



## PLANNING COMMITTEE REPORT



<b>PLANNING SUB-COMMITTEE B</b>		
<b>Date:</b>	23 <sup>rd</sup> February 2021	<b>NON-EXEMPT</b>

Application number	P2020/3442/LBC
Application type	Listed Building Consent Application
Ward	St Marys
Listed building	Grade II
Conservation area	Upper Street (North) Conservation Area
Development Plan Context	Angel & Upper Street Core Strategy Key Area Article 4 Direction Upper Street North Conservation Area Local & Strategic Cycle routes Upper Street Local Shopping Area and Article 4 Direction (A1-A2) Employment Growth Areas Islington Town Hall Forecourt Open Space Within 100m of TLRN (Transport for London Road Network) Rail Safeguarding (Transport for London Tunnels) Article 4 Direction A1-A2 (Rest of the borough)
Licensing Implications	Site has a License to Sell Alcohol
Site Address	Town Hall, Upper Street, Islington, N1 2UD
Proposal	Refurbish entrance and reception spaces; create two ceremonial suites in R01 (meeting room) and R04 (office); convert R05 (first aid room) to accessible WC; new access to R06 (office); combine R02 and R03 (meeting rooms) to create store for hall VFX equipment; new reception desk and lectern in main entrance.

Case Officer	Claire Sutton
Applicant	Adam Feeney
Agent	Purcell UK

### 1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** listed building consent subject to the conditions set out in Appendix 1.



#### 4. PHOTOS OF SITE/STREET



**Image 1 (left):** BS10 plant equipment – to host new ceiling-mounted pipework  
**Image 2 (right):** Ceiling mounted pipework in BS14



**Image 3 (left):** Original brick column in BS14 (to be retained)  
**Image 4 (right):** chairs, lockers, pipework in BS15

## **5. SUMMARY**

- 5.1 The application seeks alterations to basement storage rooms to create a store and chiller for the bar within the Assembly Hall above, including beer pipe line connections to that bar.
- 5.2 The proposal is considered to be compliant with the objectives of policy CS9 of the Islington Core Strategy (2011), and DM2.3 of Development Management Policies (2013). It is therefore considered to preserve the special architectural and historic interest of the Grade II listed building, and is acceptable in design terms.
- 5.3 The proposal is considered to be acceptable and it is recommended that the application be approved subject to conditions.
- 5.4 The application is brought to committee because the site is owned by Islington Council.

## **6. SITE AND SURROUNDINGS**

- 6.1 The site is a Grade II listed building and lies within the Upper Street (North) Conservation Area.
- 6.2 The Town Hall was built between 1922 and 1929, and was designed by E.C.P. Monson.
- 6.3 Areas of the building this application relates to date to the third phase of design and construction in 1928-29, and modern partitions constructed 1929-1951.

## **7. PROPOSAL (IN DETAIL)**

- 7.1 The application seeks consent to convert a basement storage room to a dry store and chilled cellar as a dedicated storage and operational facility for the Assembly Hall above. Insulated fire rated partitions are required to subdivide the existing room, together with relaying the floor for suitable drainage and levelling. In addition, new beer line supply pipes are to run at ceiling height to connect with the bar above in the Assembly Hall.

## **8. RELEVANT HISTORY:**

- 8.1 There have been many applications associated with this building. The relevant ones are:
- 8.2 P090290 Refurbishment of public hall and ancillary spaces including glass lift from ground level foyer to basement cloakroom area to give disabled access to lavatories and cloakrooms. Approved on 29/09/2009.
- 8.3 P2020/3416/LBC Refurbish entrance and reception spaces; create two ceremonial suites in R01 (meeting room) and R04 (office); convert R05 (first aid room) to accessible WC; new access to R06 (office); combine R02 and R03 (meeting rooms) to create store for hall VFX equipment; new reception desk and lectern in main entrance. Under consideration.
- 8.4 P2020/3418/FUL & P2020/3485/LBC Proposed alterations to the external service yard and internal basement spaces to upgrade and provide dedicated cycle storage and changing facilities as well as the reconfiguration of the service yard to accommodate council facilities storage, parking, refuse collection. Under consideration.

## **9. CONSULTATION**

### **Public Consultation**

- 9.1 The proposal has undergone a statutory consultation period of 21 days. A notice was displayed on site and in the press. The consultation period expired on 14<sup>th</sup> January 2021.

- 9.2 At the time of the writing of this report no responses had been received from the public with regard to the application.

### **External Consultees**

- 9.3 **Historic England:** Notified as the proposal included relevant demolition to a Grade II listed building. No comments were received.
- 9.4 **London Underground:** No comments received.
- 9.5 **TfL (Land Use Planning Team):** No comments received.
- 9.6 **Islington Society:** No comments received.
- 9.7 **Upper Street Association:** No comments received.
- 9.8 **Joint Committee of National Amenity Societies:** No comments received.

### **Internal Consultees**

- 9.9 **Environmental Health:** No comments received.
- 9.10 **Building Control:** No comments received.
- 9.11 **Access & Inclusive Design:** No comments received.

## **10. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES**

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**

- 10.1 Islington Council (Planning Sub-Committee A), in determining the listed building consent application has the main following statutory duties to perform:
- To have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (Section 16 Planning [Listed Buildings & Conservation Areas] Act 1990 as amended).
  - To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990)
  - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- 10.2 The National Planning Policy Framework 2019 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.

- 10.3 Since March 2014 Planning Practice Guidance for England has been published online.
- 10.4 In considering the listed building consent 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.
- 10.5 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.
- 10.6 Members of the Planning Sub-Committee A 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.
- 10.7 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. 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.

### **Development Plan**

- 10.8 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011 and the Islington Development Management Policies 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

### **Designations**

- 10.9 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Grade II listed building
  - Upper Street (North) Conservation Area
  - Article 4 Direction Upper Street North Conservation Area

### **Supplementary Planning Guidance (SPG) / Document (SPD)**

10.10 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

### **Emerging Policies**

#### **Draft London Plan (Intend to Publish Version), December 2019**

10.11 The draft new London Plan was published for consultation in December 2017. The consultation period ended on Friday 2 March 2018. In accordance with section 338(3) of the GLA Act, the Secretary of State appointed a Panel to conduct an examination in public (“EIP”) this opened on 15 January 2019 and continued until May 2019. The Panel of Inspectors made several recommendations to the Mayor on the 8th October 2019 and the Mayor responded on the 9th December 2019 with an ‘Intend to Publish’ version of the plan. The Secretary of State considered the ‘Intend to Publish’ version and the proposed changes and made several Directions in March and December 2020 setting out changes to some policies. On 21 December 2020 the Mayor formally approved a new ‘Publication London Plan’, prepared to address the Secretary of State’s Directions which was sent to the Secretary of State for his consideration. On 29 January the Secretary of State confirmed there were no further matters to raise. The London Plan can subsequently be published. Given the advanced stage at which the draft London Plan is at the policies in the Publication London Plan can be afforded significant weight. Given what is proposed in the application, the Directions are not considered to effect the assessment of this case. The relevant draft London Plan policies have been taken into account and are set out below:

Policy HC1 – Heritage and conservation

#### **Draft Islington Local Plan 2019**

10.12 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process now in progress.

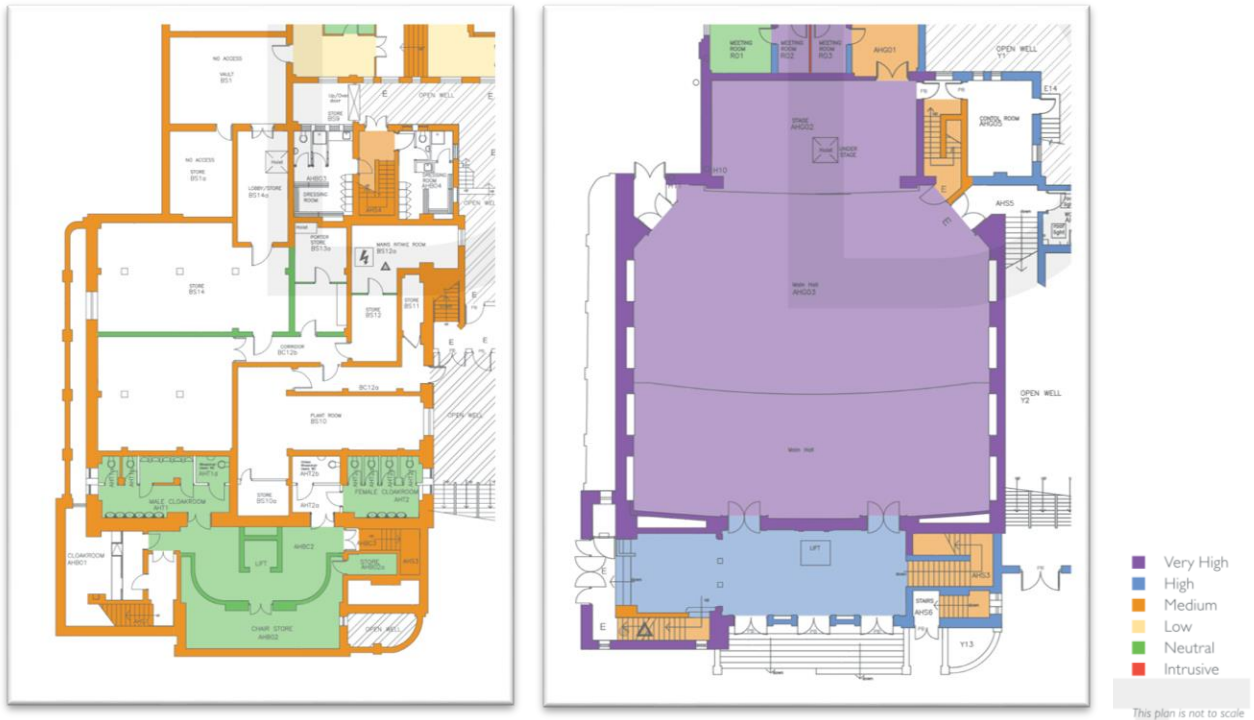
In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

## **11. ASSESSMENT**

11.1 The main issues arising from this proposal relate to:

- Design and Conservation



**Plan of Significance:** both fabric and spatial  
Basement (left); Ground Floor (right)

### Design and Conservation

- 11.2 Paragraph 193 of the NPPF (2019) states that ‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). Furthermore, at paragraph 196: ‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 11.3 London-wide planning policies relevant to design and conservation are set out in Chapter 7 of the London Plan, and the Mayor of London’s Character and Context SPG is also relevant. At the local level, Policy CS9 of Islington’s Core Strategy (CS) 2011 and Policy DM2.3 of Islington’s Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington’s built environment. Taken together, they seek to ensure that proposed works respond positively to existing heritage assets.
- 11.4 Policy DM2.3 seeks to ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. Development that makes a positive contribution to Islington's local character and distinctiveness will be encouraged. It seeks to ensure developments within the setting of a listed building are of good quality contextual design. It also seeks to retain, repair and reuse of non-designated heritage assets. Proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted.
- 11.5 In accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.



11.6 Policy DM2.3 seeks to ensure that the Borough's listed buildings are conserved or enhanced.

11.7 The Assembly Hall was opened in 1930 and was a popular venue for public events. However, it was closed in the mid-1980s and was not used for at least two decades. Significant service alterations and refurbishments were made to bring it back into use in 2010. Since then, modern bars have been added to the south end of the main hall. Despite this, the Assembly Hall retains high significance, including features such as its sprung dance floor and interior decorative scheme.

11.8 The proposal includes a number of different internal alterations with an assessment of these elements set out below:

*Subdivision of BS14 for chiller and dry store*

11.9 The basement rooms proposed for alteration are lower in significance than the hall above. Constructed in 1928-29, they are service areas and as such have seen much change in order to enable the functioning of the Assembly Hall and wider Town Hall. BS10, BS14, and BS15 have all had their plan forms and ceilings altered to accommodate the changing needs of the venue.

11.10 No historic fabric would be impacted by the proposals, and the service aesthetic of the rooms would be retained. The overall special interest of the rooms would not be detrimentally impacted.

*Additional pipework to BS10, BS14, and BS15*

11.11 The ceilings of these basement rooms are already partially covered with existing pipework, reflecting the use of BS15 as a former Meals on Wheels kitchen. The wall, floor, and ceiling finishes are utilitarian and devoid of architectural features. Several existing pipes have breached original external walls. The proposed pipework would be contained within the ceilings of the three rooms to be altered.

11.12 No historic fabric would be impacted by the proposals, and the service aesthetic of the room/s would be retained. The overall special interest of the rooms would not be detrimentally impacted.

*Pipework connection to Assembly Hall above including localised works to flooring*

11.13 In order to use the proposed chilled cellar and pipework, it must be connected to the modern bar above within the Assembly Hall. This would require two openings within the floor, resulting in the loss of a small section of original sprung floor (approximately two floor boards). However, this loss would be mitigated by the increased usability of the hall as an entertainment space and venue, and would not be visible due to the existing bars.



**Images 5 and 6:** South west bar (left) and south east bar (right) within the Assembly Hall

### *Conclusion*

- 11.14 Overall, due to the mitigation measures identified above, the proposal is considered to be compliant with Development Management Policies DM2.3.

## **12. SUMMARY AND CONCLUSION**

### **Summary**

- 12.1 The proposed alterations are considered acceptable in principle. The works would have minimal impact on the layout and fabric, and are a suitable way to provide additional facilities within the existing Assembly Hall.
- 12.2 The proposals would involve minimal loss of historic fabric, and would not cause harm to the retained fabric. Where loss is proposed, this is considered to be outweighed by the public benefit of increasing the usability of the Assembly Hall as an entertainment venue, thereby enabling more people to appreciate the heritage asset.
- 12.3 In accordance with the above assessment, it is considered that the proposed works are consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents and should be approved accordingly.

### **Conclusion**

- 12.4 It is recommended that listed building consent be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

## APPENDIX 1 – RECOMMENDATIONS

That the grant of listed building consent be subject to conditions to secure the following:

### List of Conditions:

<b>1</b>	<b>Commencement</b>
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<b>Works to Match (Compliance)</b>
	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
<b>3</b>	<b>Demolition by Hand (Compliance)</b>
	<p>CONDITION: The demolition works hereby approved shall be carried out by hand or hand tools. No power driven tools shall be employed,</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>

### List of Informatives:

<b>1</b>	<b>Other consents</b>
	<p>This consent relates solely to listed building matters. Should it become necessary to make alterations to the consented scheme in order to comply with other legislation, such as Building Regulations, a further consent may be required. Such a consent should be sought and obtained prior to the relevant works being undertaken.</p>

## **APPENDIX 2: RELEVANT POLICIES**

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

### **1 National Guidance**

The National Planning Policy Framework 2019 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.

- National Planning Policy Framework 2019

### **2. Development Plan**

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, and 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**

- Policy 7.8 Heritage Assets and Archaeology

#### **B) Islington Core Strategy 2011**

- Policy CS9 Protecting and enhancing Islington's built and historic environment

#### **C) Islington Development Management Policies 2013**

- Policy DM2.3 – Heritage

### **3. Designations**

- Grade II Listed Building