

**From:** [REDACTED]  
**To:** [Johnson, Ben; planningpolicy](#)  
**Subject:** Site Allocations Consultation - KC3 Regents Wharf  
**Date:** 29 September 2019 16:01:39  
**Attachments:** [Regents Wharf 2 - AGA - 101005 IC Site Allocations Consultation Response Letter scanned - 12.3.18.pdf](#)

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Dear Ben and Planning Team

Looking at the Site Allocations document that you are consulting on, I would like to make the following comments please:

## **Pages 20-21: KC3 Regents Wharf**

### **1. Locally Listed Buildings**

Under Site designations

It has been accepted that the whole of 10 All Saints Street should be treated as locally listed ie all 3 buildings numbered 10 are locally listed; refer to Planning Inspector's report APP/V5570/W/18/3203871; 06 August 2019

Although I read the current text as meaning all 3 buildings, it would be beneficial to state this more clearly ie 10a, b and c are locally listed. I think the reference to one building on the site adds to the confusion as No 10 is actually 3 buildings

Current text:

*10 All Saint's Street, one of the buildings making up the site, is a locally listed building*

Could it be re-worded to be clearer, such as:

*10a, b and c All Saint's Street are locally listed buildings*

### **2. Historic England**

Under Development Considerations

As the site is partially in, and adjacent to, a Conservation Area and is greater than 1,000 sq metres, it should be stated that Historic England must be consulted about any proposed development

As stated here:

<https://historicengland.org.uk/services-skills/our-planning-services/charter/when-we-are-consulted/proposals-for-development-management/>

*Historic England must be consulted or notified about:*

*Development which affects the character or appearance of a Conservation Area and which involves the erection of a new building or the extension of an existing building where the area of land in respect of which the application is made is more than 1,000 square metres*

### **3. UDP/SPD**

Please find attached a letter submitted by AGA planning consultants on behalf of the Ice Wharf Residents (12 March 2018) requesting that the Council develop an

Urban Design Framework/Supplementary Planning Document for the Regents Wharf site.

The site is in a sensitive location where an Employment Growth Area borders a residential area, on a quiet street, set a good distance from Kings Cross and adjacent to the Regents Canal which is a Site of Importance for Nature Conservation.

Given the sensitivity of the site and the recent difficult planning history, it is requested that the site be given special consideration in this way.

#### **4. Future Development**

Under Allocation and justification and Under Development Considerations

As a local resident whose living room window overlooks the site just 6 metres away I would like to emphasise the importance of the wording of these sections in terms of only permitting '*limited intensification*' and '*small scale commercial uses at ground floor level*'

I would also like to re-iterate how important it is that any development really does '*respect the amenity of neighbouring residential properties, including Ice Wharf...*'

There are many flats that will be affected by development on the site and whilst we realise development will take place, strong safeguards must be put in place to make any future development reasonable, so that residents do not suffer significant loss of amenity regarding daylight, sunlight, privacy etc

This site is on the boundary of an Employment Growth Area and is on a residential street – the interface needs to be sensitively managed. The restrictions stated in the site allocations document: '*Any development should respect the amenity.....*' must be respected and upheld

If you have any queries please let me know

Thank you

[Redacted signature]

[Redacted contact information]

**From:** [REDACTED]  
**To:** [Johnson, Ben](#); [planningpolicy](#)  
**Subject:** Site Allocations Consultation - KC7 All Saints Triangle, Caledonian Road  
**Date:** 29 September 2019 15:09:09

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Dear Ben and Planning Team

Looking at the Site Allocations document that you are consulting on, I would like to make the following comments please:

**Page 27: KC7 All Saints Triangle, Caledonian Road**

Whilst I broadly understand why this site is being considered in this site allocations document, as a local resident I would like to see a meaningful reference to protecting the amenity of local residents in the section called Development Considerations.

There are numerous residences that could be affected by the development of this site, so there should be protection of their amenity, particularly in relation to daylight, sunlight and noise. All Saints Street and Killick Street are broadly residential and usually very quiet. Their access to morning light from the East is very important. The current amenity should be protected for the benefit of the inhabitants

As the building on the Triangle site is currently low, at only 1-2 stories high, any proposed building that is taller would have a negative impact on local residents so I would ask for a similar 'development consideration' to that which appears for KC3 Regents Wharf, along the lines of:

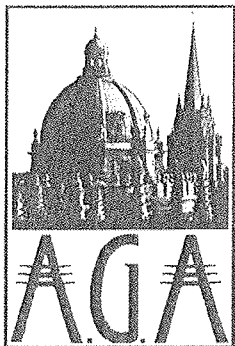
*"Any development should respect the amenity of neighbouring residential properties, including 1-3 All Saints Street/Killick Street, Caledonian Road and Ice Wharf."*

If you have any queries please let me know

Thank you

[REDACTED]

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Date: 12th March 2018  
Ref: 1010/05/AC

Dear Sir/Madam

### **ISLINGTON COUNCIL'S SITE ALLOCATIONS DIRECTION OF TRAVEL CONSULTATION - SITE DOT76 - REGENTS WHARF & 10, 12, 14, 16 & 18 ALL SAINTS STREET, N1**

Thank you for advising the residents of Ice Wharf North & South about Islington Council's (IC's) emerging Site Allocations Development Plan Document (DPD) and the inclusion of Site DOT76 - Regents Wharf & 10, 12, 14, 16 & 18 All Saints Street in particular.

AGA has been commissioned by IWOR - Ice Wharf Owners & Residents, a group comprising 78 occupants of some 58 apartments within Ice Wharf North & South, to present their considered views to the Council in respect of the proposed limited intensification of business floorspace and the introduction of small scale, ground level commercial uses within Site DOT76. The names and addresses of all of the residents supporting the views set out in this consultation response are listed at the end of the letter.

### **Introduction**

Site DOT76, known locally as the Regents Wharf site, lies on the south bank of the Regents Canal, immediately to the east of the two large residential buildings comprising Ice Wharf - Ice Wharf North & South. The site was the subject of vigorous debate and a subsequent unanimous planning refusal from IC's Planning Committee in December 2017, when the current owners brought forward plans for the redevelopment and intensification of the site (see IC App Ref P2016/4805/FUL). The final amended proposals were rejected by reason of their inappropriate layout, height, massing and proximity to nearby residential properties which resulted in unacceptable harm to the amenity of those residential occupiers through loss of daylight & sunlight, loss of outlook and sense of enclosure. In addition, it was considered the proposed development and in particular its visually prominent new roof & inappropriate

dormers, its excessive height & massing and its visual prominence, failed to relate positively to its surroundings, harmed the local townscape and a locally listed building and adversely affected the setting of the Regents Canal West Conservation Area.

### **Towards an Urban Design Framework for Regents Wharf and its adoption as a Supplementary Planning Document (SPD)**

From the outset, IWOR has accepted that Site DOT76 – Regents Wharf was likely to undergo regeneration in the short-medium future. However, the residents group does not wish to see a repeat of proposals which constitute a gross overdevelopment of the site. Consequently, whilst it is supportive of the allocation of the site for limited intensification of business uses with small scale commercial uses at ground floor level, it would ask the Council to develop a draft Urban Design Framework (UDF) for the site that could then be subjected to public consultation and adopted as a Supplementary Planning Document (SPD) by Islington in order to secure the appropriate development of Regents Wharf.

Crucially, any Regents Wharf UDF should refer to, and reflect:

- The actions set out in the Council's *Regenerating King's Cross Neighbourhood Framework Document (July 2005)* – particularly Neighbourhood Action Plan One for the Creative Industries Quarter, within which the site is located;
- The issues raised by Historic England as set out in its written consultation response to App Ref P2016/4805/FUL;
- The Council's existing design & residential amenity policies (specifically IC's Development Management Policy DM2.1 Design); and
- The concerns of immediate residential & commercial neighbours.

Prior to determination of the recent planning application, AGA, acting on behalf of IWOR, presented IC planners and the developers with very clear guidance on what IWOR considered to be the minimum changes required to make the scheme acceptable. In the end, however, IC's Planning Committee concluded that the final set of developer proposals was so far wide of the mark in terms of maintaining residential amenity and respecting Heritage Assets, that the developer should make a fresh start, refocusing on the fundamental design constraints. IWOR considers the Regents Wharf UDF needs to establish a clear set of design parameters that should include:

#### 1. Ensure development proposals respect the Heritage Assets within and adjacent to the site.

Future development proposals must show greater respect for heritage assets than demonstrated in previous schemes. Historic England confirms the Regents Wharf site lies partly within a Conservation Area, whilst the rest of the site is within the setting of that Conservation Area. In addition, it contains a number of attractive locally-listed warehouse buildings. Consequently, the heritage organisation's views, as expressed in its consultation response to the recent application, must be reflected in the text of any emerging UDF. In addition, Historic England should be a key consultee in respect of any future planning applications.

#### 2. Respect the Regents Canal

Emphasise the historical, visual and ecological importance of the Canal and built frontages, giving clear directions as to which buildings must remain and those that can be demolished

### 3. Create coherent outdoor spaces

Ensure the outdoor spaces formed between the new development and the existing urban fabric surrounding the site are coherent, legible, well-proportioned, attractive, useable, maintain neighbours' privacy & avoid noise disturbance. These design parameters also apply to any low or high level terraces designed into the scheme. Sub-division of external space with fences, compounds and gates should be avoided where possible.

### 4. Incorporate appropriate hard & soft landscaping

Re-plant trees unavoidably removed during the construction phase with others of similar height, maturity & quality and introduce additional landscaping where feasible to enhance the site's biodiversity and to retain the valuable screening & privacy such planting provides between windows in opposing buildings.

### 5. Establish an appropriate servicing regime

Exclude servicing vehicles from the site by utilising servicing bays on All Saints Street. If this preferred solution is not feasible, use the Eastern Courtyard access for site servicing; restrict refuse & recycling collections to between 7.00 and 21.00 to avoid disturbance from night-time noise; and restrict deliveries to between the hours of 8.00 and 21.00 on weekdays and between 9.00 and 21.00 at weekends to give residential neighbours respite from the likely increase in noise levels.

### 6. Establish Minimum Permitted Distances between existing & proposed development

State minimum permitted distances between new development on Site DOT76; Ice Wharf North & South; and other properties adjoining the site so as to avoid impacting on residential amenity including loss of daylight or sunlight, loss of outlook and heightened sense of enclosure to an unacceptable degree. Crucially, no built form should be closer to any part of Ice Wharf than those buildings that currently exist on the site and new development must not result in any additional negative impact on residential amenity over and above that which exists at present. For instance, if proposed buildings constructed on the site of existing buildings are to be taller than the existing, then upper level storeys should be stepped or tiered back at an angle of not more than 45 degrees from current parapet heights – such tiering to be illustrated in schematic sections.

### 7. Establish maximum development envelopes

Identify maximum 3D envelopes for replacement buildings in order to control massing, form, scale & height and illustrate these parameters on schematic sections cutting through key parts of the development. The resulting development should avoid the imposition of monolithic forms; allow the parapet height of new development to vary to address specific constraints resulting from adjacent development (including Ice Wharf); and create townscape interest.

### 8. Set out design parameters for appearance & materials

Advise requirement for high quality design in terms of appearance and the use of high quality materials whilst avoiding being prescriptive in terms of architectural style.

### 9. Avoid overlooking of residential properties

Require that any potential overlooking of windows to existing residential properties from new windows, terraces or balconies be designed out of building layouts at the beginning of the design process. New fenestration, terraces & balconies should only be located where they will not overlook existing residential windows. Inserting windows in locations that would result in

overlooking, and then trying to apply corrective "sticking plaster" measures to avoid loss of privacy, is not acceptable practice.

10. Maintain acceptable sunlighting & daylighting levels

Undertake accurate and verifiable daylighting & sunlighting assessments in line with the latest BRE Guidelines and the design guidance set out in the Council's Development Management policies and Supplementary Planning Documents, in order to demonstrate that acceptable levels of daylight and sunlight will reach all adjacent residential windows or, at the very least, existing light levels will remain unaltered for those currently experiencing sub-standard levels. Crucially, require that both Vertical Sky Component (VSC) and No Sky Line (NSL) tests should be passed when undertaking assessments, as required by BRE Guidelines, and that any Average Daylight Factor (ADF) testing should be carried out with existing balconies in place.

11. Avoid artificial light pollution

Avoid placing "floor to ceiling" glazing or large areas of fenestration adjacent to residential properties as these result in artificial light pollution which, even with secondary black-out measures, is difficult to control in the long term and can disturb neighbours and wildlife, especially bats, using the Regents Canal corridor. Similarly, ensure the positioning and specification of external lighting avoids upward and excessive sideways light spread which again would result in light disturbance for adjoining residents and wildlife. Strict lux level limits and, where necessary, the use of directional visors should be used to ensure neither internal nor external lighting results in the illumination of nearby bedrooms. Require full details of all proposed external & internal lighting and a Light Pollution Assessment to be submitted with any future planning application to allow officer & public scrutiny of all such proposals.

12. Establish effective noise pollution controls and hours of operation for Class A uses

Establish a strict noise control regime by ensuring any new development observes the following principles:

- a. Limit noise from all mechanical plant; roof plant, machinery & sub-stations. Attach a planning condition advising: "The rating levels for cumulative noise from all permanent plant and machinery shall not exceed 5dB below the existing LA90 background levels and 10dB below the existing LAeq at any noise sensitive premises as assessed in accordance with British Standard 4142 (2014) or any subsequent guidance or legislation amending, revoking and/or re-enacting BS4142 with or without modification", or similar.
- b. Limit the hours of operation for all proposed Use Class A3/A4/A5 premises to reflect the residential nature of a substantial part of the surroundings. Impose the following hours of operation for A3/A4/A5 uses by condition: 8.00-22:00 Sunday to Thursday and 8.00-22:30 Friday & Saturday. The opening hours for any future conversions to form A1 or A2 units should also be limited to between the hours of 0800 and 2200.
- c. Limit noise emanating from the proposed café/restaurants use. Attach a condition advising "Noise emanating from the Use Class A3 premises (Leq, 5min) shall not exceed a level 10dB less than the background noise level (L90, 5min measured in the absence of the entertainment noise) in octave bands from 63Hz to 4Hz at the façade of any noise sensitive premises", or similar.
- d. Prevent the use of any amplification equipment between the hours of 2200 and 0900, if such equipment is permitted by the Council.
- e. Ensure all external gates and doors are fitted with rubber pads or other noise-deadening devices to prevent residents being disturbed by percussive or mechanical noise when they are in operation.

## Public Consultation and IC adoption of Urban Design Framework

IWOR would respectfully request the Council undertakes an early consultation exercise in respect of a comprehensive Regents Wharf UDF. This should involve the active participation of Historic England, the Victorian Society, the Islington Society, the Canal and River Trust and other interested parties; as well as residential and other neighbours. Thereafter, a preliminary UDF should be prepared and circulated for comment, before a final version is formally adopted by the Council as an SPD. This would allow future planning applications to be judged by their adherence to the adopted Framework. Subsequently, future applicants should be required to undertake meaningful consultations with statutory consultees inc. Historic England, amenity bodies and immediate neighbours well in advance of the submission of a planning application in order to prevent a repeat of the recent planning refusal. A Statement of Consultations detailing all such discussions should also accompany any new planning submission.

## Conclusions

IWOR concludes that, while it is supportive of the limited intensification of business use and the introduction of small commercial uses on Site DOT76, this support is conditional on the preparation and adoption by the Council of a Regents Wharf Urban Design Framework, preferably in the form of a Supplementary Planning Document, which would guide the appropriate development of the site and avoid a repeat of the deleterious overdevelopment proposals contained in previous planning submissions.

We trust this consultation response is helpful, but please do not hesitate to contact Alistair Grills if you require to discuss any of the issues raised above.

Yours faithfully



Signed on behalf of the following residents of Ice Wharf North & South:

