



ISLINGTON

Development Management Service
Planning and Development Division
Environment and Regeneration
Department
PO Box 333
222 Upper Street
LONDON N1 1YA

PLANNING COMMITTEE REPORT

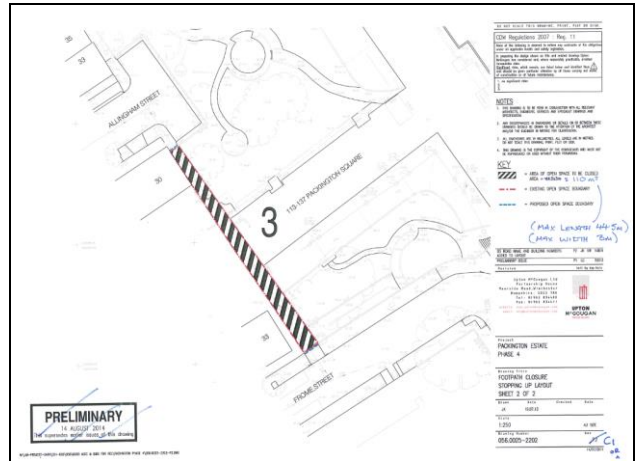
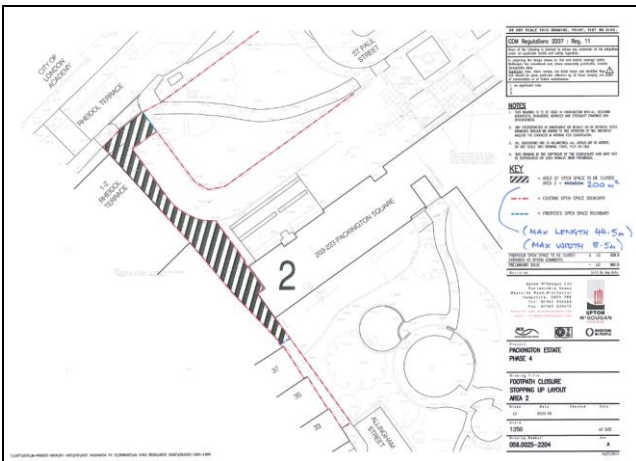
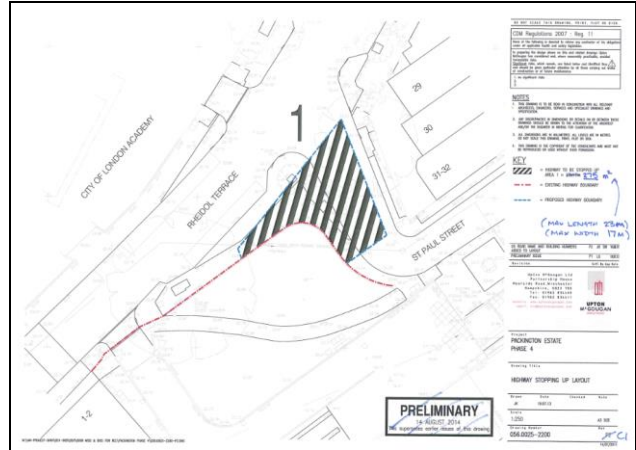
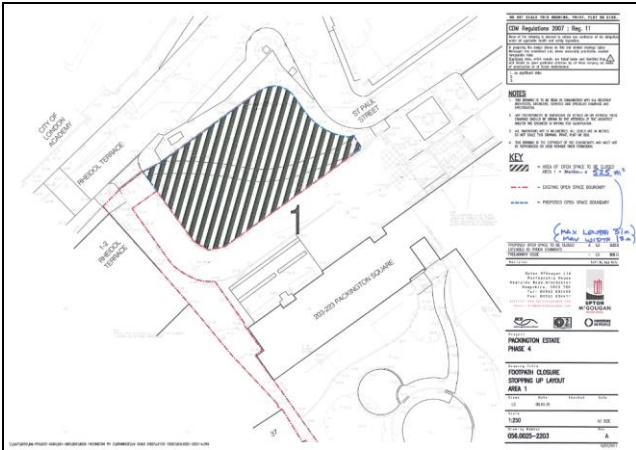
PLANNING COMMITTEE		
Date:	24 March 2015	NON-EXEMPT
Application number	P2015/0891/STOP	
Application type	Stopping Up of Highway	
Ward	St Peter's	
Listed building	n/a	
Conservation area	(partly within) Duncan Terrace / Colebrooke Row Conservation Area	
Development Plan Context	Major Cycle Route (Rheidol Terrace)	
Licensing Implications	n/a	
Site Address	Packington Estate: Land bounded by Dame Street, Rheidol Terrace, St Paul Street, Packington Square, Prebend Street, Rector Street, Union Square and Bevan Street, London, N1	
Proposal	Stopping up of four areas of existing highway under Section 247 of the Planning Act 1990 to enable redevelopment of the Packington Estate (Phase 4)	
Case Officer	Victor Grayson	
Applicant	Hyde Housing Association	
Agent	Rydon Construction Limited	

RECOMMENDATION

The Committee is asked to resolve to APPROVE the stopping up provided:

1. that the applicant enters into an indemnity agreement to pay all the council's costs in respect of the stopping up.

PLANS



1.0 SITES AND SURROUNDINGS

1.1 The four areas of land to which the applications to stop up the highway relate (as illustrated in the plans above) are:

- Area 1 (comprising 2 areas) – irregular-shaped area, 275sqm in size, at the corner of Rheidol Terrace, St Paul Street and Prebend Street (in front of 29-31 St Paul Street), illustrated on drawing 056.0025-2200 rev C1, and a grassed area, roughly rectangular in shape, 525sqm in size, at the corner of Rheidol Terrace and St Paul Street, illustrated on drawing 056.0025-2203 rev A.
- Area 2 – passage between Rheidol Terrace and Allingham Street, 200sqm in size, illustrated on drawing 056.0025-2204 rev A.

- Area 3 – passage between Allingham Street and Frome Street, 110sqm in size, illustrated on drawing 056.0025-2202 rev C1.

- 1.2 Officers consider that these areas comprise land over which the public have been able to pass and repass without hindrance for over 20 years, and over which public rights have accrued.
- 1.3 Most of the land to which the applications relate is currently enclosed by hoardings erected in connection with the demolition of existing housing estate buildings and the erection of new buildings as part of phase 4 of the Packington Estate redevelopment. Part of Area 2 has not been hoarded, to allow continued access to the side of 1a Rheidol Terrace.
- 1.4 All of Area 1 (both areas) and part of Area 2 are within the Duncan Terrace / Colebrooke Row Conservation Area. Area 3 and part of Area 2 abut the conservation area.
- 1.5 Phases 1 and 2 of the estate redevelopment have already been completed. Phase 3 is occupied, however Canalside Square is yet to be completed.

2.0 PROPOSAL

- 2.1 The proposal relates to the stopping up of the four areas of highway described above under Section 247 of the Town and Country Planning Act 1990 in connection with the implementation of the planning permission ref: P102754, granted on appeal on 14/11/2011, for:

“Erection of part 1 to part 8-storey buildings (some with lower ground level) to provide 522 flats/maisonettes/houses together with the creation of public and semi-private open spaces and private gardens, new roads, a cycle path, car parking spaces and associated works”.

3.0 CONSULTATION

- 3.1 No public or external consultation has been carried out by the council in respect of the current stopping up application, however should the Committee approve the stopping up, before making the Orders the council would carry out consultation as required by Section 252 of the Town and Country Planning Act. This would involve consulting statutory undertakers, posting site notices and publishing the proposed orders in a local newspaper. A 28-day consultation period would allow interested parties to respond.
- 3.2 Under section 252(4)(b) of the Act if an objection is received from any local authority, National Park authority or undertakers or public gas transporter on whom a notice is required to be served or from any other person appearing to the council to be affected by the order and that objection is not withdrawn (through negotiation between the objector and the applicant) the council must:
 - (i) notify the Mayor; and
 - (ii) cause a local inquiry to be held.

- 3.3 If however, none of the objections notified were made by a local authority or undertakers or transporters then, under section 252(5A) of the Act, the Mayor shall decide whether, in the “special circumstances of the case” the holding of such an inquiry is unnecessary, and if he decides that it is unnecessary he shall so notify the council which may dispense with the inquiry.

4.0 EVALUATION

- 4.1 The layout of the Packington Estate redevelopment has already been considered and approved under application ref: P062806, which was the first application for outline planning permission (including layout) for the redevelopment of the Packington Estate. Later permissions included amendments to the layout of the redevelopment. The approved layouts would require the stopping up of the areas of land that are the subject of this report. The stopping up now proposed would give effect to an existing planning permission (ref: P102754) which was subject to public consultation.
- 4.2 On 19/03/2007 under application P062806, the South Area Planning Committee approved the stopping up of four areas of land within and around the Packington Estate, at Bevan Street, Dame Street, Rheidol Terrace and Prebend Street. Areas 2 and 3, and part of Area 1, were not proposed to be stopped up at the time, hence the current applications.
- 4.3 The proposed stopping up of the four areas of land would not result in a permanent loss of public access through the redeveloped estate. Southeast-northwest access between Rheidol Terrace/Prebend Street and the canal towpath and bridge, through Dame Street and the two new squares to be provided in the redevelopment, would be reprovided.
- 4.4 The stopping up of the passage between Rheidol Terrace and Allingham Street (Area 2) would remove public access to the side garden wall of 1a Rheidol Terrace. A door set into this garden wall currently provides access onto the passage. The council, in approving layouts which include new buildings and private gardens abutting the side wall of 1a Rheidol Terrace, have effectively already approved the loss of public access to the side of this adjoining property. The applications which proposed these layouts were subject to public consultation, however parties with interests in 1a Rheidol Terrace would be able to make representations in response to the forthcoming public consultation relating to the stopping up, should this be approved by the Committee.

5.0 CONCLUSION

- 5.1 It is considered that the proposed stopping up of the four areas of land is acceptable, however it is noted that there remain obligations relating to consultation, should the stopping up be approved by the Committee.