



Appeal Decision

Site Visit made on 19 October 2021

by Graham Wright BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2021

Appeal Ref: APP/V5570/W/21/3279213

200A New North Road, Islington, London N1 7BJ

- 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 Mrs Semra Agca against the decision of London Borough of Islington.
 - The application Ref P2021/0966/FUL, dated 25 March 2021, was refused by notice dated 7 June 2021.
 - The development proposed is a Retrospective full planning application: Proposed replacement of shopfront from timber frames to aluminium ones.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The shopfront has been installed and therefore I have determined the appeal on that basis.
3. In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the East Canonbury Conservation Area.

Main Issue

4. The main issue is the impact of the development on the character and appearance of the East Canonbury Conservation Area (CA).

Reasons

5. The appeal property occupies a prominent location at the end of a row of terraced properties that have commercial uses at street level. Elsewhere along New North Road and on the opposite side of the road there are a number of properties that are similarly arranged at ground floor level. Collectively, this defines the mixed-use character and appearance of the surrounding area. The significance of the part of the CA in which the appeal site is located is formed by this arrangement of uses and by the age and overall grandeur of the buildings in the area. The historical significance is continued within the Arlington Square Conservation Area, which is located directly opposite and which continues further along New North Road.
6. The shopfront that has been installed is modern in both its design and use of materials, with large glazing panels being separated by aluminium framing and an absence of stallrisers. In this respect it visually jars with what is, as a whole, a sensitive historic environment comprising of the two CAs.

Furthermore, it is not consistent with the more traditional form and use of materials that could reasonably have been expected to be utilised on a shopfront within a CA, this also being an expectation which is set out in the Urban Design Guide Supplementary Planning Document 2017 (SPD). In particular, the SPD is clear that new shopfronts to historic buildings should follow the principle of traditional shopfront design and that painted aluminium shopfronts are unacceptable in sensitive areas. The shopfront installed has, therefore, resulted in harm to the character and appearance of the CA.

7. There is much variation in the design, materials and overall appearance of other shopfronts in the area. However, there is no substantive evidence before me as to the circumstances of these other shopfronts in terms of if and when they were granted planning permission, and what the planning policy background was at the time that any permission was granted. One recent example referred to is outside of both CAs. In any event, many of the existing shopfronts that have been referenced are not sensitive to the character and appearance of the CAs and this, together with an absence of any evidence relating to their circumstances, means that they do not offer weight in support of the appeal development and they do not justify the harm it has caused.
8. Given the nature of the proposal and that the harm is localised, I consider that less than substantial harm to the CA has arisen. This being the case, it is necessary to weigh the public benefits of the proposal against the harm that has arisen to the CA, in accordance with Paragraph 202 of The National Planning Policy Framework (The Framework). In this respect, no specific public benefits have been outlined in support of the development and therefore I cannot conclude that the less than substantial harm caused is outweighed by any such considerations.
9. The appellant suggests that planning conditions relating to matters such as installing timber stallrisers could be imposed. It is however uncertain what form these alterations would take and the visual impact they would have. I am not therefore persuaded that the harm I have identified could be overcome by the use of planning conditions.
10. For these reasons, I conclude that the development has caused harm to the character and appearance of the CA. Accordingly, the development does not preserve or enhance the character or appearance of the CA and this is a matter to which I afford considerable importance and weight. It therefore fails to accord with Policies D1, D4 and HC1 of the London Plan 2021, Policies CS8 and CS9 of Islington's Core Strategy 2011 and Policies DM2.1 and DM2.3 of Islington's Local Plan: Development Management Policies 2013, where they seek to protect character and appearance and designated heritage assets. There is also a conflict with the SPD and the East Canonbury Conservation Area Design Guidelines 2002 for the same reasons, and with The Framework because the harm to the CA is not outweighed by public benefits.

Conclusion

11. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR