

Consultation statement on the draft Planning Obligations SPD

Background

In March 2024, Islington Council began preparing a new Planning Obligations Supplementary Planning Document (SPD).

The SPD will expand on [Islington's Local Plan](#) (adopted on 28 September 2023), providing further detail about the council's policies on planning obligations and the procedure for agreeing them. The new SPD will supersede the [existing Planning Obligations SPD](#), adopted in 2016. The updated SPD will not form part of Islington's Local Plan but will be a material consideration dependent on the circumstances of individual applications.

Purpose of this consultation statement

This consultation statement has been prepared in accordance with regulations 12(a) of The Town and Country Planning (Local Planning) (England) Regulations 2012.

It sets out the following for the final consultation on the draft Planning Obligations SPD:

- the persons consulted when preparing the supplementary planning document;
- a summary of the main issues raised by those persons; and
- how those issues have been addressed in the supplementary planning document.

Prior consultation

In March 2024, Islington Council consulted on a discussion paper, which set out the proposed changes the council were considering for an updated planning obligations SPD. The consultation was open for seven weeks between Monday 25 March and Monday 13 May 2024.

The consultation was promoted via Let's Talk, the council's public engagement website, as well as via email through the Planning Policy Consultation Database—a subscription list for those wanting to take part in planning policy consultations at Islington Council. At the time of writing, the subscriber count is 1,243.

Comments and responses could be submitted via post, via email, or by submitting in an online survey on Let's Talk Islington. Responses to the consultation on the discussion paper were used in preparation of the draft Planning Obligations SPD.

Results of the prior consultation

In total, the council received 12 responses: five responses via the online survey and a further seven were sent via email. Respondents included individual residents and institutions or organisations. No postal responses were received.

A table summarising comments received and the council's response has been included in at the end of this statement and has been previously publicised as part of a report on the first consultation.

Consultation on the draft SPD

Consultation on the draft Planning Obligations SPD was open for seven weeks and five days between 17 October 2024 and 10 December. As with the consultation on the discussion paper, the consultation on the draft SPD was promoted via Let's Talk as well as via email through the Planning Policy Consultation Database. Comments and responses could be submitted via post, via email, or by submitting in an online survey on Let's Talk Islington.

The council received 18 responses to the consultation; 12 responses were submitted via email, five responses through the Let's Talk online survey, and one response was sent it by post.

Respondents included built environment professionals or landowning entities (4), community organisations and campaign groups (3), government organisations (5), infrastructure and utilities bodies (1), and private citizens (5).

The table below provides a summary of individual representations alongside the corresponding response from Islington Council, including any changes made to the proposed final version of the SPD.

Consultation responses and summary of council responses

#	Organisation	Paragraph/ topic	Comment summary	Islington response and changes to the SPD
1	Edwards Rensen Architects	2.11	The bullet list gives the impression that certain types of developments are exempt, but the last bullet point (Other developments where necessary to ensure they are acceptable in planning terms) is arbitrary and so brings all projects within the realm of s106 agreements.	<p>The vast majority of planning applications received by the council are not subject to legal agreements as they do not include new dwellings or commercial floorspace. However, depending on the exact nature of a development and its localised impacts, the option to require planning obligations on other developments is required to ensure that they are acceptable in planning terms.</p> <p>Changes: the last bullet point was removed and clarified in a new paragraph.</p>
		2.12	Should also include damages caused, and services lost. Paragraph may be redundant, as the topic is explained better and more inclusively in 2.13 to 2.19.	Changes: paragraph removed due to identified redundancies.
		4.7	Why use the word usually (e.g. "usually in excess of 200 residential units or 10,000 square metres of gross external floorspace") instead of firm thresholds?	<p>The intention is to give an indication of where on-site facilities will be required as it is not considered appropriate to have firm thresholds e.g. a 300 unit development may not have the space for on-site facilities due to site circumstances whereas a 150 unit development may have the space and requirements for public realm reasons to provide facilities on site.</p> <p>No changes.</p>

#	Organisation	Paragraph/ topic	Comment summary	Islington response and changes to the SPD
1	Edwards Rensen Architects	6.7	The cost for building a single house in a tight urban location has dramatically gone up, yet the contribution is still unchanged at £50,000. Has the affordability justification for this figure been reviewed? Should it be more or less?	<p>Whilst the cost of construction may have risen since this contribution was set in 2014 the selling costs of such units has also increased significantly. Viability assessments were completed to support the new Local Plan and it was determined that the policy requirements are viable across the council's area.</p> <p>No changes.</p>
2	London Cycling Campaign	Standards for developers and contractors	The SPD requires all developments to comply with Islington's Code of Practice for Construction Site and submit a Construction Logistics Plan (CLP), but does not provide links to the relevant up-to-date document. An online search leads to 2018 guidance for construction sites, which does not specify that developers must comply with Construction Logistics and Community Safety (CLOCS) standards - a stated council requirement. This inconsistency should be resolved and the SPD should state directly whether developers should meet CLOCS standards.	Changes: the text has been updated so as to link to most up-to-date guidance document and reference made to compliance with CLOCS standards.
		Accessible car parking	The SPD states that parking spaces should be provided at a ratio of 10% of units. Given that blue badge holder usage of spaces is estimated at 3%, to what uses can the developer or development owner put the remaining parking spaces? Do they remain empty or can they be leased or rented to non-blue badge holders?	<p>On sites where it is not feasible or appropriate to provide 10% of spaces on site, less spaces will be provided with a contribution paid <i>in lieu</i>. Any remaining spaces may not be rented out to non-blue badge holders.</p> <p>Changes: text has been updated to provide further clarity on instances where the 10% figure does not need to be applied.</p>

#	Organisation	Paragraph/ topic	Comment summary	Islington response and changes to the SPD
3	Natural England	General comment	Natural England have no comments to make on this occasion.	No changes.
4	Thames Water	Water infrastructure	The Planning Obligations SPD should include a specific policy on the key issue of the provision of water and sewerage/wastewater infrastructure to service development. Thames Water included suggested text for inclusion in the revised document.	It is considered these issues are adequately addressed via Policy ST4 of the Local Plan and no further guidance is specifically required in the Planning Obligations SPD. No changes.
5	Historic England	Heritage Assets	Support the section on heritage assets within the document that sets out the potential application of a S106 Agreement in respect of heritage assets, with references to their conservation, repair and restoration. Suggest including specific reference to the potential allocation of S106 funding to address heritage assets on the national Heritage at Risk Register or to provide interpretation on their significance and therefore potentially raise awareness of them.	Para 8.4 of the SPD does state that Planning Obligations may be used to make appropriate provision for protection etc of heritage assets. This would include financial contributions as appropriate. In some cases, CIL funding could be used to support protection of heritage assets on the risk register. No changes.
6	Individual	2. Introduction	Planning Obligations, S106 Agreements and unilateral undertakings must be drafted to ensure that the restrictions and benefits they contain relate to the immediate neighbourhood of the development and not a more distant part of Islington. Better co-operation with Hackney would see those benefits address	Planning obligations are secured to deal with the impacts of development. Neighbouring boroughs are consulted on planning applications that may affect their areas and their comments are taken account including regarding planning obligations as appropriate. No changes.

#	Organisation	Paragraph/ topic	Comment summary	Islington response and changes to the SPD
6	Individual	6. Community obligations	Community Use Agreements and POPS: The draft states that "that they must operate indistinguishable from public spaces". It is not clear how this can operate in practice since compliance may be by private patrols etc not police. There should be a presumption that POPS are to operate in perpetuity.	Point noted. The intention is that such spaces should be indistinguishable from public spaces. New private enclaves are not encouraged or acceptable. No changes.
		7. Environmental Obligations	Where targets and requirements cannot be met and there is a requirement for financial provision or other charges the funds collected need to be allocated to the area affected and this may include Hackney and Haringey - note particularly Construction Practice and Carbon Offsetting	Point noted and accepted - neighbouring boroughs are consulted on applications that may have impacts on their areas. No changes.
7	Environment Agency	8.6	It is preferable for all Biodiversity Net Gain (BNG) to remain on site and any offsite provisions should only be explored as a last resort. The EA requires further clarification on contributions towards BNG offsite gains - the BNG process itself already provides for purchasing of statutory off-site credits should the threshold 2 not be met prior to a planning permission being accepted.	Point noted and it is the intention to deliver BNG onsite in line with the hierarchy. Further information will be set out in the council's upcoming Climate Action SPD. No changes.

#	Organisation	Paragraph/ topic	Comment summary	Islington response and changes to the SPD
7	Environment Agency	Water infrastructure	<p>There are no references to water quality or resources within the SPD, therefore we recommend that the LPA considers this further. Encourage ensuring that the efficient use of natural resources and water efficient targets are stated with the SPD. Water efficiency measures should also be included in retrofit measures.</p> <p>We would like to see identification of the WFD waterbodies in the London Borough of Islington and their protective status within the SPD, with the mention of the legal responsibility to avoid the deterioration of WFD water bodies and their associated elements, and to support their enhancements.</p>	<p>Comments noted. It is considered that water infrastructure is adequately addressed in the Local Plan and there are not further requirements or clarifications that need to be addressed in the Planning Obligations SPD.</p> <p>No changes.</p>
		Sustainable urban drainage	We note that there is no mention of Sustainable Drainage Systems (SuDS) within the SPD. We would recommend that this is something that should be commented on further. We highly encourage the use of SuDS in new developments which is supported by Paragraph 173 and 175 within the NPPF.	<p>Comments noted. It is considered that SuDS in new development is adequately addressed in the Local Plan and there are not further requirements or clarifications that need to be addressed in the Planning Obligations SPD.</p> <p>No changes.</p>
		Contaminated Land	We advise that early engagement between the developer, local authority and the Environment Agency is made to discuss the opportunities available through planning obligation (Section 106 of the Town and Country Planning Act 1990) agreements to ensure that sites within Islington are appropriately remediated and or/monitored to protect controlled waters.	<p>Comments noted. It is considered that issues around contaminated land are adequately addressed in the Local Plan and there are not further requirements or clarifications that need to be addressed in the Planning Obligations SPD.</p> <p>No changes.</p>

#	Organisation	Paragraph/ topic	Comment summary	Islington response and changes to the SPD
7	Environment Agency	Waste	would like to see reference regarding waste and the circular economy. Although paragraph 7.2 under Construction practice reference Policy T5 of the Islington Local Plan (adopted 28 September 2023), it fails to reference specific waste materials such as demolition and construction related material, as specified in the Mayor of London' Circular Economy Statement.	Comments noted. It is considered that the circular economy including reference to waste is adequately addressed in the Local Plan and there are not further requirements or clarifications that need to be addressed in the Planning Obligations SPD. No changes.
		Air Quality	We note that air quality is not specifically mentioned within the SPD. We would like to see reference of the London Plan regarding Air Quality, generally aiming for the London Plan's guidance on Air Quality Neutral and Air Quality Positive.	Comments noted. It is considered that air quality is adequately addressed in the Local Plan and the London Plan and there are not further requirements or clarifications that need to be addressed in the Planning Obligations SPD. No changes.
		Agent of Change Principle	We would like to see the SPD include/refer to the agent of change principle with respect to new development entering an area where there are existing industrial uses. This is important as co-location of new housing with existing industrial use can, without appropriate mitigation, cause issues with noise, dust and odor.	Comments noted. It is considered this is adequately addressed in the Local Plan and there are not further requirements or clarifications that need to be addressed in the Planning Obligations SPD. No changes.

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8	Derwent London (via DP9)	Affordable Workspace	The proposed represents an additional obligation for developers, and case-by-case flexibility should be provided. Derwent London therefore support the reference within the Draft SPD which acknowledges that some schemes may not be able to achieve a full policy compliant amount of affordable workspace due to viability constraints. This mechanism has been successful within recent schemes across the Borough which have provided significant payments in lieu of affordable workspace, due to this not being able to be delivered on site.	No changes.

#	Organisation	Paragraph/ topic	Comment summary	Islington response and changes to the SPD
8	Derwent London (via DP9)	Employment and Construction Obligations	<p>A number of financial contributions as well as non-financial obligations expected from development are proposed to be increased by the Draft SPD. Some contributions are even proposed to be doubled from their current levels. It is becoming increasingly important that Local Planning Authorities ensure that the cost of financial contributions do not start to frustrate the delivery of present a prohibitive burden on developers and development.</p> <p>It is also important to note the substantial increase in fees for monitoring construction practices. Such significant increases could adversely impact a development's overall viability, along with other increased financial obligations. It is important that appropriate mechanisms, whereby if such increased obligations are proven to be unviable, developers are not unduly penalised through increased uncertainty, delays and planning risk</p>	<p>It is considered that the increases in financial obligations set out in the draft SPD are relatively modest in nature and they reflect the costs of adequately addressing development impacts. The majority of the obligations have not increased for nearly 10 years. Where viability of development is raised a clear process is in place as per the Development Viability SPD.</p> <p>No changes.</p>
		General comment	<p>In addition to the above, it should be noted that whilst Derwent London recognises it is important that development contributes to the delivery of supporting infrastructure associated with new development, the Community Infrastructure Levy (CIL) also mandates substantial financial contributions from new development for this purpose.</p>	<p>Comments noted. Use of CIL funding is set out annually in the Infrastructure Funding Statement. The use of S106 planning obligations for infrastructure has reduced significantly since the introduction of the Islington CIL.</p> <p>No changes.</p>

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9	Places for London (TfL)	Employment and Training	It is unclear what the timing expectations are for placements. In paragraph 5.7 it is noted that work placements should last a minimum of 26 weeks but in paragraph 5.11 it sets out that an upfront financial contribution for a 12 month period will be required, so it is unclear whether the baseline is 26 weeks or 12 months.	<p>The baseline is 12 months and this will be updated in final document. In practice this 'bursary' will be attached to a given apprentice in a flexible response to their actual training and development needs and will favour quality outcomes over quantity. The duration will be dictated by the length of available work packages and similar on-site opportunity particulars.</p> <p>Changes: Text to be updated to clarify timescales.</p>
10	Sport England	Community Use Agreements	Sport England welcome that Community Use Agreements (CUA's) would be sought as this would provide more opportunities for local communities to access a range of facilities where they can play sport and be physically active. Sport England has guidance/resource that supports schools (which could be tailored to non-education facilities) to open up their facilities for the community when they would otherwise not be in use. There is also a template CUA that can be used to secure community use of facilities	<p>Comments noted and template documents will be used as appropriate.</p> <p>No changes.</p>

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10	Sport England	9. Negotiating Planning Obligations	Sport England recognise that the impact on sporting infrastructure is likely to be addressed through the Council's Community Infrastructure Levy however if it were to seek obligations through a S.106 Agreement Sport England has tools that could assist the Council in determining an appropriate level of contribution based on the needs generated from a development. An estimate of the demand generated for outdoor sports provision can be provided by Sport England's Playing Pitch Calculator strategic planning tool. Team data from the Council's sport facility strategy can be applied to the Playing Pitch Calculator which can then assess the demand generated in pitch equivalents (and the associated costs of delivery) by the population generated in a new residential development. It can also calculate changing room demand to support the use of this pitch demand. In relation to built sport facilities such as swimming pools and sports halls, Sport England's Facilities Calculator can help to provide an indication of the likely demand that will be generated by a development for these sports facility types.	Comments noted and tools referenced will be used as appropriate. No changes.

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11	Resident	Mitigating impact of development	<p>It would seem that requirements suggested by NHS and the Department of Education are not being properly assimilated for the development at Barnsbury Estate, re clinic and school/s.</p> <p>Barnsbury Estate is being suggested to increase at approx 300% more dwellings - there will be serious pressure on local facilities and amenities. Thus far, this pressure does not seem to be addressed.</p>	<p>In most cases, developer contributions towards maintaining and providing key infrastructure (including healthcare facilities) will be covered through CIL, although some developments may create specific infrastructure needs which the council will seek to address through planning obligations on a case-by-case basis.</p> <p>No changes.</p>
12	Highbury Community Association	General comment	These draft Planning Obligations are acceptable.	No changes.
13	Resident	Environmental impacts	<p>Not enough emphasis on net zero - sometimes we are going to have to sacrifice some conservation objectives to enable greater efficiency. The obligations drafted do not take this into account sufficiently.</p> <p>As an example, insulation of walls, doors and windows in Victorian buildings which are listed and/or in conservation areas is in many cases impossible or far from financially viable - leaving well insulated homes the preserve of the wealthy.</p>	<p>Questions on retrofit measures and climate impact are expected to be addressed in Islington's upcoming Climate Action SPD, including a retrofit handbook.</p> <p>No changes.</p>

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14	CBRE Ltd	5.28	The Draft SPD provides a calculation to be utilised to determine affordable workspace financial contributions. At line no.2 of this formula, it is noted that you need to identify 10% of floorspace in square metres (NIA). This formula mirrors that which is provided at paragraph 4.54 of the Local Plan. We consider that this is not consistent with Policy B4 of the Local Plan, whereby it states within Part A that the affordable workspace should account for 10% of the proposed proportion of floorspace in GIA. Please confirm on this point.	This is not an inconsistency. For the purposes of securing the affordable workspace this is calculated in GIA as this includes some features not counted in the NIA of market listings for office space — such as stairwells, plant and equipment, walls, circulation space or lobby space. Such elements can be crucial for the workspace to function and meet relevant quality requirements. When securing actual space, therefore, it is more appropriate to consider a proportion of GIA so that 10% of the entire site is secured. Should a cash-in-lieu payment be provided instead, however, the space is by NIA, as the above noted features would likely not be counted as part of the listing's floorspace, and by extension the rental value and the formula is based on the rental value of the floorspace.
15	Finsbury Park & Stroud Green Neighbourhood Forum	3. Policy Framework	The Policy Framework section of the document does not take sufficient consideration of current/ongoing Government legislation and guidance changes and will be out-of-date before it is published. These include issues such as: - NPPF e.g. Achieving well-designed places - Withdrawal of the London Plan review in September 2024 due to new housing requirements. These include significant increases in LB Islington, compared with many other London boroughs where there are reduced percentages.	It is not considered that the SPD will come out of date due to NPPF or London Plan changes. Planning Obligations are flexible if required to meet new requirements to make developments acceptable in planning terms. No changes.

#	Organisation	Paragraph/ topic	Comment summary	Islington response and changes to the SPD
15	Finsbury Park & Stroud Green Neighbourhood Forum	8.6	Biodiversity Net Gain (BNG) is mentioned under Environmental obligations, and it is noted (Other Obligations 8.6) that on-site is preferred. It would be a concern if too much BNG obligations are to be off-sited, as this would result in reduced biodiversity, particularly in denser and the more deprived parts of the borough leading to detriment both to wildlife and in terms of access to nature for local communities. I hope this will be firmed up in the upcoming Climate Action SPD referred to.	Further guidance will be set out in the Climate Action SPD. No changes.
		Development Viability SPD	It is noted that the Development Viability SPD is dated 2016. Is this to be updated, as surely Viability issues must have changed since this date?	The principles of viability assessments and the process to be followed outlined in the 2016 SPD are still relevant. An updated document will be produced over the coming year or two. No changes.
		9.28	Under Allocations and Expenditure, 9.28, Community Plans are referred to. I checked the one for my ward, Finsbury Park. Although the document lists projects under proposed, ongoing and completed, it is very hard to follow as no dates are provided (except one).	Community Plan documents are being updated and will include dates or actual and project delivery of projects. No changes.
16	Resident	3.4	Should say “emphasise the role large site can play...”	Change: Text updated to match the suggestion.

#	Organisation	Paragraph/ topic	Comment summary	Islington response and changes to the SPD
16	Resident	6.37	<p>Suggest including a list of types of stakeholders (e.g. voluntary/community groups).</p> <p>Requirements for the public meetings would be best increased from one per annum to four, to compensate for disruptions and changes of plans.</p> <p>Review of plans should change from “6 months, 3 years, 5 years and 7 years” to 2every two years”</p>	<p>Four meetings per year would be excessive to review this type of document. Suggestion regarding reviewing every two years accepted and text changed.</p> <p>Change: Text updated to include two year reviews for plan documents.</p>
		9. Negotiating Planning Obligations	Propose the inclusion of voluntary sector bodies in the negotiation of S106 agreements	<p>Voluntary bodies can respond to planning application consultations and include comments on what should be secured in legal agreements.</p> <p>No changes.</p>
		9.12	Suggest adding that planning committee/subcommittee should “entertain other proposals from resident/voluntary groups prior to S106 approval. Ideally, observations from local community groups would be recorded in meeting minutes.	<p>These comments can be noted in responses to individual planning applications and/or at Planning Committee.</p> <p>No changes.</p>
		9.28	Observation that ward partnership meetings have not been sufficient in allowing engagement, particularly that they have not enabled in-depth discussion relating to major proposals.	<p>Comments noted - there are reviews taking place on ward partnerships and the way forward for them.</p> <p>No changes.</p>

#	Organisation	Paragraph/ topic	Comment summary	Islington response and changes to the SPD
17	Individual	Affordable Housing Contributions	The self-build exemption to affordable housing contributions that was present in the 2016 Planning Obligations SPD is not present in the draft. This exemption should be reintroduced. It would be acceptable for the contribution to be payable in cases where the house is sold before a certain period of time post-completion (e.g. 10 years).	Change: Text updated to match the suggestion.
18	Transport for London (TfL)	4.5	<p>The following amendments are suggested as follows:</p> <ul style="list-style-type: none"> - Amend second bullet point to read 'New extended or revised bus routes or additional bus capacity' - It would be preferable if mitigations towards the design and implementation of step-free access at London Underground stations in the borough could be mentioned specifically as a separate bullet rather than the general list of potential enhancements contained in the fourth bullet point. - While reference to TfL being a signatory to agreements in Para. 9.1 is welcomed, to strengthen our enforcement powers, we request to be one of the signatories for the relevant S106 agreement if we have requested obligation(s) generally. We would appreciate if this could be included in the SPD, so that it can aid the process for s106 monitoring. 	<p>Suggested amendments will be incorporated in final documents. TfL will be signatory to agreements where there are any obligations enforceable by them.</p> <p>Change: Text updated to match the suggestion.</p>

#	Organisation	Paragraph/ topic	Comment summary	Islington response and changes to the SPD
18	Transport for London (TfL)	6.15	The text should clarify that SDM Policy T3 is referring to on street accessible car parking spaces and that these spaces will only be physically provided when demand materialises as explained in the policy wording.	Change: Text updated to match the suggestion.
		6.20	The wording of the final sentence refers to additional requirements for car-free developments, but all developments should be car free in line with SDM Policy T3.	Change: Text updated to match the suggestion.

#	Organisation	Paragraph/ topic	Comment summary	Islington response and changes to the SPD
18	Transport for London (TfL)	7.29	<p>It is not clear why the exceptions set out in section 7.29 would be required or justified. They do not appear in the adopted planning obligations SPD so they appear to be setting out a new approach. In the first case if a resident is or becomes entitled to be a holder of a disabled persons badge they would be able to use the disabled persons badge to park on street and there is a requirement in SDM Policy T3 that car free developments should make provision for disabled persons' parking so there would be no need to issue a separate residents' parking permit. The exemption for residents who have held a parking permit at their previous address for over 12 months should only apply in cases where the car free development is a redevelopment of existing social rented housing and residents are being re-housed as set out in SDM Paragraph 7.24. As worded, the exemption would allow any current resident of Islington to move into a car free development in the borough and retain their existing permit. This would be contrary to the aims of car free development because it would lead to an overall increase in the number of permits issued and put further pressure on on-street parking around the new development.</p>	<p>Islington has had these exceptions in place for many years. In instances that residents with existing permits move to a new property, we do not consider it reasonable that they should need to sell their vehicle. This is not a regular occurrence and it is considered that it will not lead to a material increase in permits.</p> <p>No changes.</p>

#	Organisation	Paragraph/ topic	Comment summary	Islington response and changes to the SPD
18	Transport for London (TfL)	7.31-7.36	<p>We are expecting to publish new Travel Plan guidance soon, with updated indicative thresholds for Travel Plans in line with the updated planning Use Classes Order. To inform the forthcoming SPD, LB Islington should be mindful of this, and we are happy to meet with officers to discuss the new Travel Plan guidance.</p> <p>TfL suggest that the Travel Plan section is amended to reflect that a Travel Plan will/should enable a development to support achieving Islington's 2041 Mayor's Transport Strategy (MTS) sustainable mode share target.</p>	Change: Text updated to match the suggestion.
		Omission of Cycle Hire Scheme	The draft SPD is silent on the intention to secure Santander Cycle Hire mitigations, and there may be instances where such a planning obligation is required from developments within LB Islington for operating and improving cycle hire.	<p>Para 4.5 does reference that new or enlarged cycle hire docking stations may be required. This is considered sufficient.</p> <p>No changes.</p>

Summary of additional modifications to final draft

In the process of finalising the SPD and following internal discussions a number of changes have been to the final draft. These are largely for consistency reasons or to provide further clarifications. These are summarised below:

5 – Employment and Training (Construction Phase)

To meet London Living Wage requirements the trainee bursary contribution has been increased to £28,000 per placement.

6 – House in multiple occupation (HMO)

Clarification that for the payment in lieu calculation the rental income should be calculation against the total rental value – operating or other costs should not be deducted.

6 – Wheelchair accessible housing:

The key changes include:

- Expanding the marketing requirements to include people with reduced mobility rather than only wheelchair users. Previously, ambiguity existed in requiring the flats to only be let/sold to wheelchair users. The change is to reflect the current council/housing needs team approach to nominating tenants for accessible units, which does cover many people using mobility aids such as walking frames or canes.
- Changes to structure of the text to make the obligations applying to private development and social rent housing easier to distinguish.

7 – Carbon offsetting

Paragraph 7.19 has been amended to clarify that carbon offsetting contributions apply to all new residential units. This includes units in new build developments as well as those created through subdivision, extension, and change of use.

Appendix A: Representations from the consultation on the discussion paper for the Planning Obligations SPD

Response no.	Respondent	Summary of Comments	Islington Council response
1	Resident	Response on GTR community requirements and clarification on site selection	<p>GTR assumed to stand for Gypsy, Traveller and Roma community. This falls outside the scope of the Planning Obligations SPD.</p> <p>Accommodations for Gypsy and Traveller communities in Islington are covered in a dedicated document, which is being reviewed at the time of writing. More information can be found on the Islington webpage for the Gypsy and Traveller Local Plan review.</p>
2	Landowner	Rooftop extensions should be promoted, including in conservation areas to address need for small (e.g. 1-2 bed) living units.	<p>This falls outside the scope of the Planning Obligations SPD. The council's approach to the supply of affordable housing is outlined in policies H2 and H3 of the Local Plan</p>

Response no.	Respondent	Summary of Comments	Islington Council response
3	Resident	<ol style="list-style-type: none"> 1. The council should include incentives for refurb and reuse approaches over demolishing and new build. 2. The council should reinforce its approach to guaranteeing affordable housing from all developments while minimising impact on open spaces. 	<ol style="list-style-type: none"> 1. The SPD details the council's approach to carbon offsetting contribution resulting from developments where the net zero carbon target cannot be fully achieved on-site. Combined with policy S3 in the Local Plan, which requires all refurbishments to achieve a certified Excellent BREAM rating, refurbishment projects are expected to pay fewer offsetting contributions, this creates a financial incentive for developers to pursue refurbishment over new build schemes. 2. Planning obligations will be used to ensure 50% of additional housing built in the borough is genuinely affordable, in accordance with policy H3 of the Local Plan. Policies G2 and G3 in the Local Plan outline the council's approach to protecting and creating open spaces. In most cases, developer contributions towards maintaining and providing key infrastructure (including open spaces) will be covered through the Community Infrastructure Levy (CIL) chargeable to developments. In cases where a development creates specific infrastructure needs, we will seek to address them through planning obligations on a case-by-case basis.

Response no.	Respondent	Summary of Comments	Islington Council response
4	Resident	<ol style="list-style-type: none"> 1. Address detrimental effects of new developments on travel 2. Maintain requirement for office developments in the Central Activity Zones (CAZ) to pay affordable housing contributions 3. What constraints will there be on developments in terms of noise and disruption to surrounding businesses and residents? 	<ol style="list-style-type: none"> 1. All developments that will generate significant amounts of movement are required to provide a Travel Plan. Where Travel Plan measures are not considered adequate, the Council may require additional contributions to help to offset the impacts of the development. Travel Plans are reviewed throughout the development process and after the final development begins use and occupation. 2. The council can no longer secure affordable housing contributions from office developments in the CAZ because this requirement is not in the new Local Plan. 3. The Local Plan requires every development to take all possible measures to minimise negative impacts of construction on the environment (Policy T5). To this end, all developments are required to comply with Islington's Code of Practice for Construction Site and submit a Construction Logistics Plan (CLP) alongside development proposals. Additional obligations may also be sought where there are likely to be significant construction impacts or where a specific need is identified (e.g. the costs of any necessary modification, removal or replacement traffic calming, to avoid damage/ reduce noise and vibration).

Response no.	Respondent	Summary of Comments	Islington Council response
5	Resident	<ol style="list-style-type: none"> 1. Environmental aspects are most important 2. There is insufficient support for affordable housing 	<ol style="list-style-type: none"> 1. The draft Planning Obligations SPD details the council's approach to environmental obligations, including carbon offsetting and schemes' green performance plans. 2. Policy H3 of the Local Plan requires that 50% of additional housing built in the borough should be genuinely affordable. The draft SPD requires an affordable housing tenure split of 70% social rented housing and 30% intermediate housing and includes details on any financial contributions in lieu of this obligation.
6	Natural England	No comment	Noted
7	Individual	Broad support for the SPD	Noted

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8	NHS London Healthy Urban Development Unit	<ol style="list-style-type: none"> 1. Outlined changes do not sufficiently address the projected need for new healthcare facilities. While some of this shortfall is compensated for through Community Infrastructure Levy, there may be some cases where the impact on infrastructure (particularly healthcare) that justify being addressed through planning obligations. Historically, healthcare buildings have been funded through planning obligations and this level of support should be maintained or compensated for 2. Health Impact Assessment (HIA) guidelines are expected to be brought in line with Policy SC3 of the Islington Local Plan (2023) and more detail provided in the new SPD. HIAs should be a requirement before planning permission is granted, rather than a planning obligations or condition 3. Support commitment to improve the implementation and quality of construction work placement targets and greater emphasis on local procurement 4. Support for providing affordable housing or a cash in lieu contribution, including for HMOs where appropriate 5. Emphasis should be put on accessible housing provision on site instead of cash in lieu contributions 6. Support for requirements for accessible parking and transport; however there should be consideration for parking needs of visiting healthcare workers 7. Support use of CoCP monitoring costs 8. Support update to formula for calculating carbon offsetting in line with nationally recognised prices 	<ol style="list-style-type: none"> 1. In most cases, developer contributions towards maintaining and providing key infrastructure will be covered through CIL, although some developments may create specific infrastructure needs which the council will seek to address through planning obligations on a case-by-case basis. 2. The draft SPD contains no mention of HIAs; therefore, the policy defaults to that specified in the Local Plan. 3. Noted 4. Noted 5. The draft SPD states that in lieu contributions for wheelchair accessible units will only be acceptable with definitive evidence (produced by the Council) of a supply/demand imbalance for wheelchair user units. These contributions will be used to finance accessible housing elsewhere in the borough. The process for securing this contribution, and the amount required, will be set out in a revised Inclusive Design SPD. 6. The draft SPD states that resident parking permits will only be issued if the resident holds a disabled persons badge or has held an existing permit for a continuous period of at least 12 months. We expect that any demand for visiting healthcare worker parking will be addressed through a scheme's Travel Plan. 7. Noted 8. Noted

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9	NHS Property Services	<ol style="list-style-type: none"> 1. Greater emphasis should be placed on healthcare infrastructure as essential when considering increased needs from proposed development 2. Developer contributions should be consistently applied to address increased needs due to large housing developments as well as the cumulative impact of smaller developments 3. The new SPD should specify a process to determine the appropriate form of developer contributions to health infrastructure 	<ol style="list-style-type: none"> 1. See point 1 in the response above. 2. We expect the combination of CIL and any secured planning obligations will provide the required flexibility to respond to increases in healthcare facility demands specific to a development and more widely across the borough. 3. CIL will be charged according to the adopted schedule and the funds collected can be used to address any identified needs in the borough, including for healthcare facilities. The draft SPD describes the process for negotiating and planning obligations, which should identify and address any site-specific impacts that should be mitigated through planning obligations.

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10	Transport for London	<ol style="list-style-type: none"> 1. Generally supportive of approach in discussion paper 2. New SPD should retain necessary transport and public transport contributions 3. Planning obligations should be used in conjunction with CIL to deliver transport infrastructure 4. SPD should include a cross reference to the S106 Crossrail Funding Supplementary Planning Guidance (SPG) as it applies to historic planning permissions 5. Include clear indication of the requirement of a S278 agreement for transport reinstatement works 6. TfL should be engaged directly by the developer for S278 works 7. SPD should include mentions of a carbon offset fund 8. References to the London Plan in the Travel Plan section of the SPD should be updated to take into account latest policy 9. There is no mention in the discussion paper of using planning obligations to secure cycling infrastructure 	<ol style="list-style-type: none"> 1. Noted 2. In most cases, developer contributions towards maintaining and providing key infrastructure will be covered through CIL, although some developments may create specific infrastructure needs which the council will seek to address through planning obligations on a case-by-case basis. 3. See point 2. 4. The draft SPD will act as guidance for future planning applications and therefore does not contain guidance for historic permissions. 5. The Council will secure an agreement with the developer to ensure that all highways and footways shall be reinstated to the satisfaction of the Council after the completion of the development. 6. Agreed 7. Where necessary the Council will seek legal agreements with developers for monitoring fees or carbon offsetting in line with Policy S4 of the Local Plan. 8. The draft SPD text has been updated so that London Plan 2021 Policy T4 (Assessing and Mitigating Transport Impacts): part B now applies. 9. The draft SPD now includes cycle infrastructure as part of provisions that may be delivered through CIL or site-specific planning obligation agreements.

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11	Department for Education	<ol style="list-style-type: none"> 1. Supports the use of planning obligations to secure developer contributions for education, particularly as is ringfences funding for education 2. Important to consider whether there will be sufficient CIL funds available to cover the cost of any rise in demand for school places and how planning obligations can address any potential CIL funding gap 	<ol style="list-style-type: none"> 1. Noted 2. In most cases, developer contributions towards maintaining and providing key infrastructure (including education facilities) will be covered through CIL, although some developments may create specific infrastructure needs which the council will seek to address through planning obligations on a case-by-case basis.
12	Sport England	Supports the council's intention stated within the Discussion Paper to require Community Use Agreements (CUA) for new social and community infrastructure	The draft SPD maintains the use to CUAs to secure wider public access to new social and community infrastructure (including sports facilities)