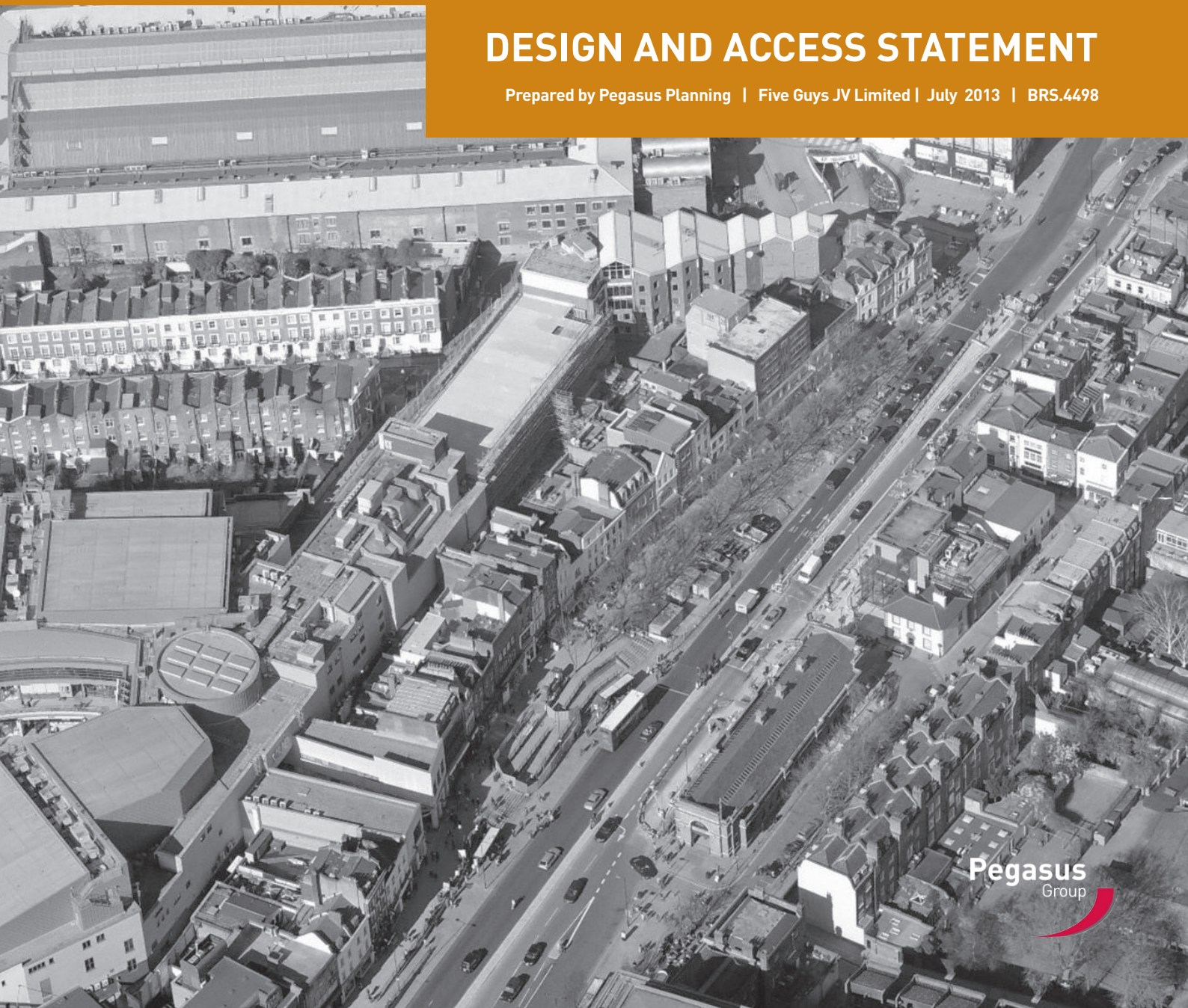


71 UPPER STREET, ISLINGTON, LONDON

DESIGN AND ACCESS STATEMENT

Prepared by Pegasus Planning | Five Guys JV Limited | July 2013 | BRS.4498



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1. INTRODUCTION

- 1.1 This Statement has been prepared by Pegasus Group on behalf of Five Guys JV Ltd. It is required under Section 42 of the 2004 Planning Compensation Act, which substitutes Section 62 of the 1990 Town and Country Planning Act.
- 1.2 This supports the planning application for the installation of a new shopfront and awning at 71 Upper Street and seeks to explain and justify the design and access components of the scheme and how the scheme complies with planning policy.
- 1.3 This Statement demonstrates commitment to achieving good design and ensuring access for all.
- 1.4 The application is accompanied by full architectural drawings prepared by Blacksheep and a separate Heritage Statement prepared by Pegasus Group.

2. THE SITE AND CONTEXT

2.1 The application site totals 0.01 hectares.

2.2 The site is located on Upper Street, Islington. The site falls within the Angel Conservation Area. The nearest underground station is Angel, within a short walk of the site.

The site is located within a four storey terraced building on Upper Street which overlooks Islington Green. The site is not Statutorily Listed but it is a locally listed building.

2.3 The Local Listing description is as follows:-

"Nos 71-73 (consec) Upper Street, N1.3 1902 Edwardian group. Red brick. Three storey. Ground floor shop fronts. Stone string courses. Two windows to each bay. 71 and 73 first floor stone architraved windows with keystone – second floor windows architraved with heavy cornice above. No 72 first floor and second floor windows with stone architraves and pediments and keystone. Gable to no. 72. Good design – important group value. B 01/11/79 523"

2.4 Photographs of the site are included with this application at Appendix 1 and demonstrate the existing interior and exterior condition of the site.

APPENDIX 1 – PHOTOGRAPHS OF THE SITE

2.5 This application is for shopfront alterations only. Five Guys will be occupying the premises as a Class A3 restaurant. The planning history at the site reveals that it has an extant Class A3 permission. The most recent occupants were Starbucks Coffee who operated with 91 covers and in Class A3 use. Prior to Starbucks' occupation of the property in 2000, the site had been occupied by Wimpy Restaurants. This lawful use was confirmed by Sarah Doolan from Islington Council by email on 4 December 2012. This is included at Appendix 2.

APPENDIX 2 – EMAIL FROM SARAH DOOLAN AT ISLINGTON COUNCIL

- 2.6 This email also contained a Decision Notice from 1989 relating to 71 Upper Street. This notice confirmed the extension of the existing ground floor restaurant use into the basement area. Accordingly, this confirms the Class A3 use of the premises. This Decision Notice is included at Appendix 3.

APPENDIX 3 – DECISION NOTICE 88/1640

- 2.7 As such, Five Guys can lawfully occupy the premises as a restaurant without the need to submit a change of use application. Therefore this application relates to the shop front only.

3. THE PROPOSAL

3.1 The proposal is for installation of a new shopfront to the front elevation at 71 Upper Street. The proposed works are detailed as follows:

- Move forward shopfront towards the back edge of the pavement;
- Installation of new timber framed shopfront and glazing panels;
- Reduction in height of sub-fascia panel and introduction of fanlights above shopfront;
- New fascia panel included; and
- New red canvas awning.

4. PLANNING POLICY BACKGROUND

- 4.1 The planning policy framework is set out at a national level in the form of the National Planning Policy Framework.

National Planning Policy

- 4.2 The National Planning Policy Framework (adopted March 2012) (NPPF) sets out the Government's planning policies for England at a national level and how they are expected to be applied. Specifically in relation to heritage assets, the NPPF states at para 128:

"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."

- 4.3 With regard to determining planning applications including heritage assets, para 131 states that local authorities should take account of:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.*

4.4 Para 132 gives guidance on how much weight should be given to the significance of a heritage asset. The para states:

“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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”*

Local Planning Policy

4.5 The Islington Core Strategy was adopted in February 2011. This contains relevant policies with regards to Heritage and Urban Design. **Policy CS9** sets out details guidance on the principles of urban design and conservation, seeking to achieve high standards of design, architecture and protection of amenity.

- 4.6 *Islington's Local Plan: Development Management Policies was adopted in June 2013. This sets out policies relating to design.*

Policy DM2.1 is a general design policy. This requires all forms of development to be of high quality and to incorporate inclusive design.

Policy DM2.2 relates to inclusive design. The policy requires that all new developments adopt the principles of inclusive design.

Policy DM2.3 is a policy relating to heritage. The policy seeks to conserve and enhance the historic environment of Islington. This policy sets out requirements for new developments and planning applications within a Conservation Area. Part of this policy relates to non-designated Heritage Assets and states:

"Non-designed heritage assets, including locally listed buildings and shopfronts, should be identified early in the design process for any development proposal which may impact on their significance. The council will encourage the retention, 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".

- 4.7 **Policy DM4.8** specifically relates to shopfronts. This policy seeks to retain clear views into shops, to resist the removal of shopfronts which have historic interest, particularly those which are locally listed and to ensure a high quality design.

Supplementary Planning Guidance

- 4.8 The Angel Conservation Area is dealt with within "Islington's Guidelines January 2002". This sets out policies relating to the area and assessed the character of the area

5. DESIGN & ACCESS

- 5.1 The works proposed are described and justification for them is outlined below.

Context Analysis

- 5.2 This is described in Section 2 of this Statement.

Amount

The amount of works proposed are what is necessary to allow refurbishment of the building for the new occupation of the vacant premises by Five Guys.

Layout

- 5.3 The layout of works is clearly shown on the attached drawings.

Scale

- 5.4 The scale of works proposed is appropriate to the building.

Appearance

- 5.5 The proposal seeks planning permission for the removal of the existing shopfront and the installation of a new shopfront.
- 5.6 The existing shopfront is of modern design and construction and incorporates a bi-folding glazing panel in its centre between the entrance doors. The site's planning history reveals that the existing shopfront was permitted when Starbucks Coffee occupied the site in 2000, via Ref: 992575. Accordingly the existing shopfront is not considered to make a substantial contribution to the significance of the non-designated heritage asset.
- 5.7 Furthermore, the existing shopfront is set back from the pavement edge, which disrupts the rhythm of shop frontages with this terrace of

commercial uses. Accordingly, the proposals will bring forward the frontage, thereby improving the streetscene in this regard.

5.8 The description of the locally listed building is set out at Section 2 of this Statement. It is clear to see that the shopfronts of the 3 buildings included in this listing themselves are not a major contribution to the significance of the heritage asset; indeed the facades of the upper floors and the importance of the buildings as a group are the most important factors and not the individual shopfronts. Therefore, it is considered that alterations to the existing shopfront at No 71 are entirely acceptable.

5.9 In addition to moving the built line of the shopfront forwards, the proposals incorporate a new timber and glazed shopfront incorporating traditional elements such as transoms and mullions. This will also help to reduce the existing sub-fascia panel which is overly large and does not contribute to the character and appearance of the Conservation Area. The proposals will introduce further glazing elements which will allow more views into the premises, thereby enhancing the vitality and viability of the frontage by improving the active frontage.

5.10 Also proposed is a new red canvas awning on the front elevation. This will replace an awning which had, until recently, been in place for Starbucks Coffee, but has subsequently been removed. Given that such a canopy has been found to be acceptable in the past it is considered the new awning entirely acceptable.

5.11 Furthermore, such types of awning appear to be characteristic of the street scene, with the majority of nearby properties displaying canvas awnings of a similar type. Accordingly, the proposed new awning will contribute to the character of the local area.

5.12 Landscaping

5.13 None is proposed.

Access

5.14 The proposed new shopfront incorporates two new doors. These will be designed to incorporate inclusive design by virtue of a flush entrance with the street and an easily openable door to enable inclusive access. Accordingly, it is considered that the proposed new shopfront has been designated to incorporate the guidance set out in the Equality Act.

6. CONCLUSIONS

- 6.1 This Statement has outlined the nature of the proposed new shopfront at 71 Upper Street, Islington. Five Guys is proposing to renovate the external building in connection with its occupation of the premises as a restaurant.
- 6.2 The nature of the works proposed has been described, and it can be seen that they will be appropriate and beneficial to the character and appearance of the locally Listed Building. Accordingly, it is considered that planning permission should be granted for this application.

APPENDIX 1

PHOTOGRAPHS OF THE SITE



Photo 1



Photo 2

APPENDIX 2

EMAIL FROM SARAH DOOLAN AT ISLINGTON COUNCIL

Katie Priest

From: Katie Priest
Sent: 27 February 2013 13:18
To: 'enquiriesplanning@islington.gov.uk'
Subject: FW: No. 71 Upper Street, Islington

FAO: Sarah Doolan

Dear Sarah

You recently provided the below email to my colleague Alex Anderson. Would you be able to forward the decision notice onto me as well please?

Thanks for your help with this.

Kind regards

Katie Priest

Senior Planner

Pegasus Group

Planning | Environmental | Retail | Urban Design | Renewables | Landscape Design | Graphic Design | Consultation | Sustainability

T 01454 625945 | **F** 01454 618074 | **E** Katie.Priest@pegasuspq.co.uk

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----- Forwarded message -----

From: "Enquiries" <EnquiriesPlanning@islington.gov.uk>
To: "Alex Anderson" <Alex.Anderson@pegasuspq.co.uk>
Cc: "Enquiries" <EnquiriesPlanning@islington.gov.uk>
Subject: No. 71 Upper Street, Islington
Date: Tue, Dec 4, 2012 2:57 pm

Thank you for your letter dated 16 November 2012.

I have spoken with the planning Duty officer and can confirm that the established use on the ground and basement floors of 71 Upper Street is Use Class A3. Please find the decision notice dated 01-Feb-1989.

Hope this is of assistance.

Kind Regards

Sarah Doolan
Planning Enquiries

Environment & Regeneration
Islington Council
T 020 7527 2000
E enquiries@islington.gov.uk

W www.islington.gov.uk

Please note that this advice is provided at officer level only and in no way prejudices any future determinations made by the Local Planning Authority.

-----Original Message-----

From: Alex Anderson [<mailto:Alex.Anderson@pegasuspg.co.uk>]

Sent: 16 November 2012 14:04

To: Planning

Cc: Katie Priest; Martin Bloom; Josh Braid

Subject: No. 71 Upper Street, Islington

Dear Sir/Madam

Please find attached a letter for the attention of the Development Management Team Leader in respect of the Upper Street area.

Once this letter has been allocated to the officer concerned I would be grateful to receive confirmation as to who it is with for formal consideration and a timescale for a reply.

I look forward to your initial reply as soon as possible please.

Regards

Alex

Alex Anderson

Associate

Pegasus Group

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APPENDIX 3

DECISION NOTICE 88/1640

LONDON BOROUGH OF ISLINGTON
PLANNING DEPARTMENT

DISTRIBUTION COPY

FULL PLANNING APPLICATION
APPROVAL WITH CONDITIONS

TOWN AND COUNTRY PLANNING ACT 1971
SECTION 34(1)
REGISTER OF APPLICATIONS

COPIES TO:
G.L.C.
DISTRICT SURVEYOR
LAND CHARGES
BOROUGH ENGINEER

Your Ref:
Our Ref: TP/ 34381/03. 3 / AJM
APPLICATION NO: 88/1640

Date Borough Council's Decision
issued : 1st February 1989

Particulars of an application under the Town and Country Planning Acts
and Rules, Orders and Regulations made thereunder.

BOROUGH COUNCIL'S DECISION. Planning permission GRANTED on the 25.01.89
for the development referred to in the undermentioned schedule, as shown on the
plans submitted, subject to the conditions referred to.

SCHEDULE

Date of Application: 12.09.88 Submission Completed On: 14.09.88

Plans Submitted: Applicant's No.(s):
Registered No.(s) LBI:

LOCATION: 71, Upper Street, N1

DEVELOPMENT: Extension of existing ground floor restaurant use into the
basement floor.

Condition(s):

01 The development to which this permission relates must be commenced not
later than the expiration of five years from the date of this permission

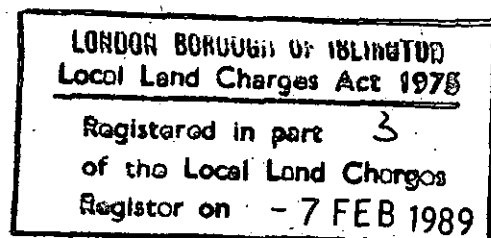
Reason(s):

01 To comply with the provisions of Section 41(1) of the Town and Country
Planning Act 1971.

Certified that this document
contains a true record of a decision
of the Council

Signed *[Signature]*
BOROUGH PLANNING OFFICER
AND PROPER OFFICER

A & V EVGENIOU
71 UPPER STREET
LONDON
N.1 ONK



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