

Appeal Decision

Site visit made on 27 September 2016

by Jason Whitfield BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17th October 2016

Appeal Ref: APP/V5570/D/16/3153468

1 The Courtyard, Islington, London N1 1JZ

- 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 and Mrs Philippe and Sophie Watteaux against the decision of the Council of the London Borough of Islington.
 - The application Ref P2016/1452/FUL, dated 13 April 2016, was refused by notice dated 17 June 2016.
 - The development proposed is the erection of a roof extension to occupy part of the roof terrace of the property.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a roof extension to occupy part of the roof terrace of the property at 1 The Courtyard, Islington, London N1 1JZ in accordance with the terms of the application, Ref P2016/1452/FUL, dated 13 April 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 693.001; 693.131; 693.132; 693.133; 693.140A; 693.141A; 693.142A; 693.145A; 693.146; 693.151; 693.152; 693.153; 693.154; 693.166; 693.161A; 693.160A; 693.162A; 693.165A; 693.SK012; and, 693.SK013.
 - 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Procedural Matter

2. The proposal was amended following submission to the Council but prior to its determination. The changes, shown on revised plans, are relatively minor in nature and do not change the overall substance of the proposal. I am satisfied that no party would be prejudiced by my consideration of the amended scheme. I have, therefore, determined the appeal on this basis.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Barnsbury Conservation Area.

Reasons

4. The appeal site is located within the Barnsbury Conservation Area, which contains several examples of late-Georgian/early-Victorian residential properties, including attractive sequences of terraces and squares. A predominately residential area, it is characterised by mature trees and a wide variety of architectural styles with distinctive detailing. The uniform and largely unaltered rooflines, particularly on terraces, are a key component of this character. The significance of the Conservation Area is largely drawn from its historical context and the extent to which the aesthetic quality of its architecture is preserved.
5. The appeal site is one of four two-storey, terraced dwellings situated in a small courtyard at the end of Barnsbury Terrace and to the rear of the gardens of residential properties on Hemingford Road. The properties are relatively modest in size in comparison to the surroundings and are distinctly modern in appearance. Arranged in a staggered pattern, the properties have a roofline which consists of flat terraces and shallow mono-pitched roofs. The roofs are largely free from additions and maintain a uniform character. Nevertheless, I agree with the appellant that the modern design of the terrace makes a neutral contribution to the conservation area and by virtue of its 'back lane' location, it has a limited relationship to the principal aspects of the area's significance.
6. The Islington Urban Design Guide 2006 (UDG) states that an important constituent to the rhythm and uniformity of a residential terrace is the roofline. An extension that projects above or alters the original roofline at the front or rear can often disrupt this rhythm and introduce features that fail to respect the scale, form, and character of the street frontage. The Islington Conservation Area Design Guidelines (Barnsbury) 2002 (CADG) state that the Council may permit appropriate traditional roof extensions on certain properties, otherwise no roof extension visible from any street level position will be permitted. This includes long views from side streets and across open spaces. The Courtyard is not included as one of those properties. The CADG does, however, go on to state that modern materials, including glass, may be acceptable as long as the design of the new building acknowledges the scale and character of the area.
7. Paragraph 132 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to its conservation. It also goes on to state at Paragraph 60 that planning decisions should not impose architectural styles or tastes and should not stifle innovation, originality or innovative design through requirements to conform to certain forms or styles, though it does recognise the need to promote or reinforce local distinctiveness.
8. I note that the proposal would introduce a new element to the predominately unaltered roofline of The Courtyard. However, the extension would project around 1.65m above the ridge of the pitched roof at No 1 and would be set back from the front elevation of the property a relatively considerable distance

of around 3.4m. Moreover, it would occupy around 57% of the roof space. A sizeable proportion of unaltered roof would therefore be retained.

9. Whilst I note the materials would contrast with the colour and texture of the existing brickwork, the proposal would be formed of mirrored glass and would appear as a distinctly contemporary addition to the property. What is more, the existing property is notably modern in its appearance, which is in contrast to the vernacular architecture of neighbouring buildings. To that end, the contemporary approach would not be unduly inconsistent with the existing character of the properties on The Courtyard. As a result, the proposal would not, in my view, unduly interrupt the rhythm of the roofline nor would it appear as a dominant or discordant addition to the property. Rather, it would introduce a feature that would respect the scale, form and character of the street scene.
10. I note that the extension would be visible in some views within the area. However, whilst the rear of the extension would be visible from gardens on Hemingford Road, that visibility would be significantly restricted by the presence of large trees and vegetation. In addition, those views would be read in the context of the large, modern dormer window extensions on the rear of several properties on Hemingford Road.
11. Furthermore, views of the front and side of the extension would be largely limited to Barnsbury Terrace which is narrow and contains modern buildings of contemporary design. Slight views would be achievable from gardens on Mountfort Crescent but again, these would be restricted by vegetation and the scale of the extension. In my view, the visibility of the extension from street level position would be limited, including in long views from side streets and across open spaces.
12. I conclude, therefore, that the proposal would preserve the character and appearance of the Barnsbury Conservation Area. Consequently, the proposal would comply with the design aims of Policy 7.6 of the London Plan 2016¹ as well as the design and historic environment aims of Policy CS8 and CS9 of the Islington Core Strategy 2011, DM2.1 and DM2.3 of the Islington Development Management Policies 2013 and the Framework.
13. Whilst the proposal would not strictly adhere to the guidance in respect of roof extensions set out in the CADG, it would accord with the guidance contained therein regarding the use of modern materials and the overall aim to preserve or enhance the special character of the conservation area. It would also comply with the guidance in the UDG.

Other Matters

14. I have had regard to concerns regarding the effect of the proposal on the living conditions of neighbouring residents with particular regard to privacy, light, outlook and light pollution. With regard to those properties on Hemingford Road and Mountfort Crescent, I am satisfied that the scale of the extension, the existing trees and the intervening distances involved are such that it would not have any significant harmful effect on the occupiers of those properties.
15. In terms of the adjacent property, 2 The Courtyard, I note that it has high level windows which serve the first floor of the property. However, given the

¹ The London Plan – The Spatial Development Strategy for London Consolidated with Alterations since 2011, 2016

reflective nature of the extension, its scale, its distance from and orientation to those windows, it would not unduly reduce the existing levels of light to that property. Nor would it affect the use of the roof terrace of No 2 for those reasons. Furthermore, whilst I note some degree of overlooking would occur to neighbouring windows and roof terraces, given that the extension would be situated on the existing terrace of No 1, it is unlikely that there would be any significant, material increase beyond existing levels of mutual overlooking.

16. The extension would be relatively modest in its footprint and given the reflective and contemporary design approach, it would not, in my view, appear unduly dominant or incongruous in the outlook of neighbouring occupiers. Moreover, there is no substantive evidence before me to suggest the proposal would result in harmful levels of light pollution to surrounding residents.
17. It has been put to me the proposal would set a precedent for other similar extensions within the area. However, there are no such proposals before me or indeed any evidence that the proposal would lead to such developments in the future. In any event, I have consider this proposal on its own merits

Conditions

18. In addition to the standard time limit condition, I consider a condition relating to the approved plans necessary to provide certainty. I also consider a condition requiring sample of the proposed materials to be submitted to and agreed by the Council necessary to preserve the character and appearance of the Barnsbury Conservation Area.

Conclusion

19. For the reasons given above, and having considered all other matters raised, I conclude that the appeal should be allowed.

Jason Whitfield

INSPECTOR