

## **P2023/1346/NMA (10-18 Regents Wharf, All Saints Street, N1 9RL)**

This objection is submitted by Councillor Paul Convery, Councillor Una O'Halloran and Councillor Sara Hyde who represent Caledonian Ward in which the development site at 10-18 Regents Wharf is located.

Planning consent to application P2019/3481/FUL was given by decision notice dated 8th December 2020 following two meetings of the full Planning Committee in June and July 2020. When resolving to grant permission, members of the committee were clear that conditions 30 and 31 would be included in order to preserve residential amenity and to secure environmental protections.

Members of the committee were aware that the applicant had submitted a report "Light Pollution Assessment" dated November 2019 and a further response written by consultants GIA in Feb 2020.

However, Members took officers' advice that the correct Environmental Zone designations had been applied to the canal towpath and Wharf Road, namely E2 and E3 respectively. Members were further aware of a report produced by consultants, Designs for Lighting, which reinforced the evidence that E2 and E3 were the suitable designations.

The applicant has now submitted a consultant report asserting differently. This is based on light measurements taken in November 2022 following demolition and commencement of construction work at the Regents Wharf site. That report has three flaws:

- (a) it shows *modelled* luminance of the previous building which is contrary to the evidence presented to the planning authority in 2020 which showed *actual* luminance from the previous building during "curfew" hours;
- (b) the light readings taken in November 2022 are likely to be biased by the intrusive level of (temporary) light from the construction site, described rather disingenuously as "cleaning/security";
- (c) it provides a subjective assessment of whether the towpath and Wharf Road equate to the text descriptors "rural", "suburban" or "urban".

The conditions as originally consented were based on real evidence of the extant level of luminance onto the canal towpath and Wharf Road at the time consent was granted and conditions attached.

The canal towpath, water and offside bank also enjoy habitat protection under the provisions of the Wildlife and Countryside Act 1981. The area is designated as a Site of Importance for Nature Conservation (Metropolitan Level) in the London Plan 2021 (policy G6). This is the highest level of designation and is a classed as a "strategically important site for nature conservation" being recognised as one the "most valuable and special places for wildlife in London". This is further reinforced in the London Plan by policy SI 17 ("protecting and enhancing London's waterways"). Paragraph E stipulates that "development proposals along London's canal network... should respect their environment and biodiversity". Increasing the level of luminance across the area will have a detrimental effect on the wildlife and biodiversity of the canal.

We therefore consider this application should be refused. If officers intend to consent the application under delegated authority, as ward Councillors, we call-in this application for determination by the planning committee.

**PAUL CONVERY**

**UNA O'HALLORAN**

**SARA HYDE**

9<sup>th</sup> June 2023