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London Borough of Islington

## Planning Committee - 8 March 2022

Minutes of the meeting of the Planning Committee held in the Council Chamber - Town Hall on 8 March 2022 at 7.30 pm.

**Present: Councillors:** Poyser (Vice-Chair), Convery, Ibrahim, Jackson, North, Picknell, Kay (Substitute) (In place of Klute), Wayne (Substitute) (In place of Clarke) and Williamson (Substitute) (In place of Khondoker)

**Also Present: Councillor:** Champion

**Councillor Poyser in the Chair for Item B2. Councillor Klute in the Chair for Item B1.**

**291 INTRODUCTIONS (Item A1)**

Councillor Poyser welcomed everyone to the meeting. The procedure for the conduct of the meeting was outlined.

**292 APOLOGIES FOR ABSENCE (Item A2)**

Apologies for absence were received from Councillors Clarke, Khondoker and Woolf. Apologies for absence were received from Councillor Klute in relation to Item B2.

**293 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

Councillors Williamson and Wayne substituted for Councillors Clarke and Khondoker. Councillor Kay substituted for Councillor Klute on Agenda Item B2.

**294 DECLARATIONS OF INTEREST (Item A4)**

Councillor Poyser declared that in relation to Item B2 he knew some of the objectors. He had not expressed any opinion on the application.

**295 ORDER OF BUSINESS (Item A5)**

The order of business would be B2 and then B1.

**296 MINUTES OF PREVIOUS MEETING (Item A6)**

**RESOLVED:**

That the minutes of the meeting held on 10 February 2022 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them subject to the following amendment:

Helen Strongman, Chair of the Bakersfield Estate Residents Association stated she had compared the height of the new development to the height of the current five storey prison buildings rather than to the Bakersfield Estate.

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**BARNARD PARK COPENHAGAN STREET LONDON N1 ONL (Item B1)**

Refurbishment and improvement works to park to include: replacement of existing Redgra pitch with 9-a-side pitch and associated retaining walls; creation of new grass area for amenity recreation and sports use; removal of existing park buildings and erection of new community hub building; new and reconfigured entrances and footpaths; installation of adult gym equipment; park furniture; removal and replacement of trees; and landscaping throughout.

(Planning application number: P2021/3658/FUL)

In the discussion the following main points were made:

- In response to a member's question about the operating hours listed in the officer report, the planning officer stated that these hours had been put forward by the applicant. The applicant stated that these hours were standard across Islington parks. In response to a member's concern that the hours might be insufficient and some residents would be unable to afford bookings, the applicant stated that in addition, there were 12 hours per week booked in for programmed activity and over 25% of pitch hours available were free to end users. The programme would be regularly reviewed.
- In response to a member's question about the management of the facility, the planning officer stated that it would be managed by the council's Greenspace team. The applicant stated that GLL would manage bookings on the council's behalf and this would be embedded into the contract.
- An objector raised concerns about carbon emissions and air pollutants as a result of barbecues. He requested a condition to make Barnard Park a barbecue free zone.
- The applicant stated that the council had a policy to allow barbecues in open spaces and currently was not seeking to change this policy.
- The applicant stated that the Islington Football Partnership was in its 20<sup>th</sup> year and was a successful partnership.
- In response to a member's question, the applicant stated that in addition to the bookable times, there were daily non-bookable times.
- The chair asked the legal adviser whether barbecues were a material consideration. The legal adviser stated that the effects of barbecues i.e. emissions and smells were in theory material considerations but a ban on barbecues would not meet some of tests required for this to be conditioned. The applicant stated that the restricted barbecue area in Highbury Fields was the result of a by-law.
- A member stated that it was important for the management plan to have the right balance between organised sport and informal kick-about time.

Councillor Klute proposed a motion to condition a review of the sports pitch management plan after two years. This was seconded by Councillor Wayne and carried.

Councillor Klute proposed a motion to add a condition to require the bricks to be used to be London stock Flemish bond. This was seconded by Councillor Convery and carried.

**RESOLVED:**

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objection provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report with the additional conditions as outlined above.

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**FORMER HOLLOWAY PRISON PARKHURST ROAD, LONDON N7 0NU (Item B2)**

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.

(Planning application number: P2021/3273/FUL)

In the discussion the following points were made:

- The planning officer stated that the application was considered by the Planning Committee at its meeting on 10 February 2022.
- Determination of the planning application was deferred for eight reasons as follows: 1) viability; 2) provision of London Living Rent housing; 3) use of the residents' facility; 4) facilities for older children and young people; 5) fit out of the Women's Building; 6) costs of operating the Women's Building; 7) access to neighbouring streets; and 8) concerns about tenure distribution.
- The applicants had responded to these matters in letters dated 24 February 2022, 3 March 2022 and 7 March 2022.
- A further 13 representations had been received since 10 February 2022. One of these was a representation from Jeremy Corbyn, MP for Islington North.
- To date, there has been a total of 247 responses from 205 unique respondents.
- A letter from Community Plan for Holloway raised concerns in relation to the reasons for deferral. They had also requested amended/more detailed conditions or new conditions. The planning officer stated that not all of the matters raised could be dealt with by way of condition and that detailed matters could be addressed at the time that conditions were discharged.
- Several letters from the residents of Trecastle Way and Penderyn Way asked that the Committee consider the impacts of the proposed development on their homes and raised concerns about the process for considering the deferred application.

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- The concerns raised by local residents related to: tall buildings; overdevelopment; the need for affordable housing; a lack of a need for the Women's Building; the Women's building should be larger and stand alone; pollution from the development including light pollution (the landscaping condition covered general and security lighting); and lack of pepper potting.
- The concerns raised by local residents were issues that had previously been raised and previously considered in the committee report.
- There had been a Freedom of Information request for the Design Review Panel letters. All letters had been provided including those that had been superseded by the current proposals. The Committee were advised that the only letter that remained directly relevant to the current proposals was the fifth letter.
- In response to a request for BPS viability appraisals, these had been provided to the person requesting them.
- The CCG had continued to raise concerns about the lack of a Section 106 contribution for GP facilities.

The planning officer provided an update on the eight reasons for deferral as follows:

### Viability

- The applicants' position on the viability of the scheme was unchanged.
- The council's position remained that the scheme was in deficit by circa £3.3 million (based on independent advice from BPS).
- The key point of difference was in relation to the Benchmark Land Value.
- The applicants had committed to start on site late 2022 (subject to planning permission being granted).
- An early stage review mechanism would be secured in the s106 agreement. 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)". (Policy H5 of the London Plan).
- If triggered, the early stage review mechanism would not be impacted by the Benchmark Land Value.
- If the applicants came forward with revisions to the scheme this would require a revised viability appraisal. Again the current differences of opinion on the Benchmark Land Value would not be relevant to any new appraisal as an Alternative Use Value approach would be used based on the consented scheme.

### London Living Rent

- A letter from the Chief Executive of Peabody to Councillor Diarmaid Ward dated 3 March 2022 stated that:
  - 1) "Peabody would be willing to convert some shared ownership homes to London Living Rent in Phase 3 of the development should Phases 1 and 2 of the development perform well."
  - 2) This letter further stated that "Given the viability position, this proposal cannot form part of the s106 agreement".

3) This letter further stated that "To include some LLR homes in the s106 agreement, we would require further [GLA] grant funding."

#### The Residents Facility

- The applicants had clarified that this space would be: available for use by all residents of the proposed development, irrespective of tenure; would be not for profit and would be run on a cost recovery basis; would be in part free of charge for one day per week for residents and/or resident groups within the development. The exact nature of the facilities would be developed with residents at the time of construction.
- No additional community centre was needed for the local area and the scheme would deliver in excess of £13 million Community Infrastructure Levy (CIL) for investment in community infrastructure.
- The applicants had committed to supporting a Tenants and Residents Association (TRA) and the preparation of a Community Engagement Plan.

#### Fit out of Women's Building

- The council's Borough Investment Panel was consulted on a proposal to allocate up to £2.9 million to fund the fit out of the Women's Building. This was agreed subject to: 1) the insertion of a clause within the S106 Agreement requiring Peabody, working with partners including the council, to take all practical steps to raise the £2.9m from other sources. The council would therefore be underwriting the costs of the fit out in the event that this funding could not be secured from other funding bodies; and subject to a formal decision by the Executive on 24 March 2022.
- If planning permission was granted, the application would be subject to referral to the GLA. The Local Planning Authority could only issue planning permission once: the Executive had made a decision on the allocation of £2.9 million; the Section 106 agreement had been completed; and the GLA referral response had been received.

#### Operating Costs of Women's Building

- The building would be secured at a peppercorn rent in perpetuity, saving between £220-300k per annum based on figures provided by the applicant, and would be designed to achieve BREEAM excellent standard, which would be expected to reduce energy costs.
- The applicants and the council were already committed to a joint feasibility study to identify the most effective means of commissioning an operator for the building and funding and procuring services.
- The operator would be able to influence the fit out of the Women's Building to support their operating and funding models. Details of these arrangements would be set out in the Section 106 agreement.

#### Children and Young People

- 5,291sqm of play space would be provided.
- An estimated 119 future residents would be children aged 12+. 1,194sqm of space would be designed to prioritise their needs and this had been updated to include hammocks, outdoor tennis tables, open lawn, gym equipment, social seating areas and over-scale swings.

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- There would be an outdoor gym and an area for passive recreation.
- The spaces for teenagers were intended to be well lit and overlooked. The space would be designed in line with Make Space for Girls principles to provide open recreation space where girls would feel safe and this was conditioned in the landscape plan.

### Access to neighbouring streets

- Access to council owned land would be required to provide a connecting route via Trecastle Way.
- Access via the Bakersfield Estate would require the permission of Notting Hill Genesis Housing Association. A letter dated 7 March 2022 stated that they were 'happy in principle' to provide this access to their residents of the Bakersfield Estate. Access would be provided via a gate and key fob subject to the agreement of the land owner.
- Access to Dalmeny Avenue was not supported by the local residents, and was not being progressed at present. There were also significant physical constraints.
- Access to Crayford Road would require the consent of the City of London and they were not agreeable to this at present. There were also physical constraints.
- Obligations in the Section 106 agreements were: not to build on any Peabody owned land that would restrict the future provision of these routes; and to continue to negotiate with adjoining landowners including the council to secure their delivery.

### Housing – Tenure and Phasing

- Block B4, with its primary entrance to Camden / Parkhurst Road, was now entirely market tenure.
- 25 shared ownership homes that were in Block B4, had now been switched to Block B3 (with its primary entrance to the internal street, and side to the central park).
- Block B3 was now a mix of 35 market and 25 shared ownership homes - with the upper ground floor, third and fourth floors all having a split tenure.
- There would be 985 homes, 415 of which were social rented.

### Tenure and Social Inclusion

- In their letter dated 24 February 2022 the applicants state that:  
"Blocks B4, B5 and B6 now provide a market sale building, a London Shared Ownership building and a Social Rent building. The homes within the blocks that face Camden/Parkhurst Road now comprise 22% Social Rent, 49% London Shared Ownership, and 29% market. By moving the London Shared Ownership homes from Block B4 to Block B3, we have been able to ensure that six of the 11 buildings that have a direct view of the public park, still have affordable accommodation."
- Following on from this, further analysis by the case officer did not indicate that the social rented homes would have a lower standard of amenity or external appearance than the private and social rented homes. For example, in respect to: aspect; average daylight factor; or ventilation.

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- All ground floor and podium open space would be accessible to all residents.

### Housing – Aspect

- 1% of the social rent homes were single aspect, compared to 7% of market homes
- 51% of social rent homes were corner aspect, compared to 56% of market homes.
- There would be no through aspect homes in any tenure. All homes had access from an internal corridor. Some, predominantly social rent homes, also had a secondary direct access. No deck access blocks, terraced, semi-detached or detached housing typologies were proposed.

### Housing – Daylight

- 93% of the habitable rooms tested site wide met the BRE criteria for Average Daylight Factor (ADF) at 2% for Living / Kitchen / Dining rooms (LKDs).
- 96% of all windows tested would meet the BRE criteria if applied at the more widely used 1.5% ADF for LKDs.
- Of the 2,678 habitable rooms that met the 2% ADF criteria 40.5% were within the Market units and 59.5% were within Social Rent and Shared Ownership tenures.
- The levels of daylight for future residents were very good, regardless of tenure.

### Housing – Overheating

- All homes would have openable windows.
- 74 homes would require mechanical ventilation with tempered air.

### Housing – Quality

- Building entrances would be of a similar scale and quality, irrespective of tenure.
- All residents would have access to all communal open spaces.
- Plots A and B each had a central communal open space that was shared between Market, Shared Ownership and Social Rent tenures.
- Sunlight on the ground was 89.9 – 100% for communal open spaces.
- Of the 127 family homes to be provided, 100 (or 79%) would be within Social Rent tenure.
- Some Social Rent family homes had a duplex layout over two floors, with a separate kitchen, courtyard garden and secondary/alternative front door entrance (opening onto a street, communal open space, or public park).
- In response to Members' questions about access the planning officer advised that the Section 106 could require the applicant to secure two way access via the Bakersfield Estate and there were currently no routes to neighbouring streets through the North and West of the site as these required third party permission. The Section 106 would encourage better connectivity and in the future it could result in more access to the site.
- In response to a Member's question, the planning officer advised that the Executive would be asked to underwrite the £2.9million fit out costs of the Women's Building and there would be detail in the Section 106 agreement

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setting out what the council would consider as 'all reasonable steps' to secure funding for the fit out.

- A Member asked whether input and income could be calculated and if there was a surplus, whether the applicant could be required to contribute to the fit out. The planning officer advised that the scheme was compliant in terms of affordable housing provision so a late stage review mechanism could not be required. The member suggested that as one of the largest housing providers, the Peabody Trust, if it made a surplus, might volunteer to make a contribution.
- A Member referred to the comment in a letter from the Chief Executive of Peabody that stated "Peabody would be willing to convert some shared ownership homes to London Living Rent in Phase 3 of the development should Phases 1 and 2 of the development performs well." She asked if the term "performs well" had a specific meaning in planning terms and the planning officer advised that it did not.

The Chair invited 9 registered speakers to speak. A summary of their representations is provided below:

- Mandy Ogunmoken represented Voices of Holloway and the women who had been in Holloway Prison. She stated that the Women's Building was vital to provide therapies, services and interventions.
- Helen Strongman, Chair of Bakersfield Estate Residents Association stated that access had been discussed by residents. Residents were concerned about anti-social behaviour and the use of car parks and residents had a lack of trust that the applicants would act in their interests. It had been decided not to object to the access to the Bakersfield Estate. The Association had not been consulted by Peabody but hoped to be involved in the future.
- Helen Strongman also stated that residents from Penderyn Way and Trecastle Way had raised concerns about design, impact on neighbouring amenity, overlooking, overshadowing, daylight and sunlight. It was not evident to residents that the proposed departure from the Local Plan had been robustly justified and the reasons for deferral did not relate to the existing community.
- In relation to the redistribution of tenures, Debbie Humphry, Islington Homes for All, asked the Committee to ensure tenures were fairly split, stated that space was needed to foster community cohesion and indoor facilities were needed for young people. Concern was raised that the shared ownership housing would be inaccessible for households with a single income. Debbie Humphry requested that a viability review take place.
- Andy Bain, Islington Homes for All, raised concerns about the £40m difference in Benchmark Land Value and stated that the BPS valuation should be used as it was independent. Public engagement should continue.
- Jonathan Ward, who was speaking as a local resident but was also a member of the Design Review Panel stated that the scheme lacked vision and ambition, a dedicated community space should be provided and a reduction in density would improve finances and reduce carbon emissions. Concerns

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were raised about the deficit and neighbours being impacted by the development.

- Linda Clarke, local resident raised concerns about the rising costs of living, climate risks, buildings not being sustainable, homes being poorly ventilated, single aspect homes with inadequate daylight and sunlight levels and no community building.
- Sarah Wigglesworth, a local resident and architect stated that the proposed density was at the upper limit of the Mayor for London's guidance. She raised concerns about tall buildings, social inequality, overheating, single aspect units, under provision of greenspace, compromised daylight and sunlight, increasing childhood obesity as the open space did not meet Islington's minimum standards and local GP practices and pharmacies having to expand to meet demand.
- Clare Connors, a local resident raised concerns that Peabody was unable to answer questions and stated that she had no trust in Peabody. She also had concerns about the consultation.
- Niki Gibbs, local resident raised concerns that Peabody had not listened to the community. Concern was also raised that Peabody had stated that the Women's Building was of exceptional design when it did not include a fit out. The site was a legacy site for women and the design, size and location of the Women's Building was a fundamental issue. Concern was raised about information supplied by Peabody. It was suggested that the Ministry of Justice should be contributing to the funding for the fit out.

The applicants were invited to speak and address the concerns raised by the residents. They stated that:

- The scheme was of high quality design, was landscape led, would provide 60% affordable housing, 415 social rent homes, 60 extra care homes at social rent and 12% homes were wheelchair homes providing 21 more wheelchair homes than required by policy. The Women's Building would be 1,489 sqm far exceeding the council's brief.
- 51 apprenticeships would be provided with a 30% target for women and up to 269 permanent jobs would be provided.
- Peabody was willing to deliver benefits such as a park and Women's Building with a low present day profit margin that was hoped would be enhanced over time.
- Work was planned to start this calendar year and Peabody was already in contract with its construction partner London Square.
- Without approval, delays could affect the grant funding already drawn down for the project that in turn could risk the delivery of the affordable housing.
- Regarding the tenure of homes facing Camden and Parkhurst Road, there were six buildings along this road with a mix of tenures across Blocks C1 and C2 which would also deliver the women's building. They were landmark buildings for the site and had a prominent location with fantastic views of the public park and across the London skyline. These buildings were of exceptional quality and would provide 100% social rent homes.

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- Following comments, the tenure in Blocks B4, B5 and B6 had been amended. Six of the buildings that had a direct view of the public park still had affordable accommodation in them.
- Social rent homes will be the best performing tenure in terms of daylight and sunlight.
- Wheelchair homes had been prioritised for social rent to focus on a housing need in Islington.
- Over 44% of the family-sized homes were social rent as a direct response to housing need in Islington.
- The quality of the homes across all tenures was exceptional.
- A Play Strategy Addendum had been submitted in response to comments.
- There would be a 1.4 acre public park.
- Consultation on the design of the external spaces and play equipment had taken place with local children, key groups and the community. There would be 5,291sqm of open space. This exceeded GLA policy requirements and addition to the space there would also be a nature garden which would provide community growing opportunity for all ages to enjoy. Following comments, the proposals for those aged 12 and above included over 1,200sqm of space with table tennis tables, lawn areas which could be used for socialising, outdoor board games, supernova hammocks and gym equipment. The space had been designed for young women as well as young men and was balanced and inclusive.
- The open spaces would be delivered over the three phases. Further consultation with residents and young people would take place to determine the final play and outdoor gym offer.
- Building connections between residents and drawing the wider community into the public spaces would be achieved through pedestrian connections with the surrounding streets.
- Peabody proposes the delivery of a connection to Trecastle Way which involved Council owned land and were also committed to improving the current pedestrian access across Camden Road to provide a new direct pedestrian route to the main entrance of the public park. Several meetings had taken place with the City of London Corporation to discuss the connection to the Holloway Estate and with Notting Hill Genesis to discuss the connection to the Bakersfield Estate. An in-principle agreement with Notting Hill Genesis had been reached to deliver a connection onto their land and this would be fob-controlled. Meetings would continue with the City of London to explore the connections onto their land. Landscaping proposals had been designed to ensure that future connections to the site could be implemented at such a time that land ownership permitted it.
- Residents' facilities would be provided for all residents to enjoy irrespective of age, gender, tenure or block. Final uses of the spaces were yet to be determined. Potential uses could be a lounge, workspace, cinema room or dining room. As existing community centres were evenly spread across the borough, there was no need for an additional community centre to be provided. There were 13 community centres within 20 minutes' walk of the site and there were two community centres adjacent to the site. Peabody

would be paying £13.6 m Community Infrastructure Levy which could be used to fund further improvements to existing community services.

- The residents' facilities and public park would have free Wi-Fi. All homes would be provided with fibre-optic broadband infrastructure that would include three separate fibre-optic cables for various providers, to give residence choice. Residents would have access to over 25 broadband providers offering a variety of internet packages at a range of prices to suit their needs. Peabody had reached an in-principle 10-year agreement with broadband providers to secure discounted internet packages for all residents who received Universal credit. It was hoped that 4G home broadband would also be available.
- Considering the commitment to provide the benefits of the scheme e.g. extra care block, park, play space, women's building, and with the acknowledged viability deficit, Peabody was not in a position to convert any of the London Shared Ownership homes to London Living Rent homes. The percentage of affordable housing exceeded policy requirement by 10% equating to 70 additional social rent homes and 30 more shared ownership.
- If Phase 1 and 2 performed well, Peabody would be willing to convert some shared ownership homes to London Living Rent homes. The GLA would be approached for possible grants.
- Peabody would be fully delivering the women's building including the fit out this will be secured under the Section 106 agreement. The women's building would have a peppercorn rent in perpetuity. Peabody would work with the council and the future women's building operator to finalise the design specification and would then seek funding from external sources to pay for these. It was anticipated that the women's building would open at the same time as homes were occupied in 2024. The building was designed to achieve BREEAM excellence.
- The women's building had taken three years to design. There had been widespread consultation with women's charities and service providers and women with lived experience. The building would be sited in the most prominent location with the public entrance on Camden Road. There would be a 540 sqm dedicated women's garden. The design included public spaces as well as more secure and private spaces to address the needs of all women including the most vulnerable. There were four distinct and self-contained quadrants which ensured long-term flexibility and viability by enabling adequate privacy and separation between different parts of the building. This enabled a wide range of services to be provided in a range of spaces and at different times. The proposals would provide Islington with a transformative building for the delivery of women's services and a long lasting legacy.

In the committee's questioning the following main points were made:

- The Chair stated that discussion should focus on the points of deferral raised at this meeting, however in the deliberation consideration must be given to both the discussions at this meeting and the previous one.
- In response to a Member's questions about the provision of the community space and whether community meetings and classes e.g. TRA meetings and

fitness classes could be held there, the applicant stated that there was no requirement for a community centre to be included in the development. Peabody was supportive of a TRA being established and TRA meetings could take place within the residents' facility. The exact nature of the Resident facilities would be determined in response to resident requirements at the time of construction. This could include a gym.

- A Member referred to the private tenants paying for facilities in their service charge but rent paying residents paying on a 'pay as you go' basis. Although this would not be unfair, it could be obvious whether residents were private tenants or rent paying tenants. The Member suggested this could be taken off the service charge and that everybody could be on a 'pay as you go' basis.
- In response to a Member's question, officers outlined the repositioning of tenures within blocks. The applicant stated that in response to community consultation, blocks C1 and C2 had social rented units above the women's building.
- In response to a Member's question, the applicant confirmed that the profit margins were 17.5% on the value of the private homes, 15% on the commercial units and 6% on affordable housing value and these are normal benchmark returns. The overall profit on the entire project was £56m based on a full return and assuming no deficit. The planning officer confirmed the BPS figures were the same apart from the Benchmark Land Value.
- In response to a Member's question about how confident the applicant was that they would be able to secure funding for the fit out of the women's building, the applicants stated that once the fit out had been agreed, funding charities would be approached. All reasonable endeavours would be used so that CIL money did not have to be used.
- A Member asked about discussions with the City of London in relation to access. The applicant stated that discussions had taken place. Peabody wanted residents from surrounding areas to be able to access and enjoy the public park and the other benefits that were being provided and would ensure access could be provided if the City of London decided it wanted the connection. The applicants would continue to encourage connections.
- A Member asked for reassurances from officers that within the Section 106 agreement there would be some specific measures to ensure the applicants were using their best endeavour to try and secure access with neighbouring landowners. The planning officer advised that the applicants had committed to not building anything on any part of their site that removed the ability for any of those connections to be delivered. Also the S106 would be drafted to clearly set out what the applicants would need to do to demonstrate to the council that it had taken all reasonable measures to secure the routes with adjoining landowners. This would have to happen with the agreement of the applicant.
- In response to a Member's question about mitigations to reduce the climate change impact, the applicant stated that air source heat pumps would be used.
- A Member requested that if Peabody made a profit, it could refund some of the costs to fit out the women's building.

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- A Member asked the applicants, as they expected to make a profit and were a not-for-profit organisation, what commitment they could give that profits would go back into the development and to Islington. The applicants stated that Peabody was a non-profit organisation that provided affordable housing. They working to generate a surplus to reinvest back into affordable housing and to continue to provide more affordable housing. A significant amount of profit was going into the delivery of the additional benefits on this scheme.
- A Member raised concerns that as Peabody had no other upcoming projects in Islington profits would be reinvested in non-Islington projects. The applicant stated that any financial surplus was used to run the business, obtain loans and invest across all of their stock. Members requested the applicants commit to a late stage viability review so that if, after phases 1 and 2 viability was significantly better than current figures suggested some of the shared ownership tenure could be converted to London living rent. The applicants confirmed that the scheme was beyond policy compliant and there was no policy requirement for a late stage viability review. The applicants stated that Peabody would be willing to convert some shared ownership homes to London Living Rent in Phase 3 of the development should Phases 1 and 2 of the development perform well.
- The applicants stated they would be willing to work through a mechanism with the council to understand whether, if after Phase 2, there was a case to convert shared ownership to London Living Rent and whether they could contribute to the women's building. The legal adviser stated that this would need to be secured in the Heads of Terms. There was a discussion between Members, officers and applicants on the formula to be used, including whether a deficit would be included.
- In response to a Member's question about the contractor for the scheme, the applicants advised that London Square was the main contractor for the scheme and there was a management contract in place with them to construct the scheme.
- A Member asked whether Peabody could make provision for one of the commercial units to be used as community space and space for young people. The applicants stated that the resident facilities would provide spaces for community use and young people. On previous schemes, resident facilities had included a cinema room, workspace, lounge area or a gym and all these users would be suitable for young people. There was a community engagement plan and suggestions would be considered. Peabody wanted active frontages and to contribute to Holloway and the surrounding areas.
- A Member asked what steps had been taken so far to secure funding for the Women's Building fit out. The applicants stated they had spoken to a number of operators and providers who ran such spaces elsewhere. The next steps were to complete a feasibility study, agree a specification and then find funding. A number of potential opportunities had been identified but until the service specification was agreed, engagement with funding bodies could not take place.
- In response to a Member's request that the applicant commit to employing a fundraiser, the applicants confirmed they could commit to this.

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In the deliberation the following main points were discussed:

- The Chair restated that the points considered at the meeting on 10 February should be considered along with any additional points from this meeting.
- Members acknowledged the issues raised by local residents including the breach to policy in relation to tall buildings and a significant loss of light.
- Members considered that the decision would be an on-balance decision and the adverse impacts on neighbouring residents had to be balanced against the benefits of the scheme.
- Members stated that the Committee was aware of the demand for social housing in the borough, that the scheme would assist reduce the waiting list and help many people currently living in overcrowded or substandard accommodation. Benefits of the scheme included the play space being designed for girls as well as boys, a new park, over 400 homes for social rent including extra care homes, and a women's building. It was acknowledged that the applicant had shown willingness to address issues raised by the Committee.
- Although there were concerns about access to the local area, it was acknowledged that the applicant would be required to use best endeavours to secure access.
- The Chair asked the legal advisers to draw up wording for a review mechanism.
- Following consideration of the formula to be used for a voluntary mid-stage viability review, the following wording was put forward by legal and planning officers: 'Prior to Implementation of Phase 3 of the Development, the Developer will conduct a voluntary mid-stage viability review to be secured in accordance with the GLA standard formula. If the review shows a surplus, this will be used (in the following order of priority) to: (i) convert proposed shared ownership units to London Living Rent units; (ii) towards the fit-out and/or running costs of the Women's Building; and/or (iii) conversion of additional market housing units to social rent.'
- A Member suggested that the drafting of Section 106 in relation to the Mid Stage Review mechanism should come back to Committee.

Councillor Jackson proposed a motion to agree the recommendations in the officer report with the wording outlined above in relation to a mid-stage viability review. This was seconded by Councillor North and carried.

### **RESOLVED:**

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted for the reasons set out in Sections 22.1 to 22.26 of the committee report of 10 February 2022:

- Subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London (Recommendation A as set out in Appendix 1 of the Addendum Report);

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- 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 Recommendation B in Appendix 1 of the Addendum Report with a commitment to secure a fundraiser included in the Section 106;
- Subject to the Conditions as set out in Recommendation C as set out in Appendix 1 of the Addendum Report);
- Conditional upon a £2.9 million contribution to the fit out of the Women's Building being secured; and
- Prior to Implementation of Phase 3 of the Development, the Developer will conduct a voluntary mid-stage viability review to be secured in accordance with the GLA standard formula. If the review shows a surplus, this will be used (in the following order of priority) to: (i) convert proposed shared ownership units to London Living Rent units; (ii) towards the fit-out and/or running costs of the Women's Building; and/or (iii) conversion of additional market housing units to social rent.
- Subject to the review mechanism in the Section 106 agreement being brought back to committee and approved.

The meeting ended at 12.25 am

**CHAIR**

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