

REFUSAL OF PLANNING PERMISSION BY ISLINGTON BOROUGH FOR THE REDEVELOPMENT OF THE TRIANGLE SITE WITHIN THE KINGS CROSS OPPORTUNITY AREA

SUMMARY of planning evidence

- S.1 This appeal concerns land bounded by the realigned York Way to the west, the railway lines serving Kings Cross station to the east, and the CTRL line to the north. The realignment of York Way results in the western part of the site lying within Camden Borough.
- S.2 For the sake of completeness, separate outline planning applications were submitted for the Triangle Site to both planning authorities in May 2004. In September 2005 these applications were revised. The revised application for the Triangle Site included proposals for the development of a total of 246 dwellings overall, of which 84 (34%) would be provided as affordable dwellings. The types of tenure for the affordable units were proposed to be 36 dwellings for social rent and 48 intermediate affordable dwellings (that is, 43% rent and 57% intermediate affordable).
- S.3 The decision by the London Borough of Islington [LBI] to refuse the application concerned one issue only, which is the contribution of affordable housing to the whole development. A possible amendment to the application to reduce the number of units to 200 was considered by LBI, not was not formally submitted.
- S.4 The Statement of Common Ground includes all of the relevant policy documents at national, regional and local level. At the regional level, the London Plan seeks a 50% proportion of affordable housing, which is reflected in the Camden UDP. The Islington UDP is an older document, and now has to be read in the light of the London Plan.
- S.5 Government guidance in PPS1 and - particularly - PPS3 is strongly in favour of the maximum provision of affordable housing. This is also reflected in other government publications, including the 2007 Housing green paper "Homes for the future", and supplementary planning guidance at regional and local level. It is also reflected in preparatory work in Islington and Camden on their Core Strategies.
- S.6 The policies against which the appeal stands to be determined therefore are -
- 1) The Development Plan - The London Plan - 2004
 The Islington UDP - 2002
 The Camden UDP - 2006

2) other material policies -	
a) national statements -	PPS1 PPS3 Delivering Affordable Housing - DCLG 2006
b) regional policies	Housing SPG by the GLA - November 2005
c) local policies	Kings Cross Opportunity Area Planning & Development Brief - LBI+LBC 2004 Housing SPG by LBI - 2003
d) other guidance under preparation -	Submitted Draft Further Alterations to the London Plan 2006, and the Panel Report on the EiP September 2007 Housing Guidance Note by LBI - October 2006 Draft Housing Strategy by GLA - September 2007

- S.7 In terms of the planning balance it is reasonable to seek 50% on the Triangle site. This is because -
- i) the proportion of affordable housing proposed at 34.1% is less than 50%, and that this is itself dependent on public funding;
 - ii) the split between social rented units and intermediate accommodation is 43:57, and not 70:30 as set out in regional guidance;
 - iii) there appears to be no provision for the recycling of subsidy, and
 - iv) the intermediate provision will be affordable for only a very small proportion of those in affordable need.
- S.8 These issues are considered in detail by Hugh Lacey, but in planning terms the lack of justification should not be set aside lightly, particularly bearing in mind that the site is publicly owned, and where the primacy of following policy for the public benefit is strong. First, the land is publicly owned, and such land should seek to maximise the extent of affordable housing provision. Secondly, no justification has been put forward as to why the targets should not be met. Islington housing guidance is clear that if targets are not met, then evidence must be forthcoming as to why not. This is encouraged by PPS3.
- S.9 The case for allowing the proposals without confirming to a very strong policy base on this issue has not been forthcoming. In the absence of this information and justification, the appeal should be dismissed.