



Appeal Decision

Site visit made on 6 August 2019

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2019

Appeal Ref: APP/V5570/W/19/3223422

57-65 Randell's Road, Islington, London N1 0DH

- 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 Mr John McDonagh of Newmac KGX Developments Ltd against the decision of the Council of the London Borough of Islington.
 - The application Ref P2017/4485/FUL, dated 14 November 2017, was refused by notice dated 14 December 2018.
 - The development proposed is demolition of single-storey workshop. Construction of 5 storey plus basement building with B1 accommodation at basement and ground floor level and residential use above (5 x 2-bed flats, 1 x 3-bed flat, 1 x 1-bed flat) and associated bin and bicycle storage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The National Planning Policy Framework (Framework) states that the weight given to relevant policies in emerging plans should be according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the plan with the Framework. The stage at which the Draft London Plan is at means that it carries limited weight.
3. The single storey workshop building had been demolished at the time of my site visit. However, no building had been constructed. Therefore, I have considered the scheme as a proposed development.

Main Issue

4. The main issue of the appeal is the effect of the proposed development on the character and appearance of the area and on the setting of Paget Memorial Hall (the Hall).

Reasons

5. The appeal site is located opposite the Grade II listed building of the Hall and ancillary building. As such I have had regard to the duty to pay special attention to the desirability of preserving the setting of a listed building. Its significance lies, in part, in its origins as a mission hall that has retained many of its original external features including a flat main façade and horizontal detailing. The lack of immediately adjacent large-scale built form, the adjacent

- park and corner position mean it has remained the dominant building in the streetscene.
6. There is some variety to the architectural styles and materials in the street. The vertical stairway feature would protrude above the main roof line and forward of the front elevation. This and the set-back of the upper floor would be at odds with the flat façades that are a feature of the Hall and the other buildings in the streetscene. Some of the proposed materials are found locally, and the use of copper, which would lighten the appearance of the upper floor, and its set-back would differentiate it from the rest of the building. Nonetheless, these features would give an overly complicated appearance to the main elevation. The busy front elevation overall would be discordant with the more simplistic and consistent appearance of the other individual buildings in the streetscene, including that of the Hall.
 7. Although the roof line is staggered to one side, the main part of the building would be taller than the adjacent buildings. There are buildings of a far greater height than the proposal along York Way. Nonetheless, the character of Randell's Road is one of lower rows of buildings with a more horizontal emphasis, with heights typical of its side street location. There are buildings of a similar height to the appeal scheme away from the main road in the area. However, these generally form part of a row of properties with a relatively consistent height or facing from Bingfield Park where there is no development directly opposite. Therefore, they are seen in a different context to the appeal site.
 8. The building would be at a prominent corner location. The degree of variation of features and materials within the same block of built form would be distracting and would draw the eye. Despite being on the other side of the road, the proposed building would over power the Hall opposite due to its appearance and scale. It would fail to integrate into the streetscene and would replace the Hall as the dominant building in the street.
 9. There is a fallback position of the previously approved scheme at the site. It is indicated that the development has commenced. Therefore, I consider there is more than a theoretical possibility of the fallback position taking place. Nonetheless, the appeal scheme is of a greater height and mass than the previous approval. Furthermore, changes to the materials and features on the front elevation would make it materially different to the approved scheme. I have found harm from these elements of the scheme. Therefore, while the fallback is a consideration, it does not offer a basis to allow the appeal in light of the concerns above.
 10. The main parties agree that the scheme does not prejudice the development of the wider site allocation. Nonetheless, while development at the remainder of the allocation may include larger and taller buildings, I have not been provided with detailed information relating to the scale and form of any such proposals.
 11. Within the overall context, it is considered that the proposal would lead to less than substantial harm to the significance of the listed building. The Framework indicates that such harm is to be weighed against the public benefits of a proposal, including securing the optimum viable use of the building. However, great weight should be given to an asset's conservation and any harm requires clear and convincing justification.

12. The proposal would include a contribution towards affordable housing. Notwithstanding this, a contribution, although of a lower amount, was secured as part of the fallback position. However, this still attracts moderate weight. There would also be benefits from the redevelopment of what was said to be a vacant site. The proposal would contribute to the mix and supply of housing in the area and future occupiers would have access to, and support, various modes of transport, services and facilities. Nevertheless, as with the provision of additional commercial floor space and landscaping, the contribution would be modest given the scale of the proposal. As such, in this instance, even when taken collectively, the public benefits do not outweigh the identified material harm to the designated heritage asset.
13. Consequently, the proposal would have an unacceptably adverse effect on the character and appearance of the area and the setting of the Hall. It would be contrary to Policies CS8 and CS9 of Islington's Core Strategy, Policies DM2.1 and DM2.3 of Islington's Local Plan: Development Management Policies, Policies 3.5, 7.4 and 7.6 of the London Plan March 2016, and the Urban Design Guide Supplementary Planning Document. These, in part, seek to ensure development is of a scale and design that reflects the character and distinctiveness of the area, and that heritage assets are conserved and enhanced.

Other Matters

14. The Framework indicates that the presumption in favour of sustainable development does not apply where the application of policies that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Designated heritage assets are an example of such assets and the proposal is contrary to the relevant policies of the Framework in regard to these.
15. I have considered the appeal in the context that the government seeks to significantly boost the supply of housing, seeks the efficient use of land and recognises the role that smaller sites can provide in this. The proposal would also make a contribution towards affordable housing. However, while the scheme may align with certain aspects of local and national policy, I have concluded that the adverse impacts of the development would outweigh the benefits when assessed against these as a whole.
16. The appellant has provided a signed unilateral undertaking to make provision for a contribution towards affordable housing, carbon offsetting and to make the development car free. The appeal is to be dismissed on another substantive issue and whilst an obligation has been submitted, it is not necessary for me to look at it in detail, given that the proposal is unacceptable for other reasons.
17. The Council have not included refusal reasons relating to matters such as the size of the internal living space, external areas, the principle of residential use or impacts on nearby residents. As the appeal is being dismissed for other reasons there is no need for me to consider these matters further. Nevertheless, the absence of harm is a neutral factor and does not weigh in favour of the scheme.
18. I appreciate that the application was recommended for approval by officers. Nonetheless, Members came to a different conclusion, as have I.

Conclusion

19. For the reason given above and having regard to all matters raised, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR