

Committee:	Date:
Planning and Transportation	12 May 2021
Subject: Former Richard Cloudesley School Golden Lane Estate London EC1Y 0TZ Submission of Delivery and Servicing Plan for the school pursuant to condition 43 and 46 of planning permission 17/00770/FULL dated 19th July 2018.	Public
Ward: Cripplegate	For Decision
Registered No: 20/00748/MDC	Registered on: 2 October 2020
Conservation Area: Barbican And Golden Lane	Listed Building: NO

Summary

The Committee called in for their determination applications to discharge condition 44 (application reference 20/00747/MDC) and condition 43 and 46 (application reference 20/00748/MDC) of the planning permission for redevelopment of the former Richard Cloudesley School site, which relates to the submission of Delivery and Servicing Plans and details of the method of managing the collection of refuse.

In total 82 objections have been received, 18 objecting to 20/00747/MDC, 81 objecting to 20/00748/MDC and 17 objecting to both applications.

In relation to conditions 43 and 46 (application reference 20/00748/MDC) a total of 258 representations have been received supporting the application.

The principal issues in considering this application are:

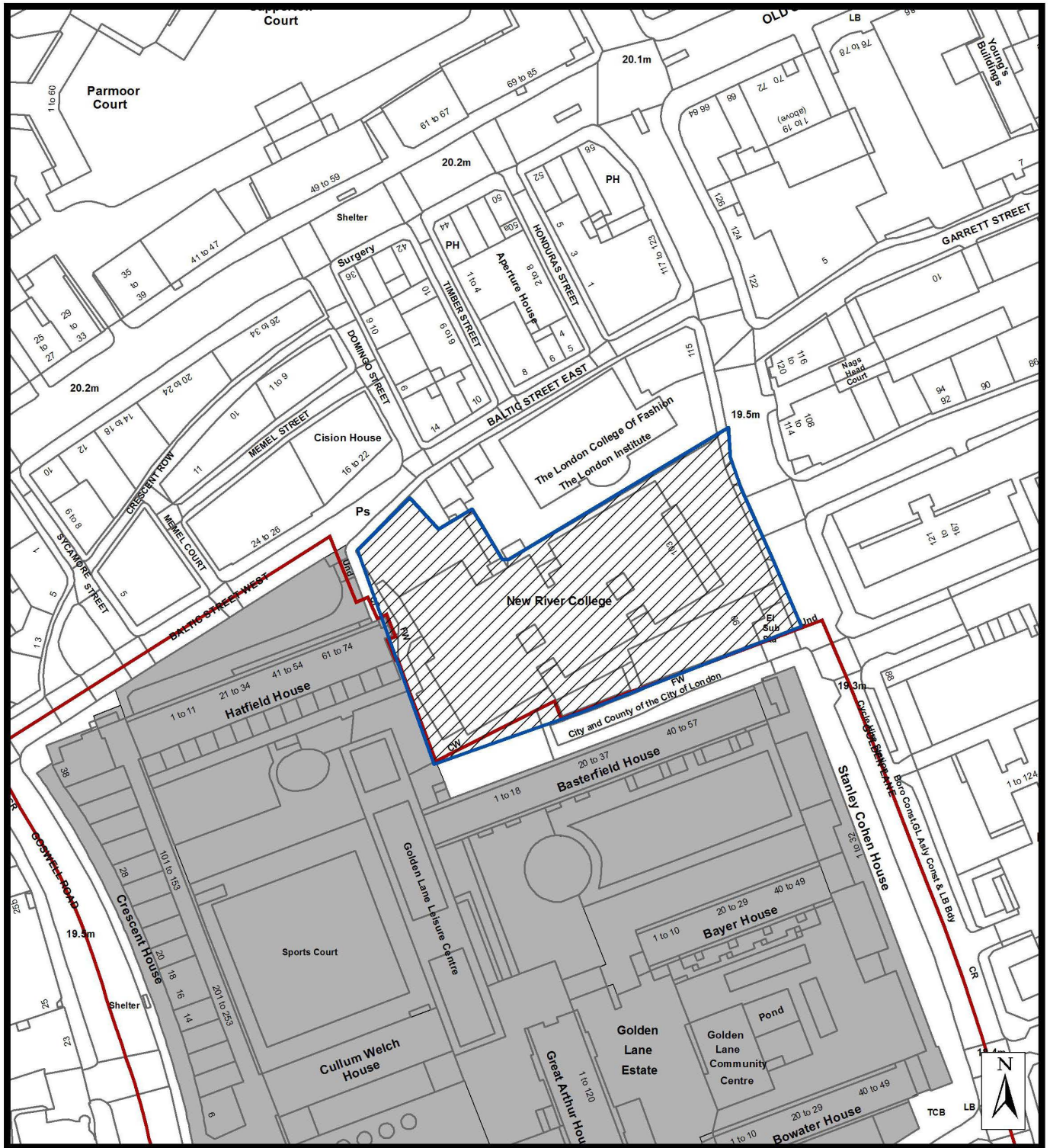
- Have alternative servicing options been considered;
- Impact on residential amenity;
- Impact on highway safety; and
- Are the refuse stores of a sufficient size.

The principle of the delivery and servicing strategy, including waste collection, was agreed through the planning application. The details of the arrangements submitted to discharge conditions 43, 44 and 46 are considered to be satisfactory. London Borough of Islington's Officers are satisfied with the proposals. It is therefore recommended that conditions 43, 44 and 46 are discharged.

Recommendation

That the Committee resolves to discharge conditions 43 and 46 of planning permission reference 17/00770/FULL.

City of London Site Location Plan



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ADDRESS:

Former Richard Cloudesley School,
Golden Lane Estate

CASE No.
20/00748/MDC



SITE LOCATION



LISTED BUILDINGS



CONSERVATION AREA BOUNDARY



CITY OF LONDON BOUNDARY



DEPARTMENT OF THE BUILT ENVIRONMENT

Main Report

Site Location and Current Buildings

1. The 0.4 hectare site was occupied by predominantly single storey buildings comprising the former Richard Cloudesley School, garages, the City of London Community Education Centre and a sub-station. The site is now a construction site.
2. The majority of the site falls within the London Borough of Islington (LBI) and a small part of the site falls within the City of London (CoL).
3. The boundary between the CoL and LBI is shown on the attached site plan. It can be noted that a very small element of the site is within the City, which includes a small part of the school hall and the southern boundary wall.

Application details

4. Planning permissions for 'Demolition of the former Richard Cloudesley School, City of London Community Education Centre, garages and substation; erection of a 3 storey building with rooftop play area (Class D1) (2300.5sq.m GEA) and a single storey school sports hall (Class D1) (431sq.m GEA) to provide a two-form entry primary school; erection of a 14 storey (plus basement) building to provide 66 social rented units (Class C3) (6135sq.m GEA), and affordable workspace (Class B1a) (244sq.m GEA), landscaping and associated works' issued by CoL and LBI on 19th July 2018 are identical, and include the same conditions. The permission granted by the City only has effect insofar as it relates to land in the City.
5. This report deals with the following two applications for the discharge of conditions to the above permission:
 - 20/00747/MDC - Submission of Delivery and Servicing Plan for the residential/commercial parts of the development pursuant to condition 44 of planning permission 17/00770/FULL dated 19th July 2018.
 - 20/00748/MDC - Submission of Delivery and Servicing Plan for the school pursuant to condition 43 and 46 of planning permission 17/00770/FULL dated 19th July 2018.
6. Condition 43 states:

A Delivery and Servicing Plans (DSP) for the school part of the development detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL) prior to the first occupation of the school part of the development hereby approved.

The DSPs shall follow TfL guidance on minimising the impact of freight movements on the transport network.

The School DSP shall provide that servicing shall be carried out between 1000 and 1400.

The School DSP shall provide that no vehicles larger than a 7.5 tonne box van should service the school from Baltic Street West and that a banksman is required to supervise movements on Baltic Street West by servicing vehicles servicing the site. Measures to address cyclist safety during these vehicular movements should also be provided within the school DSP.

The building facilities shall thereafter be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic and do not adversely impact on existing and future residential amenity in accordance with City of London Local Plan policy DM16.1 and Islington Local Plan policy DM8.6.

7. Condition 44 states:

Delivery and servicing plans (DSP) for the residential/commercial parts of the development detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL) prior to the first occupation of the relevant part of the development hereby approved.

The DSPs shall follow TfL guidance on minimising the impact of freight movements on the transport network.

The building facilities shall thereafter be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic and do not adversely impact on existing and future residential amenity in accordance with City of London Local Plan policy DM16.1 and Islington Local Plan policies CS11 and DM8.6.

8. Condition 46 states:

Prior to first occupation details of the method of managing the collection of refuse and details of a collection point for refuse shall be submitted to and approved by the Local Planning Authority and shall not be left outside the site for a period longer than 20 minutes prior to the agreed collection time. The refuse storage facilities shown on the drawings hereby approved shall be provided and maintained throughout the life of the development for the use of all occupiers.

REASON: To provide adequate facilities for the storage and collection of waste in accordance with City of London Local Plan policy 17.1 and Islington Local Plan policies CS11 and DM8.6.

Application Submission

9. The following details have been submitted:
- School Delivery and Servicing Plan produced by Stantec in relation to conditions 43 and 46;
 - Residential and Commercial Delivery and Servicing Plan produced by Stantec in relation to condition 44; and
 - Two Technical Notes produced by Stantec responded to the comments received from surrounding residents and occupiers.

School Delivery and Servicing Plan

10. Access to the school for delivery and servicing vehicles would be from Baltic Street West. As required by condition 43, vehicles no larger than 7.5 tonne box vans would service the school. The vehicles would enter Baltic Street West, turn using the entrance to the Golden Lane Estate in front of Hatfield House and then exit in a forward direction. If servicing vehicles arrived at the same time, they could wait closer to Goswell Road, but this is unlikely to occur as Facilities Management would schedule the deliveries avoid this occurring. Facilities Management would also act as a banksman for turning vehicles to ensure safety and efficiency and all deliveries would take place between 10am and 2pm, as required by condition 43, between Mondays and Fridays.
11. The refuse store for the school is situated on the ground floor of the school hall at the southern end of the site and there is a direct route from the store to Baltic Street West. Refuse collection would take place once a week for general waste and once every two weeks for recyclables. The school's Facilities Management Team would move the bins from the bin store to the collection point close to the scheduled collection time, where they would be left for no more than 20 minutes. The Facilities Management Team would then act as a banksman for the turning vehicle to ensure safety for pedestrians and cyclists before returning the bins to the refuse store.

Residential and Commercial Delivery and Servicing Plan

12. Deliveries, servicing and refuse collection would be carried out on-street and vehicles will park outside the building where it is safe and legal to do so. The dwell times for deliveries is anticipated to be short and are likely to be part of a multi-drop round and are not likely to add trips to the network.
13. Commercial waste collection would be tendered separately through a commercial contract. Each commercial unit would have a bin store within the unit and refuse bags or bins would be carried or wheeled

from the unit to vehicle. Refuse collection would take place during off-peak times, avoiding the start and end of the school day.

14. The residential waste would be collected by LBI. A total of seven 1,100 litre Eurobins are proposed for the residential development (four for general waste and 3 for recyclables). The Plan states that waste would be collected twice weekly for general waste and three times a week for recyclables. City of London Housing Management would arrange for the bins to be moved from the refuse store to Golden Lane for collection and returned to the refuse store.

Consultations

15. The views of other City of London departments and LBI's Highways Team and Waste Team have been taken into account in considering the details.
16. The following comments have been received from Consultees, including CoL departments and LBI departments, in respect of both applications:

Consultation responses	
CoL Transport Planners	No objection.
CoL Environmental Health	<p><u>20/00748/MDC</u> Condition 43 - The applicant should be advised to clarify that these servicing hours only apply Monday to Saturday, and not on a Sunday or Bank Holiday. Condition 46 - No comment.</p> <p>Officer's response to comments:</p> <p>The DSP states that servicing hours would be 10am-2pm, Mondays-Fridays.</p> <p><u>20/00747/MDC</u> The times of deliveries and collections do not appear to be included in the details submitted.</p> <p>Officer's response to comments:</p> <p>It is not possible to be specific about when deliveries would be made to residential properties.</p>
CoL District Surveyors	Do not consider bins on the street an unacceptable risk of fire. There are minimal ignition risks, the main issue being arson. If the bins are placed out a short while before collection as opposed to, say, overnight that risk is minimised.

	If bins were ignited, they would vent to free air and not cause a risk to the buildings or public.
LBI Highways	No issues with the arrangements for the service and delivery plan for either the school or the residential.
LBI Waste	<p>No objection, but have made the following comments:</p> <ul style="list-style-type: none"> Regarding the restrictions on the size of the vehicles to 7.5 tonnes for the school refuse collection, it is noted that this is undertaken by a private contractor but if in the future the Council were to take this on, the Council's vehicles are at least 18 tonnes and so wouldn't be able to comply with this restriction. It is noted that the Commercial Waste will be collected by a private waste collection and that there is no allocated space for refuse for the commercial units, so this would be via sacks left on street. The occupiers of the commercial units will need to make sure that they have arranged a legally compliant collection. For the residential which is undertaken by the Council, there is normally one waste collection a week. There would be a fee for additional collections and the precedent of this taking place historically elsewhere doesn't justify additional collections as this is a new build scheme. <p>Response to comments:</p> <p>Condition 43 restricts the size of vehicles servicing the school to 7.5 tonne box vans. The school will need to ensure that a private contractor collects the waste in order to ensure that this condition is complied with.</p> <p>The commercial units will need to comply with the approved DSP and the wording of condition 46.</p> <p>The DSP states that waste will be collected from the residential building twice a week for general waste and three times a week for recyclable.</p>
Transport for London	<p><u>First comment</u> TfL understands delivery and servicing, including refuse will take place on street from Golden Lane on an area of double yellow lines. In line with the Intend to Publish London Plan, deliveries and servicing should be made off-street, with on-street loading bays only used where this is not possible.</p> <p>Applicant's response: Due to not being able to utilise the Basterfield service road, there is no possibility of being able to service the site from an off-street</p>

	<p>location. The only other area where vehicles could park outside the carriageway would be within the undercroft access to the school. This area is to be heavily used by pupils and is therefore not appropriate for servicing vehicles. This has been the proposal since the application stage where the principle of this strategy was agreed.</p> <p><u>Second comment</u></p> <p>TfL queries if the undercroft area could be utilised for deliveries that occur outside of school operating hours. Where this is not possible the use of Golden Lane for the undertaking of deliveries and servicing appears acceptable in principle, however the borough's opinion on this arrangement should be ultimately sought as the highway authority and any decision should take into consideration any safety implications and ensure the proposed arrangements will comply with Vision Zero, the Mayor's approach to eliminating all death and serious injury on London's transport network by 2041</p> <p>Applicant's response:</p> <p>The undercroft will become closed off outside of school opening hours and therefore this does not provide a consistent location for delivery and servicing vehicles.</p> <p>Refuse vehicles for the residential building will need to use Golden Lane in order to get as close to the refuse stores as possible. Other vehicles such as grocery deliveries and delivery services are also more likely to favour kerbside drop off for efficiencies even if off-street provision is provided within the undercroft.</p>
	<p><u>First comment</u></p> <p>All vehicles servicing and delivering to the development must only stop/unload at permitted locations and within the time periods permitted by existing on-street restrictions.</p> <p>Applicant's response:</p> <p>Noted, this has been proposed in the DSP. Section 6.3.2 sets out how all delivery and servicing vehicles for the school will have to arrive between the hours of 10:00 and 14:00. Any vehicle not adhering to existing on-street restrictions would be subject to any penalties as per any other vehicle.</p> <p><u>Second comment:</u></p> <p>This is welcomed. Existing on street restrictions should also be respected by those delivering to and servicing the commercial and residential units.</p>

	<p><u>First comment</u></p> <p>TfL strongly encourages the use of a delivery booking system to provide each delivery with a specific time slot. This should take into consideration the expected number of delivery/service vehicles and their anticipated dwell times. This will allow deliveries to be managed according to the capacity of the on-street loading space and can help manage deliveries away from peak hours, minimising congestion on the local road network.</p> <p>Applicant's response:</p> <p>School deliveries will be monitored and managed as part of the DSP. All supplies will be delivered within the times stated in the DSP (10.00 – 14.00) and most regular suppliers will have a specified time slot, to avoid congestion in the same way as a delivery booking system. Deliveries for residents will be spread out across the whole day. Residents are likely to time any deliveries and servicing trips they have control of such as grocery deliveries, for when they are at home. This will help to encourage trips away from the peak hours. Residents can also make use of services such as Click & Collect and local collection points to help ensure deliveries are not missed. Most parcel deliveries made by van or cargo bike have very low dwell times (less than five minutes), therefore vehicle conflicts are unlikely.</p> <p><u>Second comment:</u></p> <p>Appears acceptable in principle.</p>
	<p><u>First comment</u></p> <p>42 vehicular trips associated with the residential units and 7 for the commercial units are anticipated per day. TfL suggests the use of a Consolidation Centre where one location receives multiple deliveries from a variety of suppliers to minimise vehicle journeys to and from the site.</p> <p>Applicant's response:</p> <p>It is not considered feasible to use a dedicated consolidation centre for the site but CoL can investigate the use of a consolidation centre for the Golden Lane Estate in its entirety. However, the residents will be encouraged to choose retailers and suppliers who consolidate their deliveries. Similarly, the school, through its procurement policy, will seek to prefer suppliers that consolidate deliveries and also utilise electric vehicles or cycle logistics as part of their supply chain. CoL however will investigate whether a consolidation centre could be used as part of the wider Golden Lane Estate management.</p>

	<u>Second comment:</u> TfL would strongly welcome an investigation into the use of a consolidation centre for the wider Golden Lane Estate Management.
London Fire Brigade	No comments have been received.

17. In total 82 objections have been received, 18 objecting to 20/00747/MDC, 81 objecting to 20/00748/MDC and 17 objecting to both applications. The issues raised by each application are addressed below.

Conditions 43 and 46 (application reference: 20/00748/MDC)

18. A total of 339 representations have been received, 81 objecting to the application and 258 supporting the application.
19. The issues raised in the representations objecting to the application are as follows:

Issue raised	Number of representations per issue	Response
Baltic Street West is very narrow and already very busy with deliveries, parked cars and vehicles using it for access to Golden Lane Estate residences. It is also used as a cut-through by vehicles and cyclists. It is therefore not suitable (or safe) it to be additionally used by service vehicles for the new school	50	<p>The principle of the delivery and servicing strategy, to be undertaken from Baltic Street West for the school and from Golden Lane for the residential tower and commercial units was agreed through the planning application.</p> <p>LBI's Highways Team have confirmed that they have no operational or safety concerns with the approach proposed.</p>
Residential Amenity (Including: Disturbance, quality of life, safety of day to day living)	47	<p>The principle of the delivery and servicing strategy, to be undertaken from Baltic Street West for the school and from Golden Lane for the residential tower and commercial units was agreed through the planning application. It is considered that servicing the school from Baltic Street West would have the least impact on neighbours and</p>

		<p>the residents of the residential building. This is addressed in more detail in the section entitled 'Alternative Servicing Options'.</p> <p>Bins associated with the residential building and commercial units would not be left on street for collection for an indeterminate time as condition 46 states that they shall not be left outside the site for a period longer than 20 minutes prior to the agreed collection time. This reduces the impact of refuse collection on the amenity of neighbouring residents.</p> <p>Bins associated with the school would be left at the on-site collection point for no longer than 20 minutes prior to collection and returned to the bin store immediately after collection. This reduces the impact of refuse collection on the amenity of neighbouring residents.</p> <p>Restrictions placed on the school's delivery hours by condition 43 to 10am-2pm and the proposed vehicles are considered to minimise the impact of deliveries on residential amenity to an acceptable degree.</p>
Traffic and Highways grounds (Including: Congestion on the road, using the entrance as a turning point, interfering with Hatfield House access)	47	LBI's Highways Team have raised no concerns.
Noise disturbance to residents (including: from traffic and the movement of bins)	35	The principle of the delivery and servicing strategy, to be undertaken from Baltic Street West for the school and from

		<p>Golden Lane for the residential tower and commercial units was agreed through the planning application. It is considered that servicing the school from Baltic Street West would have the least impact on neighbours and the residents of the residential building. This is addressed in more detail in the section entitled 'Alternative Servicing Options'.</p> <p>Bins associated with the residential building and commercial units would not be left on street for collection for an indeterminate time as condition 46 states that they shall not be left outside the site for a period longer than 20 minutes prior to the agreed collection time. This reduces the impact of refuse collection on the amenity of neighbouring residents.</p> <p>Bins associated with the school would be left at the on-site collection point for no longer than 20 minutes prior to collection and returned to the bin store immediately after collection. This reduces the impact of refuse collection on the amenity of neighbouring residents.</p> <p>Restrictions placed on the school's delivery hours by condition 43 to 10am-2pm and the proposed vehicles are considered to minimise the impact of deliveries on residential amenity to an acceptable degree.</p> <p>The applicant has explained that "All vehicles will be encouraged to turn engines off when stationary outside of the</p>
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		<p>site. This applies to both Baltic Street West and Golden Lane. It can be written into any contractual agreement between suppliers and the school that engines are required to be switched off when vehicles are stationary when practical.”</p> <p>Vehicle reversing warning systems are a key safety feature to warn pedestrians, cyclists and other vehicles as to the direction of travel. They are used for a short amount of time and considered that they would not cause significant disturbance to residents.</p> <p>This is addressed in more detail in the section entitled ‘Impact on Residential Amenity’</p>
<p>Trip generation calculations are unrealistic, and the DSP is not satisfactory.</p>	<p>30</p>	<p>The applicant has explained that “The trip generation is based on data provided by City of London and the School, using information from existing schools in the area such as the Copenhagen School in Islington. As such the trip generation represents a likely scenario for the number of deliveries to be made to a primary school in this area. This will be monitored, and trips will be consolidated to reduce the number of trips where possible.”</p> <p>The estimated delivery and servicing trips to the residential tower has been calculated using the TfL Residential Trip Generation Database included in the Residential Freight Study (November 2014).</p> <p>The estimated delivery and servicing trips to the commercial</p>

		units has been calculated using the TfL Office Freight Report.
Refuse vehicles and delivery vehicles would have to make a 3-point-turn on Baltic Street West	23	<p>Vehicles would turn using the entrance to the Golden Lane Estate in front of Hatfield House and then exit in a forward direction.</p> <p>Banksmen would be used to ensure that any turning and/or reversing manoeuvres are carried out in a safe manner.</p> <p>The applicants have explained that as freeholder of the Golden Lane Estate, the City of London Corporation can grant access to the Hatfield House entrance area to the company who would collect the school's refuse.</p>
There is no reason why the school refuse bins cannot be collected from Golden Lane instead of being left outside Hatfield House	20	Golden Lane was assessed as an alternative option by the applicants but was discounted. This is addressed in more detail in the section entitled 'Alternative Servicing Options'.
Unsafe proposal to temporarily place refuse bins on pedestrian and disability access to Hatfield House. This would routinely endanger resident exit in a high-risk situation (fire, gas leak) and access by emergency services and others to the flats	20	The main entrance and ramp to Hatfield House would not be physically impeded when the school bins are put out for collection. The bins would be held on school land pending collection and would be moved back to the refuse store straight after collection. At no point will the bins sit in front of the access way into Hatfield House blocking or impeding access for residents.
Other options have not been properly considered and explored	13	<p>Three other options were considered by the applicants at pre-application stage.</p> <p>These options are covered in more detail in the section</p>

		entitled 'Alternative Servicing Options'.
No evidence provided demonstrating the store is big enough or enough bins are provided for quantity of waste	15	<p>The location and size of the refuse stores for the school and residential tower were agreed in the planning application.</p> <p>The applicant has explained that the size of the bin store for the school was determined based on the data provided from two other Islington schools.</p> <p>Waste would be collected twice a week for general waste and three times a week for recyclables.</p>
Smells associated with waste	5	<p>Bins associated with the residential building and commercial units would not be left on street for collection for an indeterminate time as condition 46 states that they shall not be left outside the site for a period longer than 20 minutes prior to the agreed collection time. This reduces the impact of refuse collection on the amenity of neighbouring residents.</p> <p>Bins associated with the school would be left at the on-site collection point for no longer than 20 minutes prior to collection and returned to the bin store immediately after collection. This reduces the impact of refuse collection on the amenity of neighbouring residents.</p>
Under-estimation of refuse storage space for residents of residential tower	4	<p>The refuse storage for the residential building was agreed through the planning application.</p> <p>Waste would be collected twice a week for general waste and</p>

		three times a week for recyclables.
The waste collection arrangements for residential is problematic as it involves a long journey carrying rubbish	4	<p>The refuse storage for the residential building was agreed through the planning application.</p> <p>The applicants have advised that should a resident be unable to dispose of their refuse this is something that would be dealt with through their personal care package.</p>
Air Quality and Pollution from waste vehicles associated with collection	3	<p>LBI has a fleet of electric refuse and servicing vehicles.</p> <p>The servicing arrangements are not considered to have a significant detrimental impact on air quality.</p>
There have been fires in piles of rubbish on the service road in the past and the Fire Brigade have said that access for the fire brigade is inadequate because of the limited turning circle. Basterfield Service Road on the other side of the site is the only access into that part of the Estate for the Fire Brigade	2	<p>The London Fire Brigade were consulted as part of the original planning application and raised no objection.</p> <p>No further comments have been received to date from the London Fire Brigade</p> <p>CoL's District Surveyors have raised no concerns.</p> <p>This is addressed in more detail in the section entitled 'Impact on Residential Amenity'.</p>
Prior Weston School (on Golden Lane) has more refuse storage space than the new school	2	<p>The location and size of the refuse stores for the school and residential tower were agreed in the planning application.</p> <p>The applicant has explained that the size of the bin store for the school was determined based on the data provided from two other Islington schools. Prior Weston School generates</p>

		more waste than a typical 2FE school as it include a children's centre.
No refuse chutes in residential tower so refuse may be dumped elsewhere	1	<p>The applicants have explained that refuse chutes were not included as part of the approved scheme because of long-term maintenance and cost implications.</p> <p>It is no longer considered to be good practice for refuse chutes to be included in residential developments for fire safety reasons.</p>

20. Not all the representations received are material planning considerations. Those that are have been dealt with in this report.
21. The issues raised in the representations supporting the application are as follows:
- Alternative options would involve moving bins across the playground which would be disruptive, limit the time the playground could be used and raise child safeguarding concerns.
 - This is the best option. It has the least impact on neighbours and the school.
 - Concern about further delays to the opening of the school if the application was refused or deferred.
 - CoLPAI has a rigorous and robust Waste Management and Recycling Policy.

Condition 44 (application reference 20/00747/MDC)

22. 18 objections have been received to the application.
23. The issues raised in the representations objecting to the application are as follows:

Issue raised	Number of representations per issue	Response
Baltic Street West is indicated as another access point. It is noted that there is no route between Baltic Street West and East and that	9	The principle of the delivery and servicing strategy, to be undertaken from Baltic Street West for the school and from

adjacent streets are narrow and unsuitable for 'large amounts of traffic'. Does this indicate that Baltic Street West is suitable for large amounts of traffic?		<p>Golden Lane for the residential tower and commercial units was agreed through the planning application.</p> <p>LBI's Highways Team have confirmed that they have no concerns.</p>
Disturbance from idling vehicles and vehicle reversing warning systems	7	<p>The applicant has explained that "All vehicles will be encouraged to turn engines off when stationary outside of the site. This applies to both Baltic Street West and Golden Lane. It can be written into any contractual agreement between suppliers and the school that engines are required to be switched off when vehicles are stationary when practical."</p> <p>Vehicle reversing warning systems are a key safety feature to warn pedestrians, cyclists and other vehicles as to the direction of travel. They are used for a short amount of time and considered that they would not cause significant disturbance to residents.</p>
The location of the bin store means that it will be very hard to access for disabled residents	7	The refuse storage for the residential building was agreed through

<p>especially those in wheelchairs. There is a risk that rubbish will be left on the street</p>		<p>the planning application.</p> <p>The applicants have advised that should a resident be unable to dispose of their refuse this is something that would be dealt with through their personal care package.</p>
<p>There is no reason why the school refuse bins cannot be collected from Golden Lane instead of being left outside Hatfield House</p>	<p>5</p>	<p>Golden Lane was assessed as an alternative option by the applicants but was discounted. This is addressed in more detail in the section entitled 'Alternative Servicing Options'.</p>
<p>The report identifies Golden Lane as an access point but does not indicate that Beech Street and Fortune Street have been closed to all but zero emissions traffic limiting accessibility.</p>	<p>4</p>	<p>The applicant has explained that "If vehicles are excluded from this route it will be the responsibility of LBI's waste team to find an alternative route. There is an alternative route via Bunhill Row and Banner Street that would mean vehicles are able to collect from Golden Lane if they are excluded from the low emission zone."</p>
<p>Baltic Street West is very narrow and already very busy with deliveries, parked cars and vehicles using it for access to Golden Lane Estate residences. It is also used as a cut-through by vehicles and cyclists. It is therefore not suitable (or safe) it</p>	<p>4</p>	<p>The principle of the delivery and servicing strategy, to be undertaken from Baltic Street West for the school and from Golden Lane for the residential tower and commercial units was agreed through the planning application.</p>

to be additionally used by service vehicles for the new school		<p>The bollards between Baltic Street West and Baltic Street East stop this street being used as a cut-thorough for vehicles.</p> <p>LBI's Highways Team have confirmed that they have no concerns.</p>
The bin store in the residential tower is less than half the size needed if the bins are to be emptied once a week	4	Waste would be collected twice a week for general waste and three times a week for recyclables.
There is no off-street parking for refuse lorries so they will have to wait on Golden Lane	4	This is acceptable to LBI's Highways Team, who have raised no concerns.
No account has been taken of Beech Street being closed to non-zero emissions traffic. Will this mean refuse lorries being diverted down Fortune Street? Access to this street has recently also been partially closed	4	The applicant has explained that "If vehicles are excluded from this route it will be the responsibility of LBI's waste team to find an alternative route. There is an alternative route via Bunhill Row and Banner Street that would mean vehicles are able to collect from Golden Lane if they are excluded from the low emission zone."
There is no indication who will collect the refuse, the City or Islington	4	The applicants have confirmed that residential refuse will be collected by LBI; school refuse will be collected by the school's chosen contractor; and commercial waste will

		be collected by a private contractor.
Residential Amenity (Including: Quality of life)	4	<p>The principle of the delivery and servicing strategy was agreed through the planning application.</p> <p>Bins associated with the residential building and commercial units would not be left on street for collection for an indeterminate time as condition 46 states that they shall not be left outside the site for a period longer than 20 minutes prior to the agreed collection time. This reduces the impact of refuse collection on the amenity of neighbouring residents. This is addressed in more detail in the section entitled 'Impact on Residential Amenity'</p> <p>Deliveries to the commercial units and residential tower are anticipated to be minimal and would not have a significant detrimental impact on neighbours. This is addressed in more detail in the section entitled 'Impact on Residential Amenity'.</p>
The commercial units have no bin stores shown on the plans	4	The occupiers of the commercial units will be required to provide their own area for refuse storage within the footprint of their

		own unit. This is a common approach and LBI Highways have raised no concerns.
Refuse vehicles and delivery vehicles would have to make a 3-point-turn on Baltic Street West	3	<p>Vehicles would turn using the entrance to the Golden Lane Estate in front of Hatfield House and then exit in a forward direction.</p> <p>Banksmen would be used to ensure that any turning and/or reversing manoeuvres are carried out in a safe manner.</p> <p>The applicants have explained that as freeholder of the Golden Lane Estate, the City of London Corporation can grant access to the Hatfield House entrance area to the company who would collect the school's refuse.</p>
There have been fires in piles of rubbish on the service road in the past and the Fire Brigade have said that access for the fire brigade is inadequate because of the limited turning circle. Basterfield Service Road on the other side of the site is the only access into that part of the Estate for the Fire Brigade.	2	<p>The London Fire Brigade were consulted as part of the original planning application and raised no objection.</p> <p>No further comments have been received to date by the London Fire Brigade.</p> <p>CoL's District Surveyors have raised no concerns.</p> <p>This is addressed in more detail in the</p>

		section entitled 'Impact on Residential Amenity'.
Traffic and Highways ground (Including: Congestion and safety)	2	LBI's Highways Team have raised no concerns.
No evidence provided demonstrating the store is big enough or enough bins are provided for quantity of waste	2	<p>The location and size of the refuse stores for the building was agreed in the planning application.</p> <p>Waste would be collected twice a week for general waste and three times a week for recyclables.</p>
Trip generation calculations are unrealistic, and the DSP is not satisfactory	2	<p>The applicants have explained that the estimated delivery and servicing trips to the residential tower has been calculated using the TfL Residential Trip Generation Database included in the Residential Freight Study (November 2014).</p> <p>The applicants have explained that the estimated delivery and servicing trips to the commercial units has been calculated using the TfL Office Freight Report.</p>
Unsafe proposal to temporarily place refuse bins on pedestrian and disability access to Hatfield House. This would routinely endanger resident exit	1	The main entrance and ramp to Hatfield House would not be physically impeded when the school bins are put out for collection. The bins would be held on school land pending

in a high-risk situation (fire, gas leak) and access by emergency services and others to the flats		collection and would be moved back to the refuse store straight after collection. At no point will the bins sit in front of the access way into Hatfield House blocking or impeding access for residents.
Air Quality	1	LBI has a fleet of electric refuse and servicing vehicles. The servicing arrangements are not considered to have a significant detrimental impact on air quality.
Other options have not been properly considered and explored	1	Three other options were considered by the applicants at pre-application stage. These options are covered in more detail in the section entitled 'Alternative Servicing Options'.

24. Not all the representations received are material planning considerations. Those that are have been dealt with in this report.

Policy Context

25. The development plan consists of the London Plan March 2021 and the City of London Local Plan 2015. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix B to this report
26. The City of London has prepared a draft plan which is a material consideration to be taken into account.
27. The reason and policy context for conditions 43 and 44 is:
- To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic and do not adversely impact on existing and future residential amenity in accordance with City of London Local Plan policy DM16.1 and Islington Local Plan policies CS11 and DM8.6.*

28. The reason and policy context for condition 46 is:
To provide adequate facilities for the storage and collection of waste in accordance with City of London Local Plan policy 17.1 and Islington Local Plan policies CS11 and DM8.6.
29. The draft City Plan 2036 was approved for consultation by the Court of Common Council in May 2020 and January 2021. The draft City Plan 2036 has been published for consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. As such, the draft City Plan is a material consideration in the determination of applications alongside the adopted Local Plan, although it carries limited weight until representations on the Regulation 19 consultation have been received and considered (this is addressed in more detail in paragraph 89).
30. Government Guidance is contained in the National Planning Policy Framework (NPPF) 2019 and the Planning Practice Guidance (PPG) which is amended from time to time.

Considerations

31. In determining applications to discharge conditions, only the details to be dealt with by the conditions are within the scope of matters to be considered. It is not open to the local planning authority to reconsider matters already decided upon and permitted by the grant of planning permission. Within that context, the Corporation, in determining the applications to discharge the conditions has the following main statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations. (Section 70 Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
32. The majority of the site is situated within the London Borough of Islington and therefore regard should be had to their policies, in addition to the City's duty to determine applications in accordance with its own development plan, unless material considerations indicate otherwise.
33. The relevant policies are set out in Appendix A.
34. The principal issues raised in considering this application are:
- Have alternative servicing options been considered;
 - Impact on residential amenity;
 - Impact on highway safety; and
 - Are the refuse stores of a sufficient size.
35. In considering those issues the scope of details under consideration, as set out in paragraph 34 above, should be noted.

Background

Conditions 43 and 44

36. The planning application for the development included details of servicing arrangements for the school, residential building and the commercial units, and this was addressed in paragraph 211 of CoL's Planning & Transportation Committee report and paragraphs 11.428-11.431 of LBI's report.
37. The applicant explained that the servicing for the proposed residential units was anticipated to be 'minimal' with a small number of deliveries occurring on an ad-hoc basis from Golden Lane.
38. The applicant explained that the school would typically generate two or three collections/deliveries each day, consisting of a weekly refuse collection, a bi-weekly recycling collection, a daily post-delivery, and a daily delivery for other resources. At this time, the applicant explained that servicing for the school would take place from Baltic Street West, and a vehicle tracking diagram was submitted that demonstrated that a 7.5 tonne box van could perform a three point turn on Baltic Street West.
39. Conditions 43 and 44 were attached to the permission to secure Delivery Servicing Plans for the school, residential building and commercial units to ensure that the servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic and do not adversely impact on existing and future residential amenity.

Condition 46

40. The planning application included details of the waste collection arrangements, and this was addressed in paragraph 211 of CoL's report and paragraphs 11.433-11.434 of LBI's report.
41. At this point it was explained in the Committee reports that from the School, general waste would be collected once a week and recyclables would be collected once every two weeks and that these collections would take place from Baltic Street West with the School's facility manager responsible for moving the bins from the store to the street for collection. The proposed refuse arrangements were considered to be acceptable subject to a condition securing further details of the refuse collection point. These details are required by condition 46.

Alternative Servicing Options

42. The applicant has explained that they considered three alternative servicing options at the pre-application stage before decided on the proposed arrangements. These alternative options are as follows:

Servicing and refuse collection from Golden Lane

43. The applicants have explained that the entrance to the school on Golden Lane has been designed for use at the beginning and end of the school day when pupils arrive and depart and would be locked

outside these hours. The main entrance to be used outside these hours is on Baltic Street West, where the school reception is location, which would be staffed throughout the day.

44. If refuse collection was to be from Golden Lane this would impact on child safety, the efficient running of the school and residential amenity.
45. The school refuse store (approved in the planning application) is situated a significant distance from the Golden Lane entrance (over 100m) and the route between the refuse store and the Golden Lane entrance includes a level change and ramps that would not be suitable for the manoeuvring of heavy bins.
46. If refuse was to be collected on Golden Lane the bins would need to be transported across the school playground, and would have to be moved when this area of the school site is not in use. This would inevitably mean that the bins would need to be left on Golden Lane for longer than the 20 minutes permitted by condition 46, and the movement of bins across the site would create disturbance to the residents of Basterfield House and the new residential building.
47. As previously explained, the staffed reception is located on the Baltic Street West side of the school building. If deliveries arrived at the Golden Lane entrance staff would need to cross the school site to collect them or allow delivery staff to cross the school site. This would be inefficient and impractical for school staff, and raises child safeguarding concerns.
48. For these reasons, this option was discounted as a practicable solution for deliveries, servicing and refuse collection for the school. It would not also not be possible until the residential building is completed.

Servicing from Basterfield Service Road

49. The applicants have explained that at pre-application stage it was intended that refuse collection would take place from Basterfield Service Road as this route is already used for refuse collections from Basterfield House and was assessed as having the least impact on the school and residents. This approach was objected to by local residents at pre-application stage, and the applicants have stated that the proposals were changed as a direct response to the comments received, with servicing and refuse collection relocated to Baltic Street West.
50. It is noted that there is no direct access from the refuse store to Basterfield Service Road, and if this access were to be introduced the planning permission would need to be amended. From a practical perspective the 0.93m level difference between the bin store and Basterfield Service Road would need to be addressed, which may require changes to works already completed on site. Without, moving the bins to Basterfield Service Road would give rise to the issues outlined above in relation to servicing from Golden Lane.
51. For these reasons, the use of Basterfield Service Road was discounted by the applicants.

Servicing from Baltic Street East

52. Baltic Street East is separated from Baltic Street West by bollards. The applicants have explained that if this road were used for the collection of bins, the bins would need to be transported further than they would using Baltic Street West. Baltic Street East is narrower than Baltic Street West, which is problematic for the manoeuvring of delivery and refuse collection vehicles.
53. The position of the replacement bollards between Baltic Street East and Baltic Street West have been agreed with LBI's Highways Team through the s278 agreement and there is no scope to adjust this.
54. The applicant has explained that Baltic Street East is not a practical location for servicing, which is not supported by LBI's Highway Team. It has, therefore, been discounted by the applicants.

Impact on Residential Amenity

55. A number of concerns have been raised about the impact of servicing and refuse collection on residential amenity, including noise from idling vehicles and reversing warning systems; access to Hatfield House especially for disabled people; the potential for fires in rubbish and access for the Fire Brigade; the potential for odour and the attraction of vermin; and restricted access for emergency services vehicles.
56. The principle of the delivery and servicing strategy, to be undertaken from Baltic Street West for the school and from Golden Lane for the residential building and commercial units was assessed and agreed as part of the planning permission.
57. The school's delivery hours are restricted to 10am to 2pm by condition 43 and condition 43 prevents the use of vehicles larger than 7.5 tonne box vans. Bins associated with the school would be left at the on-site collection point for no longer than 20 minutes prior to collection and returned to the bin store immediately after collection. This is achievable by the school as refuse collection would be undertaken by a private contractor who would provide the school with a precise collection time.
58. These restrictions would reduce the impact of the school's refuse collection and deliveries on the amenity of neighbouring residents to an acceptable degree and limit the potential for odours and the attraction of vermin.
59. The main entrance and ramp to Hatfield House would not be impacted when the school bins are put out for collection. All bins would be held inside the school premises until just prior to collection then moved outside and held on school land pending collection. They would be moved back to the refuse store straight after collection. At no point will the bins sit in front of the access way into Hatfield House blocking or impeding access for residents.
60. Bins associated with the residential building and commercial units would not be left on street for collection for an indeterminate time as condition 46 states that they shall not be left outside the site for a period longer than 20 minutes prior to the agreed collection time. This

restriction would reduce the impact of the refuse collection on the amenity of neighbouring residents to an acceptable degree and limit the potential for odours and the attraction of vermin. Deliveries to the commercial units and residential building are anticipated to be minimal and would not have a significant detrimental impact on the amenity of neighbours.

61. The refuse storage for the residential building was agreed through the planning application. The applicants have explained that refuse chutes were not included as part of the approved scheme because of long-term maintenance and cost implications, and because it is no longer considered to be good practice for refuse chutes to be included in residential developments for fire safety reasons. The applicants have advised that should a resident be unable to bring their refuse down to the ground floor refuse store refuse this is something that would be dealt with through their personal care package.
62. CoL's District Surveyors are of the view that bins left at the collection point would not be an unacceptable fire risk. There are minimal ignition risks, the main issue being arson. As the bins will be there for no more than 20 minutes the risks are minimised. If they were ignited they would vent to fresh air and would not cause a risk to buildings or the public. All vehicles servicing the school would be managed by the school's Facilities Management team so as not to cause any obstruction.
63. The applicant has explained that "All vehicles will be encouraged to turn engines off when stationary outside of the site. This applies to both Baltic Street West and Golden Lane. It can be written into any contractual agreement between suppliers and the school that engines are required to be switched off when vehicles are stationary when practical."
64. Vehicle reversing warning systems would be used as they are a key safety feature to warn pedestrians, cyclists and other vehicles as to the direction of travel. They are used for a short amount of time and it is considered that they would not cause significant disturbance to residents.

Impact on Highway Safety

65. The principle of the delivery and servicing strategy, to be undertaken from Baltic Street West for the school and from Golden Lane for the residential tower and commercial units was assessed and agreed as part of the planning permission and not objected to by either authority's Highways Teams.
66. The school's Facilities Management Team would act as banksman, as required by condition 43 and this would ensure that manoeuvres made by delivery and refuse collection vehicles are carried out safely.
67. Neither the City's nor LBI's Highways Team have raised concerns regarding highway safety.

Size of Refuse Stores and Access to Residential Refuse Store

68. The location and size of the refuse stores for the school and residential tower were agreed in the planning application.
69. The applicant has explained that the size of the bin store for the school was determined based on the data provided from two other Islington schools.
70. The refuse store for the residential building would contain less bins than are required by LBI's Waste Guidelines. To compensate for this, refuse would be collected twice a week for general waste and three times a week for recyclables, instead of once a week.

Conclusion

71. The principle of the delivery and servicing strategy, including waste collection, was agreed through the planning application. Matters that have already been determined and permitted by the grant of planning permission are outside the scope of details to be considered when deciding whether or not to discharge conditions. The details of the arrangements submitted to discharge conditions 43, 44 and 46 are considered to be satisfactory. London Borough of Islington's Officers are satisfied with the proposals. It is therefore recommended that conditions 43, 44 and 46 are discharged.

Background Papers

Internal

Email, Transport Planner, 28 October 2020

Email, Transport Planner, 18 March 2021

Memo, Environmental Health Officer, 01 April 2021

External

Letter, Golden Lane Residents Association, 31 October 2020

Online, Timothy Godsmark, 31 October 2020

Email, Dr Martha Mundy, 01 November 2020

Email, Nigel Smith, 01 November 2020

Email, David Henderson, 02 November 2020

Email, Jane Carr, 02 November 2020

Email, Kate Sandle, 02 November 2020

Email, David Cox, 02 November 2020

Email, Deborah Cherry, 02 November 2020

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Email, Jacqueline Swanson, 02 November 2020

Email, Lisa Scott, 02 November 2020

Email, Martin Edwards, 02 November 2020

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Online, Glynis Hatch, 27 March 2021
Online, Jayne O'Connell, 27 March 2021
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Online, Joyce Rothwell, 27 March 2021
Online, Keira Callaghan, 27 March 2021
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Online, Michelle Artiss, 27 March 2021
Online, Pat Smith, 27 March 2021
Online, Rachel Wheeler, 27 March 2021
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Online, Anna Bazeley, 29 March 2021

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Email, Deborah Nielsen, 08 April 2021

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Online, Emily Sedgwick, 19 April 2021

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Online, Ewelina Kazimierczuk, 19 April 2021

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Online, Lesley Connor, 19 April 2021

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Online, Lucy Allen, 19 April 2021

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Online, Marcin Kazimierczuk, 19 April 2021

Online, Mariana Capucho, 19 April 2021

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Online, Matthew Edmund, 19 April 2021

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Email, Nigel Sedgwick, 19 April 2021

Email, Payal O'Brien, 19 April 2021

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Email, Pete And Dr. Rebecca Nicholas, 19 April 2021

Online, Phil Todd, 19 April 2021

Email, Rachel Codling, 19 April 2021

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Online, Sarah Gillinson, 19 April 2021

Email, Serena Buselli, 19 April 2021

Online, Shahnan Bakth, 19 April 2021

Online, Shelly Notaro, 19 April 2021

Online, Shumin Zheng, 19 April 2021

Online, Simona Gribauskiene, 19 April 2021

Email, Soniya Sadeesh, 19 April 2021

Online, Stefano Amato, 19 April 2021

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Online, Alexander Brown, 20 April 2021

Email, Ana Lecic, 20 April 2021

Email, Azadeh Aboutalebi, 20 April 2021

Email, Bethan Ferguson, 20 April 2021

Email, Caroline Ali, 20 April 2021

Email, Ceinwen Mcmillan, 20 April 2021

Online, Chen Wang, 20 April 2021

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Online, Debbie Lane, 20 April 2021

Online, Eleni Melisseidi, 20 April 2021

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Online, Julia Loughnane, 20 April 2021

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Online, Emily Robey, 21 April 2021

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Online, Georgia Dehn, 21 April 2021

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Email, Kim Clapham, 21 April 2021

Online, Kyle Ross, 21 April 2021

Online, Lisa Shaw, 21 April 2021

Email, Murielle Nobleaux, 21 April 2021

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Email, Sara Hdiguellou, 24 April 2021
Email, Tim Gittins, 24 April 2021
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Online, Yoshikazu Yamakawa, 24 April 2021
Email, Candida Halton, 25 April 2021
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Email, Marian Dufie Oppong, 25 April 2021
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Email, Valmir Silva, 26 April 2021
Email, Yoshikazu Yamakawa, 26 April 2021
Email, Amra Topcagic, 27 April 2021
Email, Bettelle Joseph, 28 April 2021
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Email, Theresa Walker, 29 April 2021

Email, Veronika Lukasova, 29 April 2021

Email, Islington Council Response to delivery and service plan, 22 April 2021

Email, Islington Council Waste and Recycling consultation, 28 April 2021

Response to Public Consultation Comments, prepared by Stantec, March 2021

Further Consultation Responses, Prepared by Stantec, April 2021

Relevant Local Plan Policies

DM16.1 Transport impacts of development

1. Development proposals that are likely to have effects on transport must be accompanied by an assessment of the transport implications during both construction and operation, in particular addressing impacts on:

- a) road dangers;
- b) pedestrian environment and movement;
- c) cycling infrastructure provision;
- d) public transport;
- e) the street network.

2. Transport Assessments and Travel Plans should be used to demonstrate adherence to the City Corporation's transportation standards.

DM17.1 Provision for waste

1. Waste facilities must be integrated into the design of buildings, wherever feasible, and allow for the separate storage and collection of recyclable materials, including compostable material.

2. On-site waste management, through techniques such as recycle sorting or energy recovery, which minimises the need for waste transfer, should be incorporated wherever possible.

SCHEDULE

APPLICATION: 20/00748/MDC

Former Richard Cloudesley School Golden Lane Estate London

Submission of Delivery and Servicing Plan for the school pursuant to condition 43 and 46 of planning permission 17/00770/FULL dated 19th July 2018.

INFORMATIVES

- 1 The Plans and Particulars accompanying this application are: City of London, Primary Academy Islington (CoLPAI) School Delivery and Servicing Plan, Rev 1.1, prepared by Stantec, dated October 2019.