



ISLINGTON

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 Islington Town Hall
 Upper Street
 LONDON N1 2UD

PLANNING COMMITTEE REPORT

PLANNING COMMITTEE	AGENDA ITEM NO:	B1
DATE: 7 JUNE 2018	NON-EXEMPT	

Application number	P2017/2964/FUL
Application type	Full Planning Application
Ward	Barnsbury
Listed building	15-24 Bromfield Street (adjacent to north) are Grade II listed.
Conservation area	Partially within Angel conservation area. Adjoins Barnsbury and Chapel Market/Penton Street conservation areas.
Development Plan Context	Angel Town Centre (primary retail frontage) Core Strategy Key Area: Angel and Upper Street Central Activities Zone Crossrail 2 safeguarding area Protected Vista (Alexandra Palace to St Paul's Cathedral) Open Space OS 111 Archaeological Priority Area
Licensing Implications	Licenses required for Use Class A3 (cafes and restaurants).
Site Address	N1 Centre & Car Park [Basement], Parkfield Street, London N1
Proposal	Removal of the Angel Wings sculpture and kiosk, erection of a new kiosk and first floor bridge/outdoor restaurant seating area, and extended first floor balcony. Conversion of existing 100 space basement car park and reconfiguration of ground and basement level floorspace to provide a mix of retail units, including additional 1945sqm of flexible Retail (A1) and Leisure (D2) floorspace, retaining 27 parking spaces. Conversion and extension to first floor retail unit 5A (A1) to provide restaurant/café (A3). Partial demolition of 2 external staircases. Installation of first floor awnings. Partial external terracotta cladding and projecting windows to west elevation. Replacement hard and soft landscaping, and associated works.
Case Officer	Jan Slominski
Applicant	CBRE Global Investment
Agent	CBRE Ltd

1 RECOMMENDATION

1.1 The committee is asked to resolve to GRANT planning permission:

1. subject to the conditions set out in Appendix 1; and
2. conditional on the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms set out in Appendix 1.

2 SITE PLANS



Figure 2.1 Site Location Plan

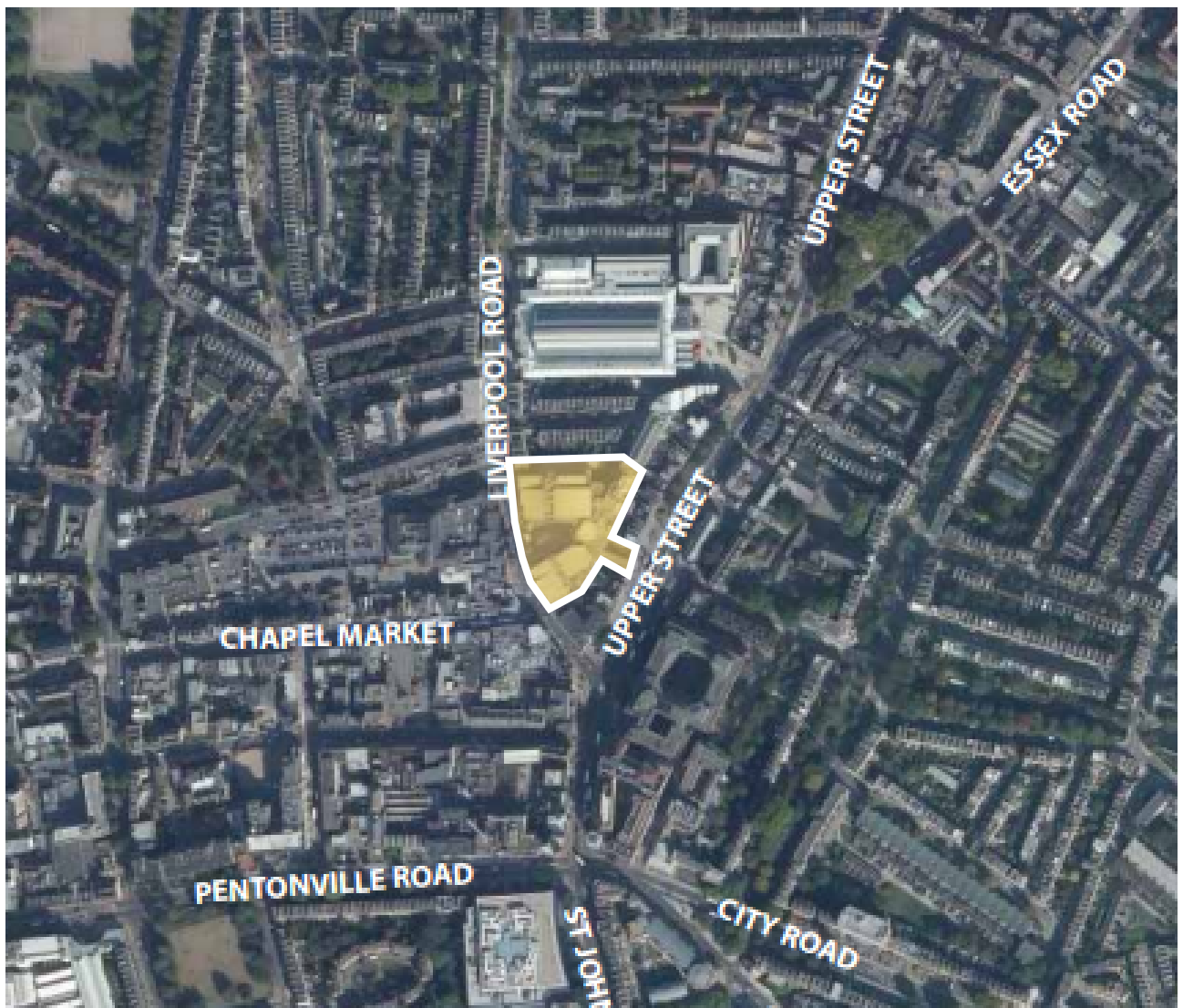


Figure 2.2 Site Context Diagram

3 SUMMARY

- 3.1 The proposed development would extend and refurbish the existing Angel Central Shopping Centre, which is a modern shopping and entertainment complex in Angel town centre (built around 2002). The shopping centre is functional and well located, but has not been significantly upgraded since it was first opened, and has a tired appearance.
- 3.2 The proposal would convert part of the basement car park to increase the amount of floorspace for retail, leisure, and food and drink uses. The Angel Wings sculpture and freestanding kiosk located within the outdoor public space would be removed, and in their place a visually lightweight kiosk and first floor bridge structure would be constructed. The bridge would complete a first floor loop around the public space, and would provide additional outdoor restaurant seating.
- 3.3 There would be alterations to the configuration of retail units, with some existing units enlarged, a new small retail unit at ground level, and an extension and change of use at first floor to create a larger cluster of food and drink uses.
- 3.4 The loss of the basement car parking has been justified by the proposal, would not result in a shortfall in parking in the town centre, and would retain sufficient blue badge parking in

accordance with development plan policies to promote more sustainable forms of travel. The increase in retail floorspace, and the mix of leisure, retail and food-and drink uses are considered to contribute positively to the development of Angel as a major town centre and are broadly compliant with the development plan.

- 3.5 The proposed bridge structure and extended first floor terrace would increase the amount of space at first floor for circulation and outdoor seating. This element of the proposal would be a departure from the development plan, as it would be development on open space. However, the bridge would contribute positively to the function of the shopping centre by improving the circulation and quality of space at first floor level, and would result in additional publicly accessible outdoor space. The replacement kiosk (under the bridge) would be a mostly glazed, visually lightweight unit (in place of the existing heavy, solid existing kiosk), and the bridge itself has been designed as a minimal, lightweight structure with high quality materials and detailing. The public space itself would also be improved with new paving. Officers consider that the departure from policy is, on balance, justified by the benefits and design improvements arising from the proposal.
- 3.6 As a result of the bridge's location, a prominent public sculpture, the "Angel Wings," would be removed. That sculpture is a modern piece, but has quickly become established as a feature within the town centre (and the current Angel Central logo features an image of Angel Wings). The Angel Wings would be relocated to another site; details of its relocation are yet to be confirmed and following a public campaign to keep the sculpture in the town centre, nearby sites are being considered, although none have yet been agreed. A decant strategy is recommended by officers to be secured by the s.106 agreement to ensure its appropriate relocation, prioritising local locations. Although the sculpture itself is not protected by planning policy, the London Plan promotes new public art and there is a requirement (the s.106 agreement) for the Shopping Centre to include public art. The proposal would provide a new piece to ensure the continued display of Public Art. The applicant's selected artist is Troika, whose concept is yet to be finalised but is based on an interactive calendar which changes daily. The proposed artwork would be subject to a separate planning application, and a s.106 obligation is recommended by officers to ensure that the new artwork is provided before the new bridge and floorspace open to the public.
- 3.7 The proposal includes general external refurbishment, to modernise the appearance of the centre. The external upgrades would include new terracotta cladding to the Liverpool Road entrance to create greater presence within the Town Centre, new shopfront fascias, lighting, balconies and facing materials within the Shopping Centre. There would also be refurbished public toilets, additional cycle parking, and electricity and water facilities made available for public and community events to improve the range of community events which can take place.
- 3.8 Overall, the scheme would improve the existing shopping centre, and would act as a draw to the town centre. Although there are conflicts with the development plan, the proposed extensions and design improvements are aligned with the thrust of the strategic policies, which is to support economic development in the town centre. The proposed development on open space has been well resolved by the proposal, and the relocation of the Angel Wings sculpture is both required in order to achieve the improved first floor circulation, and justified by the proposed replacement artwork. Although there has been significant public objection to the loss of the Angel Wings sculpture, officers consider that, on balance, the

development would contribute to the sustained growth of Angel town centre as a Major Centre, and could be considered a sustainable form of development.

4 SITE AND SURROUNDINGS

- 4.1 The application site is an existing privately managed shopping centre within Angel town centre. The site is triangular in shape, with three entrances (onto Liverpool Road, Upper Street, and Parkfield Street), and has frontages onto all three of those roads.
- 4.2 The shopping centre is mostly arranged around a central area of ground level public open space fronting Liverpool Road, which is lined on both sides by a mix of shops, cafes and restaurants. Within the open space there is a freestanding retail kiosk, with a freestanding large public art installation above, known as the Angel Wings.
- 4.3 There are two pedestrian arcades at ground level; one leading to Upper Street, lined with shops on either side; and one leading to Parkfield Street which is more utilitarian in function and appearance, with public toilets, lift access, and an entrance to a first and second floor live music venue. On Parkfield Street there are also loading and storage areas, along with a vehicular access ramp leading to the basement car park. The basement car park currently provides parking for 100 cars, including 10 spaces suitable for wheelchair users.
- 4.4 At ground level, the predominant use is retail. At first floor there is a mix of retail and restaurants, accessed by external walkways, and an entrance to the second floor nine-screen cinema.
- 4.5 There is a mix of uses in the surrounding areas, generally with active frontage town centre uses at ground level, and a mix of residential, offices and other employment uses on upper levels.
- 4.6 The site is within the Central Activities Zone (CAZ); within Angel Town Centre, and forms a key component of the primary retail frontage within the Town Centre. Angel Town Centre is classed as a "Major Town Centre" by the London Plan.
- 4.7 The site is not subject to a site allocation, but two sites on the other side of Liverpool Road (including the large Sainsbury's store and car park) are within the primary retail frontage and allocated for future redevelopment for town centre uses.
- 4.8 The site is subject to an Article 4 Direction which introduced the requirement for planning permission for change of use from A1 (retail) to A2 (professional services).
- 4.9 The site is within a cumulative impact area for licensing purposes.
- 4.10 The central public space within the site is designated as an open space (OS 111).
- 4.11 The part of the site which fronts Upper Street is located within the Angel conservation area. The site directly adjoins the Barnsbury conservation area to the north, and on the opposite (west) side of Liverpool Road is the Chapel Market/Penton Street conservation area. The row of houses to the north of the site at 15-24 Bromfield Street (and those opposite) are Grade II listed. 25 Bromfield Street, 57 Liverpool Street, and the majority of adjacent units at 1-36 Upper Street are locally listed.
- 4.12 The site is within the Islington Village Archaeological Priority Area.
- 4.13 The site is almost entirely within the viewing corridor for the Mayor's Protected Vista VC1: View from Alexandra Palace viewing terrace to St. Paul's Cathedral (and the part of the site outside the viewing corridor is within the assessment area).

- 4.14 The site is highly accessible and benefits from a Public Transport Accessibility Level (PTAL) of 6A. Liverpool Road and Parkfield Street are part of the Islington highway network, and Upper Street is part of the TFL road network. There are bus routes outside the site on Liverpool Road and Upper Street, and Angel Underground Station is approximately 300m away.
- 4.15 The site is within Environment Agency Flood Risk Zone 1.

5 PHOTOS OF SITE AND SURROUNDINGS



Figure 5.1 Angel Central from Liverpool Road, with Angel Wings in the foreground.



Figure 5.2 Angel Wings at night



Figure 5.3 Kiosk below Angel Wings (to be removed)



Figure 5.4 Central Open Space



Figure 5.5 Typical Shopfront Elevations (Southern side of open space)



Figure 5.6 Upper Street Entrance and Shopfronts



Figure 5.7 Parkfield Street Entrance, with car park entrance and servicing bays.

6 PROPOSAL

- 6.1 The proposed development would remove the Angel Wings sculpture and kiosk. In their place a new first floor bridge/outdoor restaurant seating area would be erected, which would connect the existing first floor walkways to create a loop. The bridge would mostly be 3.5m wide, although it would vary with wider sections in the middle (above the kiosk) and at the southern end. The first floor walkway on the north and east sides of the open space would also be extended to 4.2m in width (an increase of 2.7m). Paragraph 10.77 and Figure 10.5 Proposed First Floor Bridge (Amended) describe the proposed bridge in greater detail.
- 6.2 Beneath the bridge, there would be a new mostly glazed, kiosk, in a similar position to the existing kiosk.
- 6.3 The proposal would replace the Angel Wings sculpture with an alternative piece of public art elsewhere in the site. That piece of art has not been finalised, but the artist and concept have been selected by applicant's Art Steering Group following a public competition, consultation and a commissioning exercise. The selected artist is Troika, whose concept is based on an interactive calendar which changes daily. The proposed artwork would be subject to a separate planning application, and although details have not been included as part of the current application, a s.106 obligation is recommended to ensure the new artwork is provided before the new bridge and floorspace open to the public.
- 6.4 At basement level, the existing 100 space car park would be partially converted, retaining 27 parking spaces. The converted floorspace would result in three new planning units. One unit would be integrated with unit MSU-1 (currently H&M) to create a larger unit. Another unit would be a new leisure unit, for use as a gym within Use Class D2, and would be accessed at basement level via the staircase and lifts in the existing circulation core. The third unit would be integrated with unit MSU 8-9 (currently GAP) to create a larger unit. MSU 8-9 (GAP) would be further subdivided to provide an additional small retail unit (SU 9) at ground level, and at first floor would be converted to a separate restaurant/café (A3) unit (LSU 5A).
- 6.5 The two existing external spiral staircases adjacent to Liverpool Road would be partially demolished. The southern staircase would be removed, and the space at first floor integrated as an extension to LSU 5A (currently the first floor of GAP), which would also be changed from Use Class A1 (retail) to Use Class A3 (restaurants and cafes). There would be two new projecting full height "box" windows to that unit overlooking Liverpool Road, to enliven the façade.
- 6.6 The northern staircase would be straightened at ground level, to allow a widened entrance to the public space adjacent to Liverpool Road. Both staircase areas would be re-clad at upper level in terracotta cladding.
- 6.7 At ground level, the public toilets would be combined with the storage/janitor office and refurbished to create enlarged public toilets including one wheelchair accessible WC.
- 6.8 At the first floor external walkways, awnings would be installed outside the restaurant and café units.
- 6.9 Within the retained central open space, there would be replacement hard and soft landscaping. There would also be associated design alterations including replacement balustrading, cladding to the escalator, and re-cladding of external walls including at the

Upper Street and Parkfield Street entrances, and new ceilings and lighting within the semi-enclosed part of the shopping centre.

6.10 The following image shows the proposed development from Liverpool Road.



Figure 6.1 Proposed Liverpool Road elevation including Cladding, Bridge and glass kiosk

6.11 A number of further images are included in the “Design and Conservation” section of this report, along with descriptions and assessment of the proposed changes.

7 RELEVANT HISTORY

Planning applications

- 7.1 Outline Planning Permission 96/1563. Mixed use redevelopment comprising retail, leisure, restaurants, crèche, public lavatories, administration and management facilities and car parking. Approved 15/04/1998
- 7.2 Planning permission ref: 98/1487 (Redevelopment to provide a basement car park, shops at ground and part first floor levels, restaurants at first floor and nine screen cinema at upper levels and including crèche, public lavatories and management facilities). Approved 16/03/1999
- 7.3 The consent (conditions 4 and 10) and legal agreement for planning permission ref: 98/1487 require the parking spaces, including disabled parking spaces, to be provided and maintained as such. The legal agreement requires contributions towards the necessary provision of public art.
- 7.4 Amendment application ref. 99/1433 Amendment to permitted scheme for redevelopment to provide basement car park, shops at ground and part first floor levels, restaurants at first floor level and a nine screen cinema at upper levels and including a crèche, public lavatories and management facilities. Approved 03/05/2000. The amendment entails:
- 1) Extending the basement to include the area below the existing service/loading area, and the area below the Upper Street entrance walkway.
 - 2) Part of unit MSU.4 to be changed from retail to live music venue. This will also include part of basement area below the service/loading area referred to above and relocation of the management suite. (Total floorspace for the music venue (approx. 1200 sqm)

- 7.5 Planning permission P012431 was granted on 09/04/2002 for “Installation of a retail kiosk with Angel Wings above” and permission P012432 was granted on 26/03/2002 for “Installation of illuminated suspended stainless steel ring”
- 7.6 A number of further applications for signage and advertisement consent have been submitted, which are not listed here for conciseness but are available on the Council’s website. Notable, application P2017/2432/ADV for new signage at 15-16 Upper Street (the south side of the Upper Street entrance) was approved on 9th August 2017 following the omission of a large first floor sign facing Upper Street.

Pre application advice

- 7.7 Pre-application advice was given in May 2017.
- 7.8 The advice given stated that the increase in floorspace for town centre uses would likely be acceptable in principle. Some loss of parking may also be acceptable in principle, but justification needed to be provided to justify the amount of spaces lost with regard to the viability and vitality of other town centre functions, and inclusive design needs.
- 7.9 At pre-application stage the proposed bridge and kiosk were much larger than currently proposed. Concerns were raised about the design quality of the proposal, and officers advised that the bridge and kiosk would risk visually cutting-off the public open space. It was highlighted that the development plan resists development on open space, and that the development should provide additional open space which results in better overall provision in terms of quantity and quality in order to comply with the NPPF.
- 7.10 No information was provided on replacement artwork at pre-application stage. It was advised that the Angel Wings is viewed as a local landmark, and although it was acknowledged that there is no specific protection for that individual piece of art, any replacement artwork needs to be of high quality and well justified.
- 7.11 In summary, the pre-application advice was that the principles of improved external design and increased floorspace for town centre uses are likely to be acceptable, but that further revisions and justification would need to be amended in order to comply with the relevant planning requirements, in particular with regard to design quality, the proposed bridge, and replacement artwork.

8 CONSULTATION

- 8.1 The application was subject to public consultation, and following amendments was subject to re-consultation.
- 8.2 Letters were sent to occupants of adjoining and nearby properties on 30/08/2017, and site and press notices were published on 07/09/2017.
- 8.3 Following revisions to the design of the proposed bridge, external cladding, and facing materials, the application was subject to re-consultation for a further 21 days. Letters were sent to occupants of adjoining and nearby properties on 07/02/2018. In total, letters were sent to 1012 neighbours; and further site notices and press notices were published on 12/02/2018.
- 8.4 The public consultation period ended on 05/03/2018. In practice, representations have been received continually during the lifetime of the application, notwithstanding the 21-day

consultation periods. It is the Council's practice to continue to accept representations until the decision date.

8.5 The consultation responses received are summarised as follows.

Public Consultation Objections

8.6 At the time of writing, objections were received from 25 neighbouring addresses.

8.7 A petition was also received against the removal of the Angel Wings sculpture, which included 569 paper signatures and 367 signatures on an online change.org petition (936 signatures in total). 138 emails to the petition's organiser objecting to the proposal were also provided to the Council, although it is unclear whether any of those overlap with the signatures or those who wrote directly to the Council.

8.8 The issues raised by the public objections are summarised as follows (with officer comments in brackets):

Anti-Social Behaviour and Crime

8.9 The reduction in parking and increase in footfall arising from the proposed development will increase the existing anti-social behaviour on Bromfield Street, including littering, drug use, urination, drinking, abusive language and loud music from parked vehicles. *(Existing anti-social behaviour from vehicles is not a direct impact of the proposed development. The proposed retail and restaurant uses are not likely to materially increase antisocial behaviour if well managed, and to minimise opportunities for antisocial behaviour, CCTV is to be secured by the s.106 agreement, external lighting by condition 6, and Secured by Design / Secured Environments Certification by condition 11. An informative also reminds the developer that certain uses will require licenses, and will need to demonstrate that the operation of the business would not add to the existing problems as the site is in a "cumulative impact area")*

Neighbour Amenity

8.10 Increased plant noise or light pollution is objected to *(Plant noise is to be controlled by condition 12 and details of external lighting, including hours of illumination, required by condition 6).*

8.11 The outdoor restaurant seating space will cause noise pollution to nearby residents *(Condition 13 is recommended to limit opening hours of the restaurants to 23:00, including all outdoor restaurant seating to be moved indoors by 23:00)*

8.12 The servicing of the existing units causes noise pollution, disruption and conflict between commercial and residential occupiers 24 hours a day, and these problems will be increased by the new units. *(Servicing and Deliveries are to be managed via the 4 existing dedicated servicing bays and a Servicing and Delivery plan, to be secured by condition 14).*

8.13 Noise from the proposed media screen will result in harm to amenity. *(An outdoor video screen was originally proposed, but has been removed from the proposal).*

Loss of Parking

8.14 Parking spaces are scarce in the locality, and the loss of parking will make it harder to park. *(The reduced amount of parking proposed is considered in the paragraph 10.2 onwards, and paragraph 10.133 onwards. A travel plan is to be secured by the s.106 agreement to reduce rather than displace private vehicle use.)*

Public Art

- 8.15 The existing Angel Wings installation is a place-specific symbol for both the shopping centre and the wider area of the Angel, which is inherent to the character of Angel and should be retained or replaced elsewhere within the Angel area. The “Angel” and “Halo” complement each other, and there is very little public art in this location. *(The proposed replacement public art is considered in paragraph 10.49 onwards)*

Loss of Public Open Space

- 8.16 The proposed upper level walkway, rather than introducing additional public space, will result in a barrier for the public, and the first floor space will result in loss of light to the public space, undermining its usability. *(The loss of open space is considered in paragraph 10.27 onwards).*

Land Use

- 8.17 More retail units are unnecessary as there are already shops nearby. *(The proposal would result in additional large retail units for high street retailers, which would increase the diversity of shops in the Town Centre, and the Town Centre is a sustainable location for new shops).*
- 8.18 The proposed kiosk is too small for a shop but could be used as a venue for promoting Islington tourists. *(The proposed kiosk is a similar size to the existing kiosk, which has been used for food and drink uses).*

Construction Impacts

- 8.19 Increased traffic, noise, pollution, damage to nearby listed buildings, and congestion as a result of construction works. (Condition 15 is recommended to limit construction impacts, in addition to a s.106 obligation to comply with the Code of Construction Practice).

Public Comments in support or neutral

- 8.20 In addition to the 25 objections, 2 public comments were also made, summarised as follows:
- The pop up markets are always a welcome addition to the area.
 - Affordable leisure provision for teenagers and young people is scarce in Islington and the proposed leisure use could be a good opportunity to address some of that shortage.
 - Additional soft landscaping and planting would be welcomed.

Statutory, Internal and External Consultation Responses

Design and Conservation:

- 8.21 No objection to removal of Angel Wings, subject to re-provision. Any re-use of the existing sculpture must be meaningful. Following amendments to make the proposed bridge slimmer with improved materials, improved cladding, and sightlines through the proposed kiosk, no objection to the proposed design subject to the recommended conditions.

Greater London Archaeological Advisory Service (GLAAS)

- 8.22 No objection. Although within the Islington Village Archaeological Priority Area, the site is covered by a modern basement across its whole area, and no archaeological remains are likely to survive.

Metropolitan Police

8.23 No objection, subject to the recommended conditions.

Transport for London (Crossrail Safeguarding)

8.24 No objection.

Transport for London (Road Network Development)

8.25 No objection in principle. The proposed number of cycle spaces should comply with the London Plan, and end-of-trip facilities should be provided; the reduction of onsite parking is supported; the reduction of disabled spaces is justified; 10% of parking spaces should include electric charging; the Construction Phase Plan should be updated. *(Condition 16 is recommended requiring 46 cycle parking spaces, which is in excess of the London Plan standards; and end-of-trip facilities. 6 electric charging points are proposed in the car park, to be secured by condition 17. Condition 15 requires a more detailed pre-commencement Construction and Environmental Management Plan once contractors and dates are known).*

London Underground Infrastructure Protection

8.26 No objection.

London Fire & Emergency Planning Authority

8.27 No objection. *(An informative recommended sprinklers).*

Licensing

8.28 No objection. An informative is recommended, reminding the applicant of the need to apply for the relevant licenses.

Thames Water

8.29 No objection.

Emily Thornberry MP

8.30 The concerns raised by members of the public with regard to the retention of the Angel Wings sculpture should be taken into consideration.

Islington Business Improvement District (BID)

8.31 The proposed improvements to the retail offer, increased employment opportunities, change of use from an under-used car-park to increased retail provision, bridge link, and improved frontages are supported by the BID.

Environmental Pollution (Acoustics)

8.32 The submitted acoustic report includes a background survey, but does not clarify the proposed plant or the impact on residents. Due to the distance between the plant and the residential units, this can be managed by planning conditions. *(As the users are not yet known, it is not possible to approve every item of external plant at this stage. Condition 12 is recommended to impose an absolute limit on noise; and requiring a further assessment to demonstrate compliance prior to occupation of new units, including noise mitigation if required.)*

Environmental Pollution (Construction Impacts)

- 8.33 No objection, subject to conditions. *(Condition 15 is recommended requiring a Construction and Environmental Management Plan, and the s.106 agreement requires compliance with the Construction Code of Practice).*

Accessible Design

- 8.34 No objection, subject to acceptable disabled parking spaces, mobility scooter charging and accessible cycle storage. Corduroy paving should be provided adjacent to steps, and benches should have arm rests and backs. The proposed basement units are stepped, and information needs to be provided as to how these will be designed to be accessible. *(4 disabled parking spaces are to be retained, cycle and scooter spaces are to be secured by condition 16, details of the accessibility to the basement units are to be secured by conditions 19 and 20, and details of accessible public realm are to be secured by condition 5).*

Highways

- 8.35 No objection raised. A CEMP should be provided (to be secured by condition 15)

Planning Policy

- 8.36 There is currently an open space deficiency in St Mary's Ward. The existing open space should be protected, with its benefits maximised and maintenance secured by a s.106 obligation. The proposed first floor walkway will create a sense of enclosure that will have a detrimental effect on the open nature of the space below and its amenity for users, and development which will have a negative effect on the quality, function and amenity value for users is inconsistent with policies CS15 and DM6.3. However, given how connected the open space is to the function of the shopping centre, users may view the proposals as improving the amenity of the open space through the provision of additional seating and planting that will make the space more pleasant for people stopping there to rest during a shopping trip. *(The planning balance with regard to the open space is considered in the "Open Space" and "Planning Balance" sections of this report. The existing s.106 agreement requires the provision and maintenance of the public space, which is to be carried over in the new s.106 agreement.)*

Waste Management

- 8.37 No objection.

Energy

- 8.38 The proposal will comply with BREEAM Excellent, and a carbon offset payment is required. Further information is requested with regard to further carbon savings; thermal modelling; and the proposed air source heat pumps. *(A revised energy strategy is recommended by condition 9).*

Sustainability

- 8.39 No objection. Due to the minor nature of the works and that they will not lead to increased flood risk, a pragmatic approach should be taken to the drainage/SUDS requirements. The proposed planters in the public realm are supported, and incorporation of green roofs and permeable paving are encouraged where feasible. *(Details of landscaping are to be secured by condition 5).*

Arts Officer

- 8.40 The Angel Wings sculpture is a landmark for Angel, by an artist of international standing, and is inherent to the current branding of the centre. The sculpture does not restrict views into the Centre, but if the freestanding kiosk below was removed or replaced with a glass kiosk, views into the centre would be improved. If the sculpture is moved, the developer would need to cover the costs of relocation and ongoing maintenance, insurance, cleaning and eventual decommissioning. However, suitable sites have not been identified for the relocation of the Angel Wings in the Town centre. *(The existing s.106 agreement requires the provision of public art, which is to be carried over in the new s.106 agreement, however there is no formal protection offered for the specific piece of art on the site which will be relocated. The planning balance with regard to the provision of public art is considered in the "Planning Balance" section of this report.)*

Design Review Panel (August 2017)

- 8.41 The scheme was considered by the Islington Design Review Panel (DRP) on 8th August 2017, and the letter summarising the DRP's advice stated the following *(with officer comments in brackets)*:
- 8.42 "Panel members welcomed proposals to improve the Angel Central Shopping Centre, especially making a better use of underutilised parking space and enhancing its general appearance. The Panel felt that detailing and quality of materials would be critical to the success of any scheme and that the site must be understood as a piece of public realm / part of the high street and good connections made between the site and the spaces that it adjoins. Greater consideration should be given to improvements to the Parkfield Street entrance and the Upper Street entrance which panel members felt could be better celebrated and more inviting. Some Panel members felt a light luxurious terrazzo would have a greater positive impact than the proposed dark granite flooring." *(The detailing and quality of materials was substantially improved since the DRP review, in particular the previously proposed painted metal cladding on the Liverpool Road elevation is now proposed to use terracotta. Detailed assessment of materials and details is required by condition 3).*
- 8.43 "The large window to the upper part of the Upper Street elevation is currently one of its better features and should be a clear architectural expression and not undermined by visual clutter or advertising." *(No changes are proposed to the upper floor window at 15-16 Upper Street which is the elevation referred to; notably application P2017/2432/ADV for new signage at that unit was approved on 09 August 2017, but only after a previously proposed first floor advert on the Upper Street elevation was removed from the application).*
- 8.44 "The Panel commented that the impact of the bridge needed to be considered as part of the potentially greater positive results in terms of how people move through the site. Some panel members felt that it could provide a buffer to noise and pollution of traffic on Liverpool Road. However, the bridge as currently designed risks cutting off the public open space, undermining its sense as a public space, and eroding the quality of the open space. The bridge structure including the columns appeared large and the Panel felt that the bridge should be a slimmer, lighter and more elegant structure." *(The design of the bridge was amended to result in a slimmer structure, with fewer supports and a smaller footprint. There would be frameless glass balustrading with no handrail to the Liverpool Road elevation to ensure a minimal appearance).*

- 8.45 “They advised that lines of visibility from the Upper Street entrance to the square ought to be considered as part of the design process. The Panel commented that if footfall increases it would be important to know whether the proposed circulation routes and vertical circulation provisions will be adequate. Panel members expressed that the design of the kiosk should be very well detailed.” *(The design of the kiosk was amended to be a minimal frameless glass structure. Construction details would be required by condition 3, and condition 27 requires a tenant design strategy to ensure sightlines through the kiosk and to minimise clutter)*
- 8.46 “The Angel Wings sculpture was discussed by the Panel and they considered it to be a quite extraordinary work of art with a short but important history. Consequently, they felt that its loss must be justified by the highest quality proposals and any re-use must be meaningful.” *(The design quality of the proposed bridge was substantially improved, and assessed further in paragraph 10.74 onwards. The details to secure a replacement art strategy are addressed at paragraphs within the ‘Art Strategy’ section of the report, with the proposed legal obligations to protect and secure the relocation of the Wings covered at paragraphs 10.68 and 10.69.)*
- 8.47 “Summary: Panel members welcomed proposals to improve the Angel Central Shopping Centre, especially making a better use of underutilised parking space and enhancing its general appearance. However, the Panel felt that the detailing and quality of materials would be critical to the success of the scheme. Panel members stated that good connections must be made between the site and the public realm that it adjoins and greater consideration should be given to improvements to the Parkfield Street and Upper Street entrances. The Panel stated that the impact of the bridge needs to be considered as part of the potentially greater positive results in terms of how people move through the site but it must be a lighter and more elegant structure as currently it risks eroding the quality of the open space. They also commented that the removal of the Angel Wings sculpture should be justified.” *(The scheme was amended in response to the DRP comments, such that officers are of the view that the proposed detailing and materials would be of high quality; that the proposed bridge addresses the DRP’s concerns, that the scheme justifies the replacement of the Angel Wings sculpture through good placemaking and new public art; and that the amendments to the circulation spaces and entrances would improve the experiences of people moving through the site.)*

9 RELEVANT POLICIES AND LEGISLATION

- 9.1 Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

- 9.2 The National Planning Policy Framework (NPPF) 2012 is a material consideration which seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. Since March 2014 Planning Practice Guidance for England has been published online.

Development Plan

- 9.3 The Development Plan is comprised of the London Plan 2016 (amended), Islington’s Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The relevant Development Plan policies are listed in Appendix 2.

Designations

9.4 The site has the following designations under the London Plan 2016 (amended), Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations June 2013:

- Angel Town Centre (primary retail frontage)
- Core Strategy Key Area: Angel and Upper Street
- Central Activities Zone
- Crossrail 2 safeguarding area
- Protected Vista (Alexandra Palace to St Paul's Cathedral)
- Open Space OS 111
- Archaeological Priority Area

Supplementary Planning Guidance (SPG) / Document (SPD)

9.5 The relevant SPGs and SPDs are listed in Appendix 2.

Environmental Impact Assessment (EIA)

9.6 No request for an Environmental Impact Assessment (EIA) scoping opinion was submitted, however the site is significantly less than 1 hectare in size and it is not in a sensitive area as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations (2017). As such the proposal is not considered to fall within the development categories of Schedule 1 or 2 of the EIA Regulations and an EIA is not considered necessary.

Statutory Duties

9.7 Islington Council (Planning Committee), in determining the planning application 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 of the 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) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- As the development is within or adjacent to a conservation area, the Council has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990).

9.8 National Planning Policy Framework (NPPF): Paragraph 14 states: "at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision taking this means: approving development proposals that accord with the development plan without delay.

9.9 At paragraph 7 the NPPF states: "that sustainable development has an economic, social and environmental role".

- 9.10 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 9.11 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.12 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.13 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.
- 9.14 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10 ASSESSMENT

Key issues

- 10.1 The key issues are as follows
- Land Use
 - Development on open space
 - Loss and replacement of Public Art
 - Design and public realm
 - Highways, transport and loss of car parking
 - Sustainability

Land use

Loss of Car Parking

- 10.2 The proposal would partially convert the existing basement car park, resulting in a reduction in car parking from 100 spaces to 27 spaces.
- 10.3 Paragraph 27 of the NPPF states that people should be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities, although at Paragraph 40 it is stated that Local Planning Authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure.
- 10.4 The Angel Central Shopping Centre has exceptional public transport accessibility, being within a central London location close to an underground station, with several bus routes, and in a high density area with a large catchment of local residents.
- 10.5 In recognition of the borough's excellent accessibility, Policy DM8.5 states that parking will only be allowed for non-residential developments where it is essential for operational requirements and therefore integral to the nature of the business or service. In such cases, parking will only be permitted where an essential need has been demonstrated to the satisfaction of the council and where the provision of parking would not conflict with other council policies.
- 10.6 Given the policy steer towards sustainable, car-free development, and the availability of car parking spaces within the surroundings, officers are supportive in principle of the proposed reduction in car parking spaces.
- 10.7 The application was accompanied by a framework Travel Plan, and a Transport Statement including a parking stress survey. These are assessed in more detail in paragraph 10.136 onwards (Highways and Transportation) of this report, but officers are of the view that the reduction in parking would not create further unacceptable parking stress or prejudice the operational requirements of the town centre.
- 10.8 The proposed reduction in car parking spaces would promote other, more sustainable, forms of transport whilst being compatible with the operational needs of town centre businesses and blue badge holders, and is considered acceptable in principle.

Retail (Use Class A1) Floorspace

- 10.9 The site is located within the Angel Town Centre which is classed as a "Major Town Centre" by the London Plan, and town-centre uses are promoted in this location. Policy CS5 supports the continued function of Angel and Upper Street as the main shopping area, and CS8 supports clusters of retail uses to avoid Islington becoming a dormitory borough.
- 10.10 Policy DM4.4 states that the council will seek to maintain and enhance the retail and service function of Islington's Town Centres. It requires development to contribute positively to the vitality and viability of the town centre, and to provide a variety of different sized retail units.
- 10.11 Within Town Centres, development should contribute positively to the vitality and viability of the centre; provide a variety of different sized retail units; and comply with the council's policies on Inclusive Design.
- 10.12 The proposal would introduce a net uplift of 1,652sqm of retail (A1) floorspace at ground and basement level, an additional 1,945 sqm of flexible A1/D2 floorspace within the basement, and a net uplift of 287sqm restaurant (A3) use at first floor. The proposed uplift in floorspace

would support the vitality and viability of the town centre, and would be acceptable in principle.

- 10.13 Policy DM4.5 supports the primary retail frontages and secondary retail frontages, and resists change of use away from retail. The site is within a primary retail frontage, and although Policy DM4.5 resists change of use away from retail uses, the retail floorspace lost at first floor level would be replaced at basement level with an overall net increase, so the proposal is not considered contrary to that policy.
- 10.14 The proposed new retail floorspace would in part arise from the amalgamation of retail units to form larger shops at ground and basement level. In certain situations, amalgamation of units is resisted by Policies CS14 and DM4.1; where it would detrimentally affect the character of the local area; or where it would cause unacceptable adverse impacts on the local environment and/or amenity. In this case, the surrounding streets are generally comprised of smaller retail units stretching along Chapel Market, Islington High Street, and Upper Street; and the shopping centre contributes to the town centre's overall balance of unit sizes by providing larger units. The amalgamation of retail units would not result in the loss of small or independent shops, or restrict the supply of small shop units, and in that respect the proposal is considered acceptable.
- 10.15 Policy DM4.1 states that the council places great weight on retention of small and independent shops, and requires proposals for less than 2,500sqm of retail floorspace (i.e. including the proposed development) to incorporate appropriate space for small and independent retailers.
- 10.16 The proposed reconfiguration and extensions to retail floorspace are geared towards increasing the availability of larger units which act as "anchors" to the town centre and would improve the overall mix of unit sizes within the centre as a whole.
- 10.17 A retail assessment and addendum were submitted in support of the planning application, which show that at present, 5 units out of 26 (19%) can broadly be considered "small" (36-104sqm). Following the development, 6 of 29 units (21%) would be similarly small (33-104sqm). Although 10% of the uplift in floorspace would not be secured as small units, the overall percentage of small units would be increased, and the proposal is therefore considered to enable the retention of small and independent shops in line with Policy DM4.1.
- 10.18 As there are limited opportunities to provide large units elsewhere within the traditional buildings on the adjacent shopping streets, and the proposal would include an additional small unit, officers consider that the increase in both overall floorspace and unit sizes would add to the diversity of the town centre without harming small and independent retailers.

Restaurants and Cafe (Use Class A3) Floorspace

- 10.19 The proposal would result in one additional restaurant to the existing cluster of first floor restaurants. In order to support those restaurants, the proposal includes retractable canopies and additional outdoor seating areas surrounding the central open space. The proposed restaurant is an appropriate town centre use and would be supported by Policy DM4.4.
- 10.20 Policy DM4.3 states that proposals for cafes, restaurants, drinking establishments, nightclubs and other similar uses will be resisted where they would result in negative cumulative impacts due to unacceptable concentrations of uses. The proposed restaurant is not considered likely to result in unacceptable concentration of uses, nor (subject to

appropriate conditions) would it cause unacceptable disturbance or detrimentally affect the amenity, character and function of the area. The restaurant use would support the primary function of the shopping centre as a destination, and due to its location within a managed centre and away from residential properties, would not result in unacceptable noise disturbance to neighbours. It would also sit well alongside the existing evening economy uses, the cinema and music venue, at the shopping centre. The proposed restaurant is considered to contribute to a well-planned balance of high street uses, in a location which would minimise impacts on neighbour amenity.

Leisure (Use Class D2) Floorspace

- 10.21 At basement level, there would be a new flexible use unit provided for use as either A1 retail in conjunction with the adjacent ground floor unit(s), or as a gym within Use Class D2. This would be supported by Policy DM4.4 which directs D2 uses to designated Town Centres. Use Class D2 includes a wide range of uses, including music and concert halls and similar facilities used for events; as the impacts of such uses have not been justified within the application, condition 25 is recommended to restrict use to a gym or sports facility within Use Class D2.

Delivery and Infrastructure

- 10.22 Policy CS 18 (Delivery and infrastructure) states that the council will work with its partners to deliver the infrastructure required to support development, and will require contributions from new development to ensure that infrastructure needs are provided for and that the impacts of the development are mitigated. The proposed development would be subject to s.106 obligations to ensure that appropriate education and training opportunities arise from the development, including a local employment and training contribution and a construction training placement.
- 10.23 As there are a number of existing s.106 agreements in place arising from the original shopping centre and alterations over time, there are a number of existing and ongoing planning obligations which should be updated to reflect the alterations to the centre. A s.106 agreement has therefore been drafted which carries over and amends previous s.106 obligations where necessary, removes those which are superseded, and introduces additional obligations to ensure the delivery of the schemes' benefits.
- 10.24 Further details of planning obligations are set out in paragraph 10.170 onwards of this report, and as a summarised list in Appendix 1.

Land Use Summary

- 10.25 The proposed development would increase the amount of floorspace within Angel town centre for retail, restaurant and leisure uses, and would result in rational arrangement of spaces; prioritising retail at ground level, with restaurants and outdoor seating at first floor; and with a mix of retail and leisure uses within the basement. The loss of car parking to town centre uses is supported by the development plan, and the development would result in sufficient provision for blue badge holders and avoid wider highways impacts. Although the proposal would not provide 10% of the new floorspace as small retail units, large units are inherent to the unique role of the shopping centre within the town centre and an additional small unit would be provided to ensure availability of a mix of unit sizes and retailers.

- 10.26 The proposed land uses would support the development of Angel town centre as a retail and leisure destination, and are considered acceptable in principle subject to compliance with the other development plan policies.

Open Space

- 10.27 The central paved area within the centre, adjacent to Liverpool Road, is designated as public open space (OS 111). This is suitable for public events and markets, and for the display of public art (currently the Angel Wings sculpture). Figure 10.1 shows the open space designation.

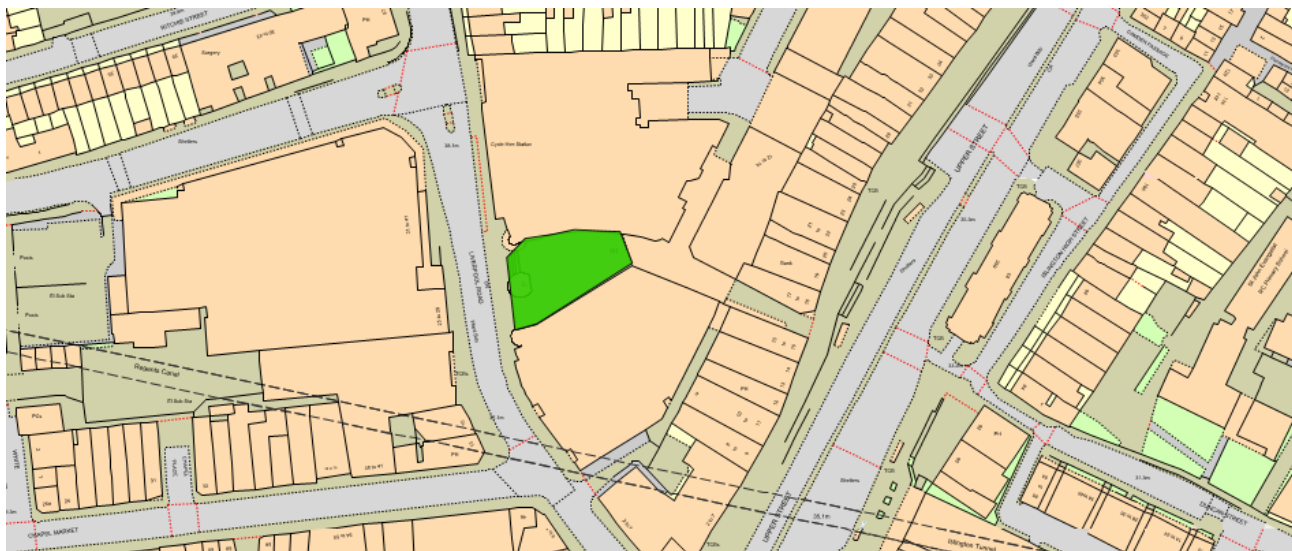


Figure 10.1 Designation: N1 Centre Open Space (OS 111, Policy DM6.3)

- 10.28 Islington's Open Space, Sport and Recreation Assessment (2009) audited and analysed the open space, sport and recreation facilities in the borough and highlighted the need to protect and enhance the borough's existing open space provision, which has only grown in importance as its population has increased. Amongst London boroughs, Islington has the lowest amount of open space per head of population, which will be amplified as Islington's population continues to rise, increasing the pressure and demand on existing provision. None of the borough's open spaces can be considered to be surplus to requirements - all spaces serve a function and have value, or the potential to be of value, to local communities; and the development plan therefore offers protection for open space.
- 10.29 The open space policy within Islington's Core Strategy, as set out in Policy CS15 part A, is to protect all existing local open spaces. Part B of the policy seeks to improve the quality and function of open spaces for all users, and part C aims to improve access to open space, particularly in those areas that currently have little or no open space locally. Development Management Policy DM6.3 part A states that "Development is not permitted on any public open space and significant private open spaces." The Islington Urban Design Guide (2017) states that where the opportunity exists to redevelop a site, the feasibility of creating new open space (or improving the existing) should be identified at the earliest stages of appraisal and conceptual design.
- 10.30 The provision and protection of the open space on the site is further supported by London Plan Policies 1.1 and 2.2; 2.10, 7.1, 7.5, 7.6, 7.18; and Islington Policies CS8, DM6.2 and DM6.5.

- 10.31 The proposed development includes the replacement of the existing freestanding kiosk, a new bridge walkway, and the widening of the existing northern walkway balcony. The proposed kiosk, bridge, and widened first floor balcony, would be development on open space, therefore the proposal would not comply with the development plan and justification for the loss of the space is required.
- 10.32 Further to the above development plan policy protection for open space, NPPF paragraph 74 sets out tests for development on open space, and states that existing open space should not be built on unless it complies with one of the following tests:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 10.33 With regard to the first test, the Council's most up-to-date evidence shows that the open space is not surplus to requirements, and the applicant's open space assessment does not describe it as surplus. The third test for development on open space relates to sports and recreational provision. The proposal would retain appropriate "recreational" facilities by providing additional outdoor seating areas, and no sports facilities would be affected.
- 10.34 The key policy test to justify development on open space is therefore whether the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, and whether the proposed development is therefore justified.
- 10.35 The open space at the development site is identified as a neighbourhood Civic Space in the Open Space, Sport and Recreation Assessment. Civic spaces provide a setting for civic buildings and community events; space for relaxation; typically has no restrictive boundary, fence or hedge; is largely hard surfaced; makes provision for informal recreation including basic amenities of seating and bins; and may include street tree planting.
- 10.36 The amenity value of the open space is not historical, but relates to its function as a Civic Space. The applicant's open space assessment shows the uses of the different areas within the public space, i.e. the central event or "dwell" space, and the circulation routes surrounding.
- 10.37 The area of open space to be built over is primarily circulation space, and although its character would be changed, it would be retained with a set of public realm improvements (planting, new steps and paving, etc.). The circulation routes and the function of the central part of the space would be unchanged.
- 10.38 The loss resulting from the proposed development is best described as a reduction to the openness of the area beneath the bridge and extended walkway, and a reduction in the open feel of the central space, due to the perception of a visual barrier at first floor level. It would also result in the loss of a suitable location for the display of public art.
- 10.39 Similarly, the extension of the northern balcony would not result in a fully enclosed space and would maintain a sense of general openness of the adjacent space at ground level. The reduction in openness of that space would be replaced by "equivalent or better provision in

terms of quantity and quality in a suitable location,” by the new first floor outdoor space which would be directly above. This would provide additional circulation space, and outdoor seating for both public and restaurant use. The use of this first floor bridge area for public recreation and restaurant seating is considered appropriate, would add vibrancy to the open space, and would complement the main functions of the town centre. As the design of the first floor public seating area has not been considered in detail (with regard to furniture, landscaping, inclusive design etc.) details are to be secured by condition 5.

- 10.40 The reduction in openness to the retained central portion of the open space is more notable. Within the pre-application advice, it was advised that the development should be seamlessly connected to the rest of the town centre, and concerns were raised about internalising the central space and turning its back on the public realm. That triangular space is enclosed on two sides, and open to Liverpool Road on the third side, although the openness on that side is restricted by the freestanding kiosk. As a result of the proposal, that kiosk would be removed, and the bridge and new kiosk would be inserted to complete a third side to the open space, although the design of the kiosk (predominantly glazed) would result in some sense of visual permeability. As the existing circulation routes would be retained, and additional open space would be provided at first floor (including improved first floor circulation), the impact of the reduction in openness is limited to the perception of openness and sightlines within the central space.
- 10.41 Considerations relating to design are considered in the “Design and Conservation” section of this report, concluding that the visual impact of the bridge, and its intrusion into the open space has been minimised.
- 10.42 Although the proposed bridge structure and widened walkway would result in development on open space, and some detrimental effect to the quality of the open space would occur in terms of overshadowing, restricted sight-lines and an increased sense of enclosure, the proposal would improve the overall amount and amenity of the open space through the provision of additional seating, planting, and circulation space (at first floor) which will improve the functionality of that space. The loss of openness and sightlines experienced within the central open space are considered to be minimised by the amended design, and would be mitigated by improvements to the functionality of that space for community use; by an increase in functional and fit for purpose outdoor spaces at ground and first floor; and by improvements to circulation at first floor level.
- 10.43 The central space is currently subject to s.106 planning obligations which require the space to be maintained as open space and pedestrian route, with fixed seating, public art and civic events and the use of external stalls for up to 200 days a year, in addition to up to 12 civic events (without charge). There are limitations to the use of that space, arising from the availability of electricity, water, and the public toilet opening times. The proposed development would address those shortfalls, and would introduce new higher quality paving and a pop up power and water location for use when stalls and events occupy the square. The landscaping design will be secured by condition 5 and extended public toilet opening in line with the opening times of the centre (as required by Policy DM6.1), secured by condition 26.
- 10.44 The additional impact of the development over open space, is that it results in the loss of one of its current key functions, which is to host a significant piece of public art (the Angel Wings sculpture).

- 10.45 In order to re-provide public art, the applicant proposes to provide artwork in a different form (as explained in the “Public Art” section of this report). Options for the selection of an artist to be commissioned to provide new artwork have been presented informally to the Council. Whilst those options do not form part of the current planning application, and would need to be subject to a separate application for the Council’s consideration, it has been demonstrated that, theoretically, public art could be provided on the site in alternative locations and that the proposed bridge would not prejudice the provision of new public art on the site.
- 10.46 Whether the displacement of artwork to an alternative location would be capable of achieving equivalent or better provision in terms of quantity and quality in a suitable location, (as required by NPPF paragraph 74) is highly subjective. Subject to the re-provision of an equivalent work of public art, the loss of that particular function of the open space would not conflict with the NPPF and neither the NPPF nor the development plan policies would support refusal of the application on that basis.
- 10.47 Officers are therefore of the view that the harm resulting from the development on open space (the bridge and balcony extension) would be mitigated by equivalent provision, and would comply with the first and/or second of the above NPPF tests.
- 10.48 The scheme is considered to comply with the paragraph 74 of the NPPF, and officers therefore consider that the departure from the development plan is justified.

Public Art

- 10.49 The proposed development would result in the loss of the existing Angel Wings sculpture, which is currently located within the central open space.
- 10.50 London Plan Policy 7.5 supports the integration of high quality public art, and states that opportunities for the integration of high quality public art into the public realm should be considered when making planning decisions. Furthermore, the Islington Planning Obligations SPD (2016) states that in accordance with London Plan Policy 7.5, public art may be sought as a part of new development where this can be appropriately provided.
- 10.51 Islington Core Strategy Policy CS5 (E) states that Angel will be strengthened as a cultural destination by protecting and encouraging arts and entertainment uses.
- 10.52 The Islington Planning Obligations SPD states that Art provided as part of a development should:
- Be accessible to the public;
 - Be integrated within public open space where this is being provided (using features such as decorative lighting, water features or paving);
 - Be discussed with the Council's Arts Officer at an early stage, before subsequent submission to the Council for approval; and
 - Where possible, involve artists, local residents and other groups at an early stage in the design process.
- 10.53 Draft New London Plan Policy SD4 (E), promotes the unique concentration and diversity of art within the CAZ, and the supporting text (2.4.9) states that arts, culture, tourism and entertainment activities are a defining feature of the vibrant and distinctive character of the CAZ.

- 10.54 The provision of public art on the site is secured by the legal agreement attached to planning permission 981487, which required on-site the provision of public art in order to make the proposal acceptable in planning terms.
- 10.55 It should be noted that the legal agreement does not specify the form of the artwork, and the Angel Wings sculpture itself is not protected by planning policy.
- 10.56 The proposal would remove the Angel Wings sculpture in order to allow the new bridge to be erected, and the sculpture would be relocated elsewhere.
- 10.57 The design of the art (the Angel Wings sculpture) is such that it is aesthetically related to the design of the shopping centre, and there has been significant public interest in its retention, including a petition (online and on paper) with over 900 signatures calling for the Angel Wings to be retained on site. The consultation responses and petition offer some variation on views, with members of the public stating either that the sculpture should be retained in its current location, or kept within the Town Centre. Many of the consultation responses have identified it as part of the character of the Town Centre, or as a local landmark. An abstract version of it also features in the current branding of the shopping centre, further highlighting the distinctiveness it offers to the town centre.
- 10.58 The sculpture is by a relatively well known artist (Wolfgang Buttress and it is viewed as a local landmark.
- 10.59 The consistency and number of petition signatures exemplify the strong public opinion that the Angel Wings contribute to the character of the Town Centre, and should be retained for members of the public to enjoy.
- 10.60 Although planning decisions need to be taken in accordance with the development plan and other material considerations, and public opinion in itself is not a planning consideration, in this case the public opinion adds weight to the importance of public art on the site, and the significant role it can have in terms of placemaking and defining local character.
- 10.61 Although there is clearly a lot of public affection for the Angel Wings, and the role of public art on the site is important, there is no specific protection for that piece of art in terms of planning policy. The requirement of planning policy, and the existing s.106 agreement, is for a work of public art to be provided; however the form of that art is not specified.
- 10.62 The applicant has stated an intention to relocate the Angel Wings sculpture elsewhere in the borough, although no suitable alternative location has yet been found for it locally. It should be noted that relocation on public land would result in the need for maintenance, insurance, and a decommissioning strategy (which would need to be resourced by the applicant).
- 10.63 In its place, a new piece of public art would be commissioned and erected. That commissioning process has begun, and there has been public involvement in the curation and selection of an artist shortlist. The applicant has submitted an arts strategy document to the Council for information, which will guide the curation and installation of a new piece of art. The developer has progressed an Art competition which has been subject to public consultation and involvement, and has resulted in a shortlist of artists being selected to develop potential artwork.
- 10.64 The artist selected as a result of the competition is Troika, whose concept is a 'Millennial Calendar' that displays and celebrates public interest in commemorative days. The intention is to provide a new experience every day for visitors to Angel. The calendar is intended to be an illuminated display which will be backlit, with a changing message of the

commemorative day and will make use of LEDs linked to a PC with a calendar database that updates the message on a daily basis each night.

- 10.65 Although the concept and artist have been chosen, the final artwork has not been fully worked up and further development work is needed before it is finalised. It has however been demonstrated that it would be possible to introduce new artwork to the site which would add local distinctiveness and have landmark quality.
- 10.66 The new artwork would need to comply with the above policies and guidance, and that artwork would itself require separate planning permission to be granted by the Council. As with any planning application, the planning application for the new artwork will be subject to public consultation, including opportunities for local people to make their views known ahead of the Council making its decision.
- 10.67 As above, the existing sculpture is not offered specific protection, its relocation (rather than decommissioning) will ensure ongoing public access to it, a new artwork commissioning process is underway, and it has been demonstrated that new public art of commensurate quality could be provided. It would be possible for the proposed development to be considered a sustainable and policy compliant form of development, on the basis that a replacement piece of Public Art would be secured via a s.106 agreement to replace the Angel Wings sculpture; and on that basis, refusal of the application as a result of the loss of the Angel Wings sculpture is not recommended.
- 10.68 In order to ensure the above, the recommended s.106 agreement includes the following provisions:
- The requirement that the sculpture will not be removed until new public art has been designed and received planning permission.
 - Temporary relocation (for no longer than 2 years) of the existing Angel Wings Artwork in a location agreed by the Council following consideration of locations prioritising those in Angel Town Centre and the Borough of Islington over other locations. This requirement is intended to facilitate an additional window of opportunity to find a local permanent place for re-location in the event that the temporary location is not local, and includes provision for public access to the sculpture during the temporary period.
 - Permanent relocation of the Artwork in a location agreed by the Council, again following consideration of locations which may become available during the temporary period, prioritising those in Angel Town Centre and the Borough of Islington over other locations. This requirement also includes provision for public access to the sculpture in its eventual permanent location.
 - No use of the proposed bridge or new floorspace prior to the installation of a new work of public art.
- 10.69 Officers consider that the above requirements will ensure that opportunities are taken to source a local location for the Angel Wings sculpture, including a temporary period which would allow opportunities to consider locations which may not currently be available. The s.106 obligations will also ensure that a new work of Public Art will be in place, and that although this will result in different character, there will be a work of Public Art to continue to strengthen Angel Town Centre as a cultural destination in accordance with Policy CS5 (E).

Design and Conservation

- 10.70 The NPPF Core Planning Principles (Paragraph 17) include that planning should always seek to secure high quality design, and paragraph 56 states that good design is a key aspect of sustainable development and indivisible from good planning.
- 10.71 London Plan Policies 7.4, 7.5, 7.6, 7.7 and 7.11 require buildings to make a positive contribution to their public realm and streetscape, to be of the highest architectural quality and to be of proportions, composition, scale and design which enhances and appropriately defines the public realm. Buildings should not cause unacceptable harm to surrounding amenity and should make the public realm comprehensible at a human scale, particularly at ground level. These policies are supported locally by Islington Policies CS8 and CS9 which encourage traditional street patterns and sympathetic building designs, and DM2.1 and DM2.3 which require development to be of high quality contextual design and to conserve or enhance the conservation area's significance (where the proposal would affect the setting of a conservation area). Furthermore, Policy CS5 states that the historic character of the area will be protected and enhanced with high quality design encouraged so that it respects the local context of Angel and Upper Street and its surroundings.
- 10.72 The majority of the site is not within a conservation area, although the entrance onto Upper Street is within the Angel Conservation Area (CA18) as shown in Figure 10.2. As noted in the "Site and Surroundings" section of this report and marked in Figure 10.3, the row of houses to the north of the site at 15-24 Bromfield Street (and those opposite) are Grade II listed and 25 Bromfield Street is locally listed. 57 Liverpool Street, and the majority of adjacent units at 1-36 Upper Street are also locally listed.

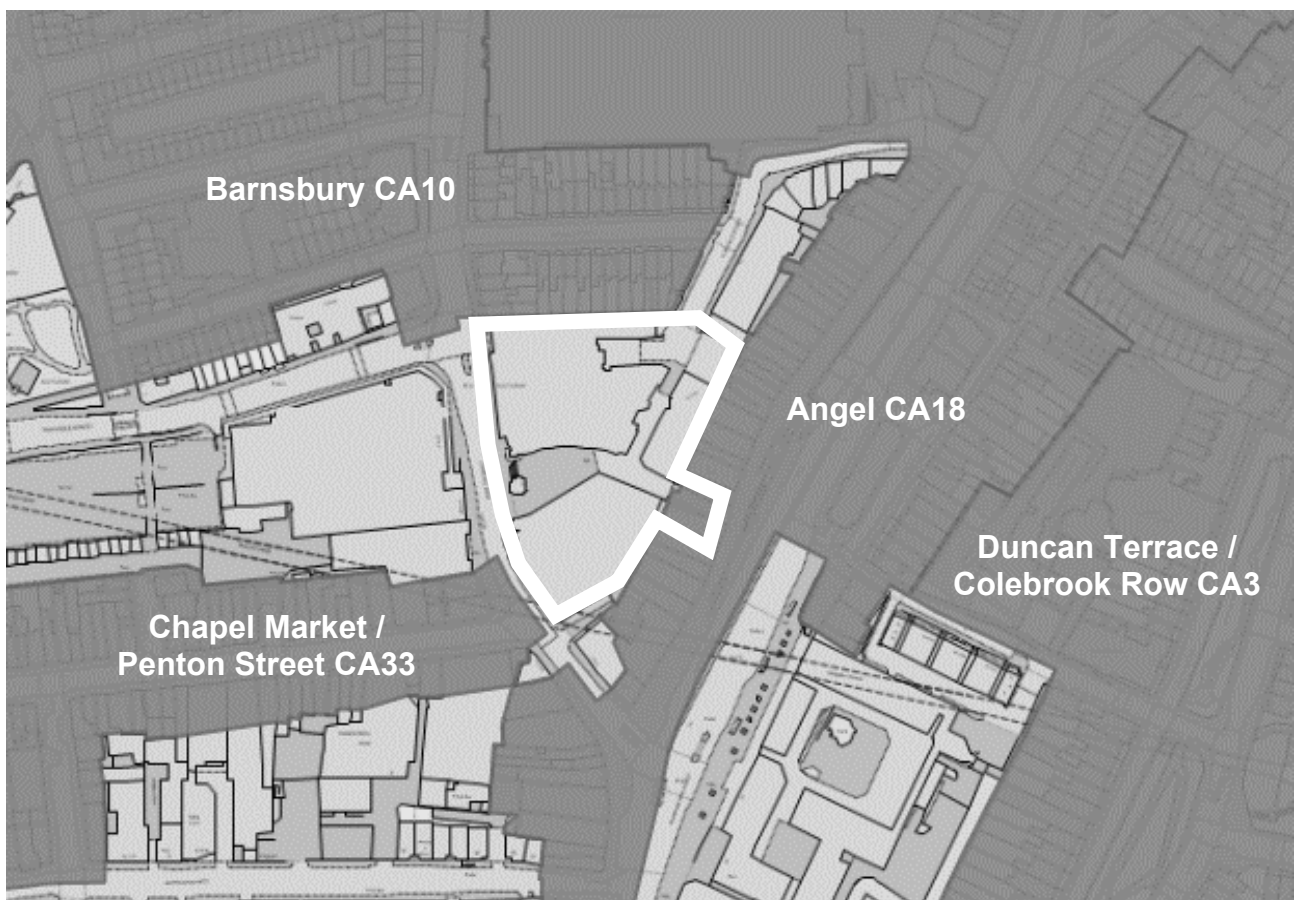


Figure 10.2 Map showing adjacent Conservation Areas (shaded).



Figure 10.3 Map showing nearest listed building (shaded) and locally listed buildings (marked with crosses).

Proposed Demolition

- 10.73 The proposal would demolish the existing freestanding kiosk within the central open space, and would partially demolish both spiral staircases adjacent to Liverpool Road. None of those items are located within a conservation area, and no objection is raised to the demolition.

Proposed Bridge, Kiosk and Staircase cladding

- 10.74 Following the removal of the existing kiosk and Angel Wings sculpture, the proposal would erect a new bridge and extended northern and eastern balcony walkways, to extend and link both “arms” of the first floor, and create a circular route at first floor.
- 10.75 An earlier version of the scheme was considered by the Design Review Panel, who stated that the bridge risks cutting off the public open space, undermining its sense as a public space, and eroding the quality of the open space. The Panel felt that the bridge structure including the columns appeared large, and that a lighter and more elegant structure” would be required, and that the detailing and quality of materials would be critical to its success.
- 10.76 The DRP also noted that lines of visibility from the central space (at ground level) currently extend to the frontages of the buildings opposite on Liverpool Road, and that the bridge would restrict those sight lines. The panel did not however object to the principle of the bridge, and stated that its impact needs to be considered as part of the potentially greater positive results in terms of how people move through the site (including at first floor).
- 10.77 Since the DRP review the bridge has been redesigned to address those comments, as shown in the following images.

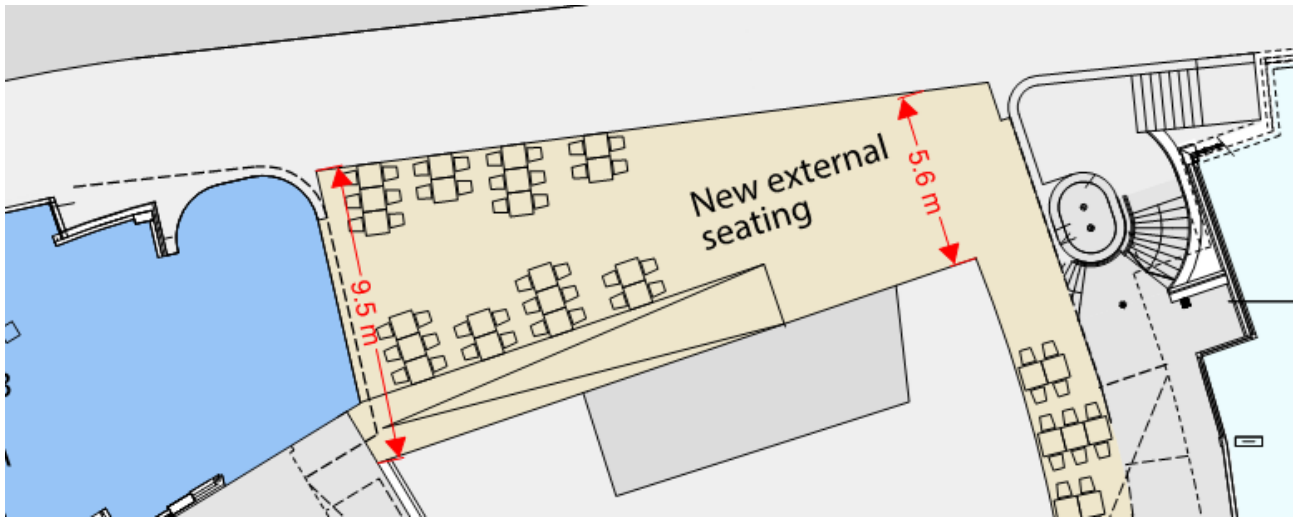


Figure 10.4 DRP Stage Proposed First Floor Bridge

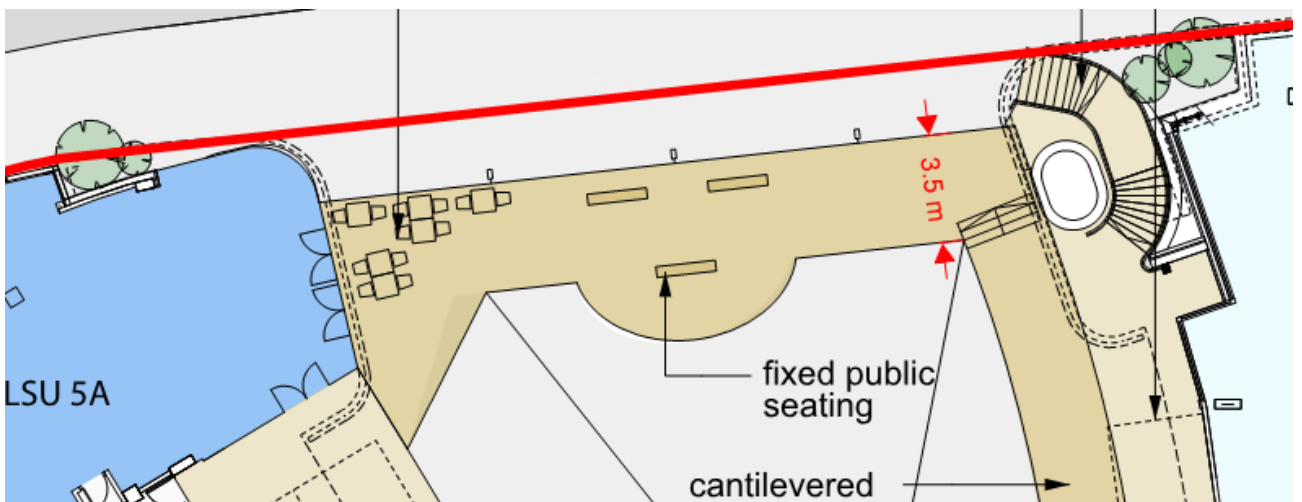


Figure 10.5 Proposed First Floor Bridge (Amended)



Figure 10.6 DRP Stage Proposed West Elevation



Figure 10.7 Proposed West Elevation (Amended)

- 10.78 The footprint of the bridge was reduced during the lifetime of the application to minimise intrusion over the open space, as evident from Figure 10.4 and Figure 10.5. As well as having a smaller footprint, the proposed bridge, as amended, would be a slimmer and simpler structure than that previously proposed, in response to the DRP comments.
- 10.79 There would be supports within the kiosk structure to minimise its visible structure, with two discreetly located light bronze anodised metal 20cm wide columns on the south side of the bridge, and three further slanted vertical supports (dark bronze anodised metal) with integrated lighting on the north side which would offer a high quality, simple, and uncluttered design. Further necessary columns would be discreetly integrated into the glazed kiosk below and within the shadow of the bridge.
- 10.80 The floorplate thickness would be minimised at 0.35m and further tapered at the edges to appear slim, and the outward facing (Liverpool Road) side would be minimally detailed with frameless glass balustrading and no handrail. This would result in an elegant, visually lightweight appearance.
- 10.81 The design and detailing have been significantly improved in response to the DRP feedback. On the street facing side there is a discreet frameless glass balustrade, with only three elegant angled columns with high quality metal detailing. The design and materials of the bridge and the adjacent cladding to the existing staircases were also amended during the lifetime of the planning application to result in visual contrast between the bridge and the rest of the scheme, giving it the appearance as a minimal structure within the open space, rather than a continuation of the Liverpool Road elevations. The edges of the bridge would be clad in stainless steel to offer subtle contrast and demarcate it as a separate item within the open space, whilst being cohesive with the overall palette of external metals.
- 10.82 Adjacent to the ends of the bridge, the existing spiral staircases adjacent to Liverpool Road would both be amended. The northern staircase leads from second floor to ground level, and would be reduced so that it leads only from first floor to ground level, and the southern staircase would be removed and the space incorporated into the adjacent retail / restaurant

units. New cladding would be provided in the form of terracotta “baguettes” as shown in Figure 10.8, which would reference the warm brick colour used in the surrounding buildings on Liverpool Road, and the use of terracotta for detailing and building elevations within the wider town centre. This is considered a high quality, contextual material which would upgrade the appearance of the entrance to the site and its presence on Liverpool Street.



Figure 10.8 Detailed Render of proposed terracotta cladding

10.83 Beneath the bridge, a replacement kiosk is proposed. The kiosk has also been amended from a part-glazed structure (Figure 10.6) to being fully glazed (Figure 10.7) in curved structural glazing with black silicone joints. There is approximately a 1.48m drop in levels from one side of the kiosk (Liverpool Road) to the other (the central open space), such that the topography would allow a natural area for low-level furniture (cash registers, merchandising, displays etc.) without obstructing the lightweight appearance of the kiosk. A “clear zone” has been identified within the kiosk to allow views through without obstruction by signage or furniture etc. as shown in Figure 10.9.

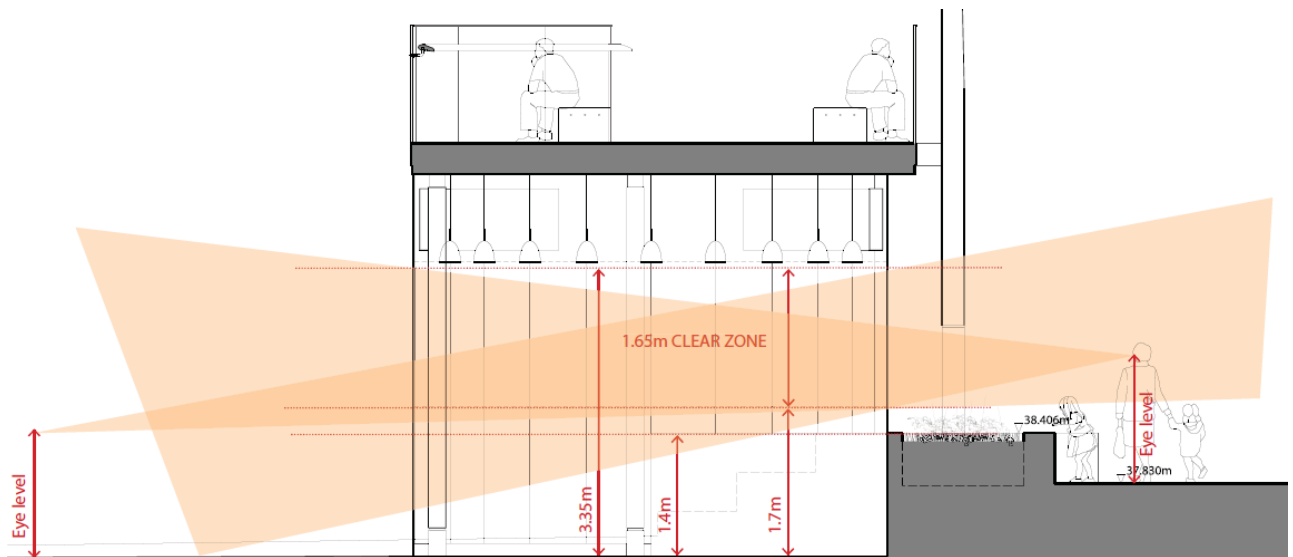


Figure 10.9 Section through proposed kiosk

- 10.84 Figure 10.9 shows that although not invisible, the proposed kiosk would offer a high degree of transparency which would result in substantially improved relationship with the public realm (compared to the existing solid kiosk). To ensure that those visual permeability benefits are realised, and contribute to the balanced justification for development on open space in the way proposed, condition 27 is recommended requiring that no fixed items (including furniture, light fittings, merchandise, and signage) shall be installed or fixed to the kiosk between 1.65m and 3.35m above finished floor level, i.e. the “clear zone” shown in Figure 10.9. The kiosk would offer limited uses, as it has no back-of house, storage, or kitchen areas, but the details submitted with the application show that it would be possible to continue in a similar use to existing (a tea shop), and within the overall balance of unit sizes and uses in the Shopping Centre, officers consider that the kiosk would offer a functional unit.

Further External Alterations

- 10.85 The submitted Design and Access statement acknowledges that the Shopping Centre has a tired appearance, and the application proposed several measures to refresh its appearance and to address some of the existing maintenance concerns.
- 10.86 The existing render, reconstituted stone, and grey metal cladding are identified as resulting in a cold, dull and grey appearance, with high maintenance requirements which in places creates a tired or dirty appearance. A refreshed material palette is proposed, using metal cladding, both smooth and perforated, in light and dark bronze to add warmth in materials which are easy to clean and maintain.
- 10.87 The proposal would re-render the return walls adjacent to the Upper Street elevation. This would be acceptable, and as these walls are within the conservation area the colour of the render is to be secured by condition 3 to avoid a garish appearance. The existing metal slat balustrading and stone parapets (which are difficult to clean and have a dirty appearance) will be replaced by 1.35m glazed balustrades and metal fascias.



Figure 10.10 Existing and Proposed Upper Street Entrance

10.88 The central part of the shopping centre is a modern arcade type space, partially enclosed by shopfronts and ceilings, but open at each end. The proposal would replace the ceilings and insert new lighting to create brighter spaces at ground and first floor levels. The shopfronts and fascias would be updated throughout, with light bronze anodised metal fascias and perforated pilasters (with backlighting), and black granite kick plates, shown in Figure 10.11.



Figure 10.11 Typical South (left) and North (right) shopfront elevations

- 10.89 There would be new anodised bronze, ceramic tile, and/or glass walls to the internal circulation areas including around the lift/staircase core, music venue entrances and the toilets, which would better integrate the appearance of the Parkfield Street entrance to the main parts of the centre, and visually differentiate it from the servicing entrances. The central escalator would also be re-clad in perforated, anodised metal panels, and the balcony within the Upper Street walkway would have a new metal fascia and underside, and glass balustrading. There would be further minor alterations, consistent with the new design approach and material palette described above.



Figure 10.12 Existing and Proposed Escalator and Ceiling Cladding

10.90 There would also be new mesh cladding (as vertical extensions to the ceilings), which would fold vertically to create more dramatic facades over the Parkfield Street entrance (Figure 10.13) and on the upper floor south east elevation visible from Upper Street (Figure 10.14), including new signage and backlighting features.



Figure 10.13 Existing and proposed Parkfield Street entrance



Figure 10.14 Existing and proposed south east elevation and Upper Street walkway

10.91 All materials and detailing are to be secured by condition 3.

Public Realm and Landscaping

10.92 The proposal also includes the repaving of the central open space area (as shown in Figure 10.15 and

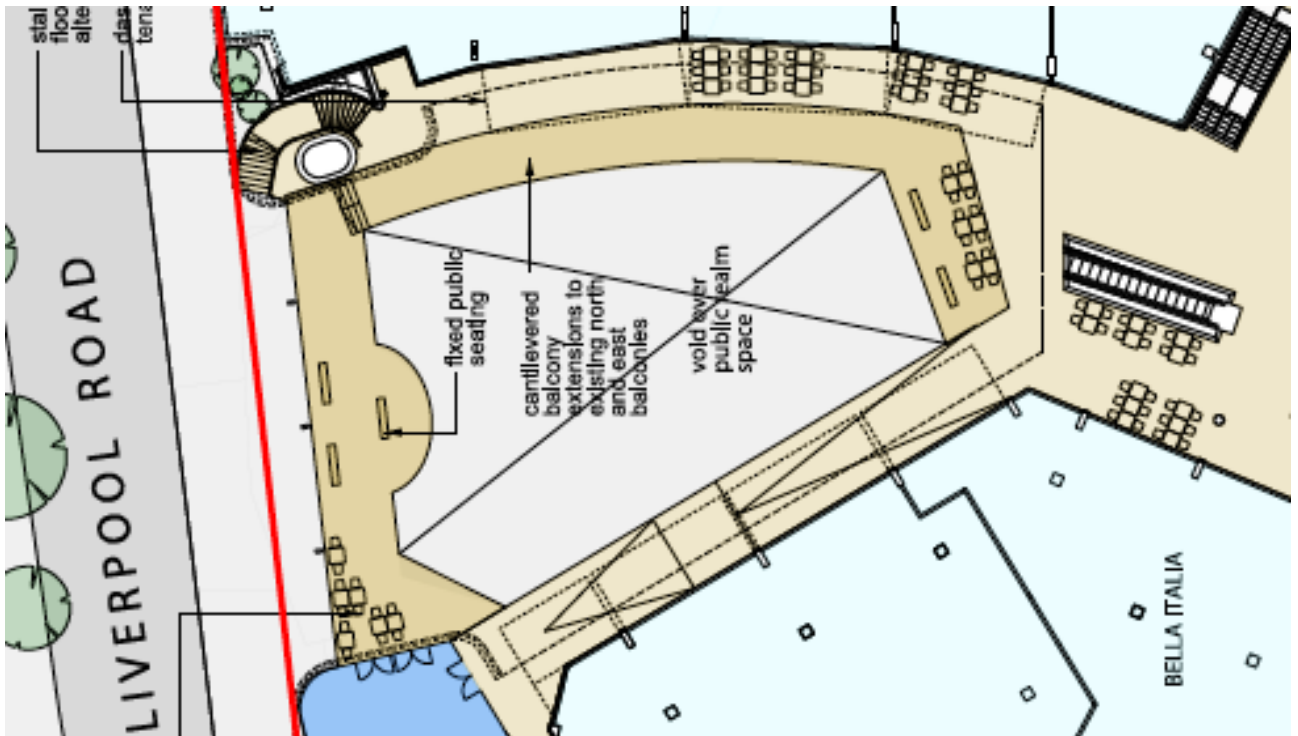


Figure 10.16), along with the internalised walkways and the upper floor terraces. It is proposed that stone paving would be used, which would upgrade the appearance of the space. Large steps are proposed adjacent to Liverpool Road which could be used as tiered seating for community events, and a planter is proposed to the west of the Kiosk. There would also be new external benches. Whilst the planning impacts would be minimal, the landscaping improvements would significantly upgrade the appearance of the centre and the open space, and are considered a benefit. Details of landscaping are to be secured by condition 5.

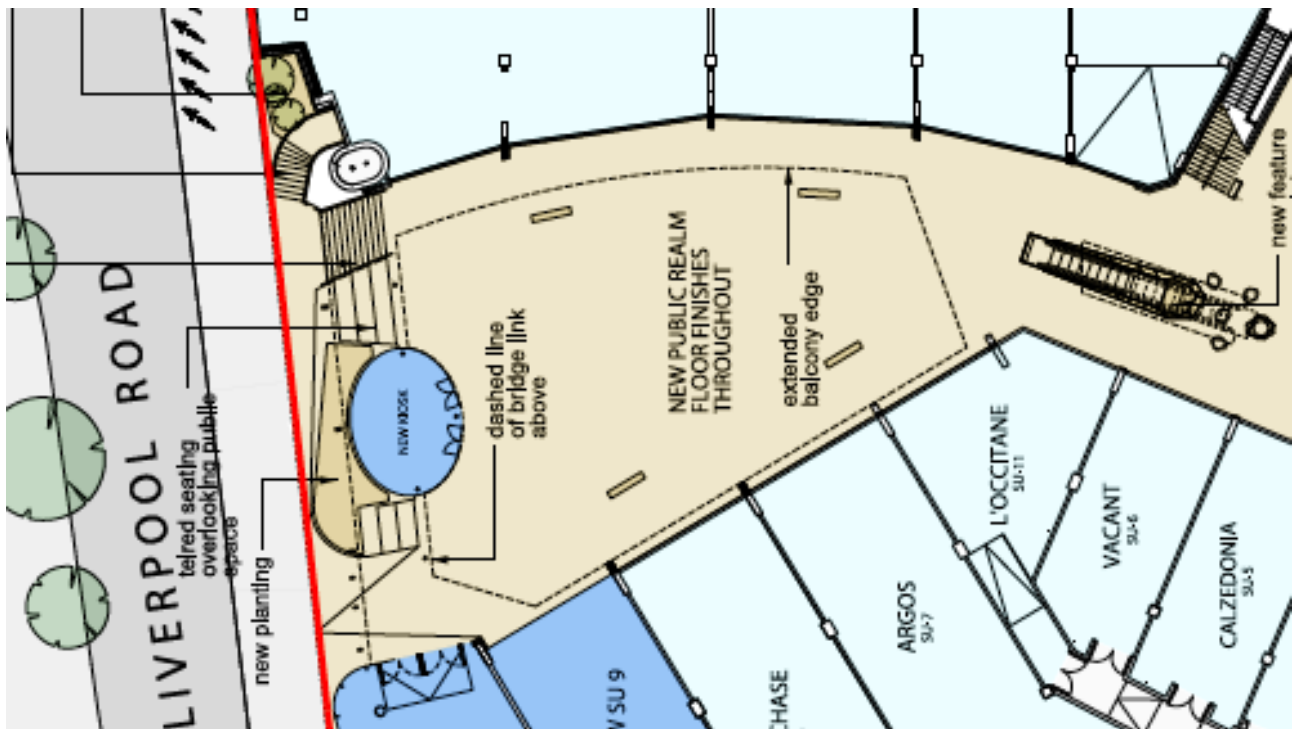


Figure 10.15 Indicative Proposed Ground Floor landscaping

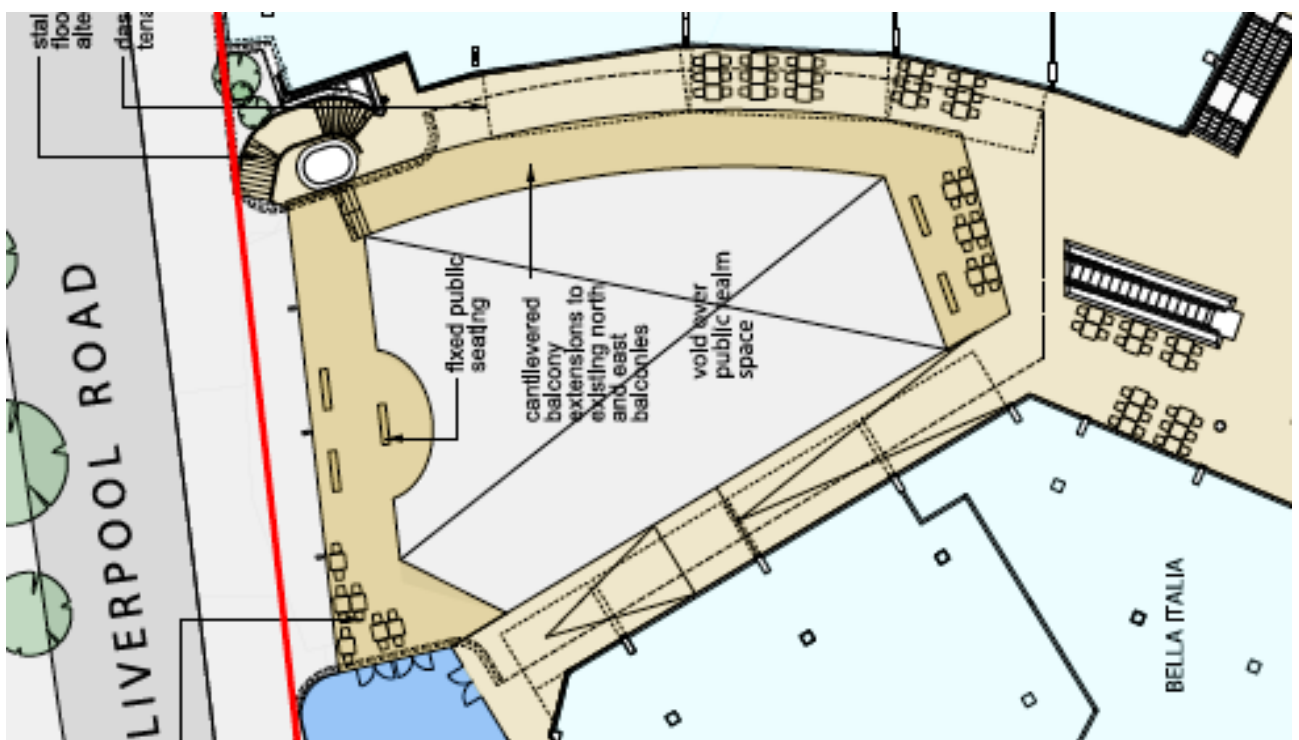


Figure 10.16 Indicative Proposed First Floor landscaping

Heritage and Views

- 10.93 The part of the site which fronts Upper Street is located within the Angel conservation area, and the site adjoins the Barnsbury conservation area to the north, and the Chapel Market/Penton Street conservation area on the opposite (west) side of Liverpool Road. The row of houses to the north of the site at 15-24 Bromfield Street (and those opposite) are

Grade II listed. 25 Bromfield Street, 57 Liverpool Street, and the majority of adjacent units at 1-36 Upper Street are locally listed.

- 10.94 In accordance with sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF, local planning authorities shall have special regard to the desirability of preserving any listed building or its setting (or any features of special architectural or historic interest which it possesses), and special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 10.95 The proposed development is predominantly internal to the site, and would have limited visual impact on the surrounding streets.
- 10.96 The frontage onto Upper Street would be redecorated, and subject to condition 3 to secure appropriate materials and details, would preserve the existing character of Upper Street and the Angel conservation area, and the settings of the locally listed buildings on Upper Street.
- 10.97 Similarly, the entrance onto Parkfield Street would be redecorated, but would have limited visual impact to the settings of the Grade II listed buildings on Bromfield Street, or the locally listed 25 Bromfield Street (on the corner with Parkfield Street). Subject to condition 3 the proposal would preserve the settings and heritage value of those buildings.
- 10.98 The greatest visual impact (external to the site) is on Liverpool Road. The proposed bridge and kiosk, new windows, and re-cladding would generally fall into line with the frontages on Liverpool Road. The proposed terracotta cladding is a contextual material which would tone down the existing visual dominance of the shopping centre's white rendered elevation on the approach to the Angel conservation area and the Chapel Market/ Penton Street conservation area. The buildings opposite are modern and are not heritage assets, and the nearest heritage assets (the locally listed "The Angelic" at 57 Liverpool Street and the buildings within the Chapel Market/ Penton Street conservation area) would not be adversely affected by the appearance of the proposed works on and adjacent to the Liverpool Road elevation.
- 10.99 The central open space within the shopping centre is not a designated heritage asset.
- 10.100 The site is almost entirely within the viewing corridor for the Mayor's Protected Vista VC1: View from Alexandra Palace viewing terrace to St. Paul's Cathedral, and the part of the site which falls outside the viewing corridor is within the assessment area for the same viewing corridor. As there would be no increase in height, the proposal would not affect views of St Paul's Cathedral.
- 10.101 The site is within the Islington Village Archaeological Priority Area, although no excavation is proposed. The consultation response from GLAAS raised no concerns, noting that the site is completely built over, including a modern basement, and archaeological remains of importance are unlikely to remain.
- 10.102 There are further heritage assets within the wider vicinity of the site, but having considered the impacts of the development on its surroundings, officers are of the view that there would be no unacceptable heritage impacts as a result of the proposal.
- 10.103 The proposal would not result in any harm to the character or setting of any other nearby heritage assets.

Accessibility

- 10.104 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, by ensuring that developments: (i) can be used safely, easily and with dignity by all members of society; (ii) are welcoming and convenient with no disabling barriers, (iii) are flexible and responsive to peoples' needs and (iv) are realistic, offering more than one solution to future users.
- 10.105 Islington Policy DM2.2 requires all new developments to demonstrate inclusive design, including that all developments should demonstrate that they provide for ease of and versatility in use, deliver safe, legible and logical environments and produce places and spaces that are convenient and enjoyable to use for everyone. All development needs to be assessed against this policy background to ensure genuinely inclusive design from the outset and for the lifetime of the development.
- 10.106 The existing centre is relatively accessible, with step-free access to all areas, and the sloped central open space negotiating level changes across the site. There is lift access to all levels and a central escalator, with step-free access to WCs and all units.
- 10.107 The proposal would result in the loss of 73 parking spaces, of which 6 are off-street wheelchair parking bays. A parking survey was undertaken which demonstrated that no more than 4 wheelchair spaces would be in use at any one time, and on that basis it is proposed that 4 wheelchair spaces would be retained.
- 10.108 The council's inclusive design officer provided feedback, and raised no objection but recommended that detailed design measures to address internal layouts, inclusive outdoor seating, WCs and mobility scooter charging are secured (by condition 21); and that accessible cycle storage is secured (by condition 16).

Neighbour Amenity

- 10.109 All new developments are subject to an assessment of their impact on neighbouring amenity; including in terms of daylight, sunlight, privacy, increased sense of enclosure, noise and disturbance as required by London Plan Policies 7.14 and 7.15 and Development Management Policy DM2.1.
- 10.110 The application relates primarily to internal changes (including change of use of the basement), and external redecoration. The additional external development proposed is the extension of the first floor walkway/bridge, and the replacement of the existing kiosk; situated adjacent to the Liverpool Road boundary and opposite two existing large retail units. There are no residential units adjacent to the proposed bridge, and no residential neighbours would be affected by loss of outlook, privacy, sunlight or daylight as a result of the works.
- 10.111 The application was not accompanied by a sunlight and daylight assessment, but a solar study was provided as part of the open space assessment to demonstrate that part of the open space would still experience sunlight during the day.
- 10.112 It is noted that neighbour objections were received with regard to noise and disturbance. Although anti-social behaviour in the wider town centre and on the surrounding streets is not something that can be completely controlled by the owners of the shopping centre, reasonable steps should be taken to minimise the amenity impacts of the proposed development.

- 10.113 Whilst the proposed external seating area and bridge would not result in unacceptable daylight, sunlight, and overlooking impacts they do have the potential to result in additional noise. The site is located on a busy main road, and outdoor restaurant seating is a feature of the existing upper floor walkways. In order to avoid unacceptable harm to neighbours within the wider surroundings, conditions 12 and 28 are recommended to limit use of the outdoor areas until 11pm every day, with no music from the first floor restaurants to be audible at the nearest sensitive receptors (i.e. existing residential windows).
- 10.114 A background noise survey was submitted with the application. No details of the proposed plant have been provided, and it is noted that the neighbour objections also highlighted disturbance from existing external plant. The Council's environmental health (acoustics) officer considered the application and is of the opinion that externally audible plant noise can be effectively managed by planning conditions, having had regard to the likely distance between the plant areas and the residential units. As the future occupants of the additional floorspace are not yet known, it would be appropriate for details of plant to be secured prior to the occupation of the new units. It is however noted that if any additional plant is required externally to the building, it will require separate express planning permission. Condition 12 is recommended, imposing an absolute limit on noise, and requiring a further assessment to demonstrate compliance prior to occupation of new units, including noise mitigation if it is required.
- 10.115 As the development would result in busy town centre uses, in a town centre location, some noise and disturbance is to be expected. Officers however consider that subject to the recommended conditions the proposal will not result in unacceptable impacts in terms of noise and activity, in particular at night.
- 10.116 Subject to the conditions set out in this report, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity. The proposal is thus considered acceptable in accordance with London Plan Policies 7.6, 7.14 and 7.15, and Development Management Policy DM2.1.

Biodiversity, Landscaping and Trees

- 10.117 London Plan Policy 2.18 states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into the wider network, and Islington Policy DM6.5 states that Developments must protect, contribute to and enhance the landscape, biodiversity value, and growing conditions of the development site and surrounding area.
- 10.118 There are no trees on the site, nor between the site and Liverpool Road. The site is completely paved over, with no existing soft landscaping. The application proposes a small areas of soft landscaping (shown on Figure 10.15), partly to soften the visual impact of the proposed bridge and to improve the pedestrian environment. Details of soft landscaping are to be secured by condition 5 to ensure maximisation of biodiversity benefits.

Security and External Lighting

- 10.119 Policy DM2.1 requires developments to be designed to be safe and to demonstrate safety in design; including access, materials and site management. Policy DM2.2 requires developments to deliver safe, legible and logical environments.
- 10.120 Paragraph 125 of the NPPF requires developments to limit the impact of light pollution from artificial light on local amenity, dark landscapes and nature conservation. Paragraph 7.19

(Policy 7.5) of the London Plan (MALP) 2016 states that the lighting of the public realm also needs careful consideration to ensure places and spaces are appropriately lit, and there is an appropriate balance between issues of safety and security, and reducing light pollution. Poorly designed lighting has the potential to add to the existing light pollution levels in London, to cause harm to neighbour amenity, and to disturb dark corridors for wildlife.

- 10.121 No details of external lighting were submitted with the application. It is recommended that details of external lighting and secured by design certification are secured by conditions 6 and 11, and CCTV secured by the s.106 agreement to ensure a well-designed and safe environment and avoid excessive light pollution in accordance with the above policies.

Health and Air quality

- 10.122 Policy 7.14 of the London Plan states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)). The whole borough is an AQMA and Policy DM6.1 requires developments to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote mental well-being; and states that developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits.

- 10.123 An air quality assessment was not provided with the application, and in order to ensure that the proposed development would avoid exposing visitors to excessive air pollution, condition 29 is recommended to secure an Air Quality Neutral Assessment and appropriate mitigation against the GLA's Sustainable Design and Construction SPG benchmarks if necessary.

- 10.124 Of additional concern cumulatively in London is the impact of the number of concurrent construction projects underway and the resultant harm to air quality. The proposal is relatively minor as it will not result in major demolition or excavation works, although there will still be construction dust, waste, machinery, material storage and vehicles which all have the potential to negatively impact air quality. The London Plan "Control of Dust and Emissions during Construction and Demolition" SPG requires low emission non-road mobile machinery (NRMM) to comply with low emissions standards and condition 15 is recommended to secure a Construction and Environmental Management Plan to ensure that the proposal complies with these standards.

Highways and Transportation

- 10.125 The site has a Public Transport Accessibility Level (PTAL) rating of 6A which reflects its excellent accessibility by public transport. Liverpool Road and Parkfield Street are part of the Islington highway network, and Upper Street is part of the TFL road network. There are buses outside the site on Liverpool Road and Upper Street, and Angel Underground Station is approximately 300m away.

Transport Statement and Travel Plan

- 10.126 The application was accompanied by a detailed Transport Statement, and a framework Travel Plan. The baseline data within the Travel Plan identifies very low car private vehicle usage (4%), with walking (45%) and buses (32%) as the main modes. The Travel Plan aims to halve private vehicle and taxi use, and increase cycling, underground and bus use. The results of the Transport Assessment have been considered, and the aims of the framework travel plan are supported by officers, with a full travel plan and monitoring to be secured by the s.106 agreement, as required by the Planning Obligations SPD.

Cycling

- 10.127 The existing site does not provide a substantial amount of cycle storage, with 14 spaces provided within the basement; the site is however adjacent to the TFL cycle hire stand on Liverpool Road. The proposal would introduce 32 additional secure cycle parking spaces at basement level, in accordance with the Islington cycle parking standards (which are more onerous than the London Plan standards). Condition 16 is recommended to secure the additional cycle storage, including accessible cycle stands, and access to end-of trip facilities for staff.

Servicing and refuse

- 10.128 Policy DM8.6 (Delivery and servicing for new developments), Part A states that for commercial developments over 200 square metres, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing for new developments), Part B requires details to be submitted to demonstrate that on-site provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.
- 10.129 The site currently has 4 loading bays with space for waste collection and vehicle turning, accessed via Parkfield Street (for which Islington Council is the highways authority). These allow servicing activities from the multiple uses on-site to take place simultaneously without obstructing the highway. There is a site office adjacent to the loading area and courier deliveries are made using the same loading area.
- 10.130 The proposal would continue use of these loading bays for the additional new units. It is noted that the proposed new floorspace would mostly be allocated to existing units to increase their sizes, that vehicle movements overall are likely to reduce as a result of the travel plan and reduction in parking spaces, and that the additional floorspace would be for similar uses to the existing, thereby resulting in similar types of servicing movements.
- 10.131 A response was received from the Council's highways officer and no objection was raised.
- 10.132 The proposed arrangements are provisional, as although the existing arrangements are in use, the end users of the increased and additional units are not known. Condition 14 is recommended to secure an updated servicing, delivery and waste management plan prior to commencement of use (including hours of activity, trip minimisation etc.) to ensure that the proposed development does not have an undue impact on amenity.

Vehicle parking

- 10.133 The site currently has 100 parking spaces on site, of which 10 (10%) are wheelchair accessible. At pre-application stage, the developer proposed to remove all parking. Although car-free developments are supported in principle by Policy DM8.5, concerns were raised by officers that this may displace rather than reduce parking; and that the development needs to ensure that it does not undermine the function of the town centre or harm the availability of parking spaces for blue badge holders. In particular, it is important that efforts to reduce dependency on private vehicles avoid simply displacing the impacts onto surrounding streets.

- 10.134 The results of the “Angel Central: Peak Customer Research 2016” (Appendix B to the submitted Transport Statement) identifies that only 4% of surveyed visitors arrived by car, and the draft Travel Plan targets a reduction in private car use of 50%.
- 10.135 The proposal would remove 73 parking spaces, retaining 27, of which 4 (15%) would be wheelchair accessible.
- 10.136 The application was accompanied by the results of a parking stress survey of the surrounding streets, and a car park capacity study to ascertain the occupancy rates of the car park.
- 10.137 The capacity study showed that there are times when in excess of 27 parking spaces are in use within the existing car park at any one time.
- 10.138 During the week, the occupancy exceeded 27 cars between 08:00 and 18:00, with the maximum accumulation being 41 vehicles. The local Controlled Parking Zone (CPZ) is operational between 08:30 and 18:30 on weekdays, which coincides with the maximum demand for parking on those days, and although vehicles are able to use other car parks and metered bays, the CPZ would prevent cars simply spilling out into residents parking bays during the week.
- 10.139 The capacity survey also showed that occupancy of car parking spaces exceeds 27 on weekends between 09:00 and 20:00, with the maximum accumulation at 50 vehicles. The maximum “overspill” demand shown by the capacity survey (in excess of the proposed 27 spaces) is therefore for 23 spaces outside the car park. Between 08:30 and 13:30 on Saturdays the CPZ is in operation, again providing a buffer for residents, which means that between 13:30 and 20:00 on Saturdays, and all day on Sundays, there is the potential for vehicles to park within residents’ bays on the surrounding streets.
- 10.140 The Transport Assessment included a parking stress survey, which identifies that there are over 700 on-street parking spaces within 500m of Angel Central, with average parking stresses of 59%. The maximum overspill demand for parking identified by the capacity survey, of up to 23 vehicles, would represent less than 3% of the total on-street capacity in the area and given the average local parking stress is unlikely to result in unacceptable impacts on neighbour amenity.
- 10.141 Although impacts on all residents should be considered, the nearest residents who raised concerns about parking are on Bromfield Street and as there is no direct access from the Car Park (for vehicles unable to find a space in the car park) to Bromfield Street, and drivers would have to travel 1km to the nearest space on Bromfield Street (due to the road layout), it is unlikely that the overspill demand for parking arising from the loss of spaces would significantly impact on those residents.
- 10.142 Notwithstanding the results of the parking survey, the Transport Assessment is intended to show a worst case scenario, and as noted above the Travel Plan target is to reduce private car use by users of the Shopping Centre by 50% which would further reduce the demand for parking.
- 10.143 For large developments, the Council’s guidance on wheelchair accessible parking spaces can result in excessive provision, which is not tailored to the needs of specific users, and in this case evidence was provided to support the proposed provision. The car park capacity study showed that no more than 2 disabled spaces were in use at any one time. Of the 27

spaces proposed, 4 (15%) would be disabled parking bays, which is considered adequate to accommodate the needs of blue badge holders.

- 10.144 Of the parking spaces retained, and in accordance with the guidance provided by TFL, 6 charging points for electric vehicles are proposed within the car park, to be secured by condition 17.
- 10.145 During the public consultation exercise, responses were received from neighbours objecting to the loss of car parking due to people parking on the surrounding streets and making noise late at night. As the parking surveys showed availability of parking spaces within the car park from 18:00 onwards on weekdays, and 21:00 onwards on Saturdays, it is apparent that late-night antisocial behaviour caused by vehicle occupants on-street is not a direct result of parking capacity at the on-site car park, and the reduction in on-site parking spaces is unlikely to have an impact on antisocial behaviour. Notwithstanding, it is recommended that the previous requirement for CCTV is carried forward into the s.106 agreement.
- 10.146 Given the policy steer towards sustainable, car-free development, and the additional availability of car parking spaces within the surroundings, officers are supportive in principle of the proposed reduction in car parking spaces, and it has been demonstrated that the reduction would not have a harmful impact on parking stress or the operational requirements of the town centre.

Construction impacts

- 10.147 A draft Construction and Environmental Management Plan (CEMP) was submitted, outlining measures for the minimisation of amenity impacts on the surrounding streets. Two options for construction compounds were suggested, both on site. As the CEMP was drafted well in advance of construction works, this outlines headline impacts and intentions for minimisation of impacts, but does not include specific information on wider vehicle movements, dates of deliveries, or reference to other works, which may affect the site depending on timescales. A condition (no.15) is therefore recommended to secure an expanded and up-to-date (at the time of works) CEMP detailing specific measures, and expanded to take account of other nearby developments, highway works, and notification of neighbours.
- 10.148 Any requirement for the repair and re-instatement of the footways and highways adjoining the development which arises from construction impacts, should be resourced by the applicant, and is to be secured by a s.106 obligation.
- 10.149 Subject to compliance with an expanded construction management plan (and recommended condition 15), the proposal would make all reasonable efforts to avoid unacceptable impacts to neighbour amenity, the wider environment, and maintain the safe and efficient operation of the highway network.
- 10.150 In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is also required to comply with the Council's code of construction practice. Compliance would need to be secured as part of a section 106 agreement together with a payment of £1,900 towards monitoring. This payment is considered an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project.

Highways and Transportation Summary

- 10.151 The application sets out adequate provision for servicing, accessibility, cycle parking, vehicle parking, and includes a framework travel plan which sets out continued measures to promote sustainable modes of transport. The proposal would be acceptable and would comply with Islington Core Strategy (2011) Policies CS11 and CS13; Islington Development Management Policies DM5.1, DM8.2, DM8.5 and 8.6; and the London Plan SPG Land for Industry and Transport (September 2012).

Sustainability, Energy Efficiency and Renewable Energy

- 10.152 Islington Core Strategy Policy CS10 seeks to minimise Islington's contribution to climate change and ensure that the borough develops in a way which respects environmental limits and improves quality of life. This requires all development to achieve the highest feasible sustainability standard. A Sustainable Design and Construction Statement was submitted with the application, followed by an Energy Statement Addendum, which were considered by the Council's sustainability officer and energy officer.

Flooding and Sustainable Urban Drainage Systems (SUDS)

- 10.153 Policy DM6.6 expects all major development to include details to demonstrate that SUDS has been incorporated and will be properly maintained.
- 10.154 The site is located in Flood Zone 1 and has low risk of flooding, and although there is risk of surface water flooding in Islington the site is not within a Critical Drainage Area or within an identified Local Flood Risk Zone. The site is completely built over, including at basement level, and the proposal would not introduce any areas of new roof or outdoor space which are capable of accommodating SUDS. There would be a small area of soft landscaping (details to be secured by condition 5), and the applicant has explored options of retrofitting SUDS features, none of which are feasible. The Council's sustainability officer has considered the submitted details and agreed that due to the limited physical works and existing constraints there are no increased flood risks, and equally no realistic opportunities for new SUDS features. Officers are of the view that refusal of the application is not warranted on that basis.

Energy Efficiency, CO2 Emissions, and Renewable Energy

- 10.155 London Plan Policy 5.2B sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013.
- 10.156 Islington Policy CS10 A and Section 2 of the Environmental Design SPD set out targets that onsite total CO2 reduction targets (both regulated and unregulated) against Building Regulations 2010 are reduced by 40% where connection to a Decentralised Energy Network (DEN) is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to reductions of 39% where connection to a DEN is possible, and 27% where not possible.
- 10.157 Policy DM 7.4A states "Major non-residential developments are required to achieve Excellent under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding". The council's Environmental Design Guide states "Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification."

- 10.158 There are no DENs within 500m, and it is accepted that as the centre does not currently benefit from a communal heating system, it would not be possible for it to connect to a network. Condition 9 requires additional exploration of the feasibility of future connection, to ensure that any necessary futureproofing works can be incorporated into the development.
- 10.159 The proposal would comply with the Building Regulations 2013 CO2 emissions standards, by 0.3% - 0.4%, well short of the policy targets. However, the policy targets are based on new-build standards, and the proposal is for the conversion of an existing underground space within the shopping centre, without opportunities for new external construction or substantial re-building. It would achieve BREEAM Excellent, with a comfortable margin. As the conversion would comply with BREEAM excellent and there is no policy requirement to upgrade the parts of the building which would not be redeveloped, refusal on that basis is not recommended.
- 10.160 In accordance with the Council's zero carbon policy, the council's Environmental Design SPD states that "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution". The Environmental Design SPD states "The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement." As the proposal would not achieve the carbon reduction targets, there is a requirement for the remaining emissions to be offset. The financial contribution has been calculated by the applicant as £80,960 and is to be secured by the s.106 agreement.
- 10.161 The Council's Energy Officer requested further details relating to energy savings, including details of passive cooling and the proposed air source heat pumps. Condition 9 is recommended to secure an updated Energy Statement which maximises any further opportunities for carbon reductions.
- 10.162 The proposal would re-use an existing space; it would comply with BREEAM Excellent, and a financial contribution would be provided to offset the outstanding carbon emissions. On that basis it is considered acceptable in terms of energy efficiency.

Building Fabric

- 10.163 In accordance with Islington Policies CS10 and DM7.4, details on the materials selection based on lifecycle assessment for all major material components of the design should be provided e.g. structure, steel, brick, concrete etc. These details were not supplied with the application, so a green procurement plan is recommended to be required by condition 4.

Contamination

- 10.164 Paragraphs 120-122 of the NPPF state that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Planning decisions need to consider whether the site is suitable for its new use taking account of ground conditions and natural hazards or former activities such as pollution arising from previous uses; and in doing so, local planning authorities should focus on whether the development itself is an acceptable use of the land. London Plan Policy 5.21 states that appropriate measures should be taken to ensure that development on previously

contaminated land does not activate or spread contamination. Proposals should include an assessment of existing ground conditions and identify appropriate remedial measures for any contaminated land prior to development commencing.

10.165 The existing car park has potential for oil or petrol spillage which, if not controlled, could result in groundwater contamination. There is an existing petrol interceptor located at basement level for any light infrequent spills that may pose as a risk to the surface water drainage network. The proposal would reduce the number of parking bays and would reduce the associated risk to the surface water network.

10.166 The application was considered by the Council's pollution officer and no objection was made on the basis of land contamination.

Sustainability Summary

10.167 In order to ensure that the building performs in accordance with the key sustainability indicators set out within the sustainability statement and energy strategy, a Green Performance Plan (GPP) is to be secured by the s.106 agreement.

10.168 No overall objection is raised on sustainability grounds, and as set out above, it is recommended that the relevant sustainability requirements are secured by planning conditions and s.106 obligations.

Fire Safety

10.169 Part B of the London Plan policy 7.13 states that development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire. The proposal was considered by London Fire Brigade and no objections were raised. A fire safety strategy was provided, and an informative (no.10) has been included in the recommendation to remind the applicant of the need to consider the requirements of the Building Regulations in relation to fire safety at an early stage, with particular regard to the provision of a sprinkler system.

Planning Obligations and CIL (Local Finance Considerations)

10.170 If the application is approved and the development is implemented, a liability to pay the Islington Community Infrastructure Levy (CIL) and Mayor of London CIL will arise. CIL is intended to consolidate financial contributions towards the development's local infrastructure impacts, and additional separate contributions should not be sought towards the same infrastructure unless there is an exceptional and demonstrable need as a direct result of the proposed development.

10.171 Any further planning obligations which are not covered by the CIL payment should be sought through a legal agreement under s.106 of the Town and Country Planning Act, (1990, amended) and need to comply with the statutory tests set out in the NPPF and CIL Regulations 2010 (amended) to avoid unjustified double counting.

10.172 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development and if specific off-site measures are required to make the development acceptable these should be secured through a s.106 agreement.

10.173 The existing shopping centre is subject to a number of planning obligations, some of which have been varied over time and some which would be superseded by the proposed development. A draft s.106 agreement has been prepared which would carry over the

required obligations, and in order to mitigate the direct additional impacts of the proposed development and ensure the application is acceptable in planning terms, would secure the following additional planning obligations.

- Participation in a town centre co-ordinating body (*This is the re-provision of a previous s.106 obligation, and requires co-ordination in a town centre body if one is in place; currently that body is the Angel Business Improvement District*).
- Use of Town Square for Civic Events. (*This is the re-provision of a previous s.106 obligation. The 2004 agreement requires use of the open space for fixed seating, public art, and civic events up to 200 days a year and not on event days; each stall, promotion etc. shall last no more than 3 weeks, and the open aspect is to be maintained at all times. Furthermore, for 12 days per year, the open space can be used by Council or a Council Agency for civic or community events without charge.*)
- Pedestrian Route through site. (*This is the re-provision of a previous s.106 obligation, and requires a pedestrian route to be retained through the site.*)
- Decommissioning and replacement of Public Art.
- Storage of baskets and trolleys within units. (*This is the re-provision of a previous s.106 obligation to prevent external clutter*)
- CCTV. (*This is the re-provision of a previous s.106 obligation*)
- The repair and re-instatement of the footways and highways adjoining the development. Conditions surveys may be required. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.
- Compliance with the Code of Employment and Training
- Compliance with the Council's Code of Local Procurement
- 2 construction training placements, or if it can be demonstrated that this is not possible, a £10,000 contribution towards placements elsewhere.
- Local employment and training contribution of £21,607.50.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,900.
- Accessible transport contribution of £20,000, and provision of 4 wheelchair accessible parking bays.
- Carbon Offsetting payment of £80,960 (index linked).
- Feasibility Study into District Energy Network (DEN) connection on first replacement of heating/cooling plant.
- Submission of, and compliance with, a Green Performance Plan
- Crossrail funding contribution (to be offset against the Mayoral CIL payment). To be secured in two stages: Payment (1) £120,870 for all new floorspace, other than flexible D1/A1 floorspace. Payment (2) for the uplift in A1 floorspace (for the flexible D1/A1 unit on first commencement of A1 use, unless no A1 use within 10 years).
- Submission of a draft full Travel Plan for Council approval prior to occupation; full Travel Plan including a travel survey for Council approval 6 months from first occupation of the

development; and a Travel Plan update submitted to the Council including a travel survey three years after occupation of the development.

- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

11 SUMMARY AND CONCLUSION

Planning Balance

- 11.1 The proposed development would introduce new development over the existing open space, as well as substantial improvements to the public realm and external environment of the shopping centre, and increased capacity for retail, food and drink, and leisure uses within the town centre. As assessed within this report, the new bridge over the open space can be considered a sustainable form of development; and the benefits which would follow include better circulation space and additional space for outdoor restaurant seating and recreation, that would contribute to the development of Angel Town Centre as a visitor destination.
- 11.2 The installation of the bridge would displace, and ultimately result in the loss of, the Angel Wings Sculpture. Significant public opposition has been received to the loss of the sculpture, mainly citing its contribution to the character of Angel town centre. The removal of the sculpture would result in the loss of a landmark feature which contributes to the local distinctiveness and character of its setting. Although public art is not afforded any explicit protection by Islington's development plan (or planning legislation), there are planning requirements for the provision of a work of public art and for developments to respect and enhance the local distinctiveness of the Town Centres.
- 11.3 The weight of objection to the loss of public art not only helps define the merits of the Angel Wings, but also demonstrates that the display of Public Art within Angel Town Centre has the capacity to affect large numbers of people, and that Art has an important role to play in placemaking and defining character. Consequently, it is vital that new high quality public art continues to be provided on the site, albeit in a different form.
- 11.4 Although the loss of the sculpture would result in the loss of some existing character and local distinctiveness, it would be necessary in order to accommodate the new bridge structure and the benefits which flow from it, in terms of outdoor seating, improved circulation, and to a lesser extent the further benefits arising from the development (including increased floorspace and external refurbishment). It should also be noted that the existing Angel Wings sculpture sits above an unsightly and prominent concrete kiosk structure that could be viewed to detract from the character and appearance of the Angel Town Centre, and the proposals to remove this and replace with a much higher quality lightweight structure should be seen as a benefit of the proposal.
- 11.5 New artwork has been proposed which has been commissioned following extensive public engagement, and led by a steering group including a variety of people with local interests. The steering group has chosen Troika's concept to be developed further, which is an interactive "Millennial Calendar" which changes every day. The public consultation has demonstrated that a modern artwork may, over time, become an established contributor to the character and distinctiveness of the Town Centre. Although details of the new artwork are yet to be confirmed, and will need to be considered separately by the Council via a standalone planning application, it has been demonstrated that there is potential for a significant and distinctive work of public art.

- 11.6 Officers consider that the proposal would, subject to the recommended s.106 obligations, ensure that the fullest opportunities are taken to source a new location for the Angel Wings sculpture, and ensure that a new work of Public Art will be in place, evolving the character of the Angel Central shopping centre and strengthening Angel Town Centre as a cultural destination.
- 11.7 Furthermore, the proposal would support more sustainable forms of transport, create a more attractive pedestrian environment, and would result in a significant net uplift in floorspace for retail, leisure, restaurant and café uses, with associated contributions to local employment and Crossrail.
- 11.8 Although the proposal would result in the loss of an established piece of Public Art, the displacement of the Angel Wings is justified and necessary to deliver the scheme's full range of benefits. The proposal would ensure opportunities for new art, and would contribute to the vitality, viability, and attractiveness of the Town Centre. On balance, and subject to the recommended planning conditions and legal agreement, the officer view is that the proposed development can be considered a sustainable form of development and therefore, in accordance with the NPPF, approval is recommended.

Conclusion

- 11.9 As set out in the above assessment, the proposal has been assessed against the development plan and the comments made by residents and consultees.
- 11.10 Consequently, and on balance, the officer recommendation is that the proposed development would broadly comply with the provisions of the relevant national, London Plan, and local planning policies (including the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents), subject to the recommended planning conditions and s.106 obligations.
- 11.11 It is recommended that planning permission is granted subject to conditions and s.106 legal agreement heads of terms as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1: RECOMMENDATIONS

RECOMMENDATION A

That planning permission 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:

- Participation in a town centre co-ordinating body
- Use of Town Square for Civic Events.
- Pedestrian Route through site.
- Decommissioning and replacement of Public Art.
- Storage of baskets and trolleys within units.
- CCTV.
- The repair and re-instatement of the footways and highways adjoining the development. Conditions surveys may be required. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.
- Compliance with the Code of Employment and Training
- Compliance with the Council's Code of Local Procurement
- 2 construction training placements (or if it can be demonstrated that this is not possible, a £10,000 contribution towards placements elsewhere).
- Local employment and training contribution of £21,607.50.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,900.
- Accessible transport contribution of £20,000, and provision of 4 wheelchair accessible parking bays.
- Carbon Offsetting payment of £80,960 (index linked).
- Feasibility Study into District Energy Network (DEN) connection on first replacement of heating/cooling plant.
- Submission of, and compliance with, a Green Performance Plan
- Crossrail funding contribution (to be offset against the Mayoral CIL payment). To be secured in two stages: Payment (1) £120,870 for all new floorspace, other than flexible D1/A1 floorspace. Payment (2) for the uplift in A1 floorspace (for the flexible D1/A1 unit on first commencement of A1 use, unless no A1 use within 10 years).
- Submission of a draft full Travel Plan for Council approval prior to occupation; full Travel Plan including a travel survey for Council approval 6 months from first occupation of the development; and a Travel Plan update submitted to the Council including a travel survey three years after occupation of the development.
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

That, should the Section 106 Deed of Planning Obligation not be completed within 2 weeks from the date of the Planning committee meeting when a resolution to approve the application is reached (or a future date as agreed by officers and the applicant), 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) 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 to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

That the grant of planning permission be granted subject to conditions to secure the following:

List of Conditions

No.	Condition
1	Commencement (Compliance) CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).

2

Approved plans list (Compliance)

CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:

Approved Drawings: 3059-A-P-0010 rev.P01; 3059-A-P-0102 rev.P01; 3059-A-P-0112 rev.P01; 3059-A-P-0122 rev.P01; 3059-A-P-0132 rev.P01; 3059-A-P-0400 rev.P01; 3059-A-P-0402 rev.P01; 3059-A-P-1102 rev.P02; 3059-A-P-1112 rev.P02; 3059-A-P-1122 rev.P02; 3059-A-P-1132 rev.P02; 3059-A-P-0404 rev.P02; 3059-A-P-0406 rev.P02; 3059-A-P-0430 rev.P01; 3059-A-P-0200 rev.P02; 3059-A-P-0205 rev.P01; 3059-A-P-0300 rev.P02; 3059-A-P-0301 rev.P02; 3059-A-P-0302 rev.P01; 3059-A-P-0303 rev.P01; 3059-A-P-0305 rev.P02; 3059-A-P-0307 rev.P01; 3059-A-P-0431 rev.P01; 3059-A-P-0501 rev.P02; 3059-A-P-0503 rev.P02; 3059-A-P-0505 rev.P03; 3059-A-P-0506 rev.P03; 3059-A-P-0510 rev.P01; 3059-A-P-0511 rev.P03; 3059-A-P-0512 rev.P01; 3059-A-P-0515 rev.P02; 3059-A-P-0517 rev.P01; 3059-A-P-0518 rev.P01; 3059-A-P-0520 rev.P01; 3059-A-P-0011 rev.P02; 3059-A-P-0012 rev.P02; 3059-A-P-0013 rev.P03; 3059-A-P-0014 rev.P01.

Approved Documents: Angel Central – Post-submission note (CBRE); Angel Central – Updates to Planning Application 2017/2964/FUL (CBRE); Design & Access Statement 3059_A_DAS_5010_P02 rev.02 (Haskoll, February 2018); Angel Central consultee responses – Transport for London, ref. 23087401 (Steer Davies Gleave, 12 October 2017); Solar Study (Haskoll, October 2017); BREEAM Addendum (Aecom); Energy Statement Addendum (Aecom); Framework Travel Plan ref. 23087401 (Steer Davies Gleave, July 2017); Transport Statement ref 23087401 (Steer Davies Gleave, July 2017); Open Space Assessment (CBRE, August 2017); Construction Phase Plan P-MS01A (RG Group, 21st August 2017); Application Cover Letter (CBRE, 24 July 2017); External Noise Survey Project Number: 60509147 (Aecom, June 2017); Planning Statement (CBRE, July 2017); Retail Assessment (CBRE Global Investors 24 July 2017); Islington HIA screening (Pre-application reference number Q2017/1224/MJR).

The approved plans expressly listed within this condition shall take precedence over any plans referred to or appended to the documents listed in this condition.

REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.

3

Materials and Details (Prior to commencement of external works)

CONDITION: Details and samples of all detailing and facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of external works unless otherwise agreed in writing by the Local Planning Authority. The details and samples shall include large scale drawings, manufacturers details and material samples of the following:

- a) External facing materials, including terracotta cladding and method of fixing;
- b) Details of external paintwork to walls visible from Upper Street, Parkfield Street and/or Liverpool Road;
- c) Details of new fascias and shopfront fittings;
- d) details of any louvres, ventilation panels or screens;
- e) external handrails or balustrading;
- f) copings, soffits, cills and reveals (and details of how these will be designed to avoid watermarks or staining to the surfaces below), the undersides of any projecting elements, and junctions of external materials including expansion gaps;
- g) details of the proposed bridge, including frameless glass handrail to the side facing Liverpool Road and balustrading to the side facing the central open space;
- h) details of the proposed frameless glass kiosk, including glass reflectivity, structural supports, external junctions, doors, and manifestations;
- i) details of any replacement external fittings, including rainwater goods (including locations, fixings, material and colour); pipes; any other equipment or devices to be installed on the external surfaces of the building including meter boxes, service connection access, aerials and satellite dishes;
- j) Any new external windows, doors and shutters, including to the public toilets;
- k) All other external materials.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: In the interest of securing sustainable development, to avoid detracting from the settings of the adjacent heritage assets, and to ensure that the resulting appearance and construction of the development is of a high standard.

4	<p>Green procurement plan (Prior to commencement of external works)</p> <p>CONDITION: Prior to the commencement of external works, unless otherwise agreed in writing by the Local Planning Authority, a green procurement plan for sourcing the proposed materials shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to minimise the environmental impacts of the development.</p>
5	<p>Landscaping (Prior to commencement of external works)</p> <p>CONDITION: Details and samples of all external hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of external works unless otherwise agreed in writing by the Local Planning Authority. The details and samples shall include large scale drawings, manufacturers details and material samples of the following:</p> <ul style="list-style-type: none">a) External paving materials, including at first floor level;b) Details of soft landscaping, including specification and maintenance schedule;c) Any fixed items or furniture, including benches, bollards, and bins;d) Access points for water and electricity for community events;e) All other external materials. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development, and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
6	<p>External Lighting (Compliance/Prior to Specific Works)</p> <p>CONDITION: Details of external lighting across the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, and hours of operation. The lighting measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as limiting light pollution.</p>

<p>7</p>	<p>BREEAM (Compliance)</p> <p>CONDITION: The development shall achieve a BREEAM rating of no less than ‘Excellent’.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
<p>8</p>	<p>SUDS (Compliance)</p> <p>CONDITION: The measures set out in the Sustainable Urban Drainage statement shall be installed and implemented prior to the first occupation of the hereby approved development, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to secure sustainable urban drainage, reducing the risk of flooding and to mitigate the impacts of the development.</p>
<p>9</p>	<p>Energy Strategy (Prior to commencement, excluding demolition)</p> <p>CONDITION: Prior to the commencement of development, other than demolition, a revised Energy Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The revised Energy Statement shall include evidence covering the following:</p> <ul style="list-style-type: none"> a) Further reductions to CO2 emissions; b) Further improvements to energy efficiency parameters; c) Full results of dynamic thermal modelling and further discussion regarding cooling hierarchy and active cooling; d) Additional information regarding the feasibility of connection to a future District Energy Network; e) Further information regarding heat loads and shared heat networks/ CHP. <p>The energy efficiency measures as outlined within the revised Energy Statement shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, a revised Energy Strategy shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details as approved and shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

<p>10</p>	<p>Air Source Heat Pump (Prior to Occupation)</p> <p>CONDITION: Prior to first occupation of the development hereby approved, manufacturers' specifications and a scheme of the detailed designs and layout of the equipment and mechanical systems to be implemented in relation to the proposed air source heat pump(s) and/or any other renewable energy source shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The external plant as approved shall thereafter be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interests of ensuring that the proposed mechanical plant would achieve the performance standards assumed by the approved sustainability statement, to avoid harm to neighbour amenity, to secure sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.</p>
<p>11</p>	<p>Secured by Design (Compliance)</p> <p>CONDITION: The hereby approved development shall achieve Secured by Design (Secured Environments) Certification prior to occupation of the development, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to secure safe and secure urban environments and avoid creating new opportunities for crime.</p>
<p>12</p>	<p>Plant Noise (Prior to occupation)</p> <p>CONDITION:</p> <ul style="list-style-type: none"> a) The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of 5dB(A) below the background noise level $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014. b) Prior to occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The report shall assess the noise from the installed mechanical plant to demonstrate compliance with the noise limits in part (a) of this condition. c) If noise mitigation measures are required to ensure compliance with the noise limits set out in this condition, they shall be implemented prior to the verification report being submitted to the Council. <p>The development shall thereafter operate in adherence with the noise limits in part (a) of this condition, and be maintained as such thereafter.</p> <p>REASON: To ensure that the operation of fixed plant does not impact on residential amenity.</p>

13	<p>Hours of opening (Compliance)</p> <p>CONDITION: Unless otherwise approved in writing by the Local Planning Authority, the hereby approved A1 (shop) or A3 (café / restaurant) uses shall not operate outside the hours of 07:00 – 23:00.</p> <p>All non-fixed outdoor furniture shall be moved indoors and external doors closed by 23:00 each day.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
14	<p>Servicing and Deliveries (Prior to occupation)</p> <p>CONDITION: A Delivery and Servicing Plan detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>All servicing/deliveries/collections relating to the development shall only occur within the designated servicing area located on Parkfield Street, and shall not occur from surrounding streets.</p> <p>The development shall be constructed and 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.</p> <p>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 to ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>

***Construction and Environmental Management Plan (Prior to Commencement)**

CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (including demolition).

The CEMP shall include details and arrangements regarding:

- a) The notification of neighbours with regard to specific works;
- b) Advance notification of any access way, pavement, or road closures;
- c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;
- d) Details regarding the planned demolition and construction vehicle routes and access to the site;
- e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;
- f) Details of waste storage within the site to prevent debris on the surrounding highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;
- g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.)
- h) Details of any proposed external illumination and/or floodlighting during construction;
- i) Details of measures taken to prevent noise disturbance to surrounding residents following the guidance of BS5228+A1:2014;
- j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;
- k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)
- l) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and

	<p>m) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.</p> <p>n) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.</p> <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.</p> <p>No demolition or development shall begin until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, offloading, parking and turning during the construction period in accordance with the approved details. The demolition and development shall thereafter be carried out in accordance with the details and measures approved in the Method of Construction Statement.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
<p>16</p>	<p>Cycle Parking and End of Trip facilities (Compliance)</p> <p>CONDITION: Prior to the first occupation of the development, the 46 cycle storage spaces shown on the hereby approved plans, in addition to a wheelchair accessible facility for showering for use by staff of the premises, shall be installed and made available, and shall be maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle storage and end of trip facilities are available and easily accessible on site and to promote sustainable modes of transport.</p>
<p>17</p>	<p>Electric car charging points (Compliance)</p> <p>CONDITION: 6 electric car charging points shall be provided within the basement car park prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To promote sustainable modes of transport.</p>
<p>18</p>	<p>Wheelchair Accessible Parking (Compliance)</p> <p>CONDITION: 4 wheelchair accessible (blue badge) car parking spaces shall be provided within the basement car park prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate accessibility and inclusive design.</p>

<p>19</p>	<p>Inclusive Design: Units (Prior to occupation)</p> <p>CONDITION: Notwithstanding the approved plans the internal layout, gradients of ramps, and details of the means of providing step-free access to all areas within the unit marked on the approved plans as “New MSU 8-9” shall be submitted to, approved in writing by the Local Planning Authority, and installed prior to first occupation or use of the same unit.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities, in accordance with policy 7.2 of the London Plan 2016, Policies CS7 and CS9 of the Islington Core Strategy 2011 and Islington’s Development Management Policy DM2.2.</p>
<p>20</p>	<p>Inclusive Design: Units (Prior to occupation)</p> <p>CONDITION: Notwithstanding the approved plans the internal layouts, gradients of ramps, and details of the means of providing step-free access to all areas within the unit marked on the approved plans as “New Leisure Unit” shall be submitted to, approved in writing by the Local Planning Authority, and installed prior to first occupation or use of the same unit.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities, in accordance with policy 7.2 of the London Plan 2016, Policies CS7 and CS9 of the Islington Core Strategy 2011 and Islington’s Development Management Policy DM2.2.</p>
<p>21</p>	<p>Inclusive Design: Public Realm (Prior to occupation)</p> <p>CONDITION: Notwithstanding the approved plans the scheme shall be constructed in accordance with the principles of inclusive design, and details of the following inclusive design features shall be submitted to, approved in writing by the Local Planning Authority, and installed prior to first occupation of the approved development.</p> <ul style="list-style-type: none"> a) External benches, including armrests and backs; b) A facility for the charging of mobility scooters; c) One wheelchair accessible WC. <p>The development shall be carried out strictly in accordance with the details as approved, shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities, in accordance with policy 7.2 of the London Plan 2016, Policies CS7 and CS9 of the Islington Core Strategy 2011 and Islington’s Development Management Policy DM2.2.</p>

22	Small Retail Unit (Compliance) <p>The hereby approved small retail unit labelled on the approved plans as “New SU 9” shall be provided prior to first occupation or use of the new accommodation hereby approved.</p> <p>That unit shall not be amalgamated nor incorporated into the adjacent retail units unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of ensuring that the proposed development contributes to the viability and vitality of the town centre and specifically supports the ability of small and micro retailers to find suitable accommodation.</p>
23	Removal of PD rights: A1 Retail (Compliance) <p>CONDITION: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or the provisions of any Order revoking and re-enacting that Order, no change of use of the units within Use Class A1 shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.</p> <p>REASON: To safeguard the amenities of the town centre, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of floorspace for retail uses would have on the viability and vitality of the town centre.</p>
24	Removal of PD rights: A3 Restaurants and Cafes (Compliance) <p>CONDITION: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or the provisions of any Order revoking and re-enacting that Order, no change of use of the units within Use Class A3 shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.</p> <p>REASON: To safeguard the amenities of the town centre, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of floorspace for restaurants and cafes would have on the viability and vitality of the town centre.</p>

<p>25</p>	<p>Flexible Use Unit (Compliance)</p> <p>CONDITION: The hereby approved flexible A1/D2 use unit labelled on the approved plans as “NEW LEISURE UNIT” shall be used only as a Gym within Use Class D2 and no other use within that use class, or for retail within Use Class A1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or the provisions of any Order revoking and re-enacting that Order, no change of use of the same floorspace other than for a Gym or a Use within Use Class A1 shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.</p> <p>REASON: To safeguard the amenities of the town centre, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of floorspace for leisure and retail uses would have on the viability and vitality of the town centre.</p>
<p>26</p>	<p>Public Toilet opening hours (Compliance)</p> <p>CONDITION: The public toilets within the development shall be open and available for use for the duration of the opening hours of the A1 (shops) and/or A3 (restaurants and cafes) units.</p> <p>REASON: In the interests of Inclusive Design, and to promote healthy development in accordance with Policy DM6.1</p>
<p>27</p>	<p>Kiosk Design (Prior to occupation)</p> <p>CONDITION: Prior to first occupation of the unit labelled “New Kiosk” on the approved plans, a tenant design strategy for that unit shall be submitted to and approved by the Local Planning Authority.</p> <p>The strategy shall include the following:</p> <ul style="list-style-type: none"> a) The total height of any fixed or moveable furniture and/or display units and/or items placed above, shall be no greater than 1.4m above the finished floor level of the unit; b) No ceiling features or signage to be positioned less than 3.35m above finished floor level; c) A clear uninterrupted view through the unit between 1.65m below the 3.35m ceiling shall be maintained at all times; d) Details of signage, which shall be internal and no greater than 700mm wide; e) Details of utility and service provision within the unit. <p>The unit shall thereafter be maintained in accordance with the approved tenant signage strategy unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure a transparent and visually lightweight appearance, to maintain sightlines out of the site, and to maintain a sense of openness to the public open space.</p>

28	Amplified Noise (Compliance) No music or other amplified noise arising from the hereby approved development shall be audible at nearest residential windows. REASON: To ensure that the operation of the development does not impact on residential amenity.
29	Air Quality Neutral Assessment (Prior to commencement) CONDITION: Prior to the commencement of works on the development hereby permitted, an Air Quality Neutral report detailing steps to minimise future visitors' exposure to air pollution (and appropriate mitigation against the GLA's Sustainable Design and Construction SPG benchmarks if necessary) shall be submitted to and approved by the Local Planning Authority. The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter. REASON: To comply with the requirements of the NPPF (2012), Policy 7.14 of the London Plan (2016) and the London Plan Sustainable Design and Construction SPG and to minimise air pollution.

List of Informatives

1	SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
2	DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to first occupation of the hereby approved development' or similar. With regard to the development, the Council considers that "first occupation of the hereby approved development" shall be taken to mean the sooner of either: (a) first occupation of any of the new or extended units (for A1, A3, and/or D2 Use), and/or; (b) the first occupation of the approved bridge and extended first floor walkway.
3	COMMUNITY INFRASTRUCTURE LEVY (CIL) (GRANTING CONSENT) Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk . The Council will then issue a Liability Notice setting out the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil PRE-COMMENCEMENT CONDITIONS: These conditions are identified with an 'asterix' *. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.
4	ROLLER SHUTTERS The scheme hereby approved does not suggest the installation of external roller shutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external roller shutters to be a material alteration to the scheme and therefore constitute development. Should external roller shutters be proposed, a new planning application must be submitted for the council's formal consideration.

5	<p>EXTERNAL PLANT</p> <p>The applicant is advised that any additional external plant not shown on the approved plans will require a separate planning application.</p>
6	<p>CONSTRUCTION WORKS</p> <p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
7	<p>HIGHWAYS REQUIREMENTS (1)</p> <p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. <u>All agreements relating to the above need to be in place prior to works commencing.</u></p> <p>Compliance with section 174 of the Highways Act, 1980 - “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. <u>Section 50 license must be agreed prior to any works commencing.</u></p> <p>Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p>

8

HIGHWAYS REQUIREMENTS (2)

Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.

Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.

Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.

Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six months' notice to meet the requirements of the Traffic Management Act, 2004.

Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.

Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.

9	<p>HIGHWAYS REQUIREMENTS (3)</p> <p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk</p> <p>Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.</p> <p>Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980</p> <p>Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</p>
10	<p>CROSSRAIL 2</p> <p>Applicants should refer to the Crossrail 2 Information for Developers available at crossrail2.co.uk. Crossrail 2 will provide guidance in relation to the proposed location of the Crossrail 2 structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to contact the Crossrail2 Safeguarding Engineer in the course of preparing detailed design and method statements.</p> <p>In addition, the latest project developments can be found on the Crossrail 2 website www.crossrail2.co.uk which is updated on a regular basis.</p>
11	<p>FIRE SAFETY</p> <p>It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings. Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Andrew Marx on 020 7527 2045 or by email on andrew.marx@islington.gov.uk</p>

12	LICENSING <p>The applicant is advised that any of the units selling alcohol, providing late night food, entertainment, providing special treatments such as nails, beauty, tanning, spas or gambling premises would need the relevant licences from the licensing team. The site is in a cumulative impact area and as such if opening beyond 2300, must be able to prove that the operation of the business would not add to the problems already associated with a very busy area.</p>
13	ADVERTISEMENT CONSENT <p>The applicant is reminded of the need to seek advertisement for external signage and advertisements, in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes relevant to the determination of the planning application.

1. NATIONAL GUIDANCE

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals. Since March 2014 planning practice guidance for England has been published online.

2. DEVELOPMENT PLAN

The Development Plan is comprised of the London Plan 2016, Islington's Core Strategy 2011, Islington's Development Management Policies 2013, the Finsbury Local Plan 2013 and Islington's Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 Spatial Development Strategy for Greater London

Context and Strategy

1.1 Delivering the strategic vision and objectives for London

London's places

2.9 Inner London

2.10 Central Activities Zone – Strategic

2.11 Central Activities Zone – Strategic Functions

2.15 Town Centres

2.18 Green Infrastructure

London's people

3.1 Ensuring equal life chances for all

3.2 Improving health and addressing health inequalities

3.6 Children and Young People's Play and Informal Recreation Facilities

3.16 Protection and enhancement of social infrastructure

London's economy

4.1 Developing London's economy

4.6 Support for and Enhancement of Arts, Culture, Sport and Entertainment

4.7 Retail and Town Centre Development

4.8 Supporting a Successful and Diverse Retail Sector and Related Facilities and Services

4.9 Small Shops

4.11 Encouraging a Connected Economy

4.12 Improving opportunities for all

London's response to climate change

5.1 Climate change mitigation

5.2 Minimising emissions

5.3 Sustainable design & construction

5.4 Retrofitting

5.5 Decentralised energy networks

5.6 Decentralised energy in development proposals

5.7 Renewable energy

5.8 Innovative energy technologies

5.9 Overheating and cooling

5.10 Urban greening

5.11 Green roofs and development site environs

5.12 Flood risk management

5.13 Sustainable drainage

5.14 Water quality and wastewater infrastructure

5.15 Water use and supplies

5.16 Waste net self-sufficiency

5.17 Waste capacity

- 5.18 Construction, excavation and demolition waste
- 5.19 Hazardous Waste
- 5.20 Aggregates
- 5.21 Contaminated land

London's transport

- 6.1 Strategic approach
- 6.2 Providing public transport capacity and safeguarding land for transport
- 6.3 Assessing effects of development on transport capacity
- 6.4 Enhancing connectivity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.7 Better streets and surface transport
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road Network Capacity
- 6.13 Parking

B) Islington Core Strategy 2011

- CS 5 Angel and Upper Street
- CS 8 Enhancing Islington's character
- CS 9 Protecting and enhancing Islington's built and historic environment
- CS 10 Sustainable design
- CS 11 Waste

C) Islington Development Management Policies 2013

Design and Heritage

- DM2.1 Design
- DM2.2 Inclusive Design
- DM2.3 Heritage
- DM2.4 Protected Views
- DM2.5 Landmarks

Shops, culture and services

- DM4.1 Maintaining and promoting small and independent shops

London's living places and spaces

- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.11 London View Management Framework
- 7.12 Implementing the London View Management Framework
- 7.13 Safety, security and resilience to emergency
- 7.14 Improving air quality
- 7.15 Reducing noise and enhancing soundscapes
- 7.18 Protecting Open Space and Addressing Deficiency
- 7.19 Biodiversity and access to nature

Implementation, monitoring and review

- 8.1 Implementation
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

- CS 13 Employment spaces
- CS 14 Retail and services
- CS 15 Open space and green infrastructure
- CS 18 Delivery and infrastructure
- CS 19 Health Impact Assessment

- DM4.2 Entertainment and the night-time economy
- DM4.3 Location and concentration of uses
- DM4.4 Promoting Islington's Town Centres
- DM4.5 Primary and Secondary Frontages
- DM4.8 Shopfronts
- DM4.9 Markets and specialist shopping areas
- DM4.12 Social and strategic infrastructure and cultural facilities

Health and open space

- DM6.1 Healthy development

DM6.2 New and improved public open space
DM6.3 Protecting open space
DM6.5 Landscaping, trees and biodiversity
DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling

3. DESIGNATIONS

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations June 2013.

- Angel Town Centre (primary retail frontage)
- Core Strategy Key Area: Angel and Upper Street
- Central Activities Zone
- Crossrail 2 safeguarding area
- Protected Vista (Alexandra Palace to St Paul's Cathedral)
- Open Space OS 111
- Archaeological Priority Area

4. SUPPLEMENTARY PLANNING GUIDANCE (SPG) / DOCUMENT (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

Basement Development (January 2016)
Culture and Night Time Economy (Draft SPG April 2017)
Environmental Design (October 2012)
Inclusive Design in Islington (February 2014)
Inclusive Landscape Design (January 2010)
Islington Urban Design Guide (January 2017)
Location and concentration of uses (April 2016)
Planning Obligations (Section 106) (December 2016)
Preventing Wasted Housing Supply (July 2015)
Streetbook (October 2012)

Transport

DM8.1 Movement hierarchy
DM8.2 Managing transport impacts
DM8.3 Public transport
DM8.4 Walking and cycling
DM8.5 Vehicle parking
DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure
DM9.2 Planning obligations
DM9.3 Implementation

Student Accommodation Contributions for Bursaries (June 2013)
Vale Royal/Brewery Road LSIS Discussion Paper (2017)

London Plan

Crossrail Funding (March 2016)
Central Activities Zone (March 2016)
Culture & the Night-Time Economy (2017)
Social Infrastructure (May 2015)
Accessible London: Achieving an Inclusive Environment (October 2014)
The control of dust and emissions during construction and demolition (July 2014)
Town Centres (July 2014)
Character and Context (June 2014)

London Planning Statement (May 2014)
Sustainable Design and Construction (April 2014)
Use of planning obligations in the funding of Crossrail, and the Mayoral CIL (April 2013)
Play and Informal Recreation (September 2012)

All London Green Grid (March 2012)
London View Management Framework (March 2012)
London's Foundations (March 2012)
Planning for Equality and Diversity in London (October 2007)

APPENDIX 3: DESIGN REVIEW PANEL COMMENTS (AUGUST 2017)



CONFIDENTIAL

ATT: Gillian Nicks
CBRE Ltd
St Martin's Court
10 Paternoster Row
London EC4M 7HP

Planning Service
Planning and Development
PO Box 333
222 Upper Street
London
N1 1YA

T 020 7527 2389
F 020 7527 2731
E Luciana.grave@islington.gov.uk
W www.islington.gov.uk

Our ref: DRP/131

Date: 29 August 2017

Dear Gillian Nicks,

ISLINGTON DESIGN REVIEW PANEL
RE: Angel Central Shopping Centre, 21 Parkfield Street N1 0PS
(pre-application ref. Q2017/1224/MJR)

Thank you for attending Islington's Design Review Panel meeting on 8 August 2017 for a first review of the above scheme. The proposed scheme under consideration is for the conversion of the existing basement car park (part of) to provide additional A1/D2 accommodation, consolidation of A1 units at basement and ground floor level and conversion of an A1 retail unit to A3 use at first floor levels; alongside environmental improvement and enhancement works to the external environment of the shopping centre including both hard and soft landscaping.

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (chair), Lotta Nyman, Marcus Lee, Tim Ronalds and Jeremy Foster on 8 August 2017 including a site visit and presentation from the design team followed by a question and answer session and deliberations at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

Panel members welcomed proposals to improve the Angel Central Shopping Centre, especially making a better use of underutilised parking space and enhancing its general appearance. The Panel felt that detailing and quality of materials would be critical to the success of any scheme and that the site must be understood as a piece of public realm / part of the high street and good connections made between the site and the spaces that it adjoins. Greater consideration should be given to improvements to the Parkfield Street entrance and the Upper Street entrance which panel members felt could be better celebrated and more inviting. Some Panel members felt a light luxurious terrazzo would have a greater positive impact than the proposed dark granite flooring. The large window to the upper part of the Upper Street elevation is currently one of its better features and should be a clear architectural expression and not undermined by visual clutter or advertising.

The Panel commented that the impact of the bridge needed to be considered as part of the potentially greater positive results in terms of how people move through the site. Some panel members felt that it could provide a buffer to noise and pollution of traffic on Liverpool Road.



However, the bridge as currently designed risks cutting off the public open space, undermining its sense as a public space, and eroding the quality of the open space. The bridge structure including the columns appeared large and the Panel felt that the bridge should be a slimmer, lighter and more elegant structure.

They advised that lines of visibility from the Upper Street entrance to the square ought to be considered as part of the design process. The Panel commented that if footfall increases it would be important to know whether the proposed circulation routes and vertical circulation provisions will be adequate.

Panel members expressed that the design of the kiosk should be very well detailed. The Angel Wings sculpture was discussed by the Panel and they considered it to be a quite extraordinary work of art with a short but important history. Consequently, they felt that its loss must be justified by the highest quality proposals and any re-use must be meaningful.

Summary

Panel members welcomed proposals to improve the Angel Central Shopping Centre, especially making a better use of underutilised parking space and enhancing its general appearance. However, the Panel felt that that detailing and quality of materials would be critical to the success of the scheme. Panel members stated that good connections must be made between the site and the public realm that it adjoins and greater consideration should be given to improvements to the Parkfield Street and Upper Street entrances. The Panel stated that the impact of the bridge needs to be considered as part of the potentially greater positive results in terms of how people move through the site but it must be a lighter and more elegant structure as currently it risks eroding the quality of the open space. They also commented that the removal of the Angel Wings sculpture should be justified.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification, please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the Council in the assessment of the proposal and determination of the application.

Yours sincerely,



Luciana Grave
Design Review Panel Coordinator
Design & Conservation Team Manager

