
Appeal Decisions

Site visit made on 20 December 2016

by R W Allen B.Sc PGDip MRTPI

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

Decision date: 11 January 2017

Appeal A - Appeal Ref: APP/V5570/D/16/3161684 23 Avenell Road, Islington, London N5 1DP

- 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 Ms Fiona Goedhart against the decision of The London Borough of Islington.
 - The application Ref P2016/2474/FUL, dated 16 June 2016, was refused by notice dated 9 August 2016.
 - The development proposed is loft conversion to a 2 storey town house to provide bedroom and shower room.
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Appeal B - Appeal Ref: APP/V5570/D/16/3161685 23 Avenell Road, Islington, London N5 1DP

- 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 Ms Fiona Goedhart against the decision of The London Borough of Islington.
 - The application Ref P2016/2473/FUL, dated 13 June 2016, was refused by notice dated 9 August 2016.
 - The development proposed is rear and side ground floor extension to an existing 2 storey Victorian house with a small infill at first floor level in the gap between 2 houses.
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Decisions

1. Appeals A and B are dismissed.

Preliminary Matter

2. The Council decision notice for Appeal A cites conflict with the architecture policy of the London Plan Consolidated with Alterations 2016 (London Plan). However, they have erroneously referred to this as London Plan policy 4.6 which relates to support for arts and crafts. I have therefore taken this to be a typographical error, and should correctly be referred to as London Plan policy 7.6. As both parties' arguments address the substance of the architecture policy, I am satisfied that this would not prejudice the main parties.

Main Issue

3. For Appeal A, the main issue is the effect of the proposed development on the character and appearance of the host property and the street scene.
4. For Appeal B, the main issues are:

- The effect of the proposed development on the character and appearance of the host property and the street scene; and
- The effect of the proposed development on the living conditions of the occupiers of No 25 Avenell Road (No 25) having specific regard to outlook.

Reasons

Appeal A

5. The appeal property is a two-storey end of terrace dwelling house with rear outrigger, not untypical of a property of this age, and a single-storey extension. The property and its adjoining neighbours are characterised by uniformed and architecturally detailed façades comprising bay windows at ground floor with parapet walls and valley roofs concealed behind them, resulting in a regular roofline pattern. A narrow gap above ground level exists between the appeal property and the neighbour No 25 Avenell Road, which is set at a slightly lower level. Dwellings on the opposite side of the road conform to a different design and appearance, and which contain conventional pitched roofs.
6. I observed at my site visit that none of the properties in the terrace adjoining the appeal property, or indeed those in Plimsoll Road or Monsell Road which I observed are similarly-designed dwellings, had undertaken any form of raising or extending of the valley roof. The proposed development would therefore be a first in this grouping, and would in my judgement not be particularly welcomed. I find the proposed roof alteration and extension would be greatly visible within the street scene and from the surrounding area, and observable at the rear from surrounding properties. It would appear as an awkward and incongruous addition to the property, protruding harmfully above the roofline and upsetting the rhythm and unity with neighbouring dwellings in the terrace. The proposed development would as a result notably depart, and would considerably detract from the character and appearance of the dwelling and the street scene.
7. The appellant draws my attention to a number of roof alterations that have taken place in the locality, one of which involves the construction of a mansard roof to a property with a valley roof. While I note the appellant has provided some photographs and committee reports to support her assertions, insufficient evidence is before me to draw any direct parallels to the appeal scheme before me. In any event, my Decision is made on the evidence before me and from my observations at my site visit.
8. I find that the proposed development would conflict with London Plan policies 7.4 and 7.6; and the relevant parts of policy CS9 of the Islington Core Strategy 2011 (Core Strategy) and Policy DM2.1 of the Islington Local Plan Development Management Policies 2013 (DMP). These state that development should be of a high quality; that it should have regard to the scale, mass and orientation of surrounding buildings and should make a positive contribution to the local character and distinctiveness of a place; and that permission will be refused for development of poor design that fails to take opportunities or influence or improve the future character of the area. It would also fail to accord with the Islington Urban Design Guide Supplementary Planning Document 2006 (Guidance), which states that there will be a strong presumption against any

alteration or extension beyond the existing roofline where such proposal introduce features that fail to respect the scale, form, and character of the street frontage.

Appeal B

Character and appearance

9. The infilling of the gap between the appeal property and No 25 would result in a degree of unevenness and absence of continuity because of it would be set back from the front elevation, and would not continue the line of the parapet wall across the roof. However, it would not be a notably prominent or incongruous enclosure. Moreover, the existing gap is only readily apparent when viewed from directly outside the property and is considerably less so and non-visible from other vantage points in the street. For these reasons, I am not persuaded that the proposed infilling would amount to any significant harm to the character of the street scene.
10. The proposed rear and side extensions in combination would amount to sizeable additions to the property. However, the rear extension would not be visible from the street, and I am satisfied that the remaining form and features would continue to be readily identifiable and appreciable such that the proposal would not dominate the host property. While a proportion of the rear garden space would be lost, it would be significant, and the remaining garden land would not be insufficiently sized and would not be noticeably inconsistent with those in neighbouring gardens.
11. I therefore do not find that the proposed development would amount to any significant harm to the character and appearance of the area. It would accord with London Plan policies 7.4 and 7.6; and the relevant parts of Core Strategy policy CS9 and DMP Policy DM2.1, details of which I have set out above. It would also accord with Core Strategy policy CS8, which states that the scale of development will reflect the character of the area; and with the Council's Guidance which states that rear extension should avoid disrupting rhythm of the existing rear elevations, or dominate the main building.

Living conditions

12. I observed at my site visit that No 25, the design of which also includes an outrigger, is positioned closer to the common boundary with the appeal property. As such, its side return passage is rather narrow in width, and outlook from the rear the neighbouring property is already somewhat compromised by the proximity of the flank wall of the appeal property to it. Nevertheless, the proposed development would introduce a sizeable structure tight to the boundary, which I find would considerably worsen this effect and lead to level of enclosure not currently experienced. It would I find cause a significant erosion of the living conditions of the occupiers of this property.
13. The appellant notes that extensions to the rear of properties have been undertaken to other properties in the area, many of which do not require planning permission. However, there is no suggestion from either main party that the proposed development would be permitted development even if reduced in depth, and I do not hold the fallback position any significant weight in my Decision. Insufficient evidence is before me of other schemes in the area

to draw any direct parallels and as before, my Decision is made on the evidence before me.

14. I therefore find that the proposed development would not accord with the relevant parts of or with DMP policy DM2.1, which states that the Council will expect development to provide a good level of amenity including consideration of over-dominance, sense of enclosure and outlook. Core Strategy policy CS9, which is cited by the Council and details of which I have set out above, is not particularly relevant in this regard.

Conclusion

15. For the reasons given above I conclude that Appeals A and B should be dismissed.

R Allen

INSPECTOR