
Appeal Decision

Site Visit made on 19 October 2021

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 November 2021

Appeal Ref: APP/V5570/W/21/3270025

2-6 The Smokery, Greenhill's Rents, Islington, London EC1M 6BW

- 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 Richard Jameson of VMM Ltd against the decision of London Borough of Islington.
 - The application Ref P2020/2084/FUL, dated 6 August 2020, was refused by notice dated 1 October 2020.
 - The development proposed is a new service core extension to the easterly (front) elevation at basement, ground, first and second floors. New entrance comprising of a lift to improve accessible access and stair core. Addition of a third and fourth floor roof extension to accommodate addition office (B1) floorspace, and associated roof terraces.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the Charterhouse Square Conservation Area. (CSCA)

Reasons

3. Greenhill Rents is a narrow road lined by buildings up to the footway with a single width carriageway. Collectively they create a tight urban grain. The appeal building is on the northern side of the road which contains a mixture of commercial and residential uses. The building is three storeys high but has a lower ground floor that protrudes just above ground level. It has a postmodern style and a single storey element to the east elevation with louvered sides on top concealing plant. The traditional character, layout, form and scale of development on Greenhill Rents positively contributes to the CSCA's special character with its appearance leading from the mixture of uses, its architecture and history with surviving examples of buildings spanning nine centuries and reflecting the incremental development that has taken place in the area.
4. The appeal building has a strong characteristic parapet line that is broadly consistent with other buildings on Greenhill Rents towards the warehouse at the end of the road. This is evident from the junction of the road with Cowcross Street which is wider and contains buildings of greater variety in their scale and style. In this regard, the appeal building forms part of the positive contribution that Greenhill Rents makes to the Conservation Area which is also allied to its commercial character.
5. Islington's Conservation Area Design Guidelines (the Guidelines) explains with respect to the CSCA that most buildings in the area are between three and five

storeys high. There are very few buildings over five storeys and most of these detract from the appearance of the area. The proposal will not rise above storeys, but the Guidelines explains that on many sites new buildings may need to be lower, perhaps three or four storeys high, in order to fit into the existing scale of the street, to conform with prevailing parapet heights and to respect their neighbours.

6. The proposal, amended from an earlier version of the scheme, would be set back and have an increasingly smaller footprint so as to hide the extension from view. This approach is found elsewhere in the CSCA. However, despite the submitted video, stills and CGI's, I consider that the appeal scheme would still be visible above the existing parapet line from Greenhill Rents and from its junction with Cowcross Street. I recognise that the proposed third floor would closely match the scale, mass and bulk of a scheme previously granted planning permission¹, and the proposed fourth floor would be set back further from the road, but the overall proposal would unduly draw the eye in this tight urban grain, and extend the host building well above the existing parapet line. In my view, the proposal would create a bulky and top-heavy form of development that does not relate well to the character and appearance of the host building owing to the stepped nature of the third and fourth floors.
7. Revisions to the design of the lift shaft mean that the overrun would be the same height as the rest of the proposed extension. This would mean that it would not be a standout feature of its own. This is an appropriate design response, but it still contributes to the harmful overall scale, mass and bulk of the proposal.
8. Planters around the edges of the proposed third and fourth floors would provide an opportunity to green up the building and may soften the additional built form, but not to the extent that would mitigate the harm identified.
9. An extension to the rear of 78 Cowcross Street is the tallest part of that building, but this does not form part of the Greenhill Rents street scene or its consistent parapet line. I acknowledge that there are some glimpsed views of the extension to No 78 from Greenhill Rents but the tight urban grain means that they are not the overriding experience of the appeal building's context which is principally the view along Greenhill Rents. Given the harm that I have found in respect of the proposal when viewed from here, the development at No 78 does not justify the scale, mass and bulk of the appeal scheme.
10. Despite the stated use of materials, the proposal would be a dominant form of development not only for the host building but also in the setting of the CSCA due to its scale, height, massing and bulk. I equate this harm to a less than substantial harm in terms of paragraph 202 of the National Planning Policy Framework (the Framework). This harm still however carries great weight. Balanced against this are the public benefits of providing additional office space in a central and accessible location, jobs and spending linked to the proposal's construction and future spending by users of the additional office space in the area. Measures to mitigate the effects of climate change, provide storage for sustainable modes of transport and introduce biodiversity habitat also form part of the scheme's design weigh in favour of the scheme and may help in the overall effort to address climate change. However, these limited public benefits

¹ Council Ref: P2017/4981/FULL

would not outweigh the harm I have identified to the character and appearance of the property and the CSCA.

11. I conclude that the proposed development would not preserve or enhance the Charterhouse Square Conservation Area. As such, conflict would arise with Policy CS9 of Islington's Core Strategy, Policies DM2.1 and DM2.3 of Islington's Local Plan: June 2013 Development Management Policies, Policies D1, D4, HC1 and CG5 of The London Plan 2021, the Urban Design Guide Supplementary Planning Document, the Guidelines and Framework paragraph 202. Together these seek, among other things, development proposals affecting London's rich heritage assets, and their settings, to conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The aim is for new buildings to be sympathetic in scale, massing and appearance and to be complementary to the local identity.

Other Matters

12. The Daylight and Sunlight Assessment submitted by the appellant shows that there would be changes to daylight and sunlight received by the occupants of the flats in 88 Cowcross Street facing the appeal site. Though, save for the bedroom in flat 2 the effect would meet best practice guidance. Insofar as flat 2's bedroom the effect would be felt in terms of the amount of sunlight this room would receive. The Annual Probable Sunlight Hours would be at around 65% of the existing situation, but within this tight knit urban context, I consider it would, having regard to Local Plan Policy DM2.1 provide a good level of amenity.
13. Further concerns are raised about privacy, overbearingness and enclosure. The proposal would introduce new openings which would facilitate views between the appeal building and the flats in No 88 and vice versa, but mutual overlooking already occurs. So, while there would be a change, residents would still have a good level of amenity.

Conclusion

14. However, the appeal scheme does not accord with the Development Plan as a whole and there are no other considerations, including the Framework, that indicate that I should take a different decision other than in accordance with this. I therefore conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR