
Appeal Decision

Site visit made on 28 March 2017

by A A Phillips BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 April 2017

Appeal Ref: APP/V5570/W/16/3160396

61-67 Old Street, Islington, London EC1V 9HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Dome Assets Ltd against the decision of the Council of the London Borough of Islington.
 - The application Ref P2016/2908/FUL, dated 19 July 2016, was refused by notice dated 14 September 2016.
 - The development proposed is the erection of a two storey roof extension at fourth and fifth floor, erection of an infill rear extension at first, second and third floors levels; internal reconfiguration of the existing floors; repositioning and installation rooftop plant equipment, alterations to the external appearance of the building including installation of canvas awnings; creation of private roof terrace at fifth floor level, in conjunction with the use of the basement and ground floor as A1 use and use of the upper floors as Class B1(a).
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey roof extension at fourth and fifth floor, erection of an infill rear extension at first, second and third floors levels; internal reconfiguration of the existing floors; repositioning and installation rooftop plant equipment, alterations to the external appearance of the building including installation of canvas awnings; creation of private roof terrace at fifth floor level, in conjunction with the use of the basement and ground floor as A1 use and use of the upper floors as Class B1(a) at 61-67 Old Street, Islington, London EC1V 9HW in accordance with the terms of the application, Ref P2016/2908/FUL, dated 19 July 2016, subject to the conditions set out in the Schedule to this decision.

Main Issue

2. The main issue is whether the proposal preserves or enhances the character or appearance of the St Luke's Conservation Area.

Reasons

3. The appeal site is a four storey plus basement property situated on a prominent corner on Old Street. The site is currently under major renovation and development; however, it most recently had A1 use at ground floor with three storeys of B1(a) office above. The main front façade of the building faces onto Old Street and the side elevation faces a pedestrian area which separates the property from the adjacent building 59 Old Street.
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4. The site is not listed, but is situated within the St Luke's Conservation Area, which is an important surviving part of historic Finsbury. The area is a mix of mainly commercial, institutional and residential uses and there is a broad range of buildings of different periods, styles, heights, scale and materials, which is very much characteristic of the Conservation Area. In the immediate vicinity of the site there is a variety of buildings including some which appear to have been constructed around the 1950s in residential and commercial uses and of various scales and heights. Buildings along the northern side of Old Street are typically four or five storeys and generally lower opposite. However; the adjacent block is seven storeys and to the rear of the site are three residential tower blocks which are twelve storeys high.
5. The appeal site is constructed in brick with render detailing to its vertical pairings of windows to its main elevations and at cornice and entablature level. It appears to have been constructed in the inter-war period and has features which are typical of this period, including metal windows and glazing bar patterns. Overall, it lacks strong character and particular architectural distinction and is not identified as a building which contributes positively to the character and appearance of the Conservation Area according to Islington's Conservation Area Design Guidelines. However, the Guidelines identify the site as one where the Council will permit visible roof extensions.
6. Therefore, in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework (the Framework) in determining this appeal I attach great weight to the desirability of preserving or enhancing the character or appearance of the St Luke's Conservation Area within which the site is located.
7. The proposed fourth floor replicates the character and appearance of the existing building and would be constructed in brick with a rendered parapet. The would effectively be seen as an additional storey added at third floor level between the existing second floor and parapet which would have the same appearance as the existing first and second floors. The fifth floor would then be added, being set back one metre from the new fourth floor and would be constructed of zinc cladding. This approach would create a building with the appearance of a traditional brick and render building with a solid set-back additional roof structure. The arrangement of openings on the fourth floor would respond to the existing arrangement of openings on the upper floors and the proportions and arrangement at fifth floor level would respond to the current arrangement at the ground floor.
8. The proposal would retain the tripartite composition of the original building and it is evident that careful consideration has been given to the relationship of the existing building to its surroundings, including the scale and appearance of nearby properties and its location in the street scene. The proposal would create a more imposing façade onto Old Street which respects the existing building in terms of scale, proportions and architectural detailing throughout. Although it would result in a building taller than the adjacent building Nos 69-85 Old Street it would remain proportionate to other buildings in the immediate vicinity and further West, on both sides of Old Street.
9. The proposed fifth storey would be constructed mainly of zinc cladding with folded seam and, although this would create a more solid and dark addition, given the proposed set back and its subordinate, less substantial scale than the

floors below, I do not find it to be over prominent or out of character with the host building. Therefore, I do not consider that this would harm the relationship of the building to the Conservation Area. Although it is not located at the corner of main streets which may demand a more bold or prominent corner building its situation is prominent within the street scene on a corner plot. Therefore, I consider the more pronounced building with additional scale resulting from the additional storeys is not inappropriate in this case. It would not be discordant with its surroundings in the context of the very wide range of buildings nearby in terms of their period, scale, design and height. I do not consider its proposed scale to be excessive or discordant, but rather careful regard has been given to the existing building and its surroundings and the result would be a building which would retain its original integrity yet strengthen its place in the street scene in the context of its immediate surroundings and the wider Conservation Area in which it is situated.

10. I understand that the adjacent building 69-85 Old Street is currently four storeys in total and that the relationship between the existing parapet walls of the two buildings are of approximately the same height. However, I do not consider that the relationship between the two buildings is particularly strong or that the general alignment between the parapets is a prominent, important or significant feature in the Conservation Area.
11. I understand that the proposal may depart from the original intended composition of the street frontage of the Stratford Cripps Estate. However, this does not persuade me that the proposal before me would harm the character or appearance of the Conservation Area.
12. Although the Council considers that the existing building is a good example of an inter-war commercial building it does not make a positive contribution to the character or appearance of the Conservation Area and therefore the proposed development which involves a new sheer storey which imitates the lower floors does not compromise the architectural integrity of the building nor does the raising of the parapet by a single storey unacceptably harm the building or its surroundings.
13. Although the proposed plant and equipment on the roof may have some limited visibility in the street scene it is sufficiently set back from the main street frontage to not be a prominent or discordant feature that would compromise the overall design of the proposal or fail to respect its sensitive Conservation Area surroundings.
14. The Council does not consider from a townscape viewpoint that the additional floors are justifiable and that the extent of the gains from additional office space does not outweigh the harm to the character and appearance of the host building and the surrounding Conservation Area. However, since I have found no harm to either this matter has had little bearing on my decision.
15. I therefore conclude that that the proposal would preserve the character and appearance of the St Luke's Conservation Area and is in accordance with the requirements of Policy 7.8 of the London Plan March 2016, Policy CS9 of Islington's Core Strategy February 2011, Policies DM2.1 and DM2.3 of Islington's Development Management policies June 2013, guidance contained in the St Luke's Conservation Area Design Guidelines Revised Version 2002, Islington's Urban Design Guide Supplementary Planning Document January 2017 and the National Planning Policy Framework. These seek to ensure that

development identifies, values and conserves heritage assets, protects and enhances the historic environment, require all forms of development to be of high quality and make a positive contribution to local distinctiveness, require development to conserve or enhance the significance of Conservation Areas and respond to site context, among other things.

Conditions

16. I have specified the approved plans as this provides certainty. In the interests of the character and appearance of the Conservation Area I have also imposed conditions relating to samples of all facing materials, details of the raising of the parapet wall at roof level and repointing of the brickwork. In order to protect the living conditions of nearby residential properties I have imposed conditions relating to the noise levels of new items of fixed plant and the erection of the privacy screen prior to the use of the roof terrace.

Conclusion

17. Therefore, for the reasons given above and taking into account other matters raised I conclude that the proposal is in accordance with the development plan taken as a whole and that the appeal should be allowed.

Alastair Phillips

INSPECTOR

SCHEDULE

Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P_00, P_01 Rev B, P_02 Rev B, P_03 Rev B, P_04 Rev B, P_05 Rev B, P_06 Rev B, P_07 Rev B, P_08 Rev B, P_09 Rev B, P_10 Rev B, P_11 Rev B, P_12 Rev B, P_13 Rev B, P_14 Rev B, P_15 Rev B, P_16 Rev B, E_09 Rev B, E_11 Rev B, E_13 Rev B, E_14 Rev B, Design and Access Statement ref: 15093 Dated August 2016 Revision A, Planning Statement dated July 2016, Heritage Appraisal Dated August 2016, Energy and Sustainability Statement dated May 2016 ref: Issue 3.0 -C6165, EMTC Results of a 24 hour Noise Level Survey Rev B dated 24 May 2016, Daylight and Sunlight Report dated 8 July 2016.
- 3) No development shall commence until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Such details shall include all solid brickwork (including brick panels and mortar courses), window treatment (including sections and reveals), roofing materials and any other materials to be used. Development shall be carried out in accordance with the approved details and samples.
- 4) Where brickwork is to be repointed this should be done to match the original mortar mix and pointing profile. Any stone/dressings that are not painted should not be painted.
- 5) Notwithstanding the drawings hereby approved, detailed drawings indicating any raising of the parapet wall at roof level must be submitted to and approved in writing by the local planning authority prior to works commencing on the relevant part of the development. Once approved the development shall be carried out in strict accordance with the approved details.
- 6) The design and installation of new items of fixed plant shall be such that when operating the cumulative $L_{Aeq\ Tr}$, arising from the proposed plant, measured or predicted at one metre from the façade of the nearest noise sensitive premises, shall be a rating of at least 5dB(A) below the background noise level of $L_{AF90\ Tbg}$. The measurement and/or predicted noise should be carried out in accordance with the methodology contained within BS 4142: 2014.
- 7) The privacy screen hereby approved shall be erected prior to use of the roof terrace and retained as such in perpetuity.

END OF SCHEDULE