
Appeal Decision

Site visit made on 2 December 2019

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 17 December 2019

Appeal Ref: APP/V5570/W/19/3237998

23-26 Hyde's Place, Islington, London N1 2XE

- 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 Guy Walker against the decision of the Council of the London Borough of Islington.
 - The application Ref: P2019/2057/FUL, dated 3 July 2019, was refused by notice dated 30 August 2019.
 - The development proposed is described as the applicant wishes to erect a translucent privacy screen along the boundary with the rear courtyard of the pub and is making this application with the support of the landlord of the Compton Arms, Mr Nick Stephens.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Some of the evidence before me refers to listed buildings at 2-12 Compton Lane. However, other evidence including a Listing description refer to buildings at 2-12 Canonbury Lane. As these are close to the appeal site, I have therefore proceeded on this basis.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the surrounding area, including the setting of the Canonbury Conservation Area (the CA) and the Grade II listed buildings at 2-12 Canonbury Lane and 47-48 Canonbury Square.

Reasons

4. The appeal site consists of a modern dwelling located alongside a more historic public house building. To the rear of the site is 2-12 Canonbury Lane, and to the side is 47-48 Canonbury Square. In addition, the site adjoins the CA. The significance of the Listed Buildings and the CA is, in part, derived from the traditional form of development that closely follows the street pattern. The style of architecture is predominantly a traditional one with boundary treatments that are typically walls or railings. Hyde's Place is linked to Canonbury Lane by Compton Avenue.
5. Whilst the existing dwelling is of a modern design, it has been constructed from a palette of materials sympathetic to the surrounding historic environment. Furthermore, nearby buildings provide a screening effect, which reduce views

- of the dwelling. The proposed privacy screen contrasts with this as it would be constructed from materials that notably present within the surrounding area either on buildings or boundary treatments. Consequently, it would form a discordant feature that does not compliment the prevalent form of architecture within the vicinity. This is of concern as the screen would have an elevated position, thereby giving it a great degree of prominence.
6. Due to the surrounding road layout, the proposed screen would be visible from Compton Avenue, which is part of the CA. Compton Avenue is characterised by the presence of more traditional forms of architecture. The contrast arising from the proposed screen would be significant and would therefore erode the character of this part of the CA.
 7. I note that the screen would be constructed using a translucent material, however, it would retain a discernible mass. In addition, it would also feature a system of stainless steel supports. The contrast in form to the more traditional forms of architecture that are readily apparent within the CA would therefore lead to an adverse impact on the CA's setting.
 8. The significance of the Grade II listed buildings at 2-12 Canonbury Lane is, in part, derived from their traditional form of architecture typical of early 19th century buildings and that this form of architecture is reflected in the surrounding boundary treatments. The proposed boundary screen would, by reason of its positioning and prominence, be readily viewed alongside these historic buildings. I therefore consider that the introduction of a modern screen of significantly different materials and the resultant juxtaposition of architectural styles would adversely affect the setting of these Listed Buildings.
 9. I have considered the impacts of the development upon the setting of 47-48 Canonbury Square. However, from the vantage points in Compton Avenue, the proposed screen would be generally viewed against the backdrop of the appellant's dwelling, with a reasonable separation distance to Nos. 47-48.
 10. In addition, views from areas in proximity to the front elevation of Nos. 47-48 would be exceedingly limited. Accordingly, I do not believe that the proposed development would be readily viewed alongside these listed buildings. In consequence, the proposed development would not significantly impact upon the setting of these particular listed buildings.
 11. Whilst I understand that planning permission has previously been granted for an additional storey to the appeal site, I have not been provided with full information regarding its planning circumstances. This lessens the amount of weight that can be attributed to it. Nonetheless, given that I am considering a different form of development (in the form of a screen), I therefore do not believe that this permission requires me to set aside my previous observations.
 12. My attention has been drawn to several other, more modern buildings within the surrounding area. Whilst I acknowledge their presence, I note that the palette of materials from which these buildings have been constructed are comparable to those utilised within those used on many of the buildings within the CA. As such these do not have the same impact as the proposed development.

13. I also acknowledge the presence of plant and equipment associated with the adjacent public house. However, these are relatively well screened, which contrasts with the appeal proposal.
14. The duty prescribed in paragraph 196 of the National Planning Policy Framework (the Framework) is of importance. I have identified harm to the setting of the CA and Listed Buildings at 2-12 Canonbury Lane. As this harm would be less than significant, I am therefore required to balance this harm against any public benefits. The evidence before me is not indicative of any significant public benefits. Accordingly, I do not believe that the effects of the harm have been outweighed.
15. I therefore conclude that the proposed development would have an adverse effect upon the setting of the CA and the setting of the listed buildings at 2-12 Compton Lane. The development would therefore fail to comply with the requirements of Policies 7.4, 7.6 and 7.8 of the London Plan (2016); Policy CS9 of Islington's Core Strategy (2011); Policies DM2.1 and DM2.3 of Islington's Local Plan: Development Management Policies (2013); the Islington Urban Design Guide Supplementary Planning Document (2017) (the SPD); and Islington's Conservation Area Design Guidelines (2002) (the Guidelines).
16. These policies, the SPD and Guidelines, amongst other matters, seek to ensure that developments are informed by the surrounding historic environment; be of a high quality and of materials that complement surroundings; be sympathetic to the form, scale, materials and architectural detailing of heritage assets; that the historic significance of heritage assets is conserved; that all forms of development be of a high quality and would make a positive contribution to local character and distinctiveness; that new developments conserve and enhance the significance of heritage assets and that any harm has a clear and convincing justification; that heritage assets are preserved or enhanced; and any boundary treatment should be designed in a manner that is appropriate to the existing street.

Other Matters

17. I acknowledge that the proposed development has been supported by the operator of the adjacent public house and that the need for the development has been stimulated by a desire to improve the living conditions for the occupiers of the appellant's dwelling. Whilst I have no doubt that the proposal would achieve this objective, it does not overcome the significant harm as previously identified.
18. I note concerns raised by the appellant regarding the way in which the planning application was considered by the Council. However, in considering this appeal, I have limited my considerations to the planning matters before me.

Conclusion

19. For the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR