



ISLINGTON

Development Management Policies and Finsbury Local Plan

Topic Paper: Retail and service uses

August 2012

Contents

Chapter	Page
1. Outline	1
2. General policy background	1
3. Evidence base	1
4. Town Centre boundaries	4
5. Primary and Secondary Frontages	10
6. Local Shopping Areas	12
7. Dispersed Shops	15
8. Promoting and maintaining small and independent shops	16
9. Entertainment and the night-time economy	19
10. Location and concentration of uses	20
11. Markets and specialist shopping areas	24
12. Public Houses	25
Bibliography	29

1. Outline

- 1.1. This topic paper provides justification for the policies in Islington's Development Management (DM) Policies DPD Submission Draft document relating to retail and service uses. The paper also provides a response to several comments which have arisen from the DPD consultation process.

2. General policy background

- 2.1. Islington's adopted [Core Strategy](#) policy CS14 sets the strategic direction for the key areas in the borough – including Town Centres – and retail and services policy in general. The Core Strategy leaves specific detail, such as the Town Centre boundaries and designation of Primary and Secondary Frontages and Local Shopping Areas, to be defined in the DM Policies DPD.
- 2.2. The [London Plan](#) policies 4.7 and 4.8 set out the broad areas which boroughs must focus on when preparing LDF retail policies. The London Plan designates a hierarchy of Town Centres across Greater London, classified as either International, Metropolitan, Major or District centres or as CAZ Frontage areas with a predominant retail function. These designations reflect the existing role and function of the respective centre and give a broad indication about potential growth and regeneration in the centres. Islington's adopted Core Strategy reflects the London Plan Town Centre designations for Islington and the broad Town Centre policies in the London Plan; the proposed DM Policies document details exactly how the strategic policy in the Core Strategy will be implemented.
- 2.3. The [National Planning Policy Framework](#) (NPPF) aims to promote competitive Town Centres and encourages local planning authorities to pursue policies which support their vitality and viability (paragraph 23). The NPPF sets out a sequential test for assessing proposals for main Town Centre uses; this test repeats the sequential test which was previously in PPS4 and advocated by Mary Portas in the Portas Review into the future of High Streets.

3. Evidence base

- 3.1. The retail studies which informed the adopted Core Strategy provide the basis for the retail policies in the proposed DM Policies DPD. The council commissioned (from Donaldsons) a retail study of the borough in 2005 to establish the supply and demand for retail floorspace over the next 10 years. This study was updated in 2008 (by DTZ) and the time period for the retail forecast was extended to 2026 to meet the timescale of the Core Strategy and the emerging DM Policies DPD.

- 3.2. [The 2005 study](#) mainly looked at the role of Angel and Nag's Head Town Centres, but also analysed the role of Archway District Town Centre and several secondary shopping areas (including Finsbury Park).
- 3.3. [The 2008 study](#) update again focused mainly on Angel and Nag's Head but also looked at the potential designation of Finsbury Park as a district Town Centre.
- 3.4. The studies examined the nature of the town centres and some local centres in terms of current mix of shops, services and other land uses, and identified gaps in provision. This involved health checks of each of the main centres to assess the vitality and viability. These health checks included an on-street survey of shoppers and other users for Angel and Nag's Head.
- 3.5. Primary and secondary shopping areas were identified and the requirements of comparison goods retailers for each of the three centres were identified to check against the retail capacity forecasts. The RECAP Model (described below) was used to produce retail capacity forecasts for the Borough. In addition, the studies examined qualitative needs, identified potential retail sites in the area, and analysed them with regard to their retail potential as future sites for development. Finally, the studies made policy recommendations based on its findings.
- 3.6. Chapter 7 of the study summarised the following principal findings and conclusions:
 - Being a very densely populated inner London borough, hemmed in by high density housing, Islington's Town Centres have developed in a consolidated manner, which has led to a limited range of multiple retailers but also development of numerous independent retailers and services which exemplify Islington's unique shopping character.
 - Demand for convenience and comparison retail space is very healthy, but will likely be inhibited by prevailing economic conditions in the short-term and limited development opportunities in the medium to long-term.
 - There will be a significant challenge for the council to identify and assemble commercially suitable sites for new retail development; appropriate policy support for new retail development in town and district centres should be put in place through the LDF.
 - Due to the difficulties of accommodating new foodstores, extra emphasis will be placed on the borough's existing small and medium sized foodstores; due to current overtrading, new foodstores should be supported, ideally within existing centres in line with the sequential approach.
 - New retail at the Kings Cross regeneration area is likely to absorb any growth in expenditure which would otherwise be attracted to Angel Town Centre; this will give Angel a 'breathing space' which will enable it to plan and implement new Town Centre development due to predicted substantial capacity for new comparison goods floorspace.

- Nag's Head has a slightly greater forecast capacity for new comparison goods floorspace, as it will not be impacted by the Kings Cross regeneration.
 - Archway is forecast to have a small need for additional comparison goods floorspace, but has the potential to accommodate further new comparison goods floorspace should there be difficulty accommodating new floorspace at Nag's Head.
 - Finsbury Park should be redesignated as a District Town Centre, to reflect the London Plan and the scale and function of the area as a whole.
 - Planning policies should allow flexibility in relation to the development of Protected Local Centres.
- 3.7. The RECAP Model uses the results of a Household Interview Survey to identify the actual shopping patterns in the catchment area. By this means, it is possible to model realistically existing flows of catchment area expenditure to town centres, foodstores and retail warehouses; as the basis for predicting the existing and future capacity for further retail development. It is therefore an empirical model not a theoretical model. The Model is described in detail in the 2005 Study (page 61).
- 3.8. In summary, the RECAP Model uses the results of the Household Interview Survey as its objective measured 'baseline', using a conventional and widely accepted step by step approach, to complete the following tasks:-
- Calculate the total amount of convenience and comparison goods expenditure which is available within the 11 zones comprising the catchment area for the studies;
 - Allocate the available expenditure to Angel and Nag's Head Town Centres and Archway District Centre, and to the principal non-central foodstores, based on the results of the Household Interview Survey of shopping patterns undertaken in 2005 for the 2005 Study; so as to obtain estimates of current sales and forecast future sales in each;
 - Compare the estimated sales in the town and district centres, and non-town centre main foodstores, with existing floorspace (and in the case of main foodstores, with sales based on 'benchmark' levels of estimated company average performance); so as to assess the current trading performance of each shopping destination, and the capacity to support further growth in floorspace.
- 3.9. The RECAP Model is a useful tool for retail planning, which avoids the potential inaccuracies arising from assumptions about existing trade draw patterns and market shares which are often inherent in other forecasting methods. It is based on forecasting methods which have been used and refined in a large number of retail studies in the public sector. Forecasts made using the method on which the RECAP Model is based are widely accepted; and the model was independently validated in 2005 by the University of Plymouth as an appropriate forecasting method.

- 3.10. A [Town Centre healthcheck](#) was conducted in early 2012 to inform the proposed submission DM DPD. The healthcheck incorporated a survey of all retail premises in each of the four Town Centres, as well as a qualitative assessment of the environmental quality, provision of transport services and accessibility.
- 3.11. Alongside the Town Centre healthcheck, a Local Shopping Area healthcheck was also produced in early 2012. The healthcheck included a survey of all 40 proposed Local Shopping Areas and existing Local Shopping Centres and Protected Local Shops. A traffic light assessment of the mix of uses within proposed Local Shopping Areas was undertaken, including their accessibility and environmental quality. This healthcheck has helped to inform the proposed Local Shopping Area policy, particularly providing the rationale for the designation of new Local Shopping Areas and the continued/deleted designation of various Protected Local Shopping Centres in Islington's Unitary Development Plan (UDP) (2002).
- 3.12. There are other documents which have been used to formulate the proposed DM retail policies; these are discussed in relevant sections below.

4. Town Centre boundaries

- 4.1. As set out in the 2008 retail study (paragraph 6.11), a Town Centre is generally taken to mean a clearly discernable and reasonably substantial agglomeration of shops, service businesses occupying shop premises, other uses such as leisure and entertainment facilities, and social/civic/community uses; together with a public transport 'node'.
- 4.2. The London Plan was the starting point for the designation of Town Centres, as it identifies Angel and Nag's Head as Major Town Centres and Archway and Finsbury Park as District Town Centres. This is reflected in the adopted Core Strategy, although the drawing of the Town Centre boundaries was left to the DM Policies DPD.
- 4.3. Boundaries for Angel and Nag's Head Town Centres were previously defined in the UDP. These boundaries are different to the boundaries proposed in the DM Policies DPD. Justification for the changes to the boundaries is provided by the retail studies; consultation with key stakeholders; retail healthchecks conducted by the Planning Policy team; and walkabouts undertaken with the Nag's Head Town Centre board and the Angel BID board representatives.
- 4.4. Some of the new boundaries incorporate shops previously designated as Protected Local Shopping Centres or Protected Local Shops in the UDP; these are detailed in the Local Shopping Area healthcheck evidence base document.

Angel

- 4.5. The Angel Town Centre boundary largely reflects the boundary in the UDP. Evidence from the 2005 and 2008 retail studies and the Town Centre healthchecks show that this area continues to have a large critical mass of main Town Centre uses.
- 4.6. The major change to Angel Town Centre boundary from the UDP is the extension north along Upper Street and Essex Road, which was recommended in the 2008 retail study (page 47, paragraphs 6.5 and 6.6). The rationale for including these areas within the Town Centre is that the expanded boundary includes potential development sites on Upper Street and Essex Road which are accessible by various means of transport and where capacity of main Town Centre uses can be maximised; Essex Road is a proposed calling point on the route of the proposed Crossrail 2 rail line, which will potentially lead to further increased capacity in the Essex Road area in the longer-term; the expansion would increase the size of the Town Centre to be more reflective of its designation as a major Town Centre in the London Plan and as the principal Town Centre in Islington; and the extension includes some strong secondary frontages and will further strengthen the mix of main Town Centre uses.
- 4.7. The boundary has also been amended to exclude an area¹ bounded by Pentonville Road, Penton Street, White Lion Street and Tolpuddle Street from the Town Centre. There reasons for redefining the boundary of the Town Centre in this location include the following:
- The area contains little diversity of uses, and does not contain a significant amount of retail floorspace;
 - Most of the footfall in the western extent of the proposed Town Centre boundary is on Chapel Market; in contrast, the area proposed to be excluded lacks the critical mass of people or main Town Centre uses needed to justify its inclusion within the Town Centre;
 - The site on the corner of Penton Street and Tolpuddle Street is occupied by a policing facility², which would not be classified as a main Town Centre use; therefore it was not considered necessary to specifically include this site within the Town Centre boundary;
 - White Lion Street is becoming increasingly residential at ground floor level, particularly the western extent of the street; removing the area from the Town Centre may facilitate the conversion of appropriate units to residential use (as with certain Local Shopping Centres); and

¹ The majority of the excluded area is proposed to be designated an employment growth area under draft DM policies DM30 and DM31. Hence, the focus for this area is intended to be to protect existing business units, where appropriate, and to secure new business floorspace where possible.

² Policing facilities would be classed as social infrastructure and would be protected under draft DM policy DM29.

- Pentonville Road is currently dominated by fairly inactive frontages: it is not considered that major retail in this location would be beneficial as it would draw the focus away from the core retail area.
- 4.8. A representation was received during the Proposed Submission consultation in late 2011 which stated that the boundary of Angel Town Centre should be extended north along Upper Street up to the junction with Waterloo Terrace and including the fire station³. The area immediately north of the proposed Town Centre boundary, up to Highbury Corner, is proposed to be designated as a Local Shopping Area under draft DM policy DM23. There is a mix of retail and service uses in this area, although there is not the critical mass of units on both sides of the road, as in the part of Upper Street included within the Town Centre boundary. It is considered more appropriate to designate this as a Local Shopping Area, which generally have a smaller amount of retail and service units than found within a Town Centre. In addition, a fire station would not be classified as a main Town Centre use; therefore it is not considered necessary to specifically include this site within the Town Centre boundary.

Nag's Head

- 4.9. The Nag's Head Town Centre boundary largely reflects the boundary in the UDP; evidence from the 2005 and 2008 retail studies and the Town Centre healthchecks show that this area continues to have a large critical mass of main Town Centre uses.
- 4.10. The major changes to the Nag's Head Town Centre boundary from the UDP are the northern extension to incorporate Manor Gardens; the southern extension to incorporate Holloway Road underground station and the surrounding buildings; and the inclusion of some retail units on Hornsey Road.
- 4.11. These changes have been informed by a number of sources. Although the 2008 retail study did not recommend any changes to the Nag's Head Town Centre boundary, it did observe that the Experian Goad Plan extended northwards as far as Manor Gardens (incorporating North Library); the council also received a representation for the DM Policies 'Direction of Travel' document from the Nag's Head Town Centre Management Board requesting that the boundary was extended to include the library. Although a library is not classed as a Main Town Centre Use, they do offer services akin to, and would clearly complement and support, Town Centre uses; therefore it was felt that a northern extension of the boundary along Holloway Road and Manor Gardens to include North Library was justified. This extension also brings several more retail units on Holloway Road into the Town Centre, the majority of which are in A1 use.

³ A fire station would be classed as social infrastructure and would be protected under draft DM policy DM29.

- 4.12. The Nag's Head Town Centre Management Board also requested that the southern boundary be extended to incorporate several units south of the railway bridge, including Holloway Road underground station and the Metro bar site on the corner of Holloway Road and Hornsey Street. Making this change was seen to be beneficial as it brings the underground station into the Town Centre, as it is in other Town Centres in Islington; and it incorporates the Metro Bar site, which is allocated in the draft Site Allocations DPD for Town Centre uses particularly at lower/ground floor level.
- 4.13. It was not proposed to extend the boundary further to incorporate the remainder of the London Metropolitan University site, as there are a number of site allocations for this location, predominantly for consolidation and expansion of educational and related uses, including student accommodation. These are not deemed to be a "Main Town Centre Use"; draft policy DM29 would relate better to this site as it would be classed as social infrastructure.
- 4.14. A further small change from the UDP boundary was the removal of a number of residential properties on Warlters Road; this street is wholly residential and continuing its inclusion within the Town Centre boundary was not deemed appropriate. It is possible that its original inclusion within the UDP was an oversight or error.

Archway

- 4.15. There was no existing defined Town Centre boundary within the UDP for Archway, as it was newly designated as a Town Centre in the 2004 London Plan and Core Strategy.
- 4.16. The UDP designated Archway as a Protected District Shopping Centre; the Proposals Map showed the boundary for this designation, which included frontages on Junction Road and Holloway Road as well as Archway Mall. The proposed Town Centre boundary incorporates this boundary of the existing Protected District Shopping Centre, as the area continues to support a large amount of Main Town Centre Uses. However, it also significantly extends the boundary south along Holloway Road and Junction Road, and incorporates the entire Archway core site, including the bus station, Archway Tower, Archway Leisure Centre and the Island site.
- 4.17. The 2005 and 2008 retail studies assessed Archway using the 'Area of Opportunity' boundary from UDP policies IMP11 and IMP19. The Area of Opportunity differed from the Protected District Shopping Centre designation as it aimed to attract investment in accordance with studies and development strategies which demonstrated the general development potential of the area, whereas the Protected District

Shopping Centre designation focused specifically on protecting retail uses within the designated area.

- 4.18. The Area of Opportunity boundary largely reflects the proposed Town Centre boundary in the DM Policies DPD, although it includes the Archway Campus (which the proposed boundary does not) and does not extend as far along Junction Road and Holloway Road.
- 4.19. The extension of the boundary along Holloway Road and Junction Road has been proposed due to representations received during the consultation on the DM Policies Direction of Travel document; the consensus from local businesses and groups was that the boundary should be drawn wider to include more businesses that make important contributions to Archway, particularly along Junction Road and Holloway Road. It was considered appropriate to make this change as extending the boundary brings a substantial amount of Main Town Centre Uses into the Town Centre; it also incorporates a Protected Local Shopping Centre and Protected Local Shops from the UDP.
- 4.20. The Whittington Hospital is not included within the proposed Town Centre boundary. A hospital is not classed as a Main Town Centre Use and it is not considered necessary to include it within the Town Centre. Representations were received from the Whittington Hospital NHS Trust on previous consultation drafts of the DM Policies DPD and the Site Allocations DPD; these representations requested that the whole hospital site (the existing hospital and the development site to the north) be included within the Town Centre, as the NHS Trust wanted flexibility to dispose of buildings on the site and bring these forward for alternate uses, to ensure they can upgrade facilities. Given that redevelopment of the north development site and any windfall portion of the existing hospital site would likely be residential-led, it is considered that including it within the Town Centre boundary would constrain future replacement uses. Being on the edge of the Town Centre will still allow the site to be redeveloped for ancillary facilities, including Main Town Centre Uses. It will also maximise the ability to deliver housing on the site, the most likely lead use of any redevelopment, and the most appropriate use given the high level of vacancy within the principal development site in the town centre (the Island site) and the low level of footfall on the northern part of the hospital site.
- 4.21. The proposed Town Centre boundary also does not include the development site to the north of the Whittington Hospital on Highgate Hill; or the Archway Campus. The rationale for this is that these locations are identified in the draft Site Allocations document for residential-led redevelopment and consolidation of educational uses respectively. These are appropriate uses for these sites given their existing use and relatively low level of footfall. As per the hospital site, encouraging retail uses in this location would potentially undermine the core of the town centre, which suffers from a high level of vacancy. These allocated uses are not classed as Main Town Centre Uses; therefore specifically

including these sites within the Town Centre boundary is not deemed appropriate. Being outside the Town Centre enables the sites to develop as identified, without restrictions that would be placed upon the sites if they were in the Town Centre.

Finsbury Park

- 4.22. There was no existing defined Town Centre boundary for Finsbury Park, as it was newly designated as a Town Centre in the Core Strategy and within the 2011 London Plan. The London Plan designates Finsbury Park as a district Town Centre, split across Islington, Hackney and Haringey boroughs.
- 4.23. The 2005 and 2008 retail studies include an assessment of Finsbury Park's role as a secondary shopping area and its suitability as a designated Town Centre (the studies were conducted before Finsbury Park was identified as a district Town Centre).
- 4.24. The limited retail focus of Finsbury Park is noted in the 2008 study; however it was recommended to designate this as a District Centre, including all streets with reasonably continuous shopping frontages, particularly along Stroud Green Road, Blackstock Road and Seven Sisters Road, along with all sites with potential for redevelopment for retail and other Town Centre uses.
- 4.25. The proposed boundary incorporates the broad shopping areas identified in the retail studies, namely Stroud Green Road; Fonthill Road; Seven Sisters Road; Blackstock Road; and the core central site. The proposed boundary has remained the same throughout the three previous consultation exercises and has received no objections.
- 4.26. In Hackney's adopted Core Strategy, the boundary of Finsbury Park District Town Centre is on the corner of Blackstock Road and Seven Sisters Road; Islington's proposed Town Centre boundary for Finsbury Park will complement the boundary designated in Hackney; no objections were raised by Hackney council during any of the consultation exercises.
- 4.27. In Haringey's emerging Local Plan, there is no District Town Centre designation contiguous with Islington's District Town Centre designation; however Haringey have identified two local shopping centre designations on Stroud Green Road which will be complemented by Islington's Town Centre designation in the proposed policy. The lack of a Town Centre designation in Haringey is not considered to be problematic because:
- the classification of Finsbury Park as a tri-borough District Town Centre in Annex 2 of the London Plan can be considered an administrative classification, given the convergence of the three borough boundaries at Finsbury Park. The London Plan does not

state that each borough must have retail designations in this Town Centre; as it stands, the critical mass of retail is within the Islington boundary, with only a small amount of units in main Town Centre use present within the Haringey boundary.

- Haringey have been consulted at every stage of policy preparation period, and have not raised any objections to the proposed boundary.

4.28. The need to develop and maintain close working arrangements with Islington, especially regarding Finsbury Park station and the surrounding development site, is emphasised several times in the document's supporting text.

5. Primary and Secondary Frontages

- 5.1. The requirement to designate primary and secondary retail frontages in Town Centres is set out in the NPPF. The core concentration of these frontages makes up the primary shopping area of their respective Town Centres⁴.
- 5.2. Primary frontages include a high proportion of retail uses, while secondary frontages are to provide for more diversity of uses, whilst maintaining their primarily retail role. The NPPF does not specify acceptable proportions of retail and non-retail in frontages, as this is a matter for local planning authorities to decide. Ultimately, the frontage designations should promote the vitality and viability of town centres and provide high quality and accessible retail services which meet the needs of consumers.
- 5.3. With regard to this, Islington's DM Policies DPD identifies a range of primary and secondary frontages in Islington's four Town Centres. These designations have been chosen in a way which protects and enhances the existing retail offer in the Town Centres, but also allows for opportunities for diversity and future growth opportunities to ensure sustainable retail development over the plan period.
- 5.4. Frontage designations are the most important mechanism for ensuring retail uses (particularly A1 uses) are both maintained and allowed maximum opportunity to develop within specified areas of Town Centres. There is a clear aspirational element to frontage designations and it is evident that they should not solely be used to protect areas with existing high levels of A1 use; they should also be used in areas where A1 use is currently lower than targeted, particularly when these areas have potential to develop into key retail areas over the lifetime of the plan.

⁴ The NPPF defines a primary shopping area as being a; "defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage."

- 5.5. The frontage designations in the proposed submission DM Policies DPD reflect existing strong retail areas; and frontages contiguous to these areas where retail is also strong or has the potential to develop. Primary frontages reflect those areas with a high concentration of A1 uses; secondary frontages reflect those areas where retail (A1 uses) and non-retail are balanced more evenly.
- 5.6. The primary and secondary frontages were determined by review of the existing protected frontages in the UDP; a review of the existing concentration of retail uses (A1 use class) through retail surveys; with regard to planning permissions and proposals; and walkabouts of Angel, Nag's Head and Archway with representatives from the Town Centre boards.
- 5.7. Retail surveys completed for Islington's four Town Centres show that primary frontages in major Town Centres have approximately 70% A1 uses overall while those frontages in district Town Centres have approximately 60% A1 uses overall. Secondary frontages across all town centres were consistently around 50% overall. Consistent with the findings of the survey, Policy DM22 aims to maintain A1 use thresholds that reflect these proportions.
- 5.8. Within the proposed frontage designations, there are some sections of frontage which fall below these thresholds. However, these are contiguous to strong performing frontages or are in locations which offer benefits in terms of accessibility or public transport provision, and hence have significant potential for intensified retail uses. The policy is also expected to be applied with some flexibility, with regard to both market demand and to past changes, which will be monitored annually.
- 5.9. Previous iterations of the DM Policies DPD included frontages to reflect expected future development where a proportion of retail was expected to be provided; this included the Royal Bank of Scotland site in Angel Town Centre; the Archway Campus site in Archway Town Centre; and the City North site in Finsbury Park Town Centre. Following consideration of representations and of the policy's objectives, it was decided to remove these frontage designations on the basis that:
- the existing frontages contained no existing retail uses, and therefore the policy would not apply to any Change of Use proposal; and
 - the proposed Site Allocations DPD includes allocations for all three sites and an element of retail will be expected as part of any proposals on these sites.
- 5.10. Several representations were received which proposed additional frontage designations, particularly on Upper Street in Angel Town Centre and around the Archway Tower and Island site in Archway Town Centre. These proposed frontages were not considered suitable for designation due to their low proportion of A1 uses and limited scope for increase.

5.11. Several consultees commented that the requirement for continuous marketing and vacancy evidence, as part of proposals for change of use of A1, should be removed or shortened. It is important to give maximum protection to A1 uses in frontages. The NPPF makes it clear that frontages are the core area for retail; therefore it is necessary to afford these areas strong protection and a presumption against change of use from A1 unless a wholly exceptional case can be demonstrated. In this case, marketing and vacancy evidence is required for a period of two years. This is considered an appropriate and acceptable length of time within which to establish whether there is market demand for the existing retail unit whilst avoiding any long-term blight. By providing this information, applicants will demonstrate that there is no demand for continued A1 use, which means the policy is able to respond to changing circumstance over the plan period. This approach would not preclude the use of units on a temporary basis during the marketing and vacancy period.

6. Local Shopping Areas

- 6.1. The NPPF (paragraph 70) places great emphasis on the need to plan positively to deliver facilities which communities need, including local shops. The NPPF stresses the need to guard against unnecessary loss of these facilities and ensure they can develop and modernise in a sustainable way.
- 6.2. Following on from the NPPF, [further guidance](#) published by the Department for Communities and Local Government in June 2012 outlines a number of measures that could be implemented to improve local shopping parades. The document emphasises the importance of local shops to their communities and demonstrates that proactive measures to protect parades of various sizes are needed.
- 6.3. The London Plan policy 7.1 aims to ensure the best possible access to services for neighbourhoods, including local shops. The London Plan also directs boroughs to prepare plans which will ensure services are delivered to meet the needs of existing and new development.
- 6.4. Two documents have been produced at a regional level to assess small shop provision in London. The [London Small Shops Study 2010](#) emphasises the importance of small shops in terms of the benefits that they provide for their areas, including their contribution to the character of the area and the local economy.
- 6.5. The second document is '[Cornered Shops](#)', a scrutiny report produced by the London Assembly in July 2010. The report looked at the benefits of small shops; what evidence and policies existed to protect them; and what the Mayor can do through the planning system to support them. This study outlines the importance and value of local shops, beyond the ability to buy food and access services within walking distance. In

particular, it looks at their social and economic role, which is central to the creation sustainable neighbourhoods (a key element in the concept of 'lifetime neighbourhood'). The decline of small shops and the issues faced are also explored.

- 6.6. These documents informed the preparation of the London Plan and bring the issue of protecting small shops to the forefront of retail planning. Alongside the NPPF and the London Plan, they provide a solid basis for the proposed DM Policies DM23 and DM24 (discussed below in section 7).
- 6.7. The proposed Local Shopping Area (LSA) designations in the DM Policies DPD will ensure that the aims of the NPPF and the London Plan are delivered by identifying areas for where local shops can develop and ensure that they are protected from harmful Change of Use.
- 6.8. The 40 LSAs in the submission draft DM policies document were largely derived from the Protected Local Shopping Centres and Protected Local Shops previously designated in Islington's UDP. These local shopping designations have consistently proved important to their local areas. [A survey](#) of the existing UDP designations showed that the majority of the designations were still fit for purpose; a [Local Shopping Area healthcheck](#), completed by council officers, details the health of each area, and consequently, which designations have been deleted, amended or merged, or amalgamated into the proposed Town Centre boundaries.
- 6.9. The 40 LSAs proposed in the DPD range from small LSAs with less than 10 units to larger areas with over 100 individual units. LSAs are influenced by their locality and surrounding community and vary significantly in terms of character, size and function.
- 6.10. Policy DM23 aims to ensure that proposals within LSAs contribute to an appropriate mix and balance of uses that maintains and enhances the retail and service function of the area. Unlike primary and secondary frontages, no thresholds are identified. This will ensure that each LSA has the flexibility to maintain and develop its unique role and function. As an inner London borough, it is inevitable that for some LSAs, uses other than A1 are the key draw, and these uses then contribute most to maintaining the vitality and viability of the area. Policy DM23 therefore appropriately responds to the diversity of LSAs within Islington.
- 6.11. However, in all LSAs A1 remains the primary (if not the predominant) use; therefore the policy contains a strong general presumption for protecting existing ground floor retail units (considered to be A1 use class and Sui Generis akin to A1, such as laundrettes) from Change of Use.

- 6.12. Applicants applying for Change of Use of existing ground floor retail units to non-retail uses will have to demonstrate that there is no demand for continued operation of retail uses through provision of continuous marketing and vacancy evidence; that there are no harmful breaks in the continuity of retail frontages; and that there are no individual or cumulative impacts which will have an adverse effect on the vitality, viability and predominantly retail function of the LSA.
- 6.13. These criteria set the baseline of the policy, which is protection of retail uses in LSAs; however they also acknowledge the unique role and function of LSAs in their respective communities and provide flexibility for LSAs to develop where it can be demonstrated that ongoing retail use of a unit is no longer in demand and other uses would contribute more to the vitality and viability of the LSA.
- 6.14. Protected Local Shopping Centre S12 from the UDP was proposed to be designated as an LSA in earlier iterations of the DM Policies DPD (designated as Hornsey / Thorpedale); however, following surveys of the area and representations received during previous rounds of consultation this proposed designation was removed. This reflects the fact that a large amount of retail units in the area have been converted to residential use, which has changed the function of the area and means it is no longer suitable for designation.
- 6.15. Protected Local Shopping Centre S42 from the UDP designated shops in the Packington Estate; these shops have now been demolished as part of estate redevelopment scheme, which includes reprovision of 750sqm of flexible A1/D1 retail floorspace. Convenient access to essential everyday goods and services is extremely important for large communities such as the Packington Estate; therefore the new relocated units have been designated as a proposed LSA. The addresses of the shops within the designation are not yet known although a description of the location (based on the development masterplan provided as part of the planning application for the estate redevelopment) was consulted on during the Proposed Submission (October 2011) and Proposed Submission – Further Changes (May 2012) consultations. This proposed designation received no objections.
- 6.16. There are two LSAs in the Finsbury Local Plan area; Whitecross Street and Exmouth Market. In addition to the requirements of DM policy DM23, Finsbury Local Plan Policy BC8 (F) has an additional requirement to retain a minimum of 35% A1 uses within these LSAs. This extra requirement was considered important given that they are the only two identified LSAs within the Finsbury Local Plan area. Both LSAs have a historic retailing role but both have seen an increase in the number of restaurants and café bars in recent years. While this is a sign of their vitality and success, it is considered important to ensure that each retains a retailing role to meet the needs of both residents and visitors and ensure that each LSA retains vitality throughout the week. The 35%

minimum level of A1 uses is based on the current proportion of A1 in these areas (35% at Whitecross Street; 36% at Exmouth Market).

7. Dispersed Shops

- 7.1. Dispersed shops are the final designation on the hierarchy of shopping areas in the proposed DM Policies DPD. Although they do not specifically designate individual shops, they do afford general protection to A1 uses outside Town Centres and LSAs, particularly to ensure that accessible provision of essential daily goods is maintained.
- 7.2. The DM Policies DPD does not repeat the specific Local Shop designations from the UDP; instead it offers a more flexible policy which will enable important shops to be maintained, consistent with the objectives of the NPPF and the London Plan. Paragraphs 6.1 to 6.5 above detail the relevant national and regional policy from which the basis of the proposed DM policy has been derived.
- 7.3. Two Protected Local Shop designations from the UDP have been wholly incorporated into the proposed Local Shopping Areas identified in the Development Management Policies DPD. These are LS9 (King Henry's Walk) and LS10 (Ball's Pond Road), both of which are situated in a part of the borough where provision of local shops is poor. In addition, some shops identified in other Protected Local Shop designations have been incorporated into proposed new designations:
 - Part of LS1 (Crouch Hill): now a Local Shopping Area (Crouch Hill)
 - Part of LS2 (Junction Road): now Archway Town Centre
 - Part of LS11 (Barnsbury Street): now a Local Shopping Area (Liverpool Road / Barnsbury Street)
 - Part of LS12 (St. John Street): now Angel Town Centre
- 7.4. Protected Local Shops which were designated in the UDP but are not proposed to be redesignated in Town Centres or LSAs in the DM Policies DPD, will still be afforded strong protection against change of use. The LSA healthcheck evidence base document details which designations have been deleted.
- 7.5. The baseline for the policy, as with the LSA policy, is the protection of existing A1 units. However the policy is flexible enough to allow change of use where it can be demonstrated, through continuous marketing and vacancy evidence, that there is no demand for continued operation of A1 uses and that there is no prospect of the unit being used to provide an essential service (such as grocers, post office, etc).
- 7.6. The policy also has a spatial element in that it does not permit Change of Use unless essential daily goods will still be available, post-Change of Use, to local communities within a short walking distance. This is an important point as it will ensure continued accessible provision and fulfil

the aims of the NPPF and the London Plan by ensuring the best possible access to those facilities of most importance to communities.

- 7.7. Change of Use to residential use will be resisted (note that this also applies to Local Shopping Areas and within Town Centres), unless the application satisfies the criteria for Change of Use and provides high quality dwellings with a high standard of residential amenity, and provided the Change of Use will not detrimentally affect the character of the street. Given that individual shop units are often a focal point for the streets where they are located, it is important to ensure that the design of any Change of Use will be acceptable. This is particularly the case in a dense urban environment such as Islington, where shop units are an important component of the street scene. This will contribute to the aims of other proposed DM Policies, particularly housing and design.

8. Promoting and maintaining small and independent shops

- 8.1. Small and independent shops contribute to the special character of Islington; their loss may harm the vitality and viability of shopping areas in Islington. The importance of local shops is demonstrated in paragraphs 6.1 to 6.5 above, which detail the relevant national and regional policy from which the basis of the proposed DM policy has been derived.
- 8.2. In addition to the Local Shopping Area and Dispersed Shops policies discussed above, the DM Policies DPD aims to protect and maintain independent shopping by requiring provision of small shop units as part of major retail development; and by preventing the amalgamation of individual shop units. While the proposed dispersed shops policy (discussed above) is primarily to be used for Change of Use applications, proposed policy DM18 (promoting and maintaining small and independent shops) will be used to encourage and protect small retail units that are subject to development proposals.
- 8.3. To inform the proposed DM Policy, the council commissioned DVS to produce a [‘Workspace Viability Report \(October 2011\)’](#), which looked at the viability of requiring retail floorspace as part of development proposals. Viability assessments were undertaken for ten development sites throughout the borough, taking account of all planning obligations, standards and potential CIL charges. Importantly, the assessments discounted any potential cross-subsidy from new residential development in evaluating the viability of employment/retail development. The assessments aimed to evaluate, in general terms, the impact on viability of securing a certain proportion of employment floorspace (including retail) as either “affordable” or “small”. For retail, the assumption was made that small retail units would, in effect, be “affordable”, on the basis that retailing floor area has a strong relationship to potential profit margins, and therefore rents; and because shop units tend to be let as shell and core. The report concluded that

major retail-led schemes in Islington, regardless of their location, would generally be able to support an element of affordable/small retail space. The recommendation was for retail schemes in excess of 2,500sqm to provide up to 10% of floorspace for smaller units. The report also considered that proposals for the redevelopment of existing small retail units would be able to reprovide these, on the basis of the general viability of retail development in Islington, and due to the relative viability of redevelopment of existing low-value (i.e. affordable) floorspace. This was deemed to be within the margins of viability.

- 8.4. Proposed DM Policy DM18(A) sets the council's stance that retention of small shop units is the baseline by which any proposals will be assessed. Echoing the findings of the 'Workspace Viability Report (October 2011), the policy requires proposals for 2,500sqm GIA or more in A use classes to provide at least 10% of total proposed retail floorspace for small shop premises, and particularly encourage their occupation by independent retailers. The proposed policy fully reflects the Core Strategy and policy 4.9 of the London Plan. The definition of a 'small shop' in the proposed DM Policies DPD is taken directly from the London Small Shops Study 2010.
- 8.5. The London Small Shops Study 2010 paragraph 11.14 acknowledges that some large retail schemes over 1,000sqm (the threshold for major developments) could also need mitigation measures depending on local circumstances. The proposed DM Policy reflects this by requiring development below 2,500sqm to provide a good supply of smaller units. This ensures consistency with the Core Strategy and regional policy, and allows local circumstances to be determined flexibly on a case by case basis.
- 8.6. A number of representations were received during the various consultation periods; these were generally supportive with some opposition and requests for the policy to be made more flexible. Suggested changes included:
 - removing the requirement entirely, as smaller retail units may remain vacant, and letting the market dictate provision of retail space;
 - 'encouraging' proposals to provide small shop premises, rather than 'requiring' them to; and
 - providing small shop units where it is 'appropriate, feasible and viable'.
- 8.7. The proposed DM Policy has a positive defined aim to increase provision of small shop units in Islington, which reflects the national and regional policy direction on small shop units; the assertion made during the consultation that smaller retail units would remain vacant is unfounded, and misreads the direction taken in national and regional policy.
- 8.8. The DM Policy needs to be rigorous and consistent, to ensure that the outcomes of the policy help to achieve the overarching aim. Introducing

caveats merely encouraging provision, or requiring provision only where it is 'appropriate, feasible and viable', would not provide a solid basis on which to implement a long-term policy to improve small shop provision, particularly in those parts of the borough where access to shops is poor. In any case, viability is a material consideration that would be considered alongside Development Plan policies.

- 8.9. Proposed DM Policy DM18(B) states that the council will prevent the amalgamation of individual shop units incorporating A use classes. Amalgamation of shop units is a contentious issue; the Royal Borough of Kensington & Chelsea has petitioned the Government (552 signatures in 2010) for a change in the General Permitted Development Order so that planning permission is required to amalgamate small shop units into larger ones.
- 8.10. The council has sought legal advice to inform the proposed DM Policy, the provenance of which was established in policy CS14(D) of the adopted Core Strategy. The legal advice established that there is potential to restrict amalgamation where amalgamation would result in material impacts. The policy has therefore been written to allow flexibility, particularly aiming to restrict amalgamation where it would detrimentally affect the character of the local area or would cause unacceptable adverse impacts on the local environment and amenity. There is no need to explicitly state in the policy the exact circumstances under which amalgamation would be resisted, as this would need to be considered on a case-by-case basis, taking into account the level of the material impacts which will arise.
- 8.11. The proposed DM Policies DPD also states that conditions may be attached to permissions for small shop units, requiring planning permission to be sought for the future amalgamation of units into larger premises. This element of the policy was derived from PPS4 which directed local planning authorities to make use of such conditions to protect small shop units and limit internal alterations which increased unit size. PPS4 has now been replaced by the NPPF, which does not have any references to the use of conditions to prevent future amalgamation. However, the Government has made it clear that supporting guidance not listed in Annex 3 of the NPPF is still extant, prior to its revocation after a full review of all planning policy supporting guidance. ['Planning for Town Centres: Practice guidance on need, impact and the sequential approach \(December 2009\)'](#) can therefore still be used as part of the evidence base to inform policy preparation. Part 8 of the guidance relates to the effective use of conditions and specifically mentions the use of conditions to limit internal alterations to increase the amount of gross floorspace. This provides adequate justification for the principle established in the proposed DM Policy DPD.
- 8.12. Several representations have been received on this policy; generally there is support for the suggested approach, although one objection

stated that the policy was not effective, as amalgamation does not require planning permission. As discussed above, there are justifiable and appropriate methods which the council can pursue to limit amalgamation, therefore the policy is considered effective.

9. Entertainment and the night-time economy

- 9.1. Policy 4.6 of the London Plan recognises London's role as a centre for entertainment and night-time economy uses; it directs local authorities to take a supportive approach to planning for strategic and more local clusters of these uses in appropriate locations. However, unacceptable cumulative impacts and saturation of these uses should be avoided.
- 9.2. The London Plan identifies Town Centres and parts of the CAZ as the most suitable locations for clusters of night-time activities. Annex 2 of the London Plan specifically identifies Angel as a regional/sub-regional night-time economy cluster, and Nag's Head as a night-time economy cluster with more than local significance.
- 9.3. [Managing the night time economy: best practice guidance \(March 2007\)](#), produced by the Mayor of London, provides further guidance on managing issues related to the night-time economy; it states that borough policies should support entertainment and night-time activities where appropriate and promotes a proactive and strategic approach to the management of areas of night-time activity in order to reduce adverse impacts.
- 9.4. The NPPF defines entertainment and recreation uses (such as bars, cinemas, pubs and nightclubs) as Main Town Centre Uses, and therefore directs their development to Town Centres.
- 9.5. Proposed DM Policy DM19 reflects the London Plan and the NPPF by directing entertainment and night-time activities to Town Centres, supporting them where they are compatible with other Main Town Centre Uses and there are no significant adverse impacts on amenity (particularly residential amenity); it also aims to avoid over-concentration of these uses, although this is assessed in relation to proposed DM Policy DM20 (discussed below).
- 9.6. The policy states that these entertainment and night-time activities outside Town Centres are generally inappropriate, with the exception of the area covered by the Finsbury Local Plan policy BC8; this area is wholly within the CAZ and is already established as a significant entertainment and night-time use cluster, unlike other out-of-centre locations. This is consistent with the London Plan.
- 9.7. The council's [licensing policy](#) identifies several areas which have a large number of licensed premises:
 - the areas surrounding the Emirates Stadium;

- Angel Town Centre;
- the Farringdon area of Clerkenwell;
- Kings Cross area; and
- Bunhill and Clerkenwell.

- 9.8. These areas are closely monitored as they are deemed to warrant special consideration due to the potential cumulative impacts associated with the proliferation of licensed premises. In particular, the Farringdon area of Clerkenwell has been identified as a ‘Special Area of Cumulative Impact’; this creates an automatic presumption against applications for certain licenses, unless they can demonstrate that they will not add to the existing cumulative impact of licensed premises in the area. Angel Town Centre is also being closely monitored to see whether a similar policy should be implemented there, due to similar issues with cumulative impacts of licensed premises.
- 9.9. In terms of monitoring the effectiveness of the policy, the council’s licensing department records all licensed activity in the borough by postcode; this includes bars, restaurants and pubs. This information will be important in order to analyse where these uses are being developed over the plan period.
- 9.10. This proposed policy has been supported in previous consultations and has received no objections.
- 9.11. Finsbury Local Plan Policy BC8(G) states that, within the Finsbury Local Plan area, new entertainment uses will only be allowed within designated Employment Priority Areas; and that proposals for new entertainment uses will be assessed using DM policies DM19 and DM20. This affords protection to the amenity of predominantly residential areas within this part of the Central Activities Zone, but allows entertainment uses to be established where no harmful concentration would result, consistent with the approach taken in the council’s licensing policy.

10. Location and concentration of uses

- 10.1. There are certain types of uses which, when located in close proximity to sensitive facilities/uses, or when clustered together, can cause disturbance or detrimentally affect amenity, particularly residential amenity, or cause a harmful effect on the vitality and viability of shopping areas.
- 10.2. Proposed DM policy DM20 aims to limit unacceptable concentration of such uses, and ensure that they are not located in close proximity to schools or other sensitive community facilities.
- 10.3. London Plan policy 3.1 outlines the Mayor of London’s commitment to ensure equal life chances for all Londoners and tackle inequality across

London. Key to this commitment is ensuring that development proposals protect facilities and services that meet the needs of particular groups and communities. Policy 3.2 of the London Plan aims to ensure that new developments help to reduce health inequalities and promotes an integrated approach (incorporating planning, transport, housing, environmental and health policies) to promote the health and wellbeing of communities. The supporting text (paragraph 3.11) makes it clear that these aims can be complemented by specific measures, giving the example of creating local policies to alleviate concerns over development of fast food outlets close to schools.

- 10.4. One of the NPPF's core planning principles is to always seek a good standard of amenity for all existing and future occupants of land and buildings. Over-concentration of specific uses, and the inappropriate location of uses, will adversely impact on amenity, particularly residential amenity; therefore it is necessary to tackle this issue through policy, in order to ensure that amenity is protected. The NPPF also has specific criteria (paragraph 123) to ensure that noise does not cause significant adverse impacts on health and quality of life. It is therefore important to control uses which can be reasonably assumed to have potential to cause adverse noise impacts, such as drinking establishments, nightclubs, etc.
- 10.5. The Mayor of London's best practice guidance for managing the night-time economy (mentioned in paragraph 9.3 above) stresses the importance of managing saturation and cumulative impacts of entertainment and night-time uses, through planning and licensing policy.
- 10.6. [Recent research](#) from the Local Government Association shows that high concentrations of uses such as strip clubs and betting shops are causing concern amongst many local authorities and communities, who consider that they may be adversely impacting economic growth. This research is echoed by a number of high profile campaigns by [the Mayor of London](#), [local councillors](#), [MPs](#) and other organisations, calling for action on the issue of over-concentration of uses, particularly for betting shops. [The Portas Review \(December 2011\)](#) also advocates controlling the proliferation of betting shops by putting them in their own separate use class, although [the Government's response to the review](#) stated that this option is not preferable, and that local authorities should instead make use of Article 4 directions to remove permitted development rights for Change of Use to A2 use.
- 10.7. The London boroughs of [Barking & Dagenham](#) and [Waltham Forest](#) have produced SPDs to tackle the issue of saturation of hot food takeaways and their location near to schools. Health issues, particularly childhood obesity were a key justification for the production of these documents; by limiting hot food takeaways near to schools, there is evidence to suggest that these health issues could be minimised.

- 10.8. [Tipping the Scales: Childhood obesity in London](#), a report produced by the London Assembly's Health and Public Services Committee in April 2011, found that childhood obesity is higher in urban areas such as London. The report states there is evidence that exposure to unhealthy food in London appears to be high, quoting research by the School Food Trust which found that London had 28 'junk food' outlets per secondary school, compared to a national average of 23.19. In addition, in 2009 environmental health officers analysed the meals children bought at takeaway outlets near 45 schools, across 16 London boroughs. They found that 96 per cent of meals purchased fell into the 'red light' labelling category for high salt and fat content. The report also quotes data published by the School Food Trust which shows that less than half of schoolchildren in London eat a school meal.
- 10.9. The Government White Paper [Healthy Lives, Healthy People \(November 2010\)](#) highlights the major issue of obesity, particularly childhood obesity and obesity within deprived areas and black and minority ethnic communities. The paper advocates a leading role for local authorities to tackle the obesity crisis, through existing regulatory powers and through further freedom and flexibility allowed by the general power of competence.
- 10.10. [HM Select Committee Report on Health Inequalities \(March 2009\)](#) supported restrictions on the amount of fast food outlets, given that specific interventions such as this have been proven to have a positive impact on those lower socio-economic groups at risk of health issues such as obesity.
- 10.11. [A Tale of Two ObesCities: Comparing responses to childhood obesity in London and New York City](#), a report by the City University of New York and London Metropolitan University (February 2010), also acknowledges the potential harmful impacts which over concentration of fast food outlets can have on childhood obesity levels. The report advocates using land use planning to limit access to fast food outlets.
- 10.12. [The School Fringe](#), a study by the Nutrition Policy Unit from London Metropolitan University (July 2008) looked at the lunchtime eating habits of schoolchildren; the study found that school canteens were the least popular choice for food purchases, with pupils preferring fringe food outlets in close proximity to schools. Nutritional analysis of purchases from these fringe food outlets found that these were not meeting the dietary needs of the schoolchildren who took part in the study. Children who regularly purchase lunch from fringe outlets could therefore develop health issues such as obesity. The study recommended some practical options to address the issue, including restricting fast food shops near schools.
- 10.13. [Prevention of Cardiovascular Disease at a Population Level](#), a report by the National Institute for Health and Clinical Excellence (June 2010), looks at a range of measures which could prevent cardiovascular

disease across the general population. One of the recommendations of the report was to restrict planning permission for takeaways and other food retail outlets in specific areas, for example, within walking distance of schools, as these outlets contribute significantly to poor diets and subsequently increase the chances of ill health, particularly cardiovascular disease.

10.14. Islington NHS Trust has produced a Joint Strategic Needs Assessment looking at wide range of determinants of health across the borough. The [2010/11 report](#) has a specific section on healthy eating, which states that interventions to reduce the numbers of children and young people who regularly eat from fast food outlets should be identified and prioritised.

10.15. It is clear from the strategic direction of national and regional planning policy, and the wealth of studies, reports and campaigns, that controlling over-concentration and location of certain uses is justified. Evidence from retail surveys conducted in early 2012 to inform the Town Centre and LSA healthchecks give an indication of the amount of some of these uses across Islington:

Use class	Number of units in Town Centres	Number of units in Local Shopping Areas
A2 (Betting shops)	25	20
A3/A4 (Cafes, Public Houses, Bars)	265	240
A5 (Hot food takeaways)	58	89
Sui Generis (Arcades)	6	0

10.16. This table shows that there are a large amount of potentially harmful uses in the borough. These uses are classed as Main Town Centre Uses, but it is important to monitor the level and locations of development to prevent harmful cumulative impacts as a result of clustering.

10.17. For LSAs, given their smaller size and function, clustering of these uses could cause more immediate adverse impacts; retail surveys show that there are a number of LSAs with clusters of these uses:

- There are multiple A2 betting shops in Upper Street, Caledonian Road (Central) and Seven Sisters Road LSAs.
- A3/A5 uses are the predominant uses in Hillrise, Highgate Hill and Exmouth Market LSAs.

10.18. It is therefore important to control the location of these uses where they could adversely impact the amenity of existing sensitive uses (e.g. takeaways near to schools), or where they would lead to unacceptable concentration of harmful uses (e.g. betting shops, arcades).

- 10.19. Licensing policy will play a central role in ensuring that proposed DM policy DM20 is successfully implemented, given that most powers to limit harmful uses come through licensing, for example, by refusing licences for off licences and betting shops, which would not require planning permission in the case of a change of use.
- 10.20. Proposed DM Policy DM20 dovetails well with Islington council's [Licensing Service Charter](#), which aims to ensure that premises selling alcohol or providing regulated entertainment, special treatments or late night refreshment are licensed, safe and do not cause annoyance to neighbours.
- 10.21. The policy was generally supported in previous consultation exercises, particularly in relation to restricting betting shops. One comment was received opposing the restriction of non-A1 uses anywhere in Islington, as it was considered overly restrictive and unnecessary; as discussed previously, there is a wealth of evidence to support the proposed policy, which is considered a necessary measure to protect against proliferation of harmful uses.

11. Markets and specialist shopping areas

- 11.1. The draft DM Policies DPD includes a specific policy on markets and specialist shopping areas. The NPPF (paragraph 23) stresses the importance of retaining, enhancing and creating markets and also advocates policies to develop a diverse retail offer which reflects the individuality of Town Centres. The London Plan policy 4.8 also supports London's street markets and promotes the development of policies which provide specialist shopping as part of a wider retail offer.
- 11.2. The proposed DM policy seeks to maintain and enhance traditional street markets; and to protect the character and function of specialist shopping areas. This approach is fully consistent with the London Plan and the NPPF.
- 11.3. The supporting text of the policy specifically mentions three well established street markets in Islington; however, the policy is not solely applicable to these markets. It will apply to other traditional street markets, such as Archway Market. The policy does not apply to Nag's Head indoor market; this market is identified in the proposed Site Allocation DPD site NH1, as part of the wider Morrisons supermarket site. The proposed allocation encourages an improved market facility as part of any redevelopment.
- 11.4. Specialist shopping areas are considered to be those retail areas with a unique character and/or function, such as Camden Passage (antique/curio shops) or Fonthill Road (clothes shops). Core Strategy policy CS14(D) aims to actively promote these areas and consider them

when assessing future retail proposals, i.e. to assess whether these future proposals will contribute to the specialist nature of the area.

- 11.5. Evidence from retail surveys conducted in early 2012 to inform the Town Centre healthcheck showed that these areas have a high concentration of A1 uses, which is likely due to the specialist nature of the goods on offer which can attract customers from elsewhere in the borough and beyond. Therefore it is important to protect these existing areas, and also promote the development of new specialist shopping areas.
- 11.6. In previous versions the policy only focused on markets, but this was expanded to include specialist shopping areas because it was considered to be a gap in the policy. Core Strategy policy CS14 makes specific reference to specialist shopping areas at Fonthill Road and Camden Passage; therefore it was considered appropriate to have a DM policy which protected the unique retail function of these areas, and any other area which develops unique shopping functions over the plan period. This ensures the document is fully comprehensive given the impetus provided by the NPPF for local plans to not be “silent” on certain issues.

12. Public Houses

- 12.1. Islington’s adopted [Core Strategy](#) policy CS14(A) sets the strategic direction for continuing to have a strong cultural and community provision (which includes Public Houses), and providing a good range of goods and services for people who live, work and study in the area.
- 12.2. The [London Plan](#) policy 4.8 directs Local Planning Authorities to develop policies for maintaining, managing and enhancing local and neighbourhood shopping and facilities which provide local goods and services, and develop policies to prevent the loss of retail and related facilities.
- 12.3. The [National Planning Policy Framework](#) (NPPF), in paragraph 70, directs local planning authorities to plan positively for the provision and use of community facilities such as Public Houses; and to guard against unnecessary loss of such facilities.
- 12.4. Paragraph 50 of the NPPF places great emphasis on maintaining the character and distinctiveness of an area; development is expected to respond to local character and history and demonstrate an understanding of the defining characteristics of an area.
- 12.5. The DM Policies Issues and Options document (October 2009) option 26 proposed a policy to resist the loss of community and cultural facilities, including Public Houses, and encourage the provision of new facilities. Following generally supportive comments on this option during the consultation period, the DM Policies Direction of Travel document

(November 2010) then diversified the proposed option into two policies; policy DM45 which focused generally on cultural, community and social uses and policy DM43 focused specifically on Public Houses. This was considered necessary as Public Houses are different in nature to most other cultural, community and social uses; and because a number of Public Houses in Islington have been lost to other uses.

- 12.6. Direction of Travel policy DM43 supported the retention of Public Houses and opposed their conversion and redevelopment; the policy allowed change of use where an application demonstrated that there would be no adverse impacts on liveliness and vitality of the street scene; no loss of a service of particular local value; no loss of any important historic features; and two years marketing and vacancy evidence showing lack of demand for continuation of the existing use.
- 12.7. There were no comments on policy DM43 during the consultation period. Minor changes were subsequently made to the policy prior to the DM Policies Proposed Submission (October 2011) consultation.
- 12.8. Policy DM27 of the Proposed Submission document supports the retention of Public Houses, and opposes their redevelopment, demolition and change of use. Any applications proposing redevelopment, demolition or change of use will be resisted unless they meet specific criteria including demonstrating that there is no demand for continuation of the existing use; there will be no loss of a service of particular value to the local community; and that the proposal does not damage the vitality, character and historic features of an area.
- 12.9. The Public House policy has two strands: supporting the retention of Public Houses, and protecting their significant features of historic or character value. This is what differentiates a Public House from a generic use class A4 bar.
- 12.10. Public Houses form part of the special character of Islington and there is both public and political support to retain these. Traditionally, public houses have been places where the social character of communities is most obviously demonstrated, providing civic space for community events and activities and socialising space which facilitates interaction between people from different walks of life. They are acknowledged across the UK as an important social institution and have contributed significantly to many local economies. These benefits, amongst others, were emphasised in [Pubs and Places: the social value of community pubs](#), a recent report by the IPPR on the social value of community pubs. The proposed DM policy aims to retain Public Houses so they can continue to provide an important social and economic function within Islington's local communities for years to come.
- 12.11. It is not possible (nor necessarily desirable) to implement a blanket protection of all Public Houses in the borough, as they have permitted development rights to change use to A1, A2 or A3 uses. However, the

policy can limit change of use to non-permitted uses, such as residential, and ensure that the significant features of Public Houses are retained even if the A4 use was lost.

- 12.12. The policy has a number of criteria which must be satisfied in order to demonstrate that change of use from a Public House is acceptable. Marketing and vacancy evidence is required for a period of two years. By providing this information, applicants will demonstrate that there is no demand for continued A4 use; having this criterion means the policy is flexible to respond to changing circumstance over the plan period.
- 12.13. The proposed alternative use must not detrimentally affect the vitality of the area and the character of the street scene. Public Houses are often a dominant feature of a local area; therefore Change of Use applications, particularly those which propose significant external alterations, have the potential to cause detrimental impacts to vitality and character. Development proposals must demonstrate how they will avoid these impacts.
- 12.14. It should be noted that Town Centres and Local Shopping Areas would usually be the preferred location for A4 uses. However, it is considered justified to have a policy which protects Public Houses across the borough, regardless of their location, due to their aforementioned importance to communities and the borough's character. Where a Public House causes adverse impacts due to the nature of the use, these can be adequately managed through using licensing policy.
- 12.15. Development proposals must also demonstrate that any Change of Use will not lead to the loss of a service of particular value to the local community. This will in part be demonstrated through the provision of marketing and vacancy evidence; however, there is also a separate qualitative element to this policy. [Research](#) by the Campaign for Real Ale (CAMRA) shows that 84% of people would class a Public House as an essential service akin to local shops and post offices. Proposals must therefore demonstrate (in addition to vacancy and marketing requirements) that local communities will not be adversely impacted by the loss of a Public House, for example, by demonstrating that there is provision of Public Houses of a similar ilk within an acceptable walking distance.
- 12.16. Any proposals for Change of Use of a Public House must also demonstrate how any significant features of historic or character value will be retained. A key facet of a Public House, as opposed to a bar, is its historic or architectural features; loss of these features may adversely impact the character of an area. Therefore it is important to protect such features by resisting applications which propose their alteration or removal, or by requiring the retention of these features where a development proposal meets all other criteria.

- 12.17. There is a significant amount of support for retaining Public Houses. [Research](#) by CAMRA has shown that Public Houses are closing at a rate of 12 per week across the UK. The issue of pub closures has recently become heavily politicised, as most candidates for the 2012 London Mayoral Election specifically referenced the issue in their manifestos.
- 12.18. The Secretary of State for Communities and Local Government has [recently championed the cause of 'the Great British Pub'](#) and reaffirmed what action the Government is taking to support community pubs, including cutting red tape and increasing business rate relief.
- 12.19. There has been general support for the proposed DM policy during previous rounds of consultation. Two respondents suggested that the policy should explicitly reference the ability for a community to purchase pubs through Community Right to Buy. It was not felt necessary to repeat national legislation and policy by adding this reference to the policy; this option would still be open to community groups without explicit reference in the DM Policies DPD.
- 12.20. A representation was received stating that affordable housing should be prioritised as a suitable alternative use for pubs, where Change of Use is acceptable. It is considered inappropriate to amend the policy in this way, primarily because this policy relates to Public Houses and the corresponding A4 use class, and does not have regard to suitable alternative uses (which would be assessed with reference to other policies). Part B of the policy does list rigorous criteria which must be met in order for change of use to be deemed acceptable. The commitment to provide affordable housing is detailed in the adopted Core Strategy and proposed DM Policy DM8, which would work alongside this policy if a change of use application was received.

Bibliography

Title	Author	Date	Available from
Local Pubs campaign	Campaign for Real Ale	Not specified	http://www.camra.org.uk/pubs
CAMRA releases new national pub closure research	Campaign for Real Ale	April 2012	http://www.camra.org.uk/article.php?group_id=6095
A Tale of Two ObesCities: Comparing responses to childhood obesity in London and New York City	City University of New York and London Metropolitan University	February 2010	http://web.gc.cuny.edu/che/childhood_obesity.pdf
High Streets First	Cllr Rowenna Davis, The Lane Ward, Southwark Council	Not specified	http://rowennadavis.com/?page_id=2
Private Members Bill – Betting Shops Bill 2010-2012	Dame Joan Ruddock – Bill Sponsor	December 2011	http://services.parliament.uk/bills/2010-12/bettingshops.html
National Planning Policy Framework	Department for Communities and Local Government	March 2012	http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf
Parades to be Proud of: Strategies to support local shops	Department for Communities and Local Government	June 2012	http://www.communities.gov.uk/documents/regeneration/pdf/21568651.pdf
Planning for Town Centres: Practice Guidance on need, impact and the sequential approach	Department for Communities and Local Government	December 2009	http://www.communities.gov.uk/documents/planningandbuilding/pdf/towncentresguide.pdf
High Streets at the Heart of our Communities:	Department for Communities and Local	March 2011	http://www.communities.gov.uk/documents/regeneration/pdf/2120019.pdf

the Government's response to the Mary Portas Review	Government		
Eric Pickles pays tribute to 'best of British' pubs	Department for Communities and Local Government	May 2012	http://www.communities.gov.uk/newsstories/communities/2146446
Islington Retail Study 2005	Donaldsons	December 2005	http://www.islington.gov.uk/publicrecords/Documents/Environment/Pdf/ldf_pack/retail_study_2005.pdf
Islington Retail Study Update 2008	DTZ	September 2008	http://www.islington.gov.uk/publicrecords/Documents/Environment/Pdf/ldf_pack/retail_study_update_2008.pdf
Workspace Viability Report	DVS	October 2011	http://www.islington.gov.uk/publicrecords/Documents/Environment/Pdf/ldf_pack/Workspace_Viability_Report_-_main_body.pdf
London Plan	Greater London Authority	July 2011	http://www.london.gov.uk/publication/londonplan
Managing the night time economy: best practice guidance	Greater London Authority	March 2007	http://legacy.london.gov.uk/mayor/strategies/sds/docs/bgp-nte/bpg-nighttime-economy.pdf
Healthy Lives, Healthy People	HM Government	November 2010	http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_127424.pdf
HM Select Committee Report on Health Inequalities	House of Commons Health Select Committee	November 2010	http://www.publications.parliament.uk/pa/cm200809/cmselect/cmhealth/286/286.pdf
Pubs and Places: the Social Value of Community Pubs	Institute for Public Policy Research	January 2012	http://www.ippr.org/images/media/files/publication/2012/01/pubs-and-places_2nd-ed_Jan2012_8519.pdf
Joint Strategic Needs Assessment 2010/11 report	Islington NHS Trust	Not specified	http://www.islington.nhs.uk/JSNA2011/19_healthy_eating_long_version.pdf
LGA survey – strip clubs and bookies are hitting economic growth	Local Government Association	April 2012	http://www.local.gov.uk/web/guest/media-centre/-/journal_content/56/10171/3376601/NEWS-TEMPLATE

Cornered Shops: London's small shops and the planning system	London Assembly	July 2010	http://www.london.gov.uk/sites/default/files/Final%20draft%20small%20shops_0.pdf
Tipping the Scales: Childhood Obesity in London	London Assembly Health and Public Services Committee	April 2011	http://www.london.gov.uk/sites/default/files/HPS%20Childhood%20Obesity%20report%20FINAL.pdf
Barking & Dagenham hot food takeaway SPD	London Borough of Barking & Dagenham	July 2010	http://www.lbbd.gov.uk/Environment/PlanningPolicy/LocalDevelopmentFramework/Documents/saturation-point-spd-july-2010.pdf
Hackney Core Strategy	London Borough of Hackney	November 2010	http://www.hackney.gov.uk/Assets/Documents/Adopted-LDF-Core-Strategy-final-incchaptimagescov-Dec2010-low-res.pdf
Haringey's Local Plan: Strategic Policies	London Borough of Haringey	April 2012	http://www.haringey.gov.uk/haringey_core_strategy_text_final_correct_numbering_2_2_.doc
Islington Core Strategy	London Borough of Islington	February 2011	http://www.islington.gov.uk/publicrecords/Documents/Environment/Pdf/ldf_pack/CS_adoption/Core_Strategy_Adopted_February_2011.pdf
Islington Development Management Policies – Issues & Options	London Borough of Islington	October 2009	http://www.islington.gov.uk/publicrecords/Documents/Environment/Pdf/ldf_pack/Development_Management_Policies_Full_Document.pdf
Islington Development Management Policies – Direction of Travel	London Borough of Islington	November 2010	http://www.islington.gov.uk/publicrecords/Documents/Environment/Pdf/ldf_pack/Autumn_2010/DM_Policies_Nov_2010.pdf
Islington Development Management Policies – Proposed Submission	London Borough of Islington	October 2011	http://www.islington.gov.uk/publicrecords/Documents/Environment/Pdf/ldf_pack/Autumn_2011/Development_Management_Policies_Oct_2011_(low_res).pdf
Islington Development Management Policies – Proposed	London Borough of Islington	May 2012	http://www.islington.gov.uk/publicrecords/Documents/Consultations/Consultation%20ofurther%20changes%20May%202012/DM%20Policies%20-%20schedule%20of%20major%20change

Submission Schedule of Major Changes			s%20FINAL%20(low%20res).pdf
Islington Development Management Policies – Proposed Submission Schedule of Minor Changes	London Borough of Islington	May 2012	http://www.islington.gov.uk/publicrecords/Documents/Consultations/Consultation%20ofurther%20changes%20May%202012/DM%20Policies%20-%20schedule%20of%20minor%20changes%20FINAL%20lo%20res.pdf
Islington UDP 2002	London Borough of Islington	2002	http://www.islington.gov.uk/services/planning/planningpol/unit_dev_plan/Pages/default.aspx
Islington Town Centre Healthcheck	London Borough of Islington	April 2012	http://www.islington.gov.uk/publicrecords/library/Planning-and-building-control/Information/Advice-and-information/2012-2013/(2012-08-09)-Town-centre-healthchecks-2012.pdf
Islington Local Shopping Area Healthcheck	London Borough of Islington	April 2012	http://www.islington.gov.uk/publicrecords/library/Planning-and-building-control/Information/Advice-and-information/2012-2013/(2012-08-09)-Local-Shopping-Area-healthchecks-2012.pdf
Islington Licensing Policy 2011-2014	London Borough of Islington	Not specified	http://www.islington.gov.uk/publicrecords/Documents/LeisureandCulture/Pdf/Licensing_policy_2011-14.pdf
Islington Licensing Service Charter	London Borough of Islington	Not specified	http://www.islington.gov.uk/publicrecords/Documents/Environment/Pdf/Service_Charter_Licensing_V3.pdf
Waltham Forest hot food takeaway SPD	London Borough of Waltham Forest	March 2009	http://www.walthamforest.gov.uk/documents/spd-hot-food-takeaway-mar10.pdf
The Portas Review	Mary Portas	December 2011	http://www.bis.gov.uk/assets/biscore/business-sectors/docs/p/11-1434-portas-review-future-of-high-streets.pdf
Mayor calls for planning controls over betting shop boom	Mayor of London	October 2011	http://www.london.gov.uk/media/press_releases_mayoral/mayor-calls-planning-controls-over-betting-shop-boom
Prevention of Cardiovascular Disease at a	National Institute for Health and	June 2010	http://www.nice.org.uk/nicemedia/live/13024/49273/49273.pdf

Population Level	Clinical Excellence		
The School Fringe	Nutrition Policy Unit, London Metropolitan University	July 2008	http://cmis.sandwell.gov.uk/CMISWebPublic/Binary.ashx?Document=29072
London Small Shops Study 2010	Roger Tym & Partners	June 2010	http://www.london.gov.uk/shaping-london/london-plan/docs/london-small-shops-study.pdf