CONSULTATION RESPONSE

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LBI Application Ref: P2024/2598/FUL
GLA Application Ref: GLA/2025/0263/S3

RE: LONDON BOROUGH OF ISLINGTON CONSULTATION RESPONSE

Dear Ross,

The below comprises the representations of the London Borough of Islington to the Greater London Authority for the application for full planning permission in relation to:

Application References:	**Site Address:**
LBI Application Ref: **P2024/2598/FUL** GLA Application Ref: **GLA/2025/0263/S3**	Archway Campus, 2-10 Highgate Hill, London, N19 5LP

Proposal:

Application for full planning permission in relation to:

1) The change of use, partial demolition, restoration and refurbishment of Holborn Union Main Range, Admin Block and Charterhouse Buildings to provide residential accommodation (Use Class C3).

2) Complete demolition of Furnival Building, Ely Building, Staple Building, and other ancillary structures, to allow for the construction of three new buildings to provide residential accommodation (Use Class C3) and local commercial/community space (Use Class E/F2).

3) The change of use, partial demolition, restoration and refurbishment of Clerkenwell Buildings to provide student accommodation (Use Class Sui Generis).

4) Complete demolition of Nurses Accommodation Buildings to allow for the construction of a new tower to provide for student accommodation (Use Class Sui Generis), and associated structure with basement to provide bicycle storage and amenity space.

5) Delivery of a comprehensive hard and soft landscaping scheme, delivering public realm enhancement to include: a central boulevard, public square, gardens, communal play, and children's play area.

6) Associated access, servicing and plant.

Subsequent to the Mayor's direction, the applicant has submitted revisions to the Application, including:

- Revised Block A, reducing the number of residential dwellings to 167 homes (from 178 as originally submitted)
- Minor internal changes to Blocks B, C and Student Tower primarily in relation to access and fire
- A revised affordable housing offer (with updated Affordable Housing Statement and Financial Viability Assessment)
- Transport amendments, including minor widening of the vehicle access to Highgate Hill, mobility scooter provision, removal of on-street loading bay to Highgate Hill and updated trip generation methodology
- Updated sustainability matters, including energy, overheating, circular economy and whole life cycle carbon
- Updates to documents, including Design and Access Statement, Planning Statement, Heritage Statement, Arboricultural Impact Assessment, Fire Statement and Environment Statement Addendums.

(EIA Application)

(DEPARTURE FROM THE DEVELOPMENT PLAN)

SUMMARY

The Archway Campus site represents a significant development opportunity within the Archway Spatial Strategy Area and is the subject of a site allocation which sets site specific policies to secure specific land uses and meet identified development needs. Following the London Borough of Islington making a resolution to refuse the Planning Application, this was referred to the Mayor of London at Stage 2 on 31st March 2026. The application was subsequently Called In for a Stage 3 determination by the Mayor. Since the Call In the proposals have been amended, with the current consultation proposals incorporating a significantly reduced quantum of genuinely affordable housing.

The quantum of affordable housing has not been demonstrated to represent the maximum viable, contrary to NPPF (2026), London Plan (2021) and the Islington Local Plan (2023) policies, which all seek to maximise the delivery of affordable homes. The delivery of conventional housing is also not considered to have been maximised in the proposals with unjustified and excessive student accommodation proposed.

In addition, a tall building is proposed, which represents a significant and unjustified departure from the development plan and there is a failure to preserve or enhance the character and appearance of the Holborn Union Infirmary Conservation Area.

The level of affordable housing provided has reduced significantly from the amount previously proposed in 2024 and it has been demonstrated that the proposal does not maximise delivery of affordable housing. The proposal does not deliver any affordable student accommodation.

The 2026 NPPF sets out a presumption in favour of sustainable development in settlements, such as Islington, provided certain caveats in Policy S4 are met. These are considered to have not been met, with the benefits of approving the development proposal being outweighed by the adverse effects. In particular there is an adverse impact against the site allocation, affordable housing policy and an unjustified conflict with the key principles for well-designed places.

The adverse effects of the scheme weigh heavily against the proposal, and these are not outweighed by the recognised benefits of the proposal. The London Borough of Islington consider that unacceptable harm would result from the proposals, with substantial conflict with Islington's development plan, and insufficient

benefits would be delivered/secured, such that the harm would be outweighed. Subsequently, the proposals are considered not to be acceptable for the reasons detailed within this consultation response, the draft Decision Notice (Appendix 1) and the Delegated Report (Appendix 2) both dated 18 March 2025.

The London Borough of Islington therefore maintain that the application is unacceptable and respectfully request that the Mayor of London refuse planning permission.

INTRODUCTION

On 24 September 2024, planning application (Council ref: P2024/2598/FUL) ('the Application') was submitted to the London Borough of Islington by Seven Capital (Highgate Hill) Ltd ('the Applicant'). The application was accompanied by an Environmental Statement in accordance with the EIA Regulations and was advertised as a departure from the Development Plan.

On 18 March 2025 the London Borough of Islington resolved to refuse the Application on the grounds that unacceptable harm would result from the proposals, with substantial conflict with the development plan, and insufficient benefits would be delivered/secured, such that the harm would be outweighed. The Council cited 14 draft reasons for refusal (See draft Decision Notice in Appendix 1). The reasons for refusal included failure to provide a policy compliant level of affordable housing, the overall quantum of student accommodation and lack of justification for it, the impact on non-designated heritage assets, the tall building on a site not allocated for one with associated harm, an unacceptable concentration of one bedroom units, un-justified provision of studio units, a number of housing quality issues, insufficient accessible housing, failure to provide sufficient detail regarding sustainable design and green infrastructure requirements, failure to provide sufficient detail to demonstrate that the proposed development would achieve the highest standards of fire safety, failure to provide 10% of housing as M4(3) and the failure to provide sufficient evidence to demonstrate the provision of accessible routes.

This resolution was referred to the Mayor of London and on 31 March 2025 the application was called in by the Mayor of London to act as the Local Planning Authority for the purposes of determining the Application.

It is understood that the applicant continued to develop aspects of the development to respond to the issues raised by the Council, seeking to address the GLA's comments and responding to the Emergency Measures that were subsequently introduced.

In September 2026 the Applicant submitted the following revisions to the application to the GLA:

- Revised Block A, reducing the number of residential dwellings to 167 homes (from 178 as originally submitted)
- Minor internal changes to Blocks B, C and Student Tower primarily in relation to access and fire
- A revised affordable housing offer (with updated Affordable Housing Statement and Financial Viability Assessment)
- Transport amendments, including minor widening of the vehicle access to Highgate Hill, mobility scooter provision, removal of on-street loading bay to Highgate Hill and updated trip generation methodology
- Updated sustainability matters, including energy, overheating, circular economy and whole life cycle carbon
- Updates to documents, including Design and Access Statement, Planning Statement, Heritage Statement, Arboricultural Impact Assessment, Fire Statement and Environment Statement Addendums.

The revised proposals result in a reduction in the number of affordable homes from 91 homes to 39 homes. The number of market homes has increased from 87 homes to 128 homes. The affordable housing offer is now 23% of the conventional housing total, equating to 39 affordable homes (previously 51% or 91 homes), of which 100% will now be social rent. There are no intermediate homes and no affordable student units. Previously the tenure was split into 64% (58 homes) social rented housing and 36% (33 units) intermediate. The affordable homes would be provided in new build blocks A and C. Block B, which was previously proposed to provide 41 affordable homes is now proposed as market housing.

No changes are proposed to the Purpose Built Student Accommodation (PBSA) elements of the scheme and still propose a total of 242 student accommodation studio units as originally submitted. This would comprise of 210 studio units in the proposed apex tower and 32 studio units in the converted Clerkenwell building. The apex tower's footprint, form and height (approx. 82m) remain the same as originally submitted.

In summary the changes to the proposed number of conventional housing units and PBSA are as follows:

	March 2025 Iteration	September 2026 Iteration
Total residential units (conventional housing & PBSA)	420	409
Conventional housing units total	178	167
Market Homes	87	128
Social Rent Homes	58	39
Intermediate Homes	33	0
Purpose Built Student Accommodation (PBSA)	242	242
Affordable PBSA	0	0

SUBSTANTIVE COMMENTS

The London Borough of Islington ('the Council') consider that unacceptable harm would result from the proposals, with substantial conflict with the development plan, and insufficient benefits would be delivered/secured, such that the harm is not outweighed. The issues raised in the Council's draft Decision Notice and the Delegated Report (both dated 18 March 2025), should be read together with the additional comments made below in response to the consultation on the amended proposals:

National Planning Policy Framework (NPPF) August 2026

The NPPF 2026 has been adopted since the application was called in by the Mayor. The NPPF applies the presumption in favour of sustainable development, regardless of housing delivery and performance against the Housing Delivery Test (HDT). Notwithstanding this, planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise - Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990. National decision-making policies (NDMP) in the Framework are a material consideration in making planning decisions and should be read alongside the policies in Islington's Local Plan.

Part 2 of NDMP S4 sets out the circumstances in which the benefits of approving development are likely to be substantially outweighed by the adverse effects. Criterion C of NDMP Policy S4, Part 2 is an example of such, whereby the criterion clearly indicates that where a development proposal fails to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances, that this would amount to the benefits of approving a development proposal being outweighed by the adverse effects.

Land Use Principles

The most recent authorised use of the site was by Middlesex University, University College London (UCL) and the Whittington Health NHS Trust for health and educational purposes. This ended in 2013 following the relocation of the medical school. In 2015 there was an unauthorised change of use. However, following a planning enforcement investigation by the London Borough of Islington, the unauthorised use ceased without formal enforcement action being taken and the buildings have remained largely vacant since. Given the unauthorised use, there is no right to revert to the former lawful use without permission.

Islington Local Plan: Strategic and Development Management Policies (SDMP) dated September 2023, Policy SC1 Part E sets out that the council will not permit any loss of social and community infrastructure uses unless (i) a replacement facility is provided on-site; (ii) the existing use is not required on-site, demonstrated through the provision of marketing and vacancy evidence; or (iii) the proposal involves the loss/reduction/relocation of social and community infrastructure uses as part of a rationalisation of a recognised public sector body's estates programme. Notwithstanding the unauthorised use of the site, it is considered that in this case Part E (iii) would apply as the site was owned by recognised public sector bodies and made vacant as part of an estates rationalisation programme.

Following a review in 2012, UCL considered Archway Campus '*unsuitable to continue to accommodate higher education provisions in its current state … and a prohibitive level of investment would be required to update the campus to an acceptable standard'*. The decision was made to vacate and dispose of the site. The Medical School and UCL Division of Medicine and Engineering who were occupying the site at the time were relocated to the Whittington Hospital, the Royal Free Hospital in Hampstead, and to parts of UCL's campus in Bloomsbury.

Within the Islington Local Plan (2023) the site is subject to Site Allocation ARCH5, which allocates the site for a residential-led development. The site allocation states the following:

"Residential-led development, with some commercial and community and social infrastructure uses on the ground floor. Active frontages are sought on the southern part of the site and elsewhere, where appropriate, where it can make a contribution to the public realm.

Given the very limited supply of development land in Islington policies strongly prioritise the most urgent need, which is conventional housing. An element of student housing may be acceptable as part of the development mix, provided that the quantum of student accommodation is not held to weigh against both the provision of priority conventional housing on the site, and provided that it ensures that the development can achieve the quantum and the tenure of affordable housing which is fully policy compliant."

As such, the loss of the social and community infrastructure as part of a proposal that would deliver conventional housing, inclusive of a policy compliant level of affordable housing would be acceptable in principle, subject to a detailed assessment of all other relevant matters.

Conventional Housing

The London Plan (2021) supports the building of more homes through Policy GG4, which promotes the delivery of genuinely affordable homes and the creation of mixed and inclusive communities, with good quality homes that meet high standards. Policy GG2 requires development proposals to make the best use of land by enabling development on brownfield land well-connected by public transport and by applying a design-led approach to determine the optimum development capacity of sites.

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

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

Local Plan Policy H2 states that Islington aims to meet and exceed the borough's housing target. Further, development proposals involving new housing must demonstrate that the use of the building/site is optimised. Particular consideration must be given to the contribution that a proposal makes to meeting need for particular types of housing; the contribution to meeting the borough's housing targets, the level of housing density; and social and strategic infrastructure requirements and impacts on existing and/or planned infrastructure.

Given the above, and the site allocation, the London Borough of Islington consider that the principle of introducing conventional housing to the site could be supported. However, for the reasons detailed in the following sections and as detailed in the draft Decision Notice (see Appendix 1) and Delegated Report (see Appendix 2), it is considered that the scheme fails to deliver the most efficient use of the land in failing to ensure that the optimal amount of conventional housing is delivered, that it does not maximise the delivery of genuinely affordable homes and introduces an unjustified quantum of student accommodation, such that it would be contrary to policy.

Affordable Housing

London Plan Policies H4 and H5 seek to maximise the delivery of affordable housing, setting a strategic target of 50% across London. These policies in conjunction with the Mayor's Affordable Housing and Viability SPG (2017); Affordable Housing LPG (draft – 2023); and Development Viability LPG (draft – 2023) seek to increase the provision of affordable housing in London and embed affordable housing policy requirements into land prices.

To be eligible to follow the Mayor's Fast Track Route, London Plan Policy H5 and the Affordable Housing and Viability SPG set a threshold of 35% affordable housing or 50% on industrial or public land (irrespective of grant funding). Paragraph 4.5.5 of the London Plan (2021) and Paragraph 2.36 of the Affordable Housing and Viability SPG (2017) provide a definition for public sector land, which includes land that has been released from public ownership and on which housing development is proposed. In accordance with this definition, the site, which was previously in public ownership and public land, and the scheme comprising housing development would mean that, for the purposes of Fast Track Route eligibility, the development would be required to provide at least 50% affordable housing or would be required to follow the Viability Tested Route.

The Islington Local Plan requires 50% affordable housing by unit on this site. Development is also required to meet the specific tenure mix set out in London Plan Policy H6. SDMP Policy H3 (Genuinely Affordable Housing) Part D states that:

"All sites which are capable of delivering 10 or more conventional units (gross) and/or which propose 1,000sqm (GIA) residential floorspace or more, and which are currently or have been in public sector ownership (either part or full public ownership) must:

(i) provide 50% on-site affordable housing (by net additional unit) without public subsidy; and
(ii) demonstrate how all potential public subsidy options for maximising the delivery of on-site affordable housing in excess of 50% (by net additional unit) have been utilised, and demonstrate additionality delivered using any and all forms of public subsidy."

Islington's Local Plan has a specific definition of public sector land. This should be applied to all applications. The supporting text to Policy H3 at paragraph 3.40 states that:

"Sites which are currently or have been in public ownership must provide at least 50% affordable housing on-site, without public subsidy (such as grant funding); this applies to sites owned or in use by a public sector organisation, or company or organisation in public ownership; or land that has been released from public ownership, having previously been owned or in use (at any point in the past) by a public sector organisation, or company or organisation in public ownership. Public sector sites are (or have been) public assets and therefore there is a reasonable expectation that such sites should prioritise affordable housing which helps address housing needs."

Islington consider that the site was in public ownership in the past as part of the hospital and therefore the public sector land definition applies. The use of the site as a medical training campus by Middlesex University and University College London is also considered to be public sector land under the Local Plan. Under Local Plan Policy SC1 higher education institutions are considered to be public sector bodies in relation to social infrastructure (paragraph 3.146).

It is therefore the Council's view that the site is public sector land given this context and the relevant part of Policy H3 applies.

The Council note that no objections were received in relation to the public sector land definition as part of the Local Plan process. The Local Plan has the weight of a statutory Development Plan and whilst the GLA's Practice Note - Threshold Approach to Affordable Housing on Public Land (July 2018) provides guidance on the GLA's position on public land, it does not hold the statutory Development Plan status and weight. In addition, the GLA practice note published in 2018, predates the adoption of the Islington Local Plan in 2023.

As a site formerly in public ownership, Policy H3 part D requires the site to provide 50% on-site affordable housing (by net additional unit) without public subsidy and demonstrate how all public subsidy options for maximising the delivery of on-site affordable housing in excess of 50% have been utilised.

When the application was first submitted in September 2024 the affordable housing offer was 51% of the conventional housing total equating to 91 homes, and the tenure was split into 64% (58 homes) social rented housing and 36% (33 units) intermediate.

The revised proposals result in a reduction in the number of affordable homes from 91 homes to 39 homes. The affordable homes would be provided in new build blocks A and C. Block B, which was previously to provide 41 affordable homes will flip to market housing. The affordable housing offer is now 23% of the

conventional housing total (equating to 39 affordable homes) of which 100% will now be social rent. There are no intermediate homes and no affordable student units proposed. Alternatively, the revised affordable offer would be 20% of all habitable rooms across the development or 28% of all habitable rooms across the conventional housing. A comparison breakdown is set out in the table below:

Affordable Homes Breakdown	Affordable Offer as %
Conventional Housing (market & affordable) by unit	23%
Conventional Housing & PBSA by unit	9.5%
Conventional Housing (market & affordable) by habitable room	28%
Conventional Housing (market & affordable) and PBSA by habitable room	20%

Emergency Housing Measures

Given the proposed level of affordable housing, the recently introduced Support for Housebuilding in London Emergency Measures do not apply. In order to be eligible for the time-limited route, the criteria in the Support for Housebuilding in London proposals sets out that sites on public sector land will have to deliver at least 35 per cent minimum social and affordable housing by habitable room, which the scheme would also fail to provide. Also, it is noted that the time limited route does not apply to student accommodation, with no affordable student accommodation being proposed as part of the development.

Draft London Plan (2026)

Draft new London Plan (2026) was published for consultation on 16 July 2026, with the consultation closing on 15 October 2026. Given the early stage the new London Plan is currently at, it is considered that its policies have limited weight at this point.

It is noted that under the new draft London Plan affordable housing policy, Islington falls within 'location band A' with an affordable housing requirement of 35% for schemes of 36 homes or more. The affordable housing requirement reduces to 25% if the entire affordable housing component of a scheme is for social rent homes, or Key Worker Living Rent Homes in the case of Build to Rent schemes. There is a 40% affordable housing requirement for development on public sector land. The 40% requirement reduces to 25% if the proposal would deliver significant strategic transport infrastructure or is part of a public sector land portfolio agreement with the Mayor, neither criteria applies in this case.

Tenure Split

Islington's Policy H3 Part J sets out that the tenure split of on-site affordable housing should be 70% social rented housing and 30% intermediate housing, with the majority of intermediate units provided at London Living Rent. The applicant's affordable housing offer is now 100% social rent. The provision now includes 12 three and four-bedroom homes. The provision of 100% of the affordable housing as social rented homes is supported given the priority need for genuinely affordable homes within the Borough.

Quantum of Housing and Land Use

Site Allocation ARCH5 states clearly that:

'Given the very limited supply of development land in Islington policies strongly prioritise the most urgent need, which is conventional housing. An element of student housing may be acceptable as part of the development mix, provided that the quantum of student accommodation is not held to weigh against both

the provision of priority conventional housing on the site, and provided that it ensures that the development can achieve the quantum and the tenure of affordable housing which is fully policy compliant'.

The applicant's Planning Statement previously detailed that 31% of the proposed floorspace at the development is dedicated to purpose built student accommodation (PBSA). While the scheme is residential-led with 69% of the proposed floorspace being for conventional residential use, the proposals clearly contain more than an element of student accommodation and very little in the way of commercial and social and community uses, which are also required by the site allocation.

The applicant's supporting materials contend that the student accommodation is an enabling use to cross subsidise the delivery of conventional affordable housing and deliver heritage benefits. The Council contest this assertion and consider that it has not been adequately justified as to whether the proposals maximise the amount of conventional residential housing on site, and the extent to which the proposed quantum/proportion of student accommodation can still be justified, particularly given the very low level of affordable housing proposed in the amended application.

Student Accommodation

No changes are proposed to the student accommodation elements of the scheme. The applicant still seeks a total of 242 student accommodation studio units as originally submitted. This would comprise of 210 studio units in the proposed apex tower and 32 studio units in the converted Clerkenwell building. The apex tower's footprint, form and height (approx. 82m) remain the same as originally submitted.

The Council maintains that the proposal fails to demonstrate that student housing would be acceptable as part of the development mix as the proposed quantum of student accommodation is considered to weigh against the provision of priority conventional housing on the site and would not ensure that the development can achieve the quantum of affordable housing which is fully policy compliant. In this regard, the proposal is considered to be contrary to the Site Allocation ARCH5 and Local Plan Policy H3 Part D (i) & (ii) and Part J.

In failing to provide affordable student accommodation as part of the student housing offer the proposal is contrary to London Plan Policy H15 Part A (4.a) and Local Plan Policy H6 Part B (vi).

The proposal fails to demonstrate that the proposed quantum of student accommodation would not weigh against both the provision of priority conventional housing on the site nor that it would ensure the development could achieve a quantum and tenure of affordable housing which is fully policy complaint. Further, the proposal fails to provide any affordable student housing, and it has not been demonstrated through a binding nomination agreement, that the accommodation would only be occupied by students of one or more higher education provider. As such, the introduction of student accommodation is considered not to be acceptable and would be contrary to Local Plan: Site Allocations (2023) - Site Allocation ARCH5, Strategic and Development Management Policies (2023) Policy H3 and H5, and London Plan Policy H15.

Financial Viability

The applicant's updated Financial Viability Assessment (FVA) sets out that the affordable offer includes an assumed £4.18 million in grant funding secured from the GLA. As this scheme only proposes the provision of 23% affordable housing by conventional dwellings, dependent on the use of public subsidy, the proposal therefore fails to comply with Part D(i) of Policy H3 which states that the delivery of 50% affordable housing must not be reliant upon public subsidy. The FVA further fails to demonstrate how all public subsidy options for maximising the delivery of on-site affordable housing in excess of 50% have been utilised in accordance with Policy H3 Part D(ii).

As detailed in the Delegated Report (Appendix 2), the applicant's Financial Viability Assessment (FVA) includes a number of assumptions and inputs that have been and continue to be contested by the Council. These include, but are not limited to, the Benchmark Land Value; values for accommodation; and financing. Given these issues, the submitted FVA does not provide any justification for the proposed quantum of affordable housing, the tenure split nor the lack of affordable student housing provision. Subsequently, no or extremely limited weight can be given to the applicant's FVA is the assessment of the application.

Notwithstanding that the detail within the submitted FVA is contested, in failing to provide 50% on-site affordable housing without public subsidy and not demonstrating how all potential public subsidy options for maximising the delivery of on-site affordable housing in excess of 50% have been utilised, the proposal would be contrary to Local Plan: Strategic and Development Management Policies (2023) Policy H3, The Islington Site Allocations (2023) - Site Allocation ARCH5 and London Plan Policy H4.

Since June 2024 the affordable housing offer has fallen from 91 affordable homes (comprising 58 social rent homes and 33 intermediate homes) to 39 social rent homes. By unit number of conventional homes, the applicant's revised affordable housing offer comprises 23% of the proposed conventional dwellings. The applicant's Covering Letter has modelled the proposal with grant funding.

The Council's has appointed an independent viability assessor, BPS to undertake a review of the applicants updated viability submission (Addendum, 29 September 2026) and it is understood that the GLA's Planning Viability Team have also reviewed this. Critically, both reviews identify that the development would generate a surplus but note that this has reduced since the previously undertaken assessment. BPS identifies a scheme surplus of £3.9m with CIL relief and £0.5m without CIL relief, while the GLA's Planning Viability Team have identified a surplus of £4.2m.

The applicant has not submitted evidence to demonstrate why there is a fall in the surplus generated. Sales values have held, the value of the student block has risen at each review (BPS now identify this as having a value of £103.6m), and finance is cheaper (with rates having reduced considerably). The inputs that have changed relate to the build cost plan, which is up from 18% to 27% on 2024 against 4–5% tender price inflation.

While the surplus identified by BPS has a value of roughly **£0.5m**, with this largely dependent on a lower Benchmark Land Value (£0.31m) than that identified by the applicant, the inclusion of CIL relief as well as inputs supported by both the applicant and/or the GLA demonstrate, in fact, a far more significant surplus.

In their most recent report, BPS had retained the more generous profit levels on open market sales units (20% vs. the typical 17.5%) and professional fees (12% vs. the typical 10%) as their assessment pre-dated the applicant conceding these points in their engagements with the GLA in August 2026. When the since-agreed-upon lower figures (which are more appropriate) are applied, this generates an additional £5.9m surplus, resulting in an identified surplus of up to roughly **£9.8m** with the CIL relief or **£6.4m** without the CIL relief. If a more consensus-backed Benchmark Land Value (agreed by GLA) of £3.05m were applied, this surplus would still sit more than **£7m**. It is worth noting further that the GLA Viability Team have suggested both higher market sales values (£976 per square foot vs. BPS' £963) in addition to a greater proportion of off-plan sales (50% vs. BPS' 40%) which, if applied to the BPS model described above, would only further inflate the expected surplus.

Given the development is viable and that a significant surplus has been demonstrated, it cannot be demonstrated that the delivery of on-site affordable housing has been maximised nor that the quantum of student accommodation proposed is required to maximise affordable housing delivery, contrary to the NPPF (2026), the London Plan (2021) and the Islington Local Plan (2023).

Applicants Financial Viability Assessment Compliance with the NPPG (2026)

The applicant's financial viability assessment submission is not compliant with the National Planning Practice Guidance on Viability (PPG). The Viability NPPG is clear that Benchmark Land Value (BLV) should be based on Existing Use Value (EUV). Paragraph 013 of the Viability NPPG states that:

"Existing use value should be informed by market evidence of current uses, costs and values. Market evidence can also be used as a cross-check of benchmark land value but should not be used in place of benchmark land value."

Paragraph 014 of the Viability NPPG states that:

"Existing use value (EUV) is the first component of calculating benchmark land value. EUV is the value of the land in its existing use. Existing use value is not the price paid and should disregard hope value."

A BLV of £12m has been used by Savills for the site. However, this figure is based on an Alternative Use Value (AUV) of a former D1 use of the site, which has been replaced by Class F1 and Class E in the latest Use Classes Order. The applicant's (Savills') £12m BLV rests on land transactions and the Local Plan viability study. The PPG is clear in stating that market evidence "*should not be used in place of benchmark land value*" (PPG Viability, para 014), and that an alternative-use valuation already includes the landowner premium (para 017). Both BPS and the GLA's Planning Viability Team apply that test to reach BLVs of £0.31m and £3.05m respectively. Moreover, presenting a £24.5m deficit (Savills, 2024) while asserting that the scheme is deliverable falls short of the requirement that conclusions be "*objective, reasonable and realistic*".

Land Use, Affordable Housing and Financial Viability Conclusion

NDMP Policy HO8: Providing affordable homes clearly states that development proposals should meet or exceed up-to-date development plan requirements for the proportion and mix of affordable housing tenures relevant to the location, including the minimum proportion of Social Rent.

As set out in the Delegated Report (Appendix 2), the proposal fails to meet or adequately address the NPPF, London Plan and Local Plan policy requiring the maximisation of affordable housing. The amended application submission significantly reduces the affordable housing offer, without relevant evidence nor adequate justification, and no additional benefits have been identified.

The applicant's approach to establishing the BLV is contrary to the Viability NPPG and a compliant assessment based on an appropriate AUV has not been submitted. The Council maintains the position that the assumed values for the market units and student accommodation are understated, and a surplus is therefore feasible.

Notwithstanding this, the viability appraisal reviews by the Council's independent assessor and the GLA's Viability Team demonstrate that an identified surplus of up to roughly £9.8m with the CIL relief or £6.4m without it can be achieved.

The applicant has failed to demonstrate through the updated FVA that the proposed quantum of student accommodation would not weigh against both the provision of on-site priority conventional housing or that it would ensure the development could achieve a quantum and tenure of affordable housing which is fully policy compliant.

The Council and the GLA's Viability Team have clearly demonstrated that the development is viable and a significant surplus has been established, that it cannot be demonstrated that the delivery of on-site

affordable housing has been maximised nor that the quantum of student accommodation proposed is required to maximise affordable housing delivery. The proposal is therefore contrary to the NPPF (2026), the London Plan (2021) and the Islington Local Plan (2023).

Notwithstanding that the submission does not demonstrate that affordable housing has been maximised on the site, were the Mayor minded to grant planning permission for the application, any permission would be required to include early, middle and late-stage review mechanisms to ensuring that the scheme contributes the maximum possible quantum of affordable housing.

Harm to Heritage

The Council's full assessment of the heritage impacts is set out in paragraphs 9.77 to 9.196 of the Delegated Report (Appendix 2).

Section 70(2) of the Town and Country Planning Act 1990 states that in dealing with a planning application 'the authority shall have regard to the provisions of the development plan, so far as material to the application… and to any other material consideration.'

There are the following additional requirements when considering planning applications which affect the setting of a listed building or the character and appearance of a conservation area. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: '*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*'.

Section 72(1) of the Act states: '*In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area"*.

The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.

The Council does not consider that the heritage benefits of the scheme would be sufficient to outweigh the harm in purely heritage terms. With the significant reduction in the quantum of affordable housing now being proposed in the September 2026 amended design iteration further diminishing the benefits of the scheme while the level of heritage harm remains the same.

The demolition and alteration of non-designated heritage assets, the loss of openness of the west side of the site, the scale, height and footprint and location of the new buildings, which would dominate the conservation area, its buildings and the settings of heritage assets and the impact of the tall building on designated views result in the proposed development causing harm to the significance of the designated heritage assets.

It remains the view of the Council that the proposal would fail to preserve or enhance the character and appearance of the Holborn Union Infirmary Conservation Area and would cause harm to the significance of designated heritage assets, and that insufficient benefits have been demonstrated, with the benefits being further diminished, such that the proposal continues to be contrary to the National Planning Policy

Framework 2026, policy DH1: Fostering innovation and conserving and enhancing the historic environment; policy DH2: Heritage Assets; and policy DH3: Building Heights of Islington Local Plan 2023 and guidance contained within Islington's Holborn Union Infirmary Conservation Area Statement and Design Guidelines 2014.

This weighs significantly against the proposals in the planning balance.

Tall Building

The Council's full assessment of the tall building is set out in paragraphs 9.240 to 9.259 of the Delegated Report (Appendix 2).

The site is not allocated for a building above 30m in height, and the proposed construction of a new 27 storey / 82 metre tower at the southern apex of the site, therefore, fails to meet Part B of Local Plan Policy DH3. The proposal would also fail to meet the locational requirements for tall buildings set out in London Plan Policy D9 (Part B). As such, there is an in-principle objection to the provision of a tall building in this location.

With regard to the visual, functional and environmental impacts of tall buildings under Part E of the Policy DH3, the Council wish to reiterate that the proposal fails to demonstrate compliance with the following criteria:

- The proposal fails to protect the legibility and identity of the area by creating a positive landmark within the townscape and creating a strong sense of place contrary to criteria (i).
- The proposal fails to protect or enhance strategic and local views, namely the LVMF: Panorama 1A. View from Alexandra Palace terrace and Local View LV5 from Archway Bridge to St Paul's Cathedral, contrary to criteria (ii).
- The proposal fails to conserve and enhance the significance of designated and non-designated heritage assets and their settings, relative to their respective significance, including the Holborn Union buildings, Waterlow Park, Highgate West Cemetery, St Joseph's Church and St John's Conservation Area, contrary to criteria (iii).
- It is not considered that the scale and height of the proposed tower would be proportionate and compatible to the surroundings and the character of the area contrary to criteria (iv).
- The proposed tower, by virtue of its height and thus visual impact would fail to protect or enhance the settings of local landmarks contrary to criteria (vii).
- The proposals do not meet a range of sustainable design and green infrastructure policies and therefore fails to promote exceptional sustainable design standards contrary to criteria (xi).
- The proposals fail to satisfactorily demonstrate that the development does not adversely impact, either individually or cumulatively, on the microclimate of the surrounding area, including the proposal site and any public space in close proximity to the site, contrary to the requirements of criteria (xii).
- The applicant has not demonstrated at this stage that the proposal would not result in adverse individual or cumulative impacts on biodiversity, contrary to criteria (xiii).

Policy DH3 Part D is clear that proposals for tall buildings must satisfy all of the criteria listed in Part E of the policy. As set out above the proposal would be contrary to Policy DH3 Part E (i), (ii), (iii), (iv), (vii), (xi), (xii), (xiii). For these reasons the proposal is also contrary to London Plan Policy D9.

National decision-making policies (NDMP) Policy DP3 sets out key principles for well-designed places stating '*Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where*

appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.

This policy also states that "*development proposals should respond to their context*" and "*integrate with and enhance their surroundings"* and "*the restoration, reuse and integration of heritage assets*". The Council's Delegated Report (see Appendix 2) details significant issues in regard to the proposed height of the tower and its intrusion into multiple views with associated townscape impacts, and the incongruous height and scale relative to the retained buildings and the form within the Holborn Infirmary Conservation Area.

The Local Plan takes a plan led approach to the location of tall buildings and this site has not been identified for such a building. This approach is in line with London Plan policy which expects boroughs to identify the locations where tall buildings are appropriate. As part of the evidence base to support the Local Plan two points on the Archway Campus site were identified as hypothetical tall building sites - Archway Campus (West) (site A-03a) and Archway Campus (South) (site A-03b). Both hypothetical Archway Campus locations were excluded on local character grounds and the intrusion on the Local View to St. Paul's from Archway Bridge (LV5).

NPDP Policy DP3 Part 3 which confirms that:

"Development proposals should be refused if, without clear justification, ***they conflict with paragraph 1 of this policy*** *or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans)."*

The Delegated Report (Appendix 2) sets out the analysis of the proposed tall building, including an assessment against the criteria in Local Plan Policy DH3 Part E. Against this the proposal fails to demonstrate compliance against a significant number of the criteria which the report considers has not been justified and introduces harm. Without clear justification NPDP Policy DP3 Part 3 expects development proposals to be refused.

Given the above, the proposal represents a significant departure from the Development Plan that is not justified and introduces unacceptable harm. This weighs significantly against the proposals in the planning balance.

Quality of Accommodation

Notwithstanding the comments in relation to the revisions to Block A, the Council's full assessment of the neighbour amenity impacts is set out in paragraphs 9.260 to 9.375 of the Delegated Report (Appendix 2).

Externally, Block A has been substantially revised with the introduction of balconies to part of the northern elevation at second, third and fifth floor levels, taking the building's footprint marginally closer to site's northern boundary. The revised Design and Access Statement states that the northwest-facing façade has been designed to mitigate adverse impacts on neighbours with stair cores positioned along this elevation to minimise the amount of private windows overlooking the Academy yard. In addition, the applicant states that private outdoor amenity space has been reduced to the minimum requirement for the upper units and omitted on the northwest corner altogether to benefit the Lidyard Road gardens.

Tenure and Dwelling Mix

The previous iteration of Block A included 36 homes, including 33 intermediate affordable homes and 3 social rented homes. The intermediate homes comprised 5 x studios and 28 x one-bedroom flats, and the social rent homes comprised of 1 x three bedroom flat and 2 x four bedroom flats.

The revised Block A would now provide a total of 25 homes, resulting in a reduction of 11 affordable homes compared to the previous iteration. This would include the replacement of studio and one bedroom units with 18 x two bedroom homes, 5 x three-bedroom homes and 2 x four bedroom homes. All the homes would be social rent.

Under the revised Block A proposals the ground, first and second floors would be comprised of triplex and duplex dwellings. These flats would all be accessed directly off the street, where the entrances are set back from the main line of the façade. Triplex units would each have their own private garden at the rear of the block, held between the building and the boundary wall to the north. The gardens would have direct adjacency to the living room. Each triplex unit would also have access to south facing private balconies from the first floor bedrooms.

While the overall reduction in affordable housing homes weighs negatively against the scheme, the provision of larger homes within the social rent tenure is supported by the Council given the need for three and four bedroom affordable family homes within the Borough.

Internal Daylight & Sunlight

The Council previously raised concerns due to the high proportion of transgressions against BRE guidelines in relation to internal daylight and sunlight received in habitable rooms in Block A, particularly at the lower levels.

The Design and Access Statement states that the number of units per floor has been reduced and layouts have been tweaked to respond to daylight modelling. The updated daylight illuminance testing results for Block A appear to demonstrate that the amount of daylight within the proposed habitable rooms across all floor levels would be within an acceptable BRE range.

Dual Aspect

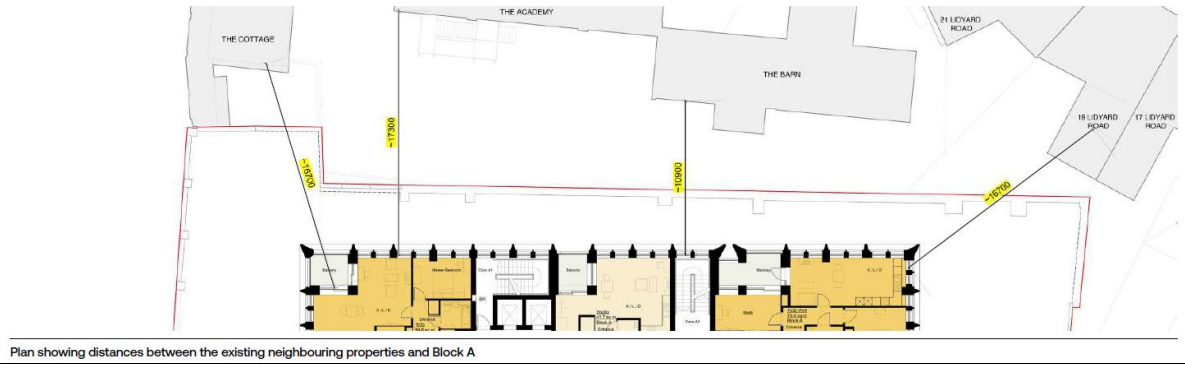
In the Council's initial assessment, concerns were raised due to the amount of single aspect homes within Block A, including five single aspect studios facing north west and 14 x one-bedroom flats with single aspect facing south east, all situated from the second floor upwards. In the revised Block A layout, the new external deck arrangement would result in all of the Block A flats being dual aspect, in accordance with policy.

Neighbour Amenity

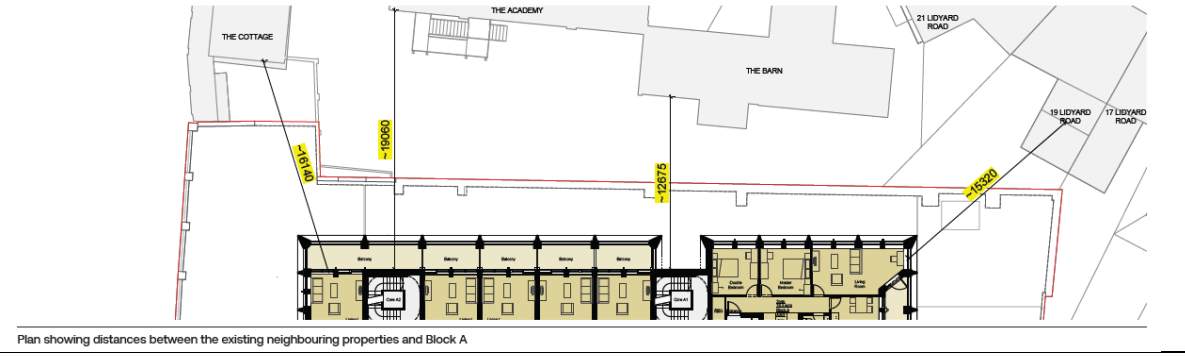
Notwithstanding the comments below relating to the amendments to Block A, the Council's full assessment of the neighbour amenity impacts for the rest of the scheme is set out in paragraphs 9.409 to 9.492 of the Delegated Report (Appendix 2). In the initial assessment, the Council did not find there to be undue impacts on the amenity of neighbouring residents.

Overlooking

The comparative separation distances from the 2024 and 2026 iterations of Block A to the closest neighbouring residential properties to the north of the site are as follows:



Block A - 2024 iteration



Block A – 2026 iteration

The revisions to Block A include the introduction of external balconies to the northern elevation. This would bring the building's northern elevation marginally closer to the site boundary and the residents living to the north. Consequently, the revisions to Block A would result in the following separation distances between windows of habitable rooms at:

- The Cottage: Previously the separation distance was 16.7m to the flank elevation containing a lower ground floor living room window. The revised proposal reduces this distance to 16.1m. The proposal still fails to demonstrate a minimum distance of 18 metres would be maintained between windows of habitable rooms. However, as set out in the Council's initial assessment, given the oblique angle between the buildings, the sunken position of the lower ground window at the Cottage and the positioning of the windows in Block A, it is not considered that in this instance the amenity of the property would be unduly affected by overlooking and a loss of privacy.

- The Academy: Previously the separation distance was approximately 17.3m from the southern flank elevation containing up to five bedroom windows. The revised proposal increases this distance to 19m, although the separation distance from the edge of the external balcony at Block A would still be approximately 17m. The proposal still fails to demonstrate that a minimum distance of 18 metres would be maintained between windows of habitable rooms and given the introduction of balconies to the northern elevation of Block A there would be an increased sense of overlooking for neighbouring residents. However, as set out in the Council's initial assessment, the area between the buildings comprises a paved communal car parking area for The Academy residents, rather than private gardens. While there would inevitably be an element of mutual-overlooking, given that many of these windows are secondary, some are constrained by an external staircase and that a 17m distance would be maintained over a communal car park, this separation is considered to be reasonable in this instance given the specific site circumstances and would not result in an undue overlooking or a loss of privacy.

- The Barn: Previously the separation distance was 10.9m to a ground floor bedroom window in the southern flank elevation and two roof lights serving a living room/ kitchen dining area. The revised proposal reduces this distance to approximately 10m. The proposal fails to demonstrate a minimum distance of 18 metres would be maintained between windows of habitable rooms. Given the introduction of external balconies to the northern elevation of Block A there would be an increased sense of overlooking for residents. However, as set out in the Council's initial assessment, the impact would be reduced given the difference in ground level and the retention of the northern site boundary wall, meaning the bedroom window at The Barn would not be directly overlooked at a horizontal angle as the heights of the opposing floor levels would be staggered. Windows at the first floor of Block A would be screened by the retained boundary wall and the windows at the upper floor levels of Block A would be considerably higher preventing a direct line of sight into the bedroom. The roof lights are positioned at an angle on the roof slope preventing a direct line of sight into the property. It is acknowledged that given the close proximity of Block A an element of overlooking and loss of privacy to this property would be unavoidable, but in this instance, it is not considered that the impact would be to an unduly harmful extent given the specific site circumstances.

- 17, 19 and 21 Lidyard Road: Previously the separation distance was approximately 16.7m at the closest point from first floor bedroom windows. The revised proposal reduces this distance to 15.3m. The proposal still fails to demonstrate a minimum distance of 18 metres would be maintained between windows of habitable rooms. However, as set out in the Council's initial assessment, given the oblique angle between the buildings and the positioning of the windows in the Lidyard Road houses and Block A, it is not considered that in this instance the amenity of the properties would be unduly affected by overlooking and a loss of privacy.

While it is acknowledged that the revised proposal would result in an element of overlooking to some of the neighbouring properties, as set out in the Council's initial assessment, it is considered that in this instance the impact on the amenity of the neighbouring properties to the north would not be to an unduly harmful extent given the specific site circumstances and the reasons set out above.

Outlook and Sense of Enclosure

The neighbouring properties that would be most vulnerable to a loss of outlook and a sense of enclosure are those located immediately to the north of the site at Lidyard Road and The Academy (including The Cottage and The Barn). The main consideration in terms of any potential additional impact to outlook and sense of enclosure would be as a result of the proposed amendments to the location and scale, bulk and massing of Block A.

The proposal would involve the demolition of the existing Furnival Building and single storey Staples building to accommodate the construction of Block A, effectively bringing the comparative height and scale of the existing Furnival building closer to the northern site boundary. The proposed revisions to the northern elevation of Block A, including the introduction of balconies, would marginally increase the impacts associated with the building.

Given the change in ground level between the northern part of the site and the adjacent residential properties at the Academy, Block A would read as six storey building from the adjacent residential properties to the north. It is acknowledged that the scale and height of Block A in comparison to the neighbouring residential buildings at The Cottage and The Barn and terraced houses at Lidyard Road would be significantly larger, and the presence of a building of the proposed scale would inevitably be visible. However, as set out in the Council's initial assessment, these neighbouring properties do not have a direct primary aspect towards Block A and the main aspect from The Academy is to the east and west rather than south towards Block A. While there are windows present in the south flank elevation of The

Academy, these are primarily bedroom windows and secondary windows. The eastern section of Block A has also been successfully designed to step down in height to lessen any undue impact on the occupiers at Lidyard Road.

Given the proposed design of Block A, the distance that would still be maintained between the neighbouring buildings and the specific site circumstances, in this instance there would not be an unacceptable loss of outlook nor would the building be unduly overbearing to neighbouring occupiers.

Daylight, Sunlight and Overshadowing

The applicant has submitted an updated Daylight and Sunlight report prepared by Point2 Surveyors Limited (dated December 2025). The report considers the impacts of the proposed development on the residential neighbours in accordance with the 2022 Building Research Establishment (BRE) guidelines. The assessment reports no transgressions in terms of sunlight, and all properties that have been assessed would maintain Annual Probable Sunlight Hours (APSH) within the BRE guidelines.

The VSC and NSL daylight assessment results indicate that there would be a relatively small number of transgressions against the BRE guidelines. The majority of the transgressions would fall within the minor to moderate category and given the site's urban context, these are considered to be acceptable.

While the results also indicate that there would be a significant loss of daylight, through both VSC and NSL at the Academy (Small Annex), this impact relates to one bedroom window, which the BRE states has less requirements for natural light. There would also be moderate to significant daylight reductions to two bedrooms windows in the Academy (Main Building), however it is noted that the impact would be exacerbated by an existing obstruction from the external fire escape attached to the flank of building. Overall, given the site's urban context and the use of the room impacted, the daylight impacts are, on balance, considered to be acceptable.

In terms of overshadowing, 3 properties at the Academy would see the sunlight on ground completely reduced to 0% on 21 March. It is acknowledged that these reductions give rise to a degree of harm, however, the affected amenity spaces already receive a low level of sunlight due to their close proximity and orientation lying immediately to the north east of the four storey building, which contributes to a significant proportion of the reduction.

Sustainable Design and Green Infrastructure

The Council's full assessment of sustainable design and green infrastructure is set out in paragraphs 9.493 to 9.649 of the Delegated Report (Appendix 2). It was previously considered that there were a number of absences of key sustainability information which meant the applicant failed to demonstrate the proposals compliance with sustainability policies. No information that has been submitted to address this, and as such, the Council maintains the reasons for refusal in the Decision Notice (Appendix 1).

Fire Safety

Policy D12 of the London Plan states that in the interest of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. Part B of Policy D12 states that all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. This should be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed.

Fire Statements should contain: the building's construction; means of escape for all building users; features that reduce the risk to life; access for fire service personnel and equipment; provision for fire appliances; and future modifications to the building.

The Council's full assessment of fire safety is set out in the Delegated Report at paragraphs 9.739 to 9.755, including comments from the Health and Safety Executive (HSE) the Council's appointed Fire Consultant and the Council's Building Control Service.

A new Fire Statement, produced by Ashton Fire (dated 05 December 2025) and a Fire Safety Strategy, produced by Ashton Fire (dated 05 December 2025) have been submitted as part of the revised documents received by the GLA in September 2026. The Council's Building Control Service have reviewed the documents in accordance with the requirements of London Plan Policy D12 (B) and raised the following concerns:

Fire Statement:

- *The Author(s) of the report have not confirmed their specific experience of similar developments across the site.*
- *The submission dos not declare whether consultation with the Fire Authority has been undertaken. No consultation has been undertaken with the Fire Authority or the Building Safety Regulator representative.*
- *It is questioned whether the recommendations of BS 9991(:2024) are appropriate for the fire safety arrangements for the Student Amenity building*
- *The smoke control system is not clearly described/defined. It is not known if the compartmentation is to be broken because of the reliance on held open doors under a fire event within the building(s). It is also not clear whether the smoke control of lobbies serving the approach to the accommodation is wholly within the lobby to avoid breaking the compartment line.*
- *The design required for the fire resistant protection arising from boundary and compartment sizes has not been explained.*
- *It has not been confirmed that BS 9991:2024 and BS 9999: 2017 has been adopted for each building specifically.*
- *Have high reach appliances been considered for fire service access.*

Fire Safety Strategy:

- *It is questioned whether – the open plan flats are designed in consideration of persons requiring assistance when having to evacuate the building (para 2.2.3).*
- *It is questioned whether the firefighting lift lobby in the student accommodation building is adequately separated from the bulk waste, cycle store (para 2.8.1).*
- *Questions are raised as to Block B how the emitted smoke into the central light well is determined as not obstructive to means of escape to occupants when accessing stair core B1 (Block B) for means of escape in case of fire and fire service access (para 2.13).*
- *– It is questioned whether the single stair (Block C) serving upper floor flats continuing to basement level is acceptable (para 2.14)*

Given the above, the Fire Statement and Fire Safety Strategy provide insufficient information to enable the Council to advise whether the proposal would be in compliance with the requirements of London Plan Policy D12. The proposal also fails to demonstrate safe and dignified emergency evacuation for all building users as required by London Plan Policy D5.

The details and additional measures required to address the identified non-compliance with Policy D12 and Policy D5 could result in further works requiring planning permission that have not been presented to the Council nor the GLA and could involve substantial changes to the proposal as currently proposed.

Demonstrating policy compliance and achieving the relevant fire safety standards for 167 residential dwellings and 242 student accommodation studios is a fundamental requirement in terms of the acceptability of the proposed scheme. It would not, therefore, in the Council's view be considered appropriate to secure the necessary fire safety details that are essential to the acceptability of the scheme through a condition**.**

The proposal, therefore, fails to provide sufficient detail to demonstrate that the proposed development would achieve the highest standards of fire safety and ensure the safety of all building users in accordance with policy and in the Council's view this weighs against the proposals in the planning balance.

Accessibility & Inclusive Design

The Council's full assessment of accessibility and inclusive design is set out in paragraphs 9.376 to 9.408 of the Delegated Report (Appendix 2). While the proposals would introduce a high-quality public realm, providing an improved connectivity to Archway Town Centre, there are issues pertaining to a lack of step free access, the location of the play space and path gradients meaning that the public realm would not achieve appropriate Inclusive Design standards. While it is acknowledged that a high quality public realm and improved connectivity are a benefit, the lack of provision of an inclusive public realm weighs against the scheme.

The Council maintains the reasons for refusal in the Decision Notice (Appendix 1).

Trees

The Council's full assessment of the tree impacts is set out in paragraphs 9.650 to 9.662 of the Delegated Report (Appendix 2). The Council maintains that the existing constraints of retained trees, including those that are subject to a Tree Preservation Order (TPO), have not been adequately considered resulting in a cumulative set of damaging impacts that would cause significant harm to the existing TPO trees along the Highgate Hill boundary, and to a lesser extent to the trees on the East side of the site, detrimentally affecting their long-term viability, amenity and eco-system value.

In addition, the proposed landscaping scheme, with regard to its impact on existing trees, and the new tree provision, has several poorly considered elements, and would require significant enhancement to become acceptable.

The Council maintains the reasons for refusal in the Decision Notice (Appendix 1).

Environmental Statement

The Council's assessment of the Environmental Statement (ES) is set out in the Delegated Report (see appendix 2) at paragraphs 10.1 to 10.22, including commentary from the Council's EIA consultant who were commissioned to undertake an independent review.

Wind and Microclimate

At the time of the assessment of the application, the Council considered that the ES failed to provide adequate information to enable officers to reach a reasoned conclusion on the significant environmental effects of the proposed development, particularly with regard to wind microclimate testing that has been undertaken. The EIA review highlighted concerns that the assessment inputs could be optimistic and non-conservative, resulting in more favourable outcomes for the development. It also questioned the reliability of the proposed wind mitigation measures. The target criteria (i.e. walking, sitting etc.) upon which the assessed negligible residual effects were assessed were not considered appropriate and it was

recommended that either the assessment be amended or further justification be provided to support the target criteria applied.

Furthermore, with regard to the proposed wind mitigation measures the wind tunnel model in Appendix 8.2 of the ES suggested that the modelled trees had very dense canopies, far denser than applied by many specialist wind consultancies to represent deciduous wind tunnel trees in winter. The review concluded that the stated tree heights, at up to 8–10m, also appeared relatively large for initial, upon-planting (as typically applied), heights. The review also noted that the proposed porous screen introduced in the southeast corner of the site appeared to be of such a small scale that it would not fully mitigate accelerated winds occurring across the relatively open space around this location.

The ES failed to provide adequate information to enable a reasoned conclusion to be reached on the significant environmental effects of the proposed development, particularly with regard to wind microclimate testing that has been undertaken. The Council requests that these matters are given full consideration by the GLA and that a suitable mitigation measures are addressed as part of the revised ES.

CONCLUSION

The application site represents a significant development opportunity within the Archway Spatial Strategy area and is the subject of a site allocation which sets site specific policies to secure specific land uses and meet identified development needs. The amended proposal consulted on at Stage 3 for Mayoral consideration includes a significant reduction in the quantum of genuinely affordable housing. The delivery of conventional housing is also not considered to be maximised with excessive student accommodation proposed. In addition, a tall building is proposed which is a significant departure from the development plan and there is a failure to preserve or enhance the character and appearance of the Holborn Union Infirmary Conservation Area.

NDMP Policy L2, Part 1 confirms that substantial weight should be given to the benefits where a development proposal would achieve one or more of several criteria. This includes proposals that would:

a. Remediating despoiled, degraded, derelict, contaminated or unstable land;

b. Making better use of vacant and underutilised land and buildings (such as: by bringing back into residential use empty homes and other suitable buildings; converting space above shops; redeveloping underutilised retail and business sites; and building on or above service yards, lock-ups, car parks and other transport infrastructure which are no longer required);

Part 2 of NDMP S4 sets out the circumstances in which the benefits of approving development are likely to be substantially outweighed by the adverse effects. Criterion A(i) of NDMP Policy S4, Part 2 is one these circumstances. Criterion A(i) clearly indicates that where a development proposal would have a substantial adverse impact in relation to the allocation or safeguarding of land or buildings for particular uses in the development plan that this would amount to the benefits of approving a development proposal being outweighed by the adverse effects.

The site allocation expects that an ‘element’ of student accommodation maybe acceptable where a policy compliant level of affordable housing is provided. However, the student accommodation represents significantly more (one third of the floorspace) than an element of the overall proposal. A non-policy compliant quantum of affordable housing is also being proposed that has not been justified.

Crucially, NDMP Policy HO8: Providing Affordable Homes clearly states that development proposals should meet or exceed up-to-date development plan requirements for the proportion and mix of affordable housing tenures relevant to the location, including the minimum proportion of Social Rent.

As set out in the Delegated Report (Appendix 2), the proposal fails to meet or adequately address the NPPF, London Plan and Local Plan policies requiring the maximisation of affordable housing. The amended application submission significantly reduces the affordable housing offer, without relevant evidence nor adequate justification, and no additional benefits have been identified. This therefore further impacts the planning balance of the proposals.

This site is one of a handful of very large housing opportunities in the borough and the site allocations principle of accepting an element of student accommodation was entirely predicated on the assumption that the site would deliver a policy complaint level of affordable housing. The harm of the proposal not doing so outweighs the benefits of delivering housing.

The level of affordable housing provided has reduced significantly from the amount previously proposed in 2024 and the proposal does not deliver any affordable student accommodation.

Given that the benefits associated with the proposals have been significantly diminished, primarily due to the unjustified and unevidenced reduction in affordable housing, and that the harm identified in the Council's original assessment has largely not been addressed, it remains that there are insufficient benefits to outweigh the identified harm in the planning balance.

For the reasons set out in this response and the Council's previously issued Draft Decision Notice and Delegated Report, the Council maintain that due to the under provision and lack of justification for the reduction in affordable housing, the proposal fails to provide 50% on-site affordable housing without public subsidy and in turn fails to demonstrate how all potential public subsidy options for maximising the delivery of on-site affordable housing in excess of 50% have been utilised, and demonstrate additionality delivered using any and all forms of public subsidy.

The proposal fails to demonstrate that student housing would be acceptable as part of the development mix as the proposed quantum of student accommodation is considered to weigh against the provision of priority conventional housing on the site and would not ensure that the development can achieve the quantum and tenure of affordable housing which is policy compliant.

The proposal would result in harm to the significance of designated and non-designated heritage assets through the demolition and alteration of non-designated heritage assets, the loss of openness of the west side of the site, the scale, height and footprint and location of the new buildings which would dominate the conservation area, its buildings and the settings of heritage assets and the impact of the tall building on designated views. The proposal would fail to preserve or enhance the character and appearance of the Holborn Union Infirmary Conservation Area and would cause harm to the significance of designated heritage assets.

The proposed tall building represents a significant departure from the Development Plan that is not justified and introduces harm. The proposal does not provide sufficient detail to demonstrate that appropriate fire safety standards would be met. It has not been demonstrated that the proposal would sufficiently address accessibility and inclusive design requirements, such that it would be harmful. The proposal would result in harm to trees of high amenity value.

As such the Council consider that the proposal is contrary to the following policies:

National Planning Policy Framework 2026

London Plan (2021)
Policy H4 and H6
Policy H15
Policies D3, D5, D6, D8 and D9
Policy D12
Policies GG3, SI1, SI2, SI4, SI7
Policy G7
GLA Whole Life Carbon Assessments Guidance (2022)
GLA Air Quality Positive Guidance (2023)

Islington Local Plan (2023)
Islington Site Allocations (2023):
Site Allocation ARCH5
Strategic Development Management Polies (2023):
PLAN1
Polices DH1, DH2, DH3
Policies H2, H4, H3 Part D (i) & (ii), H5
Policy DH3 Part B & Part E (i), (ii), (iii), (iv), (vii), (xi), (xii), (xiii)
Policy G1, G2, G4 & G5
Policy S1, S2, S4, S5, S6, S7, S8, S9, S10
Holborn Union Infirmary Conservation Area Statement and Design Guidelines 2014.
Inclusive Design SPD (2014)
Islington Streetbook SPD (2012).

While the 2026 NPPF sets out the application for the presumption in favour of sustainable development in settlements such as Islington provided certain caveats in Policy S4 are met, the proposal would not represent sustainable development under the NPPF and would be contrary to the above noted policies.

The London Borough of Islington therefore maintain that the application is unacceptable and respectfully request that the Mayor of London refuse planning permission.

Yours faithfully

Sarah Scannell

Sarah Scannell
Director Planning & Development
Islington Council