

Appeal Decision

Site visit made on 13 June 2017

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 14th July 2017

Appeal Ref: APP/V5570/D/17/3176288

20 Batchelor Street, Islington, London N1 0EG

- 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 Markus Esly against the decision of the council of the London Borough of Islington.
 - The application Ref P2017/0028/FUL, dated 23 December 2016, was refused by notice dated 15 March 2017.
 - The development proposed is 'roof extension to form third floor with minor works to ground floor'.
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Decision

1. The appeal is allowed and planning permission is granted for a roof extension to form third floor with minor works to ground floor at 20 Batchelor Street, Islington London N1 0EG, in accordance with planning application Ref P2017/0028/FUL, dated 23 December 2016, subject to the conditions set out in Annex A to this decision.

Procedural Matter

2. I have noted that the description of development in the banner heading above differs from that on the Council's decision notice. However, I am using the above description, which is taken from the appellant's application form, as it adequately describes the development sought.

Main Issues

3. Whether the proposed roof extension would preserve the setting of 21-39 Batchelor Street, a grade II listed terrace of similar properties and whether it would preserve or enhance the character or appearance of the Barnsbury Conservation Area.

Reasons

4. The appeal site includes a three storey property, which is attached to a grade II listed terrace, 21-39 Batchelor Street. That terrace forms part of a planned development of similar residential properties, set out as a formal perimeter block which fronts onto Batchelor Place, Cloudesley Road, Cloudesley Place and Liverpool Road. The properties, including the appeal site, front onto the streets and enclose a communal garden at their rears. Properties fronting onto Batchelor Street, including the appeal site, are generally three storeys, with mainly brick elevations, traditionally detailed timber painted windows and doors and a well-defined roofline, which includes a parapet. Generally, the terrace displays cohesion and unity in the scale, design and detailing of properties
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- within it. Being a part of that perimeter block and attached to the listed terrace identified, even though it has had different uses throughout its history and been altered and partially rebuilt over time, the appeal site significantly contributes to the formal and urban setting of the listed terrace.
5. The appeal site and the perimeter block, including the listed terrace, are located within the Barnsbury Conservation Area. With a predominantly residential character, the Conservation Area contains many examples of formal late Georgian and early Victorian residential development, set out in squares and terraces. It has a cohesive and complete character and appearance. Due to their formal layout, visual unity and completeness, the appeal site, along with the listed terrace and perimeter block identified, significantly contribute to the character and appearance of the Conservation Area, including their well-defined roofline. That significant contribution is not diminished by the position of the appeal site close to the edge of the Conservation Area. This assessment generally accords with Islington's Conservation Area Design Guidelines: *A Supplement to the UDP Revised Version January 2002 (CADG)*, which states in paragraph 10.2 that overall, the area has a rare quality of consistency and completeness which requires careful and sensitive policies to protect and enhance it.
 6. The proposed roof addition would have a sloped roof form which would be limited in height and set back from the frontage of the host dwelling behind the parapet. Further, it would be well set back from the Cloudesley Road frontage. On the basis of the information before me and my on-site observations, I consider that its street level exposure would be limited. As it would be constructed mainly of glass, bearing in mind its limited street level exposure, its visual impact would not be harmful. For all these reasons, no material harm to the clear defined roofline of the appeal property would result. Further, as it would have limited street level exposure, it would not materially diminish the unbroken roofline of the listed terrace, its planned similarity in the height of properties in it, its rhythm and unity and the contribution that the appeal site makes to the setting of that listed terrace. Whilst I have noted that the roofline of properties in Batchelor Street is generally unbroken, the limited visual impact of the appeal proposal would avoid material harm. For the same reasons, it would generally preserve the character and appearance of the Conservation Area.
 7. In coming to this conclusion, I have had regard to paragraph 10.22 of the CADG, which indicates that no roof extension visible from any street level position will be permitted, unless indicated, which includes long views from side streets and across open spaces. I have also had regard to paragraph 5.148 of the Islington Urban Design Guide, which states that in all cases applications for roof extensions will be assessed on merit. Further, I note that paragraph 5.150 states that proposed roof extensions anywhere along an unaltered roofline within a conservation area will not generally be acceptable. However, those documents provide general guidelines and I have set out above why I consider that no material harm would result from this development.
 8. I conclude that the appeal proposal would preserve the character and appearance of the Barnsbury Conservation Area and the setting of the listed terrace identified. It would therefore accord with Policies 7.4, 7.6 and 7.8 of the London Plan (2016), Policies CS8 and CS9 of the Islington's Core Strategy (2011), Policies DM2.1 and DM2.3 of Islington's Local Plan: Development

Management Policies (2013), the Urban Design Guide Supplementary Planning Document (2017) and the CADG. Those policies and documents together, aim for development appropriate to its context and to generally conserve and enhance Islington's unique heritage assets.

Planning Conditions

9. A list of planning conditions has been suggested by the Council. Standard time and plans conditions are required to ensure certainty and in the interests of proper planning. A condition to ensure that external materials match the existing building is required to ensure that the development blends into the locality. All would be consistent with national policy and guidance.¹ A list of planning conditions to be imposed is set out in Annex A to my decision.

Conclusion

10. For the above reasons, and taking all other matters raised into consideration, I conclude that the appeal should be allowed, subject to the conditions listed in Annex A to my decision.

R Barrett

INSPECTOR

LIST OF PLANNING CONDITIONS

Annex A

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby approved shall be carried out in accordance with approved plans: Location Plan unnamed with north point and scale; 463.(1).1.000; 463.(1).1.001; 463.(1).1.002A; 463.(1).1.003; 463.(1).1.004; 463.(1).1.005; 463.(1).1.006; 463.(1).1.007; 463.(1).2.001; 463.(1).2.002A; 463.(1).3.001.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

----- END OF CONDITIONS -----

¹ Paragraphs 203 and 206 of the Framework and PPG paragraphs 21a-001-034