

PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE B	AGENDA ITEM NO:
Date: 17 th December 2015	

Application number	P2015/3368/FUL
Application type	Full Planning Permission
Ward	Caledonian
Listed building	No
Conservation area	Barnsbury
Development Plan Context	Core Strategy Key Area Local Shopping Area Conservation Area Local views Within 100m SRN
Licensing Implications	None required for this application
Site Address	325 Caledonian Road London N1 1DR
Proposal	Installation of a new shopfront including blocking up of windows to side elevation at ground floor level.

Case Officer	Joe Aggar
Applicant	Power Leisure Bookmakers Ltd
Agent	Katie Turvey

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission subject to the conditions set out in Appendix 1.

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: Aerial photograph showing the front of 325 Caledonian Road.



Image 2: View looking west at 325 Caledonian Road

4. Summary

- 4.1 Planning permission is sought for the installation of a new shopfront and blocking up of the three windows to the side elevation at ground floor level.
- 4.2 The application is brought to committee because this application is linked to a related change of use application before members on this agenda which has attracted a large number of objections. (P2015/3360)
- 4.3 The proposed shopfront and alterations to the side elevation would not detract from the character and appearance of the application property and wider terrace and would not detrimentally impact upon neighbour amenity.
- 4.2 In summary, the proposal is considered to be acceptable and is broadly in accordance with the Development Plan policies. It is recommended that planning permission be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The site is located on the west of Caledonian Road on the junction with Lyon Street. No. 325 Caledonian Road is an end of terrace, three storey property with a projecting shopfront. The ground floor level is commercial and previously was occupied by a

solicitor's office (A2). The ground floor shop unit is currently vacant. The upper floors are currently in residential use.

- 5.2 The surrounding area is characterised by three storey terraced buildings and the ground floor premises are predominantly shops. The existing building at the site is not statutorily listed, nor is it locally listed. The site is also located within the Barnsbury conservation area.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposals seek the installation of a new timber shopfront. The entrance door is currently recessed and located to the side of the shopfront. The entrance door would be brought in line with back edge of the pavement and be centralised with a fanlight above and two glazed panels either side. The shopfront would also consist of a decorative timber stall riser. The three side windows to the south elevation would be removed and blocked up in materials to match.
- 6.2 Separate applications have been submitted for the change of use and the installation of signage. There have been no amendments throughout the life of the application.
- 6.3 The application has been referred to the planning sub-committee due to the level of objections received.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 The following is the application history is considered relevant:
- 7.2 325 Caledonian Road, planning application re: P2015/4280/FUL for the '*Installation of 2 No. satellite dishes to 2nd floor rear wall and installation of 2 No. air conditioning units to ground floor flat roof at rear of 325 Caledonian Road*' is pending decision.
- 7.3 325 Caledonian Road, planning application re: P2015/3487/ADV for the '*Installation of internally illuminated fascia sign and externally illuminated projecting sign. Full Planning application P2015/3368 also submitted.*' Is pending decision.
- 7.4 325 Caledonian Road, planning application re: P2015/3360/FUL for the '*Change of use from solicitors (A2) to a betting shop (Sui Generis)*' is pending decision.
- 7.5 325 Caledonian Road, planning application re: 940409 for the '*Installation of hand painted timber shopfront*' was GRANTED on the 28/06/1994.
- 7.6 325 Caledonian Road, planning application re: 841848 for the '*The change of use of the ground floor from general industry to a licensed betting office entailing the formation of a new shopfront (as amended by revised shop front proposal received 21.01.85)*' was GRANTED on the 08/03/1985.

ENFORCEMENT:

- 7.3 None

PRE-APPLICATION ADVICE:

- 7.4 None

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 56 adjoining and nearby properties at Lyon Street and Caledonian Road.
- 8.2 A site notice and press advert was also displayed. Consultation expired on the 01st October 2015 however it is the Council's practice to continue to consider representations made up until the date of a decision. Any further representations received will be reported to Committee.
- 8.3 At the time of writing this report 3 objection have been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).
- Excessive concentration of betting shops (10.13)
 - Little demand for an additional betting shop (10.13)
 - Change of use with illuminated fascia and illuminated projecting sign is undesirable (10.13 & 10.15)

Internal Consultees

- 8.4 **Design and Conservation Officer:** No Objection
- 8.5 **Access Officer:** internal ramp appears steep than is acceptable

External Consultees

- 8.9 None

9. RELEVANT 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

- 9.1 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.
- 9.2 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 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, 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

- 9.4 The site is designated as a Core Strategy Key Area, Local Shopping Area and a Conservation Area, under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Design and Appearance
- Neighbouring Amenity
- Access

Design and Appearance

- 10.2 Many of the shops have modern shopfronts, of variable quality. However, there are many, including some close to the site, which possess architectural features of historic interest, such as timber materials, stallrisers, cornices, pilasters and mouldings. These make a significant contribution to the character and appearance of the historic conservation area.
- 10.3 Although the shopfront does not exhibit some of the more ornate features evident on some of the other buildings in the street, they nevertheless helped to define the shopfront as a traditional one, in keeping with the historic character of the area.
- 10.4 The Council has produced a non-statutory document to supplement its Unitary Development Plan (UDP) entitled Conservation Area Design Guidelines. It refers to individual premises where it indicates that removal or alteration of part or all of an original shopfront will not be permitted. The building is not one of these. It goes on to say that alterations which are detrimental to the character of the area will not be allowed and elsewhere it says that proposals for alterations and refurbishments should use traditional materials. A further non-statutory document, the Council's Shopfronts Design Guide, also seeks to retain traditional features of shopfronts.
- 10.5 The replacement shopfront would be timber and exhibit the features of a traditional shopfront. As such it would not represent loss to the historic character of the area, and would not conflict with the clear advice referred to above. The proposed shopfront would be timber with a central door and fanlight above. The base of the shopfront would consist of a decorative timber stall riser and would reinforce the traditional character of the area and not reduce the historic and architectural interest of the building or wider conservation area.
- 10.6 Subject to a condition (Condition 3) for the use of materials to match the infilling of the windows to side elevation would not harm the appearance of the building or wider conservation area and as such would be considered acceptable.
- 10.7 Accordingly the proposed shopfront would preserve and enhance the character or appearance of the Angel Conservation Area. It would accord with Policy CS 9 of the Core Strategy, which requires proposals to protect the borough's unique character, and to conserve and enhance Islington's heritage assets, including Conservation

Areas. It would also comply with Policies DM2.1 and DM2.3 of the DMP which require, amongst other things, proposals to be of a high quality design and to conserve or enhance the significance of Conservation Areas as well as the Council's Conservation Area Design Guidelines and the Islington Urban Design Guide which have similar aims.

Neighbouring Amenity

- 10.8 The proposed replacement shopfront and infilling of the windows, within the existing footprint of the building would not cause demonstrable harm to the amenities (including daylight, sunlight, outlook or increased sense of enclosure) of adjoining occupiers in accordance with policy DM2.1 of the Development Management Policies.

Access

- 10.9 The shopfront does not currently have a level threshold. There is a single step up to the entrance door. The new shopfront would provide level access with the centralised door.
- 10.10 Concern was raised regarding the steepness of the internal ramp. However as this is an internal alteration to an existing building the assessment of this aspect falls away.
- 10.11 The introduction of a level threshold would therefore be seen in compliance with the aims of Development Management Policy DM2.2.

Other Matters

- 10.12 It is important to remember that although the local authority licensing regime includes consideration of similar issues to planning, it is a distinct and separate regime.
- 10.13 Planning application P2015/3360/FUL assesses the change of use from A2 to Sui Generis and these land use points will not be considered within this report. The merits of this application rely on the assessment of the design and appearance and its impact on the character and appearance on the conservation area.
- 10.14 Unfortunately, the issue of demand for a betting shop is not a material planning consideration and therefore, cannot be taken into account when determining any application for physical works to install a new shopfront.
- 10.15 Concerns raised regarding the proposed advertisements to the ground floor unit are also not under consideration within this application but are assessed within this agenda under ref P2015/3487/ADV.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.2 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions

1	Commencement
	<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 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>14569-12, 14569-06, 14569-12, 14569-08. Planning, Design & Access Statement (Planning Potential Ref 15/2403).</p> <p>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.</p>
3	Materials
	<p>MATERIALS (COMPLIANCE): The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement. 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>

List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website. A pre-application advice service is also offered and encouraged. Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant. The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in accordance with the requirements of the NPPF.</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 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.

2. Development Plan

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London

3 London's people

7 London's living places and spaces
Policy 7.4 Local character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.3 Heritage

DM2.2 Access

3. Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Core Strategy Key Area
- Local Shopping Area
- Conservation Area

4. **Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

London Plan

Conservation Area Design Guidelines
Urban Design Guide (2006)