of landscaped publicly accessible space, including a central Public Garden, with publicly accessible play space and Nature Garden.
- 22.25 There are a number of mature trees on site which are to be retained and also a number of cherry trees which are to be translocated for replanting within the site. In addition, new street trees would represent an uplift in tree cover and when considered alongside the ecological planting would represent an enhancement in biodiversity value across the site.
- 22.26 Overall, it is considered that, in view of the significant contribution that this site will make to meeting Islington's housing need, combined with the provision of a Women's Building, substantial weight can be attached to these substantial public benefits. Additionally, the public benefits of the enhancement to the public realm surrounding the site and the public benefits of tree and biodiversity enhancements, when taken together, are considered to further increase the substantial public benefits arising from these proposals.

## **22. CONCLUSION AND RECOMMENDATION**

- 22.1.1. It is recommended that planning permission be granted subject to conditions and S106 legal agreement heads of terms as set out in Appendix 1– RECOMMENDATIONS.