

Appeal Decision

Site visit made on 7 December 2016

by P Eggleton BSc(Hons) MRTPI

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

Decision date: 20TH December 2016

Appeal Ref: APP/V5570/D/16/3159468

4 Haven Mews, Islington, London N1 1LE

- 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 M Joel against the decision of Islington Borough Council.
 - The application Ref P2016/2652/FUL, dated 28 June 2016, was refused by notice dated 23 August 2016.
 - The development proposed is the general refurbishment of the property including the infill of the existing top floor external area and the erection of a new roof extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposal would preserve or enhance the character or appearance of the conservation area; and whether it would preserve the setting of the adjacent listed terrace and the locally listed Rainbow building.

Reasons

3. The property is a modern infill dwelling which has been built between a listed period terrace and a locally listed, former public house. It lies within the Barnsbury Conservation Area which is characterised by the sequences of London squares and the many period terraces.
 4. The proposed addition to the roof would be set back from the frontage of the property and would be of materials that would be in keeping with the modern design of this infill building. The set back would reduce the visibility of the structure from street level, particularly from immediately opposite. The adjacent mansard roof structure would obscure views of it from the north. When viewed from the south, although predominantly set against the backdrop of the mansard roof, it would be clearly evident above the distinctive roof of the locally listed Rainbow building. It would also be clearly apparent from within Barnsbury Street, diagonally opposite.
 5. In longer views from the south, the new structure would be visible to both sides of the distinctive chimney of the Rainbow. It would appear as an incongruous structure which would be entirely at odds with the form and character of the locally listed corner building. The Rainbow has a very
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distinctive design and contributes positively to the character of the area. The subservient relationship of this modern infill building would be lost as the new works would become a dominant feature, above the parapet roof. Despite its glazed frontage, it would detract from and compete with the historic form and distinctive period features of this non-designated heritage asset.

6. The new works would sit under the alignment of the party wall associated with the mansard roof of the listed terrace. However, it would not appear as being subservient as it would have a greater prominence when viewed from the south, as shown on the appellant's viewpoint 6 image. It would be more prominent in longer views. It would appear as a high and relatively alien feature and it would obscure the form and symmetrical appearance of the party wall when viewed from Barnsbury Street. Although the gable is not referred to in the listing, the development would dominate the roofscape and detract from the character and appearance of the terrace overall. In this respect, its height and position would represent poor design in this particular context.
7. The rear third floor addition would sit comfortably within the existing recess between the buildings. It would enclose the rear courtyard to a greater extent but I am not satisfied that this would unacceptably harm the living conditions of the residents of the mews accommodation with regard to outlook, loss of light or a reduction in privacy. The roof addition, because of its set back would similarly not result in an unacceptable increase in harm with regard to amenity. It would have a limited wider visual impact to the rear but this would not overcome my concerns with regard to the views of this structure, particularly from Barnsbury Street, from where much of the depth of the addition would be apparent.
8. I am required to assess whether the proposal would preserve or enhance the character or appearance of the conservation area; I must have special regard for the setting of the listed building; and take into account the effect on the non-designated heritage asset of the former public house. The development would result in harm to the conservation area and the setting of the two adjacent buildings. The *National Planning Policy Framework* is clear that any harm to heritage assets should be weighed against any public benefits. The harm would be less than substantial, as described in paragraph 134 of the *Framework*. Whilst the proposal gains some support from the London Plan and the sustainability objectives of the *Framework*, as the amount of accommodation would be increased and the use of the site optimised, this would not outweigh the harm.
9. Whilst the design would be in keeping with that of the original infill property, it would no longer be a subservient addition. The prominence of its distinctive modern character would result in it being at odds with its surroundings. It would be contrary to the design and heritage requirements of Policy 7.8 of the London Plan 2016; Policy CS9 of Islington's Core Strategy 2011; and Policies DM2.1 and DM2.3 (B, C and E) of Islington's Local Plan: Development Management Policies 2013. The *Framework* is clear that permission should be refused for development of poor design and as the development plan policies generally accord with its design and heritage requirements, they can be afforded considerable weight.

10. The Islington Urban Design Guide 2006 advises that buildings that stand out will only be acceptable in exceptional circumstances. I am not satisfied that such circumstances exist in this case. I acknowledge that the restrictions on roof extensions set out in the Conservation Area Design Guide 2002 are not directed at proposals such as this but I do not find support for additions that would dominate or detract from neighbouring historic properties.
11. I acknowledge that other roof structures exist but these do not suggest that such a prominent modern feature should be accepted in association with this relatively subservient infill development. I note the pre-application advice but I have to consider the proposal on its own merits. I have considered all the matters put forward by the appellant but they are not sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR