

The London Borough of Islington

Examination of the London Borough of Islington Strategic and Development Management Policies, Site Allocations and Bunhill and Clerkenwell Area Action Plan Development Plan Documents

Schedule of Matters and Issues for the Examination

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Matter 1 – Legal Requirements

Duty to Co-Operate

- 1.1 Have each of the DPDs been prepared in accordance with the Duty to Co-Operate (DtC) imposed by Section 33A of the Planning & Compulsory Purchase Act 2004 (as amended)?
- 1.2 Why has a Statement of Common Ground (SoCG) not been agreed with the London Borough of Hackney? What matters cannot be agreed upon?
- 1.3 The DtC statement (SD31) identifies the strategic policies of the Strategic and Development Management Policies DPD. However, the Site Allocations DPD at Table 1.1 sets out there are strategic allocations and the Bunhill and Clerkenwell Area Action Plan at Table 1.1 also identifies strategic policies and allocations, but these are not listed in the DtC Statement. Has the DtC therefore been met in relation to the Site Allocations and Bunhill and Clerkenwell Area Action Plan DPDs?
- 1.4 On a related matter, are the tables identifying strategic and non-strategic policies set out within each Development Plan Document (DPD) justified, having regard to the guidance in the NPPF on the identification of such policies? In addition to the above, do the Council consider strategic site allocations to be strategic policies?

Other legal requirements

- 1.5 Has each DPD been prepared in accordance with the Council's Statement of Community Involvement and met the minimum consultation requirements in the 2012 Regulations?
- 1.6 Has the formulation of the Strategic and Development Management Policies, Site Allocations and Bunhill and Clerkenwell Area Action Plan DPDs been based on a sound process of Sustainability Appraisal (SA) in accordance with the regulations and relevant guidance?
- 1.7 Has the SA tested all reasonable alternatives?
- 1.8 Is there a requirement in legislation to undertake SA at Regulation 18 stage to inform each Plan's preparation?
- 1.9 Has the SA Scoping Report been prepared in accordance with the regulations and relevant guidance?

- 1.10 Has the Habitats Regulation Assessment (HRA) been undertaken in accordance with the Regulations and is it robust?
- 1.11 Has each DPD been prepared in accordance with the Council's Local Development Scheme, particularly in relation to the timescales set out in Appendix 1?
- 1.12 Does the Plan (all three DPDs in combination) include sufficient policies designed to secure the development and use of land that contributes to the mitigation of, and adaptation to, climate change?
- 1.13 Has the Plan been prepared to be in general conformity with the London Plan?
- 1.14 Which document(s) make up the Policies map? Is it sufficiently clear what will be included on the Policies map once it is adopted?

Matter 2 – Area Spatial Strategies

General Matters

- 2.1 Is the overall strategy set out by the area spatial strategies justified?
- 2.2 To be positively prepared, should each area spatial strategy set out indicative delivery figures in terms of residential and employment uses?
- 2.3 Are all of the area spatial strategy diagrams suitably legible?
- 2.4 Does the Plan adequately address the issue of neighbourhood planning?

Strategic and Development Management Policies DPD

Policy SP2 – King's Cross and Pentonville Road

- 2.5 To be positively prepared and justified, should the approach to residential use in the area spatial strategy be set out?
- 2.6 If residential use is considered to be unacceptable in the area spatial strategy area, does this comply with the NPPF and the London Plan?
- 2.7 For the Policy to be effective should the boundary of the knowledge quarter be defined?
- 2.8 Is the approach of Policy SP2 to residential moorings justified?

- 2.9 Is the Central Activity Zone (CAZ) boundary in this area spatial strategy justified?

Policy SP3 – Vale Royal / Brewery Road Locally Significant Industrial Site

- 2.10 Is the boundary of the Vale Royal / Brewery Road Locally Significant Industrial Site justified based on existing uses?

It would be helpful if the Council could supply a map illustrating the use of each building/site within the boundary.

- 2.11 Is the approach of Policy SP3 to the provision of industrial uses and office uses justified based on proportionate and up-to-date evidence, and consistent with the London Plan and national policy?
- 2.12 Would Policy SP3 unreasonably restrict the growth of the creative industry within the spatial strategy area, including Tileyard Studios and is this supported by the evidence base?
- 2.13 Is it justified to restrict office uses from a site where it is the existing use?
- 2.14 Is the assertion in Policy SP3 Part C that additional non-industrial uses would undermine the industrial function of the area justified?
- 2.15 Is the generic height restriction across the spatial strategy area justified and supported by proportionate evidence?
- 2.16 Is the approach of Policy SP3 Part F justified, with particular regard to development being 'clearly sub-ordinate' to Maiden Lane tower?
- 2.17 Would the intensification of industrial uses within the spatial strategy area, have any unacceptable environmental impacts?

(Please note the Council's proposed approach of using planning conditions to secure uses within Class E will be considered under Policy B2)

Policy SP4 – Angel and Upper Street

- 2.18 To be positively prepared and justified, should the approach to residential use in the area spatial strategy be set out?
- 2.19 If residential use is considered to be unacceptable in the area spatial strategy area, does this comply with the NPPF and the London Plan?
- 2.20 Is the Cultural Quarter designation justified and supported by proportionate evidence?

Policy SP5 – Nag’s Head and Holloway

- 2.21 To be positively prepared and justified, should the approach to residential use in the area spatial strategy area be set out?
- 2.22 If residential use is considered to be unacceptable in the area spatial strategy, does this comply with the London Plan and NPPF?
- 2.23 Is Part I inconsistent with Policy H6 in terms of when additional student accommodation may be considered acceptable?
- 2.24 Is Part K justified in relation to the removal of the Isledon Road / Tollington Road gyratory system?

Policy SP6 – Finsbury Park

- 2.25 Is the identification of Finsbury Park as a CAZ satellite location for business uses, with the potential for small and medium-sized enterprises (SME) occupation, justified and supported by proportionate evidence?
- 2.26 Is the approach to residential development in the area spatial strategy justified and consistent with national policy?
- 2.27 Is the approach to residential development in the area spatial strategy consistent with Policy SP7?
- 2.28 Is the approach of Policy SP6 to the specialist shopping area at Fonthill Road justified?

Policy SP7 - Archway

- 2.29 Is the approach to residential development in the area spatial strategy justified and consistent with national policy?
- 2.30 Is the approach to residential development in the area spatial strategy consistent with Policy SP6?
- 2.31 Is the Cultural Quarter designation justified and supported by proportionate evidence?

Policy SP8 – Highbury Corner and Lower Holloway

- 2.32 To be positively prepared and justified, should the approach to residential use in the area spatial strategy area be set out?
- 2.33 If residential use is considered to be unacceptable in the spatial strategy area, does this comply with the NPPF and the London Plan?

Bunhill and Clerkenwell AAP Policies BC1 – BC8

Policy BC1

- 2.34 Are the minimum percentages of office floorspace within Part B justified and supported by robust evidence?
- 2.35 Should the policy be more flexible to allow for a higher proportion of residential use, where it is proven to be necessary to enhance the viability of a commercial-led mixed-use scheme?
- 2.36 Is Policy BC1 positively prepared as regards making adequate provision for commercial uses such as sports and leisure uses, food and drink uses and retail? Will the policy thresholds for office use deter such schemes?
- 2.37 Is the reference to 'majority' of floorspace in Part C sufficiently clear and therefore effective or should it be quantified by a percentage?
- 2.38 To ensure the effectiveness of Site Allocation BC50, should Part D (ii) be amended to make explicit reference to B1(c) medical and research uses?
- 2.39 Should Part D (iii) include reference to non-residential institutions?
- 2.40 Should Part D (iv) be amended to provide additional flexibility for predominantly residential areas and semi residential areas?
- 2.41 Should Part D include an additional criterion to allow for mixed-use developments that provide enhanced social value and enhanced provision of community facilities?

Policy BC2

- 2.42 To be effective, is the term 'predominantly commercial areas' in Part A sufficiently precise? Should it be defined to include the City Fringe Opportunity Area?

Policy BC3

- 2.43 To be effective, are the terms 'substantial amount of affordable workspace' and 'necessary social infrastructure' within Part B sufficiently clear? Have such requirements been subject to robust viability assessment?
- 2.44 Is Part G justified in precluding any development in the centre of the Old Street roundabout?

Policy BC4

- 2.45 For clarity (and effectiveness), does the policy need to stipulate the circumstances, if any, where residential use might be appropriate?

- 2.46 Is the strategy for residential moorings, set out within Part G justified?
- 2.47 Will the redevelopment of Finsbury Leisure Centre be consistent with national policy, namely NPPF paragraphs 96 and 97?

Policy BC5

- 2.48 Is there text missing from the first sentence of Parts F & G?
- 2.49 Is the Spatial Strategy area correctly outlined on Figure 3.4?
- 2.50 For clarity (and effectiveness), does the policy need to stipulate the circumstances, if any, where residential use might be appropriate?
- 2.51 Is Part G comprehensive in terms of its reference to transport matters? To be effective, are there any specific initiatives worth mentioning?
- 2.52 Is Part H justified and what evidence underpins the statement that the railway cuttings have heritage value?

Policy BC6

- 2.53 Part B states that the mix of uses within Exmouth Market Local Shopping Area must be managed to support the vitality and viability of the centre, while not harming local character or amenity. Will this be effective, and does it provide sufficient certainty to guide applicants?
- 2.54 Is Policy BC6 comprehensive as regards transport initiatives, for example to be effective does it need to cross refer to the Clean Air Walking route along Amwell St to Faringdon?
- 2.55 What is the status of the Mount Pleasant Sorting Office site? How far has the permitted development progressed?

Policy BC7

- 2.56 Will the redevelopment of Finsbury Leisure Centre be consistent with national policy, namely NPPF paragraphs 96 and 97? (See similar question in relation to Allocation BC4)
- 2.57 Respondents have referred to the Bunhill and Clerkenwell Urban Design Study 2010, page 45 of which, allegedly states that additional housing is not required. Is this document relevant and if not why not? (Please can the Council supply relevant extracts)
- 2.58 Are paragraphs 3.60 to 3.64 setting out policy? If so, for effectiveness, should it be incorporated into the policy?

Policy BC8

- 2.59 For effectiveness, are amendments required to ensure that the policy and its supporting text are consistent, particularly in relation to commercial uses (paragraph 3.68) and public realm (paragraphs 3.75-3.77)?

Matter 3 - Housing Policies

Policy H1: Thriving new communities

- 3.1 To be effective should Part F include some flexibility (for example 'should' instead of 'must')?
- 3.2 Should Part J say size and mix to be effective?
- 3.3 Is Part M consistent with Policy H6?
- 3.4 For Policy H1 to be effective should it cross-reference the more detailed subsequent policies that inform it?

(Please note: Policy H1 in many cases provides an overview of the more detailed subsequent policies that inform it. Our main matters and questions are therefore directed to the more detailed policies rather than at Policy H1).

Policy H2: New and existing conventional housing

- 3.5 Is it justified to role forward the London Plan target of 775 dwellings per annum (dpa) to the end of the Plan period?
- 3.6 To be positively prepared, should Policy H2 set out the overall housing requirement over the Plan period?
- 3.7 Is Policy H2 Part B justified and in accordance with national policy?
- 3.8 Are the housing mix priorities set out in Table 3.2 justified and supported by robust evidence?
- 3.9 Is Policy H2 Part F and its supporting text at paragraph 3.34 justified and in accordance with national policy?
- 3.10 Is Policy H2 Part G justified and in accordance with national policy?
- 3.11 Is Policy H2 Part H necessary and is it consistent with national policy?

3.12 Is paragraph 3.29 of the supporting text setting out policy and is it consistent with the London Plan?

Policy H3: Genuinely affordable housing

3.13 Will the Plan deliver sufficient affordable housing to meet identified needs?

3.14 Is the requirement for a minimum of 50% of all net additional conventional housing to be affordable justified and based on a sound assessment of viability?

3.15 Is the approach to affordable housing consistent with London Plan Policy H4?

3.16 Is the use of net additions rather than gross additions consistent with the London Plan?

3.17 Is it justified to require more than 50% affordable housing in certain circumstances and is it sufficiently clear to future Applicants when this might be required? Further, is it consistent with the London Plan and national policy?

3.18 Is requiring future Applicants (Part B and D) to exhaust all potential options for maximising the delivery of on-site affordable housing above the 50% target, particularly through public subsidy justified and based on a sound assessment of viability?

3.19 Are the requirements in Part C and E in terms of review mechanisms justified and in accordance with national policy?

3.20 Is Part G consistent with the London Plan and national policy? Further, is it suitably clear what the exceptional circumstances might be?

3.21 Is the tenure split set out in Part H justified and supported by robust evidence?

3.22 Is Part H justified and is it consistent with the London Plan and national policy, particularly the definition of affordable housing in the Annex 2 of the NPPF?

3.23 Is requiring developments of fewer than 10 residential units to make a financial contribution to affordable housing (Part I) justified and consistent with national policy?

3.24 Is the approach to Vacant Building Credit in Part J justified and consistent with national policy?

- 3.25 Is paragraph 3.44 setting out policy and is it justified and consistent with the London Plan?
- 3.26 Is paragraph 3.60 of the supporting text justified and consistent with national policy, in terms of allowing alternative payment triggers?

Policy H4: Delivering high quality housing

- 3.27 Is reference to Policy H6 in Part A justified?
- 3.28 Should Part A also include reference to Policy H12 to be justified?
- 3.29 Is Part B justified and consistent with national policy?
- 3.30 Is Part H justified and is it suitably clear to future applicants how it can be demonstrated that the delivery of dual aspect is impossible or unfavourable?

Policy H6: Purpose built student accommodation

- 3.31 Is the approach of Policy H6 informed by sufficient evidence in terms of need?
- 3.32 Is the overall approach of Part A justified and in accordance with national policy and the London Plan at Policy H15?
- 3.33 Is the requirement of Part B (ii) for 10% of bedspaces to be wheelchair accessible justified?
- 3.34 Is the requirement of Part B (iii) in terms of requiring student bursaries justified and based on proportionate evidence?
- 3.35 Is Part B (vi) consistent with national policy and the London Plan at Policy H15?
- 3.36 Is Part B (vii) justified and supported by robust evidence, including viability and consistent with the London Plan?
- 3.37 Should existing student accommodation be protected?
- 3.38 Is reference to Policy H4 in Part B (i) justified?

Policy H7: Meeting the needs of vulnerable older people

- 3.39 Is the approach of Policy H7 informed by sufficient evidence in terms of need?

- 3.40 Is the overall approach of Policy H7 to meeting the needs of older people justified and in accordance with national policy and the London Plan (Policy H13) and will it ensure such needs are met over the Plan period?
- 3.41 Would the approach of Policy H7 result in other boroughs having to deliver more specialist accommodation for older people?

Policy H9: Supported housing

- 3.42 Is the Plan positively prepared in relation to meeting the needs of vulnerable people, particularly those that are homeless?

Policy H10: Houses in multiple occupancy (HMOs)

- 3.43 Is the approach of Part A (ii) justified?
- 3.44 Is the overall approach to the consideration of large-scale HMOs in Part C justified and in accordance with national policy and the London Plan?
- 3.45 Is the requirement of Part C (iii) for 10% of bedspaces to be wheelchair accessible justified?
- 3.46 Is Part C (iv) consistent with national policy and the London Plan?

Policy H11: Purpose built private rented sector development

- 3.47 Is the approach of Policy H11 justified and supported by robust evidence (including the SHMA 2017) and is it consistent with national policy and the London Plan?
- 3.48 Is the approach of Part A (ii) to Affordable Private Rent justified and is it consistent with national policy and the London Plan?
- 3.49 To be effective should Part A (v) include the consideration of viability?
- 3.50 Is Part A (iv) (including the 50-year covenant timescale) justified and consistent with the London Plan?
- 3.51 To be effective should Part A (vi) and (vii) include some flexibility?
- 3.52 Is Part A (vii) justified and consistent with the London Plan?

Policy H12: Gypsy and Traveller Accommodation

- 3.53 Is the Gypsy and Traveller Accommodation Assessment 2019 robust?

- 3.54 The Council has suggested several modifications (Exam Ref: PD1a) to Policy H12 and its supporting text. Will these ensure consistency with the London Plan and national policy and should a need figure be set out within the policy?
- 3.55 Is the Plan positively prepared and why has a site(s) not been identified in this Plan, given pitches are needed by 2025 and has the Council met its Public Sector Equality Duty?
- 3.56 Is Policy H12 and its criteria justified and consistent with national policy?
- 3.57 On a related matter, how will the identified needs of boat dwellers be met by the Plan?

Matter 4 – Site Selection and Allocations

Site selection

- 4.1 Have the individual site allocations been chosen according to a robust site selection methodology?
- 4.2 Are the allocated uses, or mix of uses, justified and do they reflect the outcomes of the SA and testing of reasonable alternatives through the site selection methodology?
- 4.3 Is there a realistic prospect that each of the allocations will be deliverable within the plan period? Is each site available now and does it have a willing landowner supportive of the allocated uses? If not, is the allocation justified?
- 4.4 Are the development timescales justified, particularly with regard to those sites which are being projected to deliver in Years 1-5?

General matters relevant to all site allocations

- 4.5 Have the main development considerations and key planning designations and constraints been accurately identified?
- 4.6 To be positively prepared and effective, should the allocations themselves include indicative development capacity figures, including for business floorspace?
- 4.7 Are the site capacity assumptions in Table 1.2 of the Site Allocations and Table 4.2 of the Area Action Plan justified and based on robust evidence?

- 4.8 The Council have put forward a number of additional sites as part of their suggested modifications – namely KC8, OIS27, OIS28, OIS29, OIS30, OIS31, OIS32, OIS33 and OIS34. The Council is requested to provide commentary in relation to these allocations and in particular, with reference to paragraphs 4.3-4.6 inclusive.

Site allocations

KC1

- 4.9 To ensure effectiveness, should the allocation make reference to the need to mitigate against the noise from the concrete batching plant adjacent?

KC2

- 4.10 Is the boundary of the allocation justified, in light of the suggestion that there is an extant implemented planning permission for 57-65 Randell's Road? Should the allocation reference this permission?
- 4.11 Would the allocation be viable, and would it deliver an attractive scheme?
- 4.12 Are the allocated uses justified and will they achieve the desired planning outcomes?
- 4.13 To ensure effectiveness, should the allocation make reference to the need to mitigate against the noise from the concrete batching plant adjacent?

KC3

- 4.14 To ensure effectiveness, should 10 All Saints Street be referenced as 10a, b and c?
- 4.15 Does this allocation meet the criteria for consulting Historic England and, if so, to ensure effectiveness, should it make reference to this?
- 4.16 Are the allocated uses justified and will they achieve the desired planning outcomes? (*Note landowner's suggestion that 'limited intensification of business use floorspace' is amended to 'intensification of business floorspace'*)
- 4.17 Are the development considerations justified? Further, for effectiveness should they be amended to require that development respects the amenity of Treaty Street to the north of the site?

KC4

- 4.18 Are the allocated uses justified? (*Note the landowner's suggestion that greater focus be placed on residential development*)

KC5

- 4.19 Are the allocated uses justified? *(Note the landowner's suggestion of a residential scheme with business use at lower levels)*

KC6

- 4.20 Is the boundary of the allocation justified? Should it be extended to include the adjacent building - Bacta House, 6 All Saints Street?

KC7

- 4.21 For effectiveness, should the development considerations include the need to respect the living conditions of the residents of neighbouring properties, including 1-3 All Saints Street/Killick Street, Caledonian Road and Ice Wharf?

VR2

- 4.22 Are the development constraints justified, with particular reference to the permissible use classes? *(Note the policy permits B1(c), B2 and B8 with office floorspace only as part of a hybrid workspace scheme)*

VR5

- 4.23 Is the site justified for inclusion as an allocation in the plan, and why has it been identified above other sites in the LSIS?

VR6

- 4.24 Is there justification for seeking to retain and intensify industrial uses (B1(c), B2 and B8), having regard to the existing office use and extant permission on the site for a mix of B1(a) and flexible B1 floorspace?
- 4.25 What is the current position with the extant permission? *(Note the owner's representation indicated that the permission was being implemented with completion likely in February 2020)*

VR10

- 4.26 Is this site suitable for retention and intensification of industrial uses, bearing in mind any constraints on parking and deliveries?

AUS1

- 4.27 Are the allocated uses justified? *(Note the landowner's suggestion of residential and an hotel)*

AUS3

- 4.28 Are the allocated uses justified? *(Note the landowner's suggestion of retail on ground floor and residential, hotel or student accommodation above)*

4.29 To be effective, should the allocation be more prescriptive on building height, to maximise use of the site?

AUS6

4.30 Are the allocated uses justified and are they viable? *(Note the landowner's suggestion of residential use)*

AUS7

4.31 Are the allocated uses justified and are they viable? *(Note the landowner's suggestion of a significant element of residential use)*

4.32 Is the existing building of local historic or townscape merit and is it worthy of retention and conversion – if this is the Council's expectation, to be effective should it be made more explicit in the plan?

4.33 Is the allocation effective, with regard to whether it includes all relevant development considerations, particularly in relation to archaeology, structural impacts on nearby buildings and access?

AUS8

4.34 Are the allocated uses justified, particularly having regard to the status of the building as a Grade II* listed heritage asset? *(Note the landowner's request for place of worship (D1) to be added to the mix of permissible uses and for residential development on the car park)*

AUS11

4.35 Is this allocation justified for inclusion in the plan and does it serve a clear purpose?

AUS12

4.36 Are the allocated uses justified? *(Note the landowner's suggestion of more housing to support the re-provision and enhancement of business space)*

Nag's Head and Holloway

4.37 Has there been robust assessment of the likely impacts of these sites, particularly tall buildings on NH1, NH2, NH10, NH12 and NH13 on conservation areas? Please supply maps showing the locations of the listed buildings, locally listed buildings and conservation areas referenced in the allocations.

NH1

4.38 Does the allocation comply with national policy, namely paragraph 97 of the NPPF in relation to loss of the snooker club?

- 4.39 Is the 15 storey height limit within the allocation justified and is it supported by robust evidence?
- 4.40 To ensure effectiveness, should the allocation be revised to allow for piecemeal development to take place across the site?

NH3

- 4.41 Are the allocated uses justified? *(Note the suggestion of housing, business uses including offices and warehousing, and commercial uses along Holloway Road, as per the current local plan)*
- 4.42 Is the current use accurately described in the allocation? What are the existing arts/cultural uses which are being identified for retention?

NH5

- 4.43 Are the allocated uses justified? *(Note the landowner's suggestion of C1 serviced apartments)*
- 4.44 Is the requirement for a consistent design approach between the sites justified?

NH6

- 4.45 Is the allocation effective, with regard to whether it is clear what uses are appropriate, given the previous reference to conversion and infill in the 2013 local plan?

NH7

- 4.46 The allocation does not identify the site as being suitable for buildings taller than 30m and as such Policy DH3 would preclude such development. Is this justified and is there robust evidence to preclude greater heights outside the protected viewing corridor?
- 4.47 Are the phasing provisions within the allocation, whereby essential infrastructure such as open spaces and community facilities must be completed prior to residential occupation, justified?
- 4.48 Does the proposed allocation include adequate mitigation for its potential impact on education infrastructure?
- 4.49 To be positively prepared, should the allocation include an element of housing for older people?

NH10

- 4.50 Is the height limit of 37m justified and supported by robust evidence?

NH12

4.51 In what way does the allocation take full account of the effects of the site allocation on the living conditions of existing residents?

NH13 & NH14

4.52 Are there any existing sports facilities on either of these sites?

4.53 Are the allocations consistent with national policy, namely paragraphs 96 and 97 of the NPPF?

4.54 Are the allocated uses justified for these sites? To be positively prepared, should the allocations support university related development, including refurbishment of existing buildings, infill development and redevelopment of existing buildings? Further, is the omission of student housing justified?

FP2

4.55 Is this allocation consistent with national policy, namely NPPF paragraphs 96 and 97, with regard to the potential loss of a yoga studio?

FP3

4.56 Are the allocated uses justified? (*Note the suggestion of a residential-led mixed-use development*)

FP4

4.57 Are the allocated uses justified, having regard to viability considerations? (*Note the landowner's request for an element of residential use*)

FP5

4.58 Is the allocated use justified, having regard to viability considerations? (*Note the landowner's suggestion of a residential scheme, or a large HMO/build-to-rent type scheme with an element of SME workspace?*)

FP7

4.59 Is the allocation deliverable, given its stipulation that the loss of social infrastructure be justified? Is this requirement reasonable and justified?

4.60 Is the requirement for office/workshop uses on the ground floor justified, having regard to the site location and context? (*Note landowner's suggestion for a wholly residential scheme*)

FP9

4.61 Are the allocated uses justified, having regard to viability considerations? Specifically, will the requirement for a significant amount of business floorspace affect the viability of re-providing the community use? (*Note the landowner's request that the allocation be amended to enable*

community use to be provided alongside 'business floorspace and/or residential use'.

- 4.62 To be effective, should the allocation make provision for phased development, bearing in mind the site is in multiple landownership?

FP13

- 4.63 Is this site deliverable without having an unacceptable adverse impact on the living conditions of existing residents?

- 4.64 Are the allocated uses justified? (*Note the suggestion of offices and other town centre uses*)

FP14

- 4.65 Is this allocation compatible with the objective of protecting open space in the Borough and would permeability and safety of access be maintained?

FP15

- 4.66 Is this site available and is there a realistic prospect that the allocated development will come forward in the plan period? Is the site justified for inclusion in the plan?

ARCH1

- 4.67 Is a tall building on this site justified, having regard to potential impacts on the living conditions of nearby residents and other considerations?

ARCH2

- 4.68 Are the allocated uses justified? (*Note the landowner's suggestion that residential be included*)

ARCH3

- 4.69 Are the allocated uses justified? Is the allocation viable and deliverable? (*Note the landowner's suggestion of B1 offices and/or general town centre uses*)

- 4.70 Does the allocation include the correct site address and is it therefore effective?

ARCH5

- 4.71 Is the stipulation within the allocation that justification be provided for any net loss of social infrastructure justified?

- 4.72 Is the omission of a tall building on the site justified?

4.73 Are the development considerations within the allocation comprehensive? To ensure effectiveness, is reference required to other matters such as the impacts on Mansion Towers or cycle infrastructure?

4.74 The Council have referred to the preparation of a SoCG in relation to this site and the Inspectors would welcome such a document to be submitted with the responses to these matters and issues.

ARCH6

4.75 Are the allocated uses justified? (*Note the landowner's suggestion of residential-led*)

4.76 Is the omission of a tall building on the site justified?

ARCH7

4.77 Is this allocation consistent with national policy, namely NPPF paragraphs 96 and 97? Should the allocation secure the re-provision of D2 use?

4.78 What relationship, if any, does this site have with Junction Road Station?

ARCH10

4.79 Is this allocation consistent with national policy, namely NPPF paragraphs 96 and 97?

HC3

4.80 Is this site deliverable and have the effects on the living conditions of existing local residents been adequately assessed?

4.81 Are the allocated uses justified? (*Note the suggestion of a residential-led scheme, or a greater mix of uses and a tall building on the site*)

4.82 Where are the 'historic uninterrupted views towards Union Chapel' referred to by a local resident? Are these views significant and if so how do they affect the allocation?

OIS4

4.83 Is this site available and is there a realistic prospect that the allocated development will come forward in the plan period? In light of the representations received, is the site justified for inclusion in the plan?

OIS5

4.84 To be effective, should the development considerations be amended to state that proposals should meet their own parking requirements on-site?

4.85 Are the allocated uses justified? Is the omission of Sui Generis uses akin to industrial uses justified?

OIS10

4.86 Are the allocated uses justified? (*Note the landowner's suggestion that the allocation be amended to permit mixed use*)

OIS12

4.87 What is the situation with the extant planning permission?

4.88 Is the allocation justified for inclusion in the plan?

4.89 Are the allocated uses justified and, if so, is there a realistic prospect that they will be delivered during the plan period?

OIS15

4.90 Are the development considerations within the allocation comprehensive? To ensure effectiveness, is reference required to other matters such as the impact on residential properties to the south; trees; the living conditions of residents of Orwell Court; listed buildings and the Conservation Area; security; landscaping and amenity space?

OIS16

4.91 Is this allocation consistent with national policy, namely NPPF paragraphs 96 and 97 with regard to the potential loss of the existing MUGA/sports pitch?

OIS21

4.92 Has this allocation been appropriately justified with regard to its impact on the historic environment, notably the Grade II listed Caledonian Station?

4.93 The Council have referred to the preparation of a SoCG with Historic England – this should be prepared and submitted with this matters and issues response.

OIS24

4.94 To be justified, should the site be extended to the boundary with Caledonian Road and to the north to include Wellington Mews?

4.95 Is the stipulation within the allocation that justification be provided for the loss of social infrastructure justified?

4.96 Is it justified to describe the allocation as a 'heritage-led' scheme?

4.97 Is the requirement to consider upgrades to the wastewater network justified?

- 4.98 Will the requirement for active frontages along Caledonian Road and new east-west and north-south access through the site unduly constrain the development potential of the site?

Bunhill and Clerkenwell Area Action Plan - Sites

- 4.99 Is the last sentence of paragraph 4.14 justified? Is it reasonable to assume that if a site is allocated for a particular use, that it has been considered to be acceptable in principle by the Council?

BC3

- 4.100 To ensure effectiveness, should there be an additional development consideration to ensure that the function and use of the building is not eroded, and the proposed residential uses are located so as not to affect the operation of the boat club?

BC4

- 4.101 Is this allocation consistent with national policy, namely NPPF paragraphs 96 and 97? Will the policy be effective in securing the desired quantity and quality of replacement leisure provision?

- 4.102 Please can the Council supply a copy of the planning brief?

- 4.103 Is this site deliverable without having an unacceptable adverse impact on the living conditions of residents of Burnhill House?

BC5

- 4.104 Are the allocated uses justified? *(Note the landowner's suggestion that the allocation be amended to permit residential and hotel uses as acceptable alternatives to office development)*

- 4.105 Should the allocation allow for the possibility of increasing the height of the existing building, subject to a thorough assessment to ensure there are no adverse impacts on surrounding heritage assets?

BC7

- 4.106 Is there a reasonable prospect that this site allocation will be delivered within the plan period, bearing in mind the desire of the petrol filling station operator to retain that use?

BC8

- 4.107 Is the allocation effective in relation to whether there is sufficient evidence to demonstrate that it will improve the operation of the gyratory without contributing to traffic and pollution, or causing harm to the health of public realm users and cyclists?

4.108 Does this allocation make most efficient use of the site? Should the allocation be amended to reflect the potential for redevelopment in future?

BC10

4.109 Is the inclusion within the allocation of 262-264 Old Street (Golden Bee Bar) justified, having regard to the existing use(s) on the site and the building's contribution to the character and appearance of the area? If the Council has policies to protect Public Houses is this adequately reflected within the policy wording?

BC11

4.110 Would the allocation prejudice the use of the adjacent playing field?

4.111 Is this allocation consistent with Policy DH3, bearing in mind that the existing building is already over 30m in height?

4.112 Is the estimated development timescale realistic and justified?

BC12

4.113 Is the allocation wording clear and positively prepared?

BC13

4.114 To be effective, should the allocation make provision for phased development, bearing in mind that the site is in multiple landownership?

4.115 Are the allocated uses justified? *(Note the landowner's suggestion of employment generating uses such as a hotel, restaurant and retail alongside offices)*

BC15

4.116 To be effective, should the development considerations for this site require a Community Use Agreement for the sports facilities to allow community access?

BC20

4.117 Are the boundaries of this allocation justified? Is there an opportunity to maximise the use of available land by bridging over the adjacent railway cutting? *(Note the landowner's suggestion of commercial development and creation of a new public square)*

BC21

4.118 What is the justification for allocating this site for offices if it is being developed as a hotel? Is there residual developable land?

BC22

4.119 Are the boundaries of this allocation justified? Is there an opportunity to maximise the use of available land by incorporating the land to the north of Vine Street Bridge, in between Farringdon Road and Farringdon Lane?

BC28

4.120 Are the allocated uses justified? *(Note the landowner's suggestion that the allocation be amended to allow for residential use as part of a mixed-use scheme to promote viability and deliverability)*

4.121 To be effective, should the development considerations make clear that the buildings to the north of the site within the Duncan Terrace/ Colebrooke Row Conservation Area and the listed building at 320-324 City Road would not form part of any redevelopment.

BC33

4.122 Are the allocated uses justified? *(Note the landowner's suggestion that the allocation provide for office-led mixed-use development)*

BC37

4.123 Are the development considerations within the allocation comprehensive? To ensure effectiveness, is reference required to other matters – e.g. the need to minimise negative impacts on existing residents, preserve the architectural expression of existing buildings, security improvements and intensification of green space?

BC38

4.124 To be effective, should the allocation provide greater flexibility as regards the location of tall buildings and public space?

BC46

4.125 Is the allocation wording clear and positively prepared?

BC47

4.126 To be effective, does the allocation need to be more definitive as regards the possible improvements to Quaker Gardens? Would there be justification for requiring a landscaping strategy?

BC48

4.127 Is the Tall Building Study sufficiently robust to discount the possibility of a tall building on this site?

BC50

4.128 Is the requirement for a pedestrian link through the campus justified and deliverable?

Matter 5 – Housing requirement, land supply and trajectory

- 5.1 The Council have rolled forward the London Plan housing requirement for Islington past the 10-year period. Is this justified?
- 5.2 To be consistent with national policy, should a housing trajectory be set out within the Plan?
- 5.3 Will the Council be able to demonstrate a robust five-year housing land supply on adoption of the Plan?
- 5.4 The Council's assumptions on delivery and the housing trajectory is set out in Exam Ref: SD5b. Are the assumptions used for lapse rates and the windfall allowances robust?
- 5.5 Should the shortfall in 2020/21 of 181 dwellings be taken into account in the five-year calculation?
- 5.6 Site Allocations ARCH1, ARCH5, BC4, FP13, KC8, NH7, NH10, OIS27, OIS28, OIS29 and OIS33 are all shown as delivering completions in the five-year housing land supply calculation period and based on the trajectory information do not appear to have planning permission. In each case, can it be shown that there is clear evidence that housing completions will begin on site within five years, having regard to the guidance in the Planning Practice Guidance (PPG) on this matter?
- 5.7 Are the capacity and delivery assumptions for all other sites in the trajectory justified?

Matter 6 – Healthy Communities

Policy SC1

- 6.1 Is Policy SC1 positively prepared and justified?

- 6.2 To ensure effectiveness, does paragraph 3.163 of the supporting text need to be reflected in Part A to clarify whether the Council would support a proposal where there is surplus provision and/or no demonstrable need?
- 6.3 For effectiveness, should the text of Part D (iii) be amended for consistency with paragraph 3.159 of the supporting text, to reflect the fact that higher education/university institutions are not public sector bodies?
- 6.4 For effectiveness, should Part D, or its explanatory text, make it clear that the policy will not apply to sites which are allocated for alternative uses?
- 6.5 Is the requirement of Part F justified?
- 6.6 To be effective, should Policy SC1 H be more explicit about the circumstances under which 'Changing Places' toilets will be required? When is provision 'appropriate'?
- 6.7 To ensure effectiveness, should Policy SC1 address the need for financial contributions to mitigate the impacts of new development on police and education infrastructure?
- 6.8 Are the marketing requirements set out within Appendix 1 justified?

Policy SC2

- 6.9 Is Policy SC2 positively prepared and will it be effective in delivering useable play space in connection with developments of all sizes?
- 6.10 Is Policy SC2 justified and sufficiently flexibility for small or constrained sites where play space may be more difficult to achieve?
- 6.11 To ensure effectiveness, should the requirements for maintenance set out within paragraph 3.169 of the supporting text be reflected in the policy?
- 6.12 To be effective, should it be set out how is it intended to secure unrestricted access to replacement play space under Part A?
- 6.13 Part C makes reference to relevant best practice standards. To ensure effectiveness should these standards be set out? Further, is the policy too prescriptive in requiring development to be 'in line with' the standards?

Policy SC3

- 6.14 Is Policy SC3 positively prepared and consistent with national policy?
- 6.15 To be effective, is Policy SC3 sufficiently clear on the circumstances when a screening assessment might be required?

- 6.16 To ensure effectiveness, should Part B prescribe that any Health Impact Assessment (HIA) be submitted at the planning application stage?
- 6.17 How would Policy SC3 apply to hot food takeaways and would the relevant aims be secured in relation to this type of development?
- 6.18 Please provide a copy of the guidance referred to in paragraph 3.178. For effectiveness, should the guidance be named to assist developers in finding it?
- 6.19 To ensure effectiveness, does Policy SC3 need an implementation clause to secure any measures identified within the HIA?

Policy SC4

- 6.20 Is Policy SC4 justified and consistent with national policy?
- 6.21 Is it clear how a decision maker will establish whether or not a scheme complies with the policy and therefore is the policy effective?
- 6.22 Is it sufficiently evident how the benefits will be secured and therefore is the policy effective?
- 6.23 Does Appendix 5 provide an appropriate framework to guide developers and set out how the policy will be applied?

Matter 7 – Economic Development

Need

- 7.1 Is the Employment Land Study 2016 robust and sufficiently up to date?
- 7.2 The Plan allocates a total capacity of 337,500 sqm of office floorspace (136,100 sqm in the Site Allocations DPD and 201,400 sqm in the Bunhill and Clerkenwell area action plan). This is against an identified need in the Employment Land Study 2016 of 400,000 sqm. This has subsequently been updated in the Employment Topic Paper (SD.16) to 443,000 sqm. This is a shortfall of 105,500 sqm. Is the Plan therefore positively prepared?
- 7.3 The Council has suggested (Exam Ref: LBI03) that windfall developments over the Plan period are likely to address the identified shortfall. Is this justified?

General Matters

- 7.4 The Employment Land Study 2016 sets out that additional office floorspace is needed. However, the Plan's policies refer to business floorspace. Why is this and are the two different?
- 7.5 Is the definition of hybrid workspace in the Plan justified?

Policy B1: Delivering business floorspace

- 7.6 To be positively prepared, should Policy B1 set out the business/office floorspace needs over the Plan period?
- 7.7 Is the overall approach of Policy B1 consistent with the London Plan and national policy?
- 7.8 Is the term 'maximisation' in Part B suitably clear and therefore effective?
- 7.9 Is Part C that seeks no net loss of business floorspace justified and consistent with other policies in the Plan (namely Policy B3)?
- 7.10 Is Part D justified and supported by robust evidence of need?
- 7.11 Is Part E justified and consistent with other policies in the Plan (namely Policies SP3 and B3)?
- 7.12 To be effective should Part E and the related supporting text include sui generis uses that are akin to industrial uses?
- 7.13 To be effective should Policy B1 set out the acceptability or otherwise of mixed-use developments in helping to deliver business floorspace?
- 7.14 Is it sufficiently clear how proposals for new employment floorspace that is not considered to be business floorspace would be determined by the Plan?
- 7.15 Is it sufficiently clear how proposals for supporting uses would be considered as part of future proposals?
- 7.16 The Council are seeking to alter Part E of the policy to include 'Sui Generis uses akin to priority industrial uses'. Is 'priority industrial use' suitably clear and therefore effective?

Policy B2: New business floorspace

- 7.17 Does Part A (i) allow residential development in the CAZ and Bunhill and Clerkenwell Area Action Plan area? If so, to be effective should the policy set out when it will be considered acceptable? If not, is this justified and consistent with the London Plan and national policy?
- 7.18 Does Part A (ii) allow residential development in the CAZ fringe spatial strategy areas? If so, to be effective should the policy set out when it will be considered acceptable? If not, is this justified and consistent with the London Plan and national policy?
- 7.19 Is Part A (iii) that rules out residential use in PELs justified and consistent with the London Plan and national policy?
- 7.20 Is Part C justified and consistent with the London Plan and national policy?
- 7.21 Have the requirements of Part F been subject to a robust assessment of viability?
- 7.22 Are the requirements of Part F (ii) justified?
- 7.23 Is Part F (iv) overly onerous and therefore justified?
- 7.24 Is paragraph 4.31 of the supporting text justified and is it setting out policy?
- 7.25 Is the designation and boundary of each LSIS and PEL justified?
Please note the boundary of the Vale Royal / Brewery Road LSIS will be considered under Policy SP3.
- 7.26 The Council are seeking to amend the policy to set out that the use of conditions on future proposals may be used to ensure that specific uses such as new office, research and development and light industrial floorspace are secured. Is the use of planning conditions to restrict uses, particularly those within Use Class E justified and consistent with national policy?
- 7.27 To be effective and consistent with other suggested modifications should Part C refer to research and development?
- 7.28 The Council are seeking to add a criterion to the Policy to set out that all development proposals within LSISs must prevent or mitigate impacts on

air quality. Is this justified and necessary for soundness given the other policies in the Plan?

Policy B3: Existing business floorspace

- 7.29 Does Part B and C and its supporting text at paragraph 4.39 conflict with the requirements of Policy SP3 and Policy B2 Part C?
- 7.30 Is the policy effective, insofar that the latter element of Part C appears to allow the net loss of industrial uses subject to marketing requirements contrary to the first sentence of Part C?
- 7.31 Further to the above, does the Policy in exceptional circumstances allow the loss of industrial uses or not? If not, is this justified and in accordance with national policy?
- 7.32 Is it sufficiently clear under Part C what 'other business uses as a potential option' might include and is the policy therefore effective in this regard?
- 7.33 Is the 24 month vacancy period required by Part B (i) justified?
- 7.34 Are the requirements of Appendix 1 justified and effective?
- 7.35 Several changes are proposed by the Council to the policy, namely in relation to marketing requirements. Are these justified in each case?

Policy B4: Affordable workspace

- 7.36 Are the requirements of Policy B4 justified and based on robust evidence of need and a sound assessment of viability?
- 7.37 Is the omission of use class B1 (c) from Policy B4 justified?
- 7.38 Would the proposed approach of Policy B4 disincentivise the delivery of redevelopments by considering gross floorspace provision of the new development rather than net gain?
- 7.39 Does the Draft Plan Viability Study 2018 consider the impact of applying the policy requirements to the gross floorspace as opposed to the net additional?
- 7.40 Is the requirement of Part A for the affordable workspace to be leased to the Council at a peppercorn rate for a period of at least 20 years justified? Further, is the use of 'at least' justified and sufficiently clear to future applicants and therefore effective?

- 7.41 Is the requirement of Part C for the affordable workspace to be leased to the Council at a peppercorn rate for a period longer than 20 years justified? Further, is the use of 'longer than' justified and sufficiently clear to future applicants and therefore effective?
- 7.42 For Policy B4 to be effective is a definition of peppercorn needed?
- 7.43 Is the requirement for the affordable floorspace to be leased to the Council who would then subsequently lease to a Council-approved provider justified and is it sufficiently clear how it would be done and does this represent conflict of interest? Further, does this apply to Parts B, C and D?
- 7.44 Is Part D overly onerous on future developers and therefore justified?
- 7.45 Are the requirements of Part F justified?
- 7.46 Is paragraph 4.50 setting out policy? If so, should this be set out in Policy B4 itself?
- 7.47 Paragraph 4.52 sets out that off-site contributions for affordable workspace may be sought in exceptional circumstances. Is this setting out policy and if so, should this be set out in Policy B4 itself?
- 7.48 Further, to be justified should the provision of off-site contributions in exceptional circumstances set out in paragraph 4.52 include the consideration of viability?
- 7.49 Is Policy B4 effective, in relation to whether it is sufficiently clear what the requirements of Policy B4 are for on-site provision?
- 7.50 The Council are seeking to amend the supporting text to the policy to set out that site specific viability evidence in respect to affordable workspace provision will be considered on a case by case basis in certain circumstances. Is this justified and should it be set out within the policy itself?

Policy B5: Jobs and training opportunities

- 7.51 Are the requirements set out justified and supported by robust evidence?
- 7.52 For the policy to be effective, should some flexibility be introduced, including the consideration of viability?

- 7.53 Is the provision of on-site opportunities required by Policy B5 always likely to be feasible?

Matter 8 – Retail and Leisure

- 8.1 Is the assessment of the future need for convenience and comparison floorspace in the Retail and Leisure Study 2017 robust?
- 8.2 To be positively prepared, should the Plan set out the need over the Plan period for additional convenience (6,341 sqm) and comparison (12,247 sqm) floorspace?
- 8.3 What is the Council's strategy for meeting such needs and should this be explicitly set out in the Plan for it to be positively prepared and justified?
- 8.4 Are there sufficient sites allocated in the Plan to meet identified needs?

Policy R1

- 8.5 Is Policy R1 justified and does it comply with national policy, namely paragraph 85 of the NPPF?
- 8.6 Will Policy R1 allow town centres to grow and diversify in a way that can respond to rapid changes in the market, in accordance with paragraph 85 (a) of the NPPF?
- 8.7 Is Part F consistent with national policy and the London Plan?
- 8.8 To be effective, should Part N refer to the policies map that illustrates the cultural quarters?
- 8.9 Is paragraph 4.80 (first sentence) setting out policy? If so, should it be incorporated into Policy R1 for it to be effective? Further, is the position taken in the first sentence of paragraph 4.80 justified?

Policy R2

- 8.10 Is the approach set out in Part A justified and consistent with national policy?
- 8.11 Are the thresholds set out in Part A justified and supported by robust evidence?
- 8.12 For the policy to be effective, should Part A make clear that it relates only to ground floor floorspace?

- 8.13 Is the vacancy timeframe set out in Part B (i) of the Regulation 19 version of the policy justified and consistent with national policy?
- 8.14 To be effective should Part B (i) refer to Appendix 1 in terms of marketing requirements?
- 8.15 Are the modifications suggested by the Council set out at Parts D and E consistent with national policy?
- 8.16 Are the boundaries of Primary Shopping Areas justified and based on robust evidence?

Policy R3

- 8.17 Does Policy R3 require a town centre use of a site, where there is no pre-existing such use? If so, is this justified?
- 8.18 To be justified and effective, should Policy R3 allow some flexibility of use at ground floor level where a site located in a town centre is not located in a traditional town centre environment?
- 8.19 Is the inclusion of sui generis main town centre uses in Part C of the Regulation 19 version of the policy justified? If so, should this be defined in the Plan?
- 8.20 To be effective should Part E include a size threshold?
- 8.21 Is Part G justified and consistent with national policy and the London Plan?
- 8.22 Is the vacancy time frame set out in Part G (i) justified and consistent with national policy?
- 8.23 To be effective should Part G (i) refer to Appendix 1 in terms of marketing requirements?
- 8.24 Are the boundaries of Town Centres justified and based on robust evidence? The Council should identify specifically how this has been assessed.
- 8.25 The Council's suggested modifications (Exam Ref: PD1a) at D(iii) seeks to amend the policy to specify that proposals should not negatively impact the primary business function of the CAZ. How will this be assessed?

Policy R4

- 8.26 To be effective, should Part A also refer to the policies map?
- 8.27 Is Part C justified and consistent with national policy and the London Plan?
- 8.28 Are the marketing periods set out in Part B (i) and Part C (i) justified?
- 8.29 To be effective, should the policy refer to Appendix 1 in terms of marketing requirements?
- 8.30 The Council's suggested modifications (Exam Ref: PD1a) at paragraph 4.103 refers to a tiered approach to class E – what is meant by this and how is this approach in accordance with national policy? At paragraph 4.106 how has the 6 month marketing period been arrived at and where is the evidence to support this?

Policy R5

- 8.31 Are the marketing periods set out in Part A (i) and Part B (i) justified?
- 8.32 To be effective, should the policy refer to Appendix 1 in terms of marketing requirements?
- 8.33 To be effective, should Part C refer to Part A 'or' Part B in its text?
- 8.34 The Council's suggested modifications (Exam Ref: PD1a) at B states that where there is a particular local need, the Council will seek to condition the retail unit to provide 'essential daily goods' – how will these uses be defined and is this an approach which is supported by national policy?

Policy R6

- 8.35 To be effective, should the end of each criterion in Part A include an 'and/or'?

Policy R7

- 8.36 Are the specialist shopping areas identified on the policies map? If not, is this necessary for Policy R7 to be effective?
- 8.37 Are the identified specialist shopping areas identified in the policy justified?
- 8.38 To be effective, should the policy refer to Appendix 1 in terms of marketing requirements?

Policy R8

- 8.39 Is there sufficient and robust evidence to justify the requirements of Policy R8?
- 8.40 Are the Council's suggested modifications (Exam Ref: PD1a) in relation to Part A necessary for soundness?

Policy R9

- 8.41 Is the timeframe in Part A (ii) justified and will it allow sufficient time to attract potential occupants?

Policy R10

- 8.42 Is the approach of Policy R10 to restricting cultural uses to the CAZ or to town centres justified and consistent with other plan policies?
- 8.43 To be effective, should Policy R10 refer to the policies map?
- 8.44 Is the marketing period set out in Part C (i) justified?
- 8.45 Is the designation of the three cultural quarters justified, supported by robust evidence and consistent with national policy and the London Plan? Further, how were they identified and are their boundaries justified?
- 8.46 Was the identification of the cultural quarters based on a robust assessment of reasonable alternatives and has the impact of such a designation on the surrounding area been assessed?

Policy R11

- 8.47 Will Policy R11 be effective in protecting public houses?
- 8.48 To be effective, should Part A (i) include an 'and/or' at the end?
- 8.49 To be effective, should Part B (i) refer to Appendix 1 in terms of marketing requirements?

Policy R12

- 8.50 Is the Hotels in Islington Study (2016) robust and sufficiently up-to-date?
- 8.51 Is Policy 12 justified and consistent with national policy and the London Plan?

- 8.52 To be justified, should Policy R12 include provision for visitor accommodation associated with and in close proximity to hospitals?

Matter 9 – Strategic Infrastructure

Infrastructure Delivery Plan

- 9.1 Is the Infrastructure Delivery Plan suitably robust and does it demonstrate that necessary infrastructure will be delivered when needed to support the Plan?

Policy ST1

- 9.2 Is the Plan positively prepared in terms of meeting future educational needs in the Plan area and has there been a robust assessment of need?
- 9.3 Is the Plan positively prepared in terms of its approach to considering improvements to the Regents Canal?
- 9.4 To be effective, does reference in the supporting text to Policy ST1 need to be amended to remove reference to Regulation 123 of the CIL Regulations?
- 9.5 Are the proposed changes (SDM-MO144 to SDM-MO146 of the pre-hearing modification consultation (Exam Ref: PD1a)) to the supporting text of Policy ST1 justified?

Policy ST3

- 9.6 To be justified and effective, should Policy ST3 at Part C include reference to the Transport for London streets toolkit guidance?
- 9.7 To be justified and effective, should the supporting text to Policy ST3 at paragraph 9.12 refer to cyclists as well as pedestrians?

Matter 10 – The Built and Natural Environment

Green infrastructure

Policy G1

- 10.1 To be effective, should Policy G1 refer to the policies map?
- 10.2 Will Policy G1 be effective in maximising the benefits of Green Infrastructure?

Policy G2

- 10.3 Are the 'significant private open spaces' cited under Part A included on the policies map? If not, for effectiveness, should they be? How are 'significant' open spaces to be defined? Does this text align with the supporting text set out at paragraph 5.10 which would imply this relates to **all** private open space? How would this be monitored?
- 10.4 Is Policy G2 internally consistent and will it be effective? For example, is Part A consistent with Parts C and D, which do allow the development of open space in particular circumstances.
- 10.5 Does a proposal have to meet all of the criteria under Part C? If so, is this overly onerous and therefore justified?
- 10.6 Will Part C (v) be effective in ensuring that improvements to alternative open space provision are secured, as opposed to simply being investigated?
- 10.7 Will Policy G2 be effective in controlling development of back gardens? Does back garden development need to be controlled?
- 10.8 To be positively prepared, should Policy G2 provide the flexibility to permit development which improves the use and function of open space, for example boater facilities?

Policy G3

- 10.9 Is the policy effective and positively prepared in maximising the opportunities for, and functionality of new public open space?
- 10.10 Are the thresholds set out in Part A justified and supported by robust evidence?
- 10.11 Is the requirement within Part A for public open space to have unrestricted public access justified in relation to new schools?
- 10.12 Should the open space standards expressed within paragraph 5.20 be expressed within Policy G3? Are the identified standards justified and supported by robust evidence?

Policy G4

- 10.13 Part B resists schemes which 'adversely affect' designated SINCs of Metropolitan or Borough Grade 1 Importance, but states that SINCs of Borough Grade 2 and Local Importance and any other site of significant biodiversity value 'will also be strongly protected'. Is there a hierarchy of protection, or is the level of protection across both categories the same?

For example, does the policy suggest that some adverse impacts on the 'lower' category would be permissible?

- 10.14 Is there a missing word in Part C (vii): should it state 'adoption of a lighting scheme'?
- 10.15 To ensure effectiveness, should Part H refer to financial contributions for re-provision of trees or other significant planting on public land adjacent to the site or elsewhere in the Borough?
- 10.16 Paragraph 5.34 states that 'large extensions' will generally be those of 100 sqm and over but could be smaller dependent on the site context. Is this effective and does this provide certainty on whether a Landscape Design Strategy will be required?
- 10.17 Please can the Council provide copies of the Council's Tree Policy and guidance referenced in paragraph 5.41? What status does this have?

Policy G5

- 10.18 Is Part A consistent with paragraph 5.53 of the supporting text in terms of the requirements for different types of scheme?
- 10.19 Is the requirement within Part A for green roofs on existing roof areas justified? Should viability be a consideration within the policy?

Sustainable design

- 10.20 Are the sustainable design policies justified in their approach to climate change?

Policy S1

- 10.21 Are Parts A & B justified as statements of policy or should they be included as broad statements of intent within the supporting text?
- 10.22 Are the zero carbon targets in Part B consistent with the Council's own stated position and therefore justified? Should there be any differentiation between new and existing buildings?
- 10.23 Is the energy hierarchy in Part C justified and consistent with the London Plan and national policy?
- 10.24 Part D refers to the Islington carbon offset fund. How does this apply to small schemes and is the approach consistent with national policy?
- 10.25 To be effective, should the policy be encouraging refurbishment of existing buildings rather than demolition and redevelopment?

10.26 Part F refers to best practice water efficiency targets. To be effective, should it be set out which targets it is referring to?

10.27 Has Policy S1 been the subject of robust viability testing?

Policy S2

10.28 Is Policy S2 justified and consistent with national policy and what is the inter-relationship between the Sustainable Design and Construction Statement and the Building Regulations?

10.29 Are the information requirements within Part B of the policy justified and proportionate?

10.30 Are the monitoring provisions within Part D, including the requirement for a fee, justified? When would a fee be 'necessary', how would the level of the fee be set and how would the monies be secured?

10.31 Should the first sentence of paragraph 6.18 refer to Part B and not Part C to be effective?

10.32 Has Policy S2 been the subject of robust viability testing?

Policy S3

10.33 Is Policy S3 consistent with national policy and particularly the Written Ministerial Statement of March 2015?

10.34 Is the policy justified and are the requirements for the different types of scheme reasonable and proportionate, and supported by robust evidence?

10.35 What evidence has informed the choice of standards to apply and the minimum rating being required under those standards?

10.36 Have the requirements of Policy S3 been subject to robust viability assessment and to be justified should there be flexibility for such considerations or design constraints, for example, for schools and community buildings, or extensions to such buildings?

10.37 To be effective, does Policy S3 need to stipulate that development should achieve a specified minimum expected lifespan?

Policy S4

10.38 Does the policy accord with national policy and the London Plan?

10.39 Is the requirement to accord with an energy hierarchy justified?

- 10.40 Are the requirements for different types of schemes justified and proportionate?
- 10.41 Is paragraph 6.45 correct in stating that minor new-build residential developments are not required to meet a specific energy efficiency target as part of this policy? What about the targets set by Policy S4 D(iii)?
- 10.42 Is the requirement for financial contributions to the carbon offset fund for minor developments justified and consistent with national policy?
- 10.43 Is the evidence underpinning the requirement for financial contributions robust? Will the contributions be high enough to incentivise achieving zero carbon targets on-site, whilst ensuring that schemes remain viable?
- 10.44 What will the monies be spent on, and what monitoring procedures are in place to ensure that measures and projects funded by Policy S4 are delivered?
- 10.45 Please can the Council supply a copy of the Environmental Design SPD.
- 10.46 Is Part H justified?

Policy S5

- 10.47 Is Policy S5 justified and consistent with national policy?
- 10.48 Is Part G justified and to be effective should the supporting text require the Council to evidence the future availability of a heat network to prospective developers? Are the suggested modifications (Exam Ref: PD1a) set out at paragraphs 6.67-6.70 necessary for soundness and consistent with the London Plan?

Policy S6

- 10.49 Is Policy S6 justified and are its requirements reasonable and proportionate to the scale of development?

Policy S7

- 10.50 Are the development size thresholds for Air Quality Positive within Part D justified by evidence?
- 10.51 Paragraph 6.92 refers to financial contributions. Are these justified, and to be effective, should Part F make reference to these?
- 10.52 For Policy S7 to be effective and to minimise adverse impacts of new development on air quality in the vicinity of canals, should the policy require developers to install electric bollards where solar panels on canal boats would be overshadowed by their schemes?

Policy S8

10.53 Does Policy S8 accord with national policy, particularly with regard to the application of the Exceptions Test?

Policy S9

10.54 Does Policy S9 accord with national policy and the London Plan as regards the development of contaminated land and will it be effective?

Public realm and transport

Policy T1

10.55 Is Policy T1 consistent with the London Plan and national policy, and will it be effective in achieving the objectives of enhancing the public realm and promoting sustainable transport?

10.56 Is Part D justified, particularly in relation to private motor vehicles, particularly electric vehicles, motorcycles and taxis?

10.57 To be justified, should the policy be more proactive in restricting large hotel development likely to be served by coaches?

Policy T2

10.58 Is Policy T2 consistent with the London Plan and national policy, and will it be effective in promoting sustainable transport choices?

10.59 Part B cites relevant guidance and/or best practice standards. To be effective, should the policy or its supporting text set out what these documents are and their status? Is the requirement within the policy to accord with the guidance/standards justified?

10.60 Is the approach towards shared space set out in Part C justified?

10.61 To be justified, should there be an additional policy criterion in relation to supporting the maintenance and expansion of the TfL Cycle Hire network? Further, to be effective, should paragraph 7.20 be incorporated into this criterion?

10.62 Is the final sentence of paragraph 7.15 setting out policy? If so, to ensure effectiveness, should it be incorporated into the policy?

10.63 Are the suggested modifications (Exam Ref: PD1a) to paragraph 7.17 concerning the subdivision of the Use Class Order necessary and justified?

10.64 Are the cycle parking standards set out in Appendix 4 justified and based on robust evidence? Further, are they consistent with the London Plan?

10.65 Does Appendix 4 include an appropriate level of detail about the design of cycle parking? To ensure effectiveness, should paragraph 5 signpost to published guidance and/or best practice, rather than unnamed documents?

Policy T3

10.66 Is the requirement for car-free development justified and does the policy set out an appropriate strategy for parking, car clubs, car parks and electric vehicles? Is the policy consistent with the London Plan?

10.67 Is the reference to parking permits within Part B justified as a land use planning consideration? To be effective, should the policy set out how car-free housing would be secured?

10.68 To be effective, should Part E provide more detail on the expectations for electric vehicle charging points in non-residential schemes?

10.69 Part F: What is a 'use that requires coach parking ancillary to another use'? Does this need to be clarified to ensure effectiveness?

10.70 To ensure effectiveness, should the reference to financial contributions towards accessible or sustainable transport initiatives within paragraph 7.27 be reflected in the wording of Part G?

10.71 Are the parking standards for accessible parking justified and based on robust evidence? How will the provisions for accessible parking work?

10.72 Is the Council's support for car clubs under Part H supported by robust evidence?

10.73 For the policy to be effective, should there be any additional criteria within Part J of the policy in relation to the siting of electric vehicle charging points? (to reflect paragraph 7.31)

Policy T4

10.74 Is the requirement within Part B for all proposals to be designed in accordance with the Streetbook SPD justified? Please can the Council supply a copy of the SPD.

10.75 To be effective, should the policy include additional criteria, for example in relation to microclimate and levels of sunlight, or heritage considerations?

10.76 Is paragraph 7.34 effective and is the Council advocating use of the 'Pedestrian Environment Review System'? Where would a developer go to find out about this tool?

Policy T5

- 10.77 To be justified, should Policy T5 go further in relation to promoting delivery and servicing by non-motorised sustainable modes such as cargo cycles and 'clean' vehicles?
- 10.78 Will the policy be effective in preventing obstruction of footways and cycle lanes during the construction of developments?

Design and heritage

Policy DH1

- 10.79 Is this policy consistent with the London Plan and national policy?
- 10.80 Are all the views referred to in the policy shown on the Policies Map? If so, should the policy make reference to this for it to be effective?
- 10.81 Is Policy DH1 justified in seeking to protect all views?
- 10.82 To be justified, should Part D or its supporting text be explicit in recognising Regent's Canal as a heritage asset?
- 10.83 Is Part F of the policy necessary and justified?
- 10.84 Is paragraph 8.5 setting out policy? If so, should it be included in the policy? Further, is it consistent with Policy DH1?

Policy DH2

- 10.85 Is the policy consistent with national policy and the legislation?
- 10.86 Will the policy be effective in protecting heritage assets?
- 10.87 To be justified, should Policy DH2 provide flexibility for development affecting heritage assets where it would address climate change, for example, energy efficiency measures?
- 10.88 Is Part J justified and supported by robust evidence, or should there be a greater degree of flexibility to allow for development where applicants can demonstrate that there would be a qualitative and quantitative enhancement to views?
- 10.89 Are all the views marked on the Policies Map and if so should this be referenced within the policy for it to be effective?

Policy DH3

- 10.90 Does Policy DH3 accord with the London Plan and national policy? In responding, the Council is required to provide a detailed response with

particular reference to Policy D9 of the London Plan. The Council have stated that this will be addressed as part of a SoCG with the GLA and the Inspectors would request that a signed copy of this SoCG is submitted with the responses to these matters and issues.

- 10.91 Is the policy justified in prescribing maximum heights for particular sites? Do the definitions and classification of tall buildings accord with the London Plan and the evidence base? If not, why not?
- 10.92 Is the methodology for identifying sites for tall buildings a robust one and does it accord with the approach set out within the London Plan?
- 10.93 Will the policy be effective in balancing townscape issues with meeting identified needs in terms of housing and office floorspace?
- 10.94 Are tall buildings necessary to achieve appropriate densities and optimise the amount of development on a site? Are they a sustainable form of development in terms of construction/maintenance cost and energy use/carbon footprint?
- 10.95 Will the policy be effective in addressing impacts on neighbouring boroughs, for example in relation to local character and conservation areas or the development potential of sites that are outside of the Islington boundary?
- 10.96 To ensure effectiveness, are Part E and paragraph 8.52 sufficiently precise?

Policy DH4

- 10.97 Is Part A justified and to be effective should it provide further detail on what constitutes 'proportionate' basement development?
- 10.98 To be justified, should the policy take a more restrictive approach towards basements or the particular uses to which new basements are put?
- 10.99 Are the size limits set out in Part D justified and supported by robust evidence?

Policy DH5

- 10.100 Is this policy consistent with the London Plan and national policy?
- 10.101 Will the policy be effective in protecting existing noise generating businesses from noise sensitive development in close proximity? Should the wording be made more explicit for it to be effective?

Policy DH7

10.102 To be justified, should the Policy seek to avoid solid shuttering on shop fronts?

Policy DH8

10.103 Will the Policy be effective in delivering public art?

Matter 11 – Viability

11.1 Overall, has the Plan been subject to a robust assessment of viability and does it comply with national policy and guidance?

11.2 Have all necessary development requirements been taken into account appropriately?

11.3 Is it justified to assume that some costs associated with policy requirements are already embedded within base build costs?

11.4 Are the assumptions around development finance, marketing costs and developer profits justified and consistent with national policy and guidance?

Matter 12 - Monitoring

12.1 Is the approach to monitoring in each document justified and should it set out the circumstances when an early review might be considered necessary?