
Appeal Decision

Site visit made on 22 May 2017

by G J Fort BA PGDip LLM MCD MRTPI

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

Decision date: 08 June 2017

Appeal Ref: APP/V5570/W/17/3171019

Flats 5 and 6, 33 Jackson Road, Islington, London N7 6ES

- 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 Joel Gray against the decision of the Council of the London Borough of Islington.
 - The application Ref P2016/2545/FUL, dated 1 June 2016, was refused by notice dated 6 September 2016.
 - The development proposed is a mansard roof to add an additional floor to both flats.
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Decision

1. The appeal is allowed and planning permission is granted for a mansard roof to add an additional floor to both flats at Flats 5 and 6, 33 Jackson Road, Islington, London N7 6ES in accordance with the terms of the application, Ref P2016/2545/FUL, dated 1 June 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Drg No: 01a; Proposed-Floor Plans Drg No: 02; Proposed-Elevations Drg No: 03.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials referred to in section 11 of the application form dated 1 June 2016.

Procedural Matters

2. For the sake of clarity, I have amended the description of development given in the banner heading above from that within the application form, which reads "The proposal is for a joint application for flats 5&6 to create a mansard roof to add an additional floor to both flats".
 3. Since the determination of the planning application that led to this appeal the Council adopted, in January 2017, the Urban Design Guide Supplementary Planning Document (the SPD) which supplanted the 2006 guidance referenced within the decision notice. As the appellant makes reference to this document in their final comments, I consider that no parties would be prejudiced by my consideration of its content.
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Main Issue

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of the streetscene.

Reasons

5. The appeal dwellings are in the upper floors of an end terrace building of three storeys, predominantly faced in brick, but with render at ground floor level. Whilst similar to the rest of the terrace in terms of its scale and in the proportions and rhythm of its elevational treatment, the detailing of the appeal building's window and door surrounds offers a clear contrast. More significantly, the appeal building's roof style is a strong contrast to the butterfly roofs employed in its adjoining properties, being predominantly flat with a prominent parapet at the front, side and rear. I saw that the roof style of the property at the other end of the terrace is also a strong contrast to the prevailing rhythm of the adjacent butterfly roofs. In the wider environs of the appeal property, I saw that roof alterations, including mansards, are not uncommon.
6. The proposed development would create a mansard roof extension at the appeal property that would be inset from the parapet walls at the front and rear, but would adjoin the side parapet and its party wall. It would include two rooflights in each of its front and rear roofslopes.
7. Whilst the proposed development's host terrace currently has no other similar roof alterations, the appeal building's roof and parapets are already of a considerably different character to those of its adjoining properties. This aspect of the appeal property, taken together with its siting at the end of the terrace, mean that the proposed development would not interfere with or interrupt the strong rhythm of butterfly roofs visible along the rear.
8. Moreover, due to its limited scale and setback it would not read as a dominant addition that would undermine the proportions or architectural rhythm of its elevational treatment. Whilst, due to its corner location the proposed development would be widely visible, it would be so in the context of buildings with a wide variety of roof alterations and as a consequence would not read as an incongruous addition. These matters, taken together, lead me to the conclusion that the proposed development would not cause significant harm to the character and appearance of the streetscene.
9. I note the Council considers that the proposed development would not comply with the requirements of the SPD as they relate to roof alterations; however, as I have found that no significantly harmful effects would arise as a result of this, I consider that this justifies a departure from this guidance in this instance.
10. For the reasons given above, the proposed development would not cause significant harm to the character and appearance of the streetscene. As a consequence, the proposed development would not conflict with Policy CS8 of Islington's Core Strategy (adopted February 2011); or Policy DM2.1 of Islington's Development Management Policies (adopted June 2013); or Policy 7.6 of the London Plan: The Spatial Development Strategy for London- Consolidated with alterations since 2011 (adopted March 2016); or the National Planning Policy Framework (the Framework). Taken together, and amongst

other matters, these policies seek to discourage developments of poor design and ensure that developments reflect and complement the identity and character of local surroundings.

Other Matters

11. I note comments regarding incidents of rubbish left in the garden of the appeal property, and that its garage may have been used as accommodation at some point in the past. However, it has not been established that the proposed development would exacerbate either of these phenomena to any substantial degree. Moreover, as the proposed development aims to provide more space for two of the existing flats at the appeal property, I consider that it would not lead to overcrowding of the site.

Conditions

12. I have assessed the list of conditions suggested by the Council against the tests given in paragraph 206 of the Framework. This states that conditions should only be imposed where they are necessary, relevant to planning and the development to be permitted, enforceable, precise and reasonable in all other respects.
13. In the interests of certainty, I have attached a condition which specifies the approved plans. In order that the proposed development is sensitive to the character and appearance of its host dwelling and the wider streetscene I have attached a condition that specifies the materials to be used in its facing. However, as no design and access statement accompanied the planning application that led to this appeal, and the submitted plans do not refer to the materials to be used, I have amended the condition to refer to the materials listed in the planning application form. I have made other amendments to the suggested conditions, where necessary, to ensure clarity.

Conclusion

14. The proposed development would not conflict with the aforementioned policies of the development plan. Accordingly, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should succeed.

G J Fort

INSPECTOR