

PLANNING COMMITTEE REPORT

Committee Report Update

PLANNING COMMITTEE		AGENDA ITEM NO: B2
Date:	23 April 2018	NON-EXEMPT

Application number	P2017/0800/FUL
Application type	Full Planning Application
Ward	St Mary's
Listed building	Yes
Conservation area	Upper Street (North)
Development Plan Context	Town Centre (Angel)
Licensing Implications	Premises licence required
Site Address	Kings Head Public House and Former North London Mail Centre, 115 & 116-118 Upper Street London N1 1AE
Proposal	The provision of a 360 seat theatre consisting of the main auditorium (of up to 276 seats) and an additional theatre space (of up to 84 seats) in Block B of the Islington Square development at ground, first, and basement levels; a new entrance lobby courtyard between the east elevation of Block B in Islington Square and the rear of 115 Upper Street; variation to retail unit G1 in Islington Square to facilitate access to the proposed Kings Head Theatre entrance; formation of a canopy over the new entrance; the use of all the King's Head theatre space at 115 Upper Street as a public house when the King's Head theatre takes up occupation of its lease within Islington Square; erection of a first floor extension to the King's Head; installation of new plant to the rear; works to the first floor roof terrace; re-instatement of a rooflight to the ground floor rear room.

Case Officer	Peter Munnelly
Applicant	Sager Management Limited
Agent	Mr Greg Cooper – Metropolis Planning and Design

Application number	P2017/0888/LBC
Application type	Listed Building Consent
Listed building	Yes
Conservation area	Upper Street (North)
Site Address	King's Head Public House
Proposal	Demolition of the lean-to dressing room at the rear of 115 Upper Street; erection of a first floor extension to the King's Head; installation of new plant and plant enclosure to the rear; works to facilitate the first floor roof terrace; re-instatement of a rooflight to the ground floor rear room; refurbishment and conversion of rear room and alterations to front bar and reconfiguration of existing upper level ancillary staff accommodation.

- 1.0** This addendum report seeks to provide a number of corrections, clarifications and additions to the original report which appears as Item B2 on the Committee Agenda.
- 2.0** The applicant is confirmed as Sager Management Limited (see above) whereas originally reported as Sager House (Almeida Limited).
- 3.0** At 1.0 of the original report (Recommendation) reference is made to Appendix 1 featuring proposed conditions and Section 106 draft Heads of Terms. The Heads of Terms have been updated. At (1) the word 'temporary' had been omitted in regard to the John Salt venue. At (2) the contribution made by the applicant towards fit-out costs of the Islington Square Theatre is £650k as opposed to the stated £600k. These corrections are highlighted below within Appendix 1.
- 4.0** At paragraph 4.10 of the report, the final sentence, in referring to internal works with the King's Head Pub states that 'That there are a number of interventions that are however considered unacceptable and alternative proposals will need to sought (sic) for these.' This specifically referred to the proposals to install high level heaters within the bar and to disrupt the horseshoe bar feature with a new support column. Revised drawings have been received omitting these works and thus, the relevant recommended condition (Condition No.6 of the listed building consent) seeks further detailed drawings of the newly re-positioned column.
- 5.0** At 8.19 reference is made to the expectation of observations from the Council's Building Control Team. Dialogue between officers has resulted in the request from Building Control that a Fire Evacuation Strategy be attached to any planning permission granted. Such a condition has already been proposed (See Condition

13 of Appendix 1). It can also be noted that any new Theatre operation would also require a Theatres Premises Licence to be granted by the Council before any operation commenced. As part of the licensing process, fire safety and evacuation arrangements would be assessed by the Council's own Building Inspectors.

- 6.0** At paragraph 10.106 clarification is necessary on figures relating to the Islington Square Theatre fit-out cost. Both the £0.65 and £0.2 figures should be suffixed with an 'm' as are the other figures, denoting million pounds.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That both planning permission and listed building consent be granted subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 between the council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

Other/Standard clauses:

1. *The John Salt Public House shall be provided as a temporary venue for the Kings Head Theatre Group Limited;*

This shall include fit out to the council's satisfaction and the grant of a lease on terms to the council's satisfaction and to include rent not greater than that currently payable for the Kings Head Theatre space and a minimum term of 20 years plus option to renew on the same terms for another 20 years.

2. *Satisfactory arrangements shall be made to allow the Kings Head Theatre Group Limited to move into the Islington Square Theatre;*

These shall include:

provision that rent paid during occupation of the John Salt public house shall be used to facilitate the move by the King's Head Theatre Group Limited into the Islington Square Theatre fit out of the Islington Square Theatre to shell and core and the provision of £600,000 650,000 towards further fit out.

agreement for a lease of the Islington Square Theatre space to the council's satisfaction which shall include the following:

(i) peppercorn rent

(ii) a term of 20 years plus option to renew for a further 20 years

(the current offer requires the kings head theatre to raise approx. £2.8m of funds themselves – see main body of the report for further comment.

None of the internal or external operations at the Kings Head permitted by the Planning Permission or Listed Building Consent shall be permitted until both 1 & 2 have happened.

No use of the of the Kings Head theatre space as a public house shall take place until both 1 & 2 have happened.

3. *Unless and until the Kings Head Theatre Group take up occupation of the Islington Square Theatre under a lease which is satisfactory to the council and together with fit out which is satisfactory the John Salt shall continue to be provided to the Kings Head Theatre Group on the same terms.*

I.e. If the Kings Head Theatre Group do not move into the Islington Square Theatre then the John Salt shall be provided as a permanent venue.

- 4 If the Kings Head Theatre take up occupation of the Islington Square Theatre as outlined in 3 above then the obligation to provide the John Salt Public House as a theatre venue shall cease.*
- 5. In the event of the Kings Head Theatre Group ceasing to use either the John Salt Public House theatre space or the Islington Square Theatre, similar terms (including the possibility of a move from the John Salt to the Islington Square theatre) shall be offered to a similar theatre group approved by the council.*

That, should the Section 106 Deed of Planning Obligation not be completed within the Planning Performance Agreement timeframe, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of the Secretary of State or the Mayor of London) and appealed to the Secretary of State, the Service Director, Planning and Development/Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to secure the Heads of Terms as set out in this report to Committee.