



Appeal Decision

Site visit made on 29 June 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 August 2021

Appeal Ref: APP/V5570/W/21/3268086

74 Aubert Park, Islington, London N5 1TS

- 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 Devan Sharma against the decision of the London Borough of Islington.
 - The application Ref P2020/3115/FUL, dated 10 November 2020, was refused by notice dated 5 January 2021.
 - The development proposed is Formation of 2 bedroom flat by extending the basement to an existing 1 bedroom flat and creating lightwells to rear & front of the existing property.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the Council determined the proposal, the revised National Planning Policy Framework (the Framework) has been published in July 2021. Both main parties have been given the opportunity to comment on this new Framework and my decision is made in the context of the revised Framework.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the street scene with particular regard to the effect on the locally listed shopfront.

Reasons

4. The appeal site is a three storey mid-terrace property within a row where there is clear evidence of former shop units at ground floor level, interspersed with some commercial units. Residential accommodation is located on floors above.
5. The shop unit has been converted to residential use and the shopfront is locally listed by the Council and is therefore a non-designated heritage asset. Its significance derives from its timber frontage of two panelled stallrisers, one pilaster, two render plasters and two half brackets as well as the two clear glass windows with side aspect. A separate side door provides access to living quarters above.
6. Given it is locally listed, the Framework explains that the effect of an application on the significance of the non-designated heritage asset should be

taken into account when determining the application. It advises that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

7. The existing shopfront's original symmetry, with centrally positioned and recessed main entrance with display windows either side, stall riser and timber fascia with canopy, remain in evidence. In a parade of many residential conversions, it contributes as a reminder of the traditional shopfront design from the nineteenth century, irrespective of whether or not it is a functioning shop. Its contribution is made more significant given it is one of the last remaining original shopfronts within the parade.
8. Its proposed replacement with a flush, flat fronted elevation would appear one dimensional. The new fenestration pattern and location of the entrance door to the right of centre would not reflect its original balanced proportions. The loss of the original stallriser and proposed replacement would only seek to further weaken the historic integrity of the locally listed shopfront. Its proposed replacement would detrimentally harm the original character.
9. There may be other similar examples of this style of proposed shopfront along the terrace at other shop conversions. However, the circumstances of such are not before me to comment upon.
10. Harm to the original fabric of the shopfront would be further compounded by the addition of a lightwell with a wide extent of uncharacteristic railing that would extend across its full width. The railings would appear obtrusive and discordant.
11. Lightwells are not a characteristic of the parade although the development at the adjacent unit has been brought to my attention by the appellant. Whilst this scheme may have been approved under the same development plan for the area, it was considered acceptable for specific reasons. Further, it was not included within the Council's locally listed register which is a material consideration. Also, as part of my assessment, I have taken into account the Council's adopted Islington Basement Development Supplementary Planning Document 2016 (SPD) which was adopted after the adjacent unit was granted approval.
12. This SPD includes the design preference for metal covers to lightwells. However, the appellant has provided no precise details of how this could lead to a trip hazard to allow me to comment upon.
13. The combination of replacement shopfront and new lightwell would detrimentally erode the distinctive character of the locally listed shopfront and undermine its positive contribution to the parade and the character and appearance of the street scene.
14. The modern housing development at 100 Drayton Park opposite with lightwells and railings was originally designed as such and the fact that there are boundary enclosures of brick walls and railings found locally, cannot be considered as the same circumstances as the proposal before me.
15. To conclude, the loss of the historic and original shopfront would lead to harm arising to the character and appearance of the street scene, contrary to Policies CS8 and CS9 of Islington's Core Strategy 2011, Policies DM2.1 and DM4.8 of the Islington Local Plan Development Management Policies 2013 in their

combined aims for development to be of high quality design, enhance local character, and to protect the historic environment. Finally, it would not meet the same objectives contained within the Islington Urban Design Guide 2017 and the Islington Basement Development 2016 SPD.

Other Matters

16. I accept that the appeal site is not located in a designated shopping area, and it may make efficient use of the land by contributing to residential accommodation with enlarged internal and external space for future occupants.
17. It might contribute to lower energy and water consumption within the building, including a green wall for sustainability credentials. I appreciate the proposal may lead to more energy efficient measures and this is a benefit to the proposal. Water consumption could be reduced at any time by the use of more efficient means, however. Overall, the benefits it would create would not be sufficient to mitigate the harm I have identified.
18. Other planning refusals at the appeal site have been brought to my attention by the appellant although the precise details are not before me to offer comment on their relevance to the existing shop front.
19. The appellant raises complaints regarding the Council's service. However, this should be referred to the Council in the first instance and is not within my scope to comment.

Conclusion

20. The proposal would result in harm to the character and appearance of the street scene and lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR