R19.0157

Rolfe Judd
Planning

Planning Policy Team,
Planning Policy,
Islington Council,
Town Hall,
Upper Street,
London
N1 2UD

18th October 2019

FAO: Plan Making Team

Re: Planning Islington's future: consultation on the draft local plan (Regulation 19 stage)
12a -17 Islington Green and 1-15 Essex Road– ('the Property') previously known as the Collins Theatre

Dear Sir / Madam

We write on behalf of the Berjaya UK Investment and Development Limited (Berjaya), the owners of the Property and associated residential accommodation in Islington

Berjaya is the owner of the Property and is seeking to deliver a cultural use which was originally approved for the site in 2001. This includes working with local theatre groups and cultural operators to help secure the on-going use of the space. As part of this approach our client takes a vested interest in the plan making for the area to ensure it adequately facilitates the development of the site.

These written representations are on the consultation of the draft Islington Local Plan Site Allocations (2019) and draft Islington Local Plan Strategic and Development Management Policies (2019) and seek to outline our client's position on the proposed allocation of the Property. The representations follow on from a previous response issued to the Council in January 2019 relating to the Regulation 18 consultation.

We have provided our representations on the key issues within the document. In order to provide coherent representations, the matters raised reference the policy number and relevant evidence where appropriate.

Overall we consider the Plan is broadly 'sound' however following the Regulation 18 consultation we continue to have concerns regarding necessity of the site allocation for the Property as planning permission has been granted and implemented (AUS11). We urge the Council to consider the allocation in principle and the necessity for it; however, should the allocation proceed we consider that a revised allocation description should be considered which acknowledges the approved commercial and cultural accommodation together with the wider cultural, economic and community uses/benefits that the Property delivers and which ensures compliance with other policies within the plan.

We are keen to discuss the above policy comments with the Council before the next round of consultation. This would be an open and honest discussion on the allocation associated with Property. In the meantime should you have any queries or require any further information please do not hesitate to contact us.

Yours faithfully

[redacted]

Tom Lawson
Rolfe Judd Planning

Policy R9: Meanwhile/temporary Uses

As stated in our previous representations we support the approach to encourage meanwhile and temporary uses in buildings where the site has not been fully developed. We also note from the Consultation Statement (2019) that this approach is supported by other developers as well as the Theatres Trust who recognise the importance and benefits that meanwhile uses can bring.

We continue to have concerns the meanwhile use allowed by the Council is not of sufficient time to attract potential occupants. We have reviewed the Consultation Statement and fully appreciate the Councils position that a 5 years period could negate the permanent use of the space. However we believe that a compromised position can be agreed which grants sufficient flexibility without jeopardising future use.

We consider that the time period should be extended to a maximum of 2 years. This approach is still appropriate in the context of the definition of temporary while ensuring that large sites which are subject to often lengthy applications are not unduly impacted penalised as part of the policy.

The two year timeframe will also give necessary assurances and confidence to prospective tenants for the meanwhile uses of a semi-permanent home, whereas they may previously been concerned by the short period of time and inability to realise any gain within the site. The two year period also represents a common period for pre-submission discussions and determination of large planning applications reflecting a desire for land owners to avoid the under-utilisation of sites.

Draft Site Allocations Document – AUS11: Collins Theatre 13-17 Islington Green

As set out in our previous representations in January 2019 we consider that the Site Allocation (AUS11) for Collins Theatre at 13-17 Islington Green is superfluous and not required as part of the Councils Local Plan. The site has already been constructed and implemented with the vast majority of the scheme complete and the residential accommodation occupied. Given that there is an extant permission for the remaining unoccupied spaces (as theatre and commercial space) and that adopted and emerging policies at local and strategic levels protect these uses, it is clear that a further site allocation reiterating this approach will not bring forward any additional protection for the site.

Notwithstanding this we appreciate that the Council have identified a strong commitment to the allocation of the site reflecting the desire of all parties for a use to come forward. This is recognised in the revisions from officers reflecting the need to bring *'the permitted theatre into use'.*

We are keen to work alongside the Council to ensure that the cultural role of the site is fulfilled. However as the Council note within their Consultation Statement, the site has been underutilised for a substantial period of time. It is therefore paramount that flexibility is applied within the site allocation. This is reflective in wider policies within the draft Local Plan which seek to promote cultural facilities.

Policy R1 of the draft New Local Plan clearly identifies that cultural uses are an essential part of Islington's social and economic fabric and their loss or diminution will be strongly resisted. However the policy does not seek to differentiate between specific cultural uses.

Policy R1 goes further to state that areas such as Angel Town Centre (where the site is located) are designated Cultural Quarters. Proposals must enhance the Cultural Quarter by providing new/improved cultural uses and/or uses which support the cultural function within the Quarter and the character of the area.

Policy 4.76 within the supporting text of Policy R1 states that the *"Council seeks to protect and enhance the variety of cultural attractions in Islington which contribute to the economy as well as enhancing the lives of residents and visitors".* The Council makes it clear within the document what *"There is no set list of 'cultural' uses"* and that typical cultural attractions include pubs, theatres, working men's clubs, bingo halls, music venues, galleries, museums, bars, nightclubs, restaurants, conference centres, and community festivals.

Given that the overarching policy objective for the Borough is to support and deliver 'new cultural facilities' and that the Council specifically does not seek to differentiate between the uses; it seems counter-intuitive to miss the opportunity to enable a wider cultural offering at Collins Theatre.

We therefore consider that should the Council wish to designate the site within a site allocation that it formalises the site as a 'cultural use' and not specifically a theatre. This follows the overarching approach within the wider policies of the Local Plan, specifically R1; and provides the sufficient flexibility for a cultural use to come forward on site.

This approach would directly accord with the Islington Arts Strategy which sets out the borough's vision and approach to enhancing artistic and cultural potential to enrich people's lives.

We also consider that the site allocation should clearly highlight the overall scheme permitted and not simply the unoccupied theatre use. The 2001 consent (P000205) set the context for circa 70 residential units, 950sqm of A3 space and a 600 seat theatre.

The allocation proposed by the Council does not take account of this approval and only mentions the theatre. The Council's response to our previous comments in the Consultation Statement indicated that the residential units are protected by policy. However for the reasons discussed above the cultural use is also protected by policy and the Council still sees the need for the site allocation. For consistency and clarity we therefore consider that the commercial floorspace and residential accommodation should also be included within the allocation.

In response to the above representations and in order for the benefits of Collins Theatre to be realised it is imperative that the site allocation is amended to the following:

> *Allocation and justification - Protection of the existing residential on site and recognition of the cultural role of the site to provide commercial floorspace and a new cultural facility.*

We believe the proposed amendments to the allocation will continue to reflect the original ambitions for the site while ensuring that, given the history of the site, a new use is viable and realistic. This approach will ensure the development considerations as highlighted by the current allocation can be achieved.