

London Borough of Islington

Planning Committee - 19 July 2022

Minutes of the meeting of the Planning Committee held at Council Chamber - Town Hall on 19 July 2022 at 7.30 pm.

Present: **Councillors:** Klute (Chair), Poyser (Vice-Chair), Clarke, Convery, Hamdache, Hayes, Ibrahim, Jackson and McHugh

Councillor Martin Klute in the Chair

24 **INTRODUCTIONS (Item A1)**

Councillor Klute welcomed everyone to the meeting. Members of the Committee and officers introduced themselves.

25 **APOLOGIES FOR ABSENCE (Item A2)**

Apologies were received from Councillor North.

26 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

There were no declarations of substitute members.

27 **DECLARATIONS OF INTEREST (Item A4)**

There were no declarations of interest.

28 **ORDER OF BUSINESS (Item A5)**

The order of business would be as per the agenda.

29 **MINUTES OF PREVIOUS MEETING (Item A6)**

RESOLVED:

That the minutes of the meeting held on 7 June 2022 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

30 **KINGS HEAD AND PUBLIC HOUSE & FORMER NORTH LONDON MAIL CENTRE & 115 & 116-118 UPPER STREET, N1 1AE (Item B1)**

Planning Application for: The provision of a theatre consisting of up to 250 seats in Block B of the Islington Square development at ground, first and basement levels; a new entrance lobby courtyard between the east elevation of Block B in Islington Square and the rear of 115 Upper Street; variation to retail unit G1 in Islington Square to facilitate access to the proposed Kings Head Theatre entrance; formation of a canopy over the new entrance; the use of all of the Kings Head Theatre space at 115 Upper Street as a public house on relocation of the Kings Head Theatre; the demolition of the lean-to dressing room at the rear of 115 Upper Street; erection of

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a first floor extension to the Kings Head; installation of new plant to the rear; works to the first floor roof terrace and reinstatement of a rooflight to ground floor rear room.

Listed Building Consent for: the demolition of the lean-to dressing room at the rear of 115 Upper Street; erection of a first floor extension to the Kings Head; installation of new plant to the rear; works to the first floor roof terrace; reinstatement of a rooflight to ground floor rear room; refurbishment and conversion of rear room and alterations to front bar; reconfiguration of existing upper level ancillary staff accommodation
(Planning application number: P2017/0800/FUL and P2017/0888/LBC)

In the discussion the following points were made:

- Planning Officer highlighted a correction in the published report regarding the use of the roof terraces, that it states the number of covers or patrons to be 45 instead of 60.
- Members were reminded that Committee previously considered the two applications for planning permission and Listed Building Consent on 23rd April 2018 with a resolution to grant both applications, subject to the completion of a S106 agreement, however the S106 agreement, has to date, not been completed by the parties.
- Since permission was granted, the applicant has sought to make a number of amendments to the previously considered proposals in order to address the needs of the theatre and to address changes in legislation.
- Site is bounded by Upper Street to the east, Moon Street and Studd Street to the south, Almeida Street to the north and Gibson Square to the west and sits within the wider recently completed Islington Square development, that the King's Head Theatre fronts Upper Street and Grade II listed and 115 Upper Street which is a 3 storey building.
- The Planning Officer advised that the proposed development would result in the relocation of the Kings Head Theatre from the existing Kings Head Public House, into the Islington Square development, across sub-ground levels within Block B and the theatre space would be accessed via a courtyard space leading to a small foyer and circulation space providing access to a 250 seat theatre.
- Members were advised that the relocation of the theatre enables a change of use of 133.4sqm of theatre space to public house use.
- Members were advised that the proposed change of uses would not result in a significant increase in trip generation from the consented uses nor an increase in servicing trips associated with the development and that furthermore, those trips associated with the proposed theatre use would not have any adverse impact on the overall proposed servicing regime or more widely, the local road network, from the baseline of the consented uses.
- Key elements of the application include the formation of a canopy over the existing courtyard between the Kings Head public House and Islington Square development at ground floor, which is to be accessed via the Islington Square south entrance arcade and the retention of historic balustrading; the use of the King's Head theatre space at 115 Upper Street

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as a public house on relocation of the King's Head Theatre Group; the erection of a first floor extension to the King's Head to allow a new means of escape stair.

- The Planning Officer noted the initial public consultation in 2017, where 14 objections were received raising issues such as a larger theatre would result in an increase in traffic; that the theatre's bar will create noise and anti-social behaviour; that an additional Kings Head pub space is not required in an area already saturated; that access and egress to theatre should be limited to Upper Street and vehicle servicing should be restricted to normal working hours.
- Following the revisions, another consultation exercise was carried out in 2022, 13 responses all of which were statements of support or general and noting that the presence of theatre is huge social and cultural benefit.
- Members were advised that although no objections were received from the Theatre's Trust however this is conditional upon delivery of replacement facility and that the loss of existing space shouldn't occur until completion and occupation of new theatre. They also raised concerns with regard to the location and layout of the scheme, access and means of escape for all theatre goers and that it is vital that sustainability and viability of the Kings Head Theatre is not undermined.
- In addition to the above, meeting was advised that the proposal seeks listed building consent for internal and external works to the King's Head public house itself to enlarge the public house following the relocation of the theatre space and this includes the demolition of the lean-to dressing room to the ground floor rear; erection of a first floor extension; installation of new plant and enclosure to the rear; works to allow the formation of a first floor roof terrace; the re-instatement of a rooflight to the ground floor rear room; and the refurbishment and conversion of the existing theatre space, alterations to front bar and reconfiguration of existing upper level ancillary space to create additional function room and ancillary staff accommodation.
- Members were advised that the proposed legal agreement ensures that the theatre space is fitted out before the space within the Kings Head public house is converted, so as to ensure no break in the theatre use, as well as a contribution to the fit out, the agreed terms of the lease and the retention of the space for theatre groups.
- With regards to traffic concerns raised by Almedia Street and Studd Street residents, the meeting was advised that there is an existing consented use as part of the Islington Square Development and that conditions were attached when permission was granted which sets out clearly the control of delivery and servicing , that there is a delivery and servicing management plan which all uses of the Islington Square Development must adhere to when servicing and delivery can take place.
- With regards to the use of the terrace and its management, the Planning Officer advised that the applicant has provided information which approximately provides 60 covers across the terrace. A number of conditions have been recommended which will ensure that the impact to nearby residential properties are mitigated for example limiting the hours that the terrace is operational until 2100hrs and that in addition to the hours of use

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restriction, other conditions will be attached restricting users of the terrace to those who would be seated , in effect to prevent any vertical drinking on the terrace and numbers exceeding 60 persons. A further condition will require the provision of a Management Plan which, amongst other things, will detail how it is proposed to close the terrace and how users will be prevented from either standing and drinking or accessing after 2100 hrs, noting that an Activity Noise Assessment has been carried out on site.

- In response to the concerns of visibility of the Theatre raised by the Theatre's Trust, the applicant advised that although possible areas for signage in and around the courtyard have been identified, no actual signage have been proposed, however thought is being given to resolving it by having possible signages on the pavement , noting that an advertisement consent will be required and that the building is a listed building .
- On the concerns about the theatre layout and in particular the space allocated for the dressing room, the applicant advised that the layout plan before the committee does not actually show the additional space on the upper basement level for the store, control room and ancillary offices to facilitate the back room activities , noting that although an issue raised by the Theatre Trust in terms of the functioning of the theatre, the Kings Head Group in response are satisfied that the arrangements is comparable to other similar size theatre across London in terms of space allocated for the dressing room and back room.
- In response to the sustainability measures and concerns about its lack of detail, it was advised that considering the scheme is part of the Islington Square Development, sustainability requirements would have been assessed at the time of consent, and that statement before Committee is additional requirement to meet the theatre's operation and not some construction activities
- In response to plans to encourage theatre goers to use public transport, the applicant advised that as sales and ticketing will be online and emails, there will be information promoting the use of public transport and also importantly evidence shows that most of the theatre goers are likely to be local residents and those who work in Islington.
- Member had concerns around accessing the auditorium via the foyer, it was acknowledged that the proposal is a significant change in the style and function of the theatre and had no concerns about traveling to the theatre.
- During deliberation, members welcomed the scheme, the changes in floor spaces across the scheme and in particular the willingness by the applicant to consider ways of increasing the visibility of the Theatre via improved or increase signage especially from Upper Street.
- Councillor Ibrahim moved a motion to amend condition 9 to reflect the capacity to a maximum of 60 on the terrace. This was seconded by Councillor Poyser.

Councillor Convery proposed a motion to grant planning permission and listed building consent. This was seconded by Councillor Poyser and carried.

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RESOLVED:

- a) That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and subject to 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 as set out in Appendix 1 of the officer report.
- b) That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections, listed building consent be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and subject to 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 as set out in Appendix 1 of the officer report.

The meeting ended at 8.25 pm

CHAIR