
Appeal Decision

Site visit made on 14 February 2017

by Beverley Wilders BA (Hons) PgDurp MRTPI

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

Decision date: 7 March 2017

Appeal Ref: APP/V5570/D/16/3163114

Coach House, 139 Highbury New Park, Islington, London N5 2LJ

- 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 Alex Hearn against the decision of the Council of the London Borough of Islington.
 - The application Ref P2016/2678/FUL, dated 17 June 2016, was refused by notice dated 22 September 2016.
 - The development proposed is extension and alterations to the rear and side of the property including to roof and internal refurbishments.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host building and the surrounding area.

Reasons

3. The appeal site is located in a prominent position in the Highbury New Park Conservation Area (HNPCA) and is also adjacent to the Sotheby Road Conservation Area (SRCA). The HNPCA is a linear conservation area focused on Highbury New Park, a wide gently curving road lined with grand detached and semi-detached houses. According to the Council's Conservation Design Guidelines for Sotheby Road (CDGSR) SRCA is characterised by highly detailed and ornate brick terrace houses with bay windows. They are generally two or three storeys over a semi-basement with highly decorated pitched roofs, incorporating gables or dormers, or on corner sites, turrets. At my visit I noted that there is generally an absence of flat roofed structures within the vicinity of the appeal site and consequently they do not form part of the character of the area.
 4. The host building is a detached, mainly two storey hipped roofed dwelling. It is modest in scale and appearance and the external walls are rendered. Despite appearing to have been subject to numerous alterations including a single storey rear extension and replacement windows, the host building is traditional in appearance. It fronts onto and is set back from the junction of Kelross Road and Northolme Road and the appeal site is adjacent to Kelross Passage, a pedestrian walkway linking Kelross Road and Highbury New Park. The scale and appearance of the host building differs from other buildings in the vicinity
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of the site which mainly comprise larger scale brick built, bay windowed terraces. Surrounding roads are tree lined and there is some landscaping on and near to the appeal site. However at the time of my visit there were clear views of the host building and the appeal site from Kelross Road, Northolme Road and from Kelross Passage.

5. The proposed flat roofed extensions would wrap around the rear and one of the side elevations of the host building. Although the height of the resultant two storey elements would be slightly below the eaves of the host building, would be viewed against the original parts of host building and though the side extension would be set back from the front elevation, the bulk and in particular the flat roofed form of the extensions would be unsympathetic to and at odds with the host building. The proposed use of materials for the extensions whilst reflective of materials used on the host building and in the locality would not mitigate the harm that would result from the scale and form of the proposed extensions which would be incongruous and dominant features on the host building despite the building not being locally listed.
6. As stated, the appeal site is located in a prominent position and despite existing landscaping and walls and gates the proposed extensions would be visible from various vantage points within the surrounding conservation areas. Whilst I acknowledge that the character and appearance of the host building is not reflective of surrounding buildings, the scale, design and position of the proposed extensions would further emphasise and exacerbate the contrast and would consequently not preserve the character and appearance of the conservation areas.
7. My attention has been drawn to an example of a modern development at Ebury Mews off Sotheby Road and at my site visit I viewed this development from the road and from the appeal site. Whilst I note that Ebury Mews is in the SRCA and that it incorporates contemporary design and flat roofed elements, it is located in a less prominent position than the appeal site. Though the development at Ebury Mews forms part of the character of SRCA, the two sites do not appear to me to be directly comparable and as such in reaching my decision I have afforded it limited weight. In any event I must determine the proposal before me on its own merits.
8. The erection of a detached outbuilding to the front of the appeal site and changes to the boundary treatment also forms part of the proposal. The front wall of the outbuilding would form a higher front boundary to the appeal site as it adjoins Kelross Road and Northolme Road. Hit and miss timber fencing is proposed above the existing side boundary wall adjoining Kelross Passage. The height and form of these proposed boundaries would be out of keeping with the surrounding area which generally comprises low level walls, fences and hedging along prominent boundaries. In addition notwithstanding the proposed use of hit and miss timber fencing, the proposed changes to boundary treatments would further reduce the openness of the site and create a sense of enclosure along Kelross Passage. The proposed outbuilding and boundary treatment would not therefore preserve the character and appearance of the conservation areas.
9. I consider that the harm to the significance of the HNPCA and the SRCA that would result from the proposal would be less than substantial. As such having regard to paragraph 134 of the National Planning Policy Framework (the

Framework), this harm needs to be weighed against the public benefits of the proposal. Whilst I note that the proposal would provide enhanced living accommodation and privacy for the appellant and would incorporate sustainable design features, these do not equate to public benefits which would outweigh the harm identified.

10. Taking the above matters into consideration, I conclude that the proposal would have a significant adverse effect on the character and appearance of the host building and the surrounding area including the HNPCA and the SRCA. It is therefore contrary to the development plan and in particular policies DM2.1 and DM2.3 of Islington's Local Plan: Development Management Policies, policies CS8 and CS9 of Islington's Core Strategy, policies 7.4, 7.6 and 7.8 of the London Plan and to advice contained within Islington's Urban Design Guide and the Highbury New Park Conservation Area Design Guideline.
11. These policies and this guidance seek, amongst other things, to ensure that all forms of development are of a high quality design, make a positive contribution to local character and distinctiveness and conserve or enhance the significance of conservation areas. Though not specifically cited in the Council's reasons for refusal, I also consider the proposal to be contrary to relevant paragraphs of the Framework relating to sustainable development, design and heritage assets.

Conclusion

12. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR