
Appeal Decision

Site visit made on 4 November 2025

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 December 2025

Appeal Ref: APP/V5570/W/25/3369480
271 Upper Street, Islington, London N1 2UQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Huseyin Guzel against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2024/3572/FUL.
 - The development proposed is Erection of additional two-storey side/rear extension over existing addition for use as storage space.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal site is located within the Upper Street (North) Conservation Area (CA). I am therefore mindful of my statutory duties in respect of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

3. The main issues are whether or not the proposal would preserve or enhance the character or appearance of the Upper Street (North) Conservation Area, and the effect of the proposal on the economic viability of the local area.

Reason

Character and appearance

4. The appeal site forms part of a continuous terrace, built as a traditional red brick block of ground floor commercial units on the western side of Upper Street with floors above, most likely originally used as office accommodation. It is laid over four floors with a shop unit to the ground floor and office space above. To the southern side of the block, Tynedale Lane runs perpendicular to the terrace leading to the modern residential flats of Tynedale House. To the rear of the terrace much development is built into each service yard and behind the rear service yards there is a gated and private pedestrian access lane from Tynedale Lane running parallel to the back of part of the terrace.
5. The appeal site is located within the Upper Street (North) Conservation Area. Upper Street forms a busy commercial area within Islington which is lined by a number of historic buildings in a variety of architectural styles and ages. In general, the area is characterised by terraced properties of 2, 3 and 4 stories in height, set in narrow plots with traditional shop fronts at ground floor level. As a late 19th

Century development, the fenestration to the front of the block is of a vertical and horizontal emphasis and the front of the terrace has a traditional form of decoration to its façade and the rear a more restrained aesthetic. The overall composition and traditional red brick finish to the terrace together with its scale, I consider that the appeal property makes a positive contribution to the character and appearance of the CA.

6. The adjacent unit of 272 Upper Street extends over three floors, also with a commercial unit to the ground floor. Its side elevation returns onto the junction with Tynedale Lane. Currently, a low-level lean-to is positioned to the rear of Number 272.
7. From my understanding of the proposal, whilst it is not entirely clear if the existing lean-to would be demolished, nevertheless, an extension with a flat roof would be erected in this space including an internal staircase leading to a second floor where storage space would be provided to support the existing offices on the upper floors of 271 Upper Street.
8. The Council's Conservation Area Design Guidelines 2002 (CADG), and the Urban Design Guide 2017 (UDG) states that extensions should be subordinate to the original building, and no higher than one storey and lower than the existing eaves, unless it can be shown that no harm will be caused to the character of the building and the wider area.
9. Proportionately, the extension would be small in scale when compared to the overall composition of No 272 to which it would more closely relate than No 271. The brick string course to be incorporated into its finish and overall materiality and use of flat roof would successfully blend with the host terrace and appear subordinate to it.
10. Gaps between buildings are an integral part of the character of this part of the CA. In longer range views from the south along Upper Street, the existing gap is only seen in glimpses due to its position, the orientation of other buildings, walls and pillars and mature trees. The distinctive contrast in materiality between the appeal site that is a traditional part of the historic environment, and more modern 20th century Tynedale House that sits perpendicular to one another, has a visual separateness serving to preserve the sense of space between the two in this context.
11. There would be some infilling of the airspace here due to the increased height of the proposal. The existing gap would appear somewhat enclosed from some viewpoints only due to the increased height. However, as the proposal would extend part way up the rear/side elevation of this building with a flat roof, a significant undeveloped space would remain above this. Furthermore, the narrow gap that is the private pedestrian lane at the rear of the terrace would be unaffected by the proposal and would prevent the appearance of the building of No 272 Upper Street and Tynedale House physically merging into one. By increasing development in this location, I am not of the view that it would significantly erode this gap.
12. Therefore, the proposal would not detrimentally erode the visual permeability between buildings, and consequently It would not adversely compromise the integrity of the CA as a whole. My findings are that the proposal would have no harmful effect upon the character and appearance of the conservation area. On

this basis, this proposal would meet the expectations of the Act by preserving the character and appearance of the CA.

13. To conclude on this matter, the development would accord with the good design and heritage protection aims of Policies D3, D4 and HC1 of the London Plan. The proposal would also comply with Policies PLAN1, DH1 and DH2 of the Islington Strategic and Development Management Policies which seek to deliver high quality design amongst other things, and to protect the historic significance of Islington's heritage assets as well as the advice contained in the Urban Design Guide and the Upper Street (North) Conservation Area Guidance.

Effect on viability

14. The appeal site is located within a designated town centre and a Central Activities Zone (CAZ) fringe where the creation of new business floorspace is encouraged by local policy together with a strong policy emphasis to create an inclusive economy and to ensure new business development does not undermine the local economy.
15. The appellant controls both 271 and 272 Upper Street. Their appeal submission clarifies that the use would be ancillary storage to support the existing Class E use at No 271 Upper Street. The Islington Strategic and Development Management Policy objective of B1 is to deliver business floorspace. Policy B2 is more prescriptive in its requirements to deliver, protect and maximise business floorspace. One of the listed criteria within the policy requires ancillary uses must be clearly linked to the operation of the business floorspace.
16. However, considering the position of the proposed extension and the relationship with 271 Upper Street, the proposed building would be distinctly and functionally separate from the offices of 271 Upper Street as it would be attached to No 272 and therefore would not be part and parcel of the building of No 271. I could see from the plans that there would be no direct access from 271 Upper Street into it. Its own secure and independent access would be taken solely from a door accessed from a public lane. It would be entirely self-contained in this regard.
17. It is not prescribed by the appellant how the space would directly function as ancillary storage space in this situation, nor is there a mechanism advanced by the appellant for me to consider, to functionally link the site as ancillary storage space for No 271. Although the appellant argues it would not be used as a standalone planning unit, and local policy does not refer to a minimum size threshold for additional business floorspace, the lack of functional interrelationship between the existing Class E use and this proposed space and its separateness, for all intents and purposes it could be used as an independent planning unit. This effect could have the potential to negatively compromise the economic viability of this strategically important town centre and CAZ location where business floorspace is at a premium especially given competing demands for different uses within the local area; new floorspace must be carefully controlled in order to ensure the economic viability of the local area is not undermined, in accordance with local policy.
18. The appellant has provided no evidence to substantiate their assertion of the 'functional operational need', 'operational benefits', or that the proposal would be considered as 'improving ancillary facilities', or that it would contribute to the continued viability of the existing commercial floorspace. There is no evidence

provided to substantiate their claim that this proposal would safeguard and enhance employment uses either.

19. Therefore, to conclude on this main issue, the proposal would not be policy compliant with regards to Policy B1 and B2 of the Islington Strategic and Development Management Policy in its aims to secure business floorspace in the interest of economic growth in the Borough.

Other Matters

20. The site may be located within an area with good links to public transport and there may be no enforcement records associated with the site, and there is nothing before me to suggest it would adversely affect the neighbouring properties. Be that as it may, these are neutral matters that weighs neither for or against the proposal.
21. Issues relating to the Council's approach to decision making during the application process is not within my remit to comment upon.

Balance and Conclusion

22. I have found that the proposal in this location would be an acceptable form of development in so far as it would not harm the character and appearance of the CA. With regards to the other main issue, given my findings, the use for the extension would not be functionally linked to 271 Upper Street.
23. In the planning balance, even though I have found in favour of one of the main issues, with regards to the second main issue, it would not protect the economic viability of this part of Islington. The proposal must therefore fail.
24. The proposed development would 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