The Planning Inspectorate

Appeal Decision

Site visit made on 22 November 2016

by C L Humphrey BA (Hons) DipTP MRTPI

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

Decision date: 8th December 2016

Appeal Ref: APP/V5570/W/16/3157111
289 - 291 Caledonian Road, London N1 1EG

- 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 Andrew Panayi against the decision of the Council of the London Borough of Islington.
- The application Ref P2016/0858/FUL, dated 4 March 2016, was refused by notice dated 6 June 2016
- The development proposed was originally described as 'Construction of new roof extensions over 289 - 291 Caledonian Road; construction of a new rear first floor extension over the existing commercial unit and internal alteration works to the existing first and second floor residential accommodation to create four new residential units. The proposed residential units to comprise 1 no. 3 bedroom self contained flat, 1 no. 1 bedroom self contained flat and 2 no. 2 bedroom maisonettes.'

Decision

1. The appeal is dismissed.

Procedural Matters

2. The address given on the application form is 289 Caledonian Road. However, it is clear from the Site Location Plan [Drawing No L(PL)289-291CR-01] that the address of the appeal site is 289 - 291 Caledonian Road. I have therefore taken the full address of the appeal site, set out in the banner heading above, from the appeal form rather than the application form.

3. Notwithstanding the description of development set out in the banner heading above, which is taken from the application form, it is evident from the submitted plans that the proposed development also involves the creation of front and rear roof terraces. The Council's decision notice describes the proposed development as 'Construction of roof extension and first floor rear extension over the existing commercial unit with associated front and rear roof terraces. The works involve converting the existing first and second floor flats into four residential units that would comprise 1 No. 3 bedroom self-contained flat, 1No. 1 bedroom self contained flat and 2 Nos. 2 bedroom maisonettes', and I note that the appellant refers to the proposed roof terraces on the appeal form. This revised description more appropriately describes the proposed development, and I have therefore considered the appeal on that basis as neither of the parties would be prejudiced or caused any injustice by me taking this course of action.

Main Issues

4. The main issues are:

   (a) The effect of the proposed development upon the character and appearance of the area; and

   (b) Whether the appeal proposal would provide acceptable living conditions for future occupants of the proposed development with particular regard to internal living space, and the effect of the appeal proposal upon the living conditions of the occupants of neighbouring residential properties with particular regard to outlook and light.

Reasons

Character and appearance

5. The appeal site is located on the west side of Caledonian Road, within Barnsbury Conservation Area (the Conservation Area), and comprises a pair of 3 storey mid terraced buildings with commercial uses at ground floor and residential accommodation at first and second floor. To the rear of the main terrace the appeal premises have ground floor flat roofed extensions which project to the boundary with Carnoustie Drive, with roof terraces above. There are 3 first floor additions to the main rear elevation of the appeal premises, which are modest in height, width and projection.

6. The Conservation Area is characterised by imposing late Georgian and early Victorian development laid out in a formal pattern of terraces and squares. The strong building and roof lines, repeating pattern of architectural features and restrained palette of materials give the Conservation Area a consistent and unified character and appearance.

7. The front of the terraced block at 287 – 297 Caledonian Road, within which the appeal premises are located, has a front and rear parapet with a flat roof set behind. There are isolated roof extensions to other terraced blocks in the vicinity of the appeal site. However, there have been no significant alterations to the roof of the subject terrace, which retains a strong consistent parapet roofline that is a distinctive feature characteristic of development along this section of Caledonian Road and makes a positive contribution to the character and appearance of the Conservation Area.

8. Islington's Urban Design Guide Supplementary Planning Document (UDG) states that an important constituent to the rhythm and uniformity of a terrace or street is the roof line. It notes that a well-defined roof line throughout helps give terraces their inherent unity and provides the natural rhythm that underpins the frontages.

9. With specific regard to the Conservation Area, the Council's Conservation Area Design Guidelines (Barnsbury) (CADG) notes that the roofline of a street, particularly a terrace, is a major component of its character and that the long views available across open spaces and wide roads in the Conservation Area mean that the roofscape becomes part of the overall urban landscape. Accordingly, the CADG states that alterations to the roofline can have a detrimental effect on the character of the area, and makes it clear that roof extensions visible from any street level position, including long views from side streets and across open spaces, will not be permitted. The only exception to

this is in respect of properties listed in Schedule 10.2 of the CADG; the appeal premises are not included in this list.

10. It has been put to me that the proposed roof extension would be of a modest height, would not alter the parapet walls, would be set back around 2m from the front parapet and only be partially visible when seen from Caledonian Road. However, during my site visit I noted that the existing chimney stacks and pots on the roof of the subject terrace can be seen in oblique views from both the front and rear. Therefore, although the proposed roof extension would not be visible from street level directly opposite the front of the appeal site, it would nevertheless be clearly noticeable in longer range views along Caledonian Road and from the junction of Bridgeman Road to the north-east, rising up above the line of the front parapet. Similarly, the pitched roof and flank walls of the proposed roof extension would be prominent in oblique views along Carnoustie Drive and from the windows of neighbouring properties to the rear of the appeal site.

11. The proposed pitched roof form rising up above parapet level would be uncharacteristic of the concealed roofline of the subject terrace, and would not reflect traditional mansard roof extensions in the surrounding area.

12. My attention has been drawn to other roof extensions in the vicinity of the appeal site. I am not aware of the planning history of these other schemes. However, rather than setting a precedent for the appeal proposal, many of these developments serve to highlight how the cumulative effect of incremental changes to buildings can have a materially adverse effect on their character and appearance.

13. By reason of its siting, considerable width and bulk and detailed design, the proposed roof extension would interrupt the strong roof line created by the parapets to the front and rear of the terraced block. As such, the appeal proposal would undermine the architectural composition and visual unity of the appeal premises and the subject terrace.

14. The proposed first floor rear extension would be higher than the existing modest rear additions, span the full width of the appeal premises and be of a considerable depth. Although the proposed rear extension would be lower than the main terrace, by reason of its increased height, width and depth it would appear as a disproportionately large, dominant feature which would fail to appear subordinate to the appeal premises or the terrace as a whole. Furthermore, the horizontal emphasis created by the placement and proportions of the proposed fenestration on the first floor rear extension and the main rear elevation of the appeal premises would be uncharacteristic of the existing strongly vertical proportions that characterise this terrace. The use of large areas of glass would fail to complement the predominantly brick rear elevation and would emphasise the horizontal banding of the proposed fenestration at first, second and third floor levels.

15. The rear of the appeal site faces Carnoustie Drive, a street with significant residential and community development along its western frontage and therefore a great deal of activity. As such, the rear of the appeal premises and the subject terrace are publicly prominent and contribute to the urban fabric of the street as a whole.

16. There is a first floor rear extension to 285 Caledonian Road, to the south of the appeal site. However, both the depth and width of that extension are considerably smaller than the appeal proposal, and it is therefore not directly comparable to the scheme before me.

17. It has been put to me that the appeal proposal would not result in the loss of period features, and that important features would be restored thereby enhancing the appearance of the building. However, this does not justify the harm that would result from the proposed development, particularly as there is no reason to believe that the restoration of such features is reliant upon the implementation of the appeal proposal.

18. For the reasons set out above, I conclude that the proposed development would have a harmful effect upon the character and appearance of the area, and would fail to preserve or enhance the character or appearance of the Barnsbury Conservation Area. As such, the appeal proposal would not accord with the design and heritage conservation and enhancement aims of Policies 7.4, 7.6 and 7.8 of the London Plan, Policies DM2.1 and DM2.3 of Islington's Local Plan: Development Management Policies (LPDMP), Policies CS 8 and CS 9 of Islington's Core Strategy and the guidance within the UDG and the CADG.

19. In addition to the development plan policies and guidance referred to above, I have had regard to the presumption in favour of sustainable development, the core planning principles and the policy aims in respect of design and heritage set out in the National Planning Policy Framework (the Framework). For the reasons set out above, the proposed development would not constitute high quality design or conserve the heritage asset in a manner appropriate to its significance, add to the overall quality of the area, respond to local character and history or reinforce local distinctiveness, as specifically required by required by paragraphs 17, 58 and 60 of the Framework. As a result, the appeal proposal would fail to protect and enhance the built environment as required by the environmental role set out in paragraph 7 of the Framework. The three dimensions of sustainable development are mutually dependent, and I consider that the conflict with the environmental dimension would outweigh any positive contributions the appeal proposal would make towards the social and economic dimensions through the construction of 2 additional dwellings in an accessible location. As such, the proposal would not constitute sustainable development when assessed against the policies contained within the Framework as a whole.

20. I conclude that the harm to the significance of the Conservation Area which I have identified above would be less than substantial. Paragraph 134 of the Framework states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. I do not consider that the provision of 2 additional dwellings would amount to a public benefit sufficient to outweigh the harm that would be caused to the heritage asset.

Living conditions

21. Policy 3.5 of the London Plan sets out minimum space standards (Standards) for new dwellings which accord with the nationally described space standard contained in the Technical Housing Standards. Policy DM3.4 of the LPDMP

identifies criteria that affect housing quality and liveability, and sets out standards to help ensure that new housing development provides sufficient space and facilities to enable residents to live comfortably and conveniently.

22. The Gross Internal Area (GIA) of the proposed Flat 2 would be 45.2m², significantly below the minimum GIA of 50 m² which the Standards require for a 1 bedroom/2 person flat. Flats 3 and 4 would be laid out over 2 floors and have a GIA of 58 m², substantially below the minimum GIA of 70 m² required by the Standards for a 2 bedroom/3 person 2 storey dwelling.

23. These Standards seek to ensure a good quality living environment in new housing developments, and the supporting text to London Plan Policy 3.5 states that they are minimum standards which developers are encouraged to exceed. Overall, the appeal proposal would provide inadequate internal living space within Flats 2, 3 and 4, resulting in a cramped form of development which would fail to provide acceptable living conditions for future occupants.

24. The appellant makes the case that the internal layout of the flats could be altered in order to achieve the minimum GIA required by the Standards, and that revised layouts could be secured by way of condition. However, this would result in a scheme which would be materially different to the appeal proposal. In the interests of natural justice and fairness to all parties, I have dealt with the appeal on the basis of the scheme and plans that were considered and determined by the Council and on which interested people's views were sought.

25. Turning to the effect of the proposed development upon the living conditions of the occupants of neighbouring residential properties, the proposed first floor extension would be sited in close proximity to the rear first floor windows of residential accommodation at 287 and 293 Caledonian Road. I noted during my site visit that these windows are not fitted with obscured glazing, and I have no reason to believe that they do not serve habitable rooms. The proposed extension would be considerably higher and deeper than the existing rear additions, and would therefore have an unduly enclosing and overbearing effect upon outlook from the first floor window to the rear of No 287. The proposed extension would be located to the south of No 293 and so, although the nearest first floor window to the rear of that property is positioned at a slightly higher level within the rear elevation, due to the siting, height and projection of the appeal proposal it would be likely to result in a loss of outlook from and light to this window.

26. For the reasons set out above, I conclude that the appeal proposal would have a harmful effect upon the living conditions of future occupants of the proposed development with particular regard to internal living space, and to the living conditions of the occupants of the neighbouring residential properties with particular regard to outlook and light. As such, the proposed development would not accord with the design and amenity protection aims of Policies 3.5 and 7.6 of the London Plan, LPDMP Policies DM2.1 and DM3.4 and Policy CS 12 of Islington's Core Strategy.

27. Although the Council has referred to London Plan Policy 7.4 and Policy CS 8 of Islington's Core Strategy, I do not consider these policies are directly relevant to the second main issue because they relate primarily to local character. Accordingly, I have not had regard to them on this occasion.

Conclusion

28. For the reasons given above, and having had regard to all other matters raised including third party representations and the appellant's response thereto, I conclude that the appeal should be dismissed.

C L Humphrey

INSPECTOR