
Appeal Decision

Site visit made on 25 July 2017

by K Taylor BSc (Hons) PGDip MRTPI

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

Decision date: 2 August 2017

Appeal Ref: APP/V5570/W/17/3173525

Flat 3, 35 Ferntower Road, Islington, London N5 2JE

- 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 C Elgar against the decision of the Council of the London Borough of Islington.
 - The application Ref P2016/4248/FUL, dated 25 October 2016, was refused by notice dated 11 January 2017.
 - The development proposed is inset extension at second floor terrace level.
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Decision

1. The appeal is allowed and planning permission is granted for inset extension at second floor terrace level at Flat 3, 35 Ferntower Road, Islington, London N5 2JE in accordance with the terms of the application, Ref P2016/4248/FUL, dated 25 October 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: the site location plan, PLA 01, PLA 04, PLA 05, and PLA 06.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. Ferntower Road and Pyrland Road are characterised primarily by 3 storey terrace houses, many of which have been separated into flats. The rears of the properties are not visible from the surrounding roads but are seen from the rear windows and back gardens of these properties. Many of the buildings have rear offshoots, typically these are around half the width of the rear elevation and many are set in pairs. The height and roof form of these varies. Many, but not all, are set one or more storeys down from the main eaves height. Some have pitched roofs and others flat roofs, several of which incorporate roof terraces. The uniformity of the offshoots being half width is characteristic of the area, but so is the irregularity of height and roof form.
4. The appeal building is fairly typical of the properties in these streets. It appears as a 3 storey building from the front but, from the rear, it is 4 storeys tall as there is a basement/lower ground floor level. The property has been separated into flats and it has a half width rear offshoot set in a pair with the offshoot at

No.33. However the offshoot at the appeal property appears to have been rebuilt and, at 3 storeys, is taller than its attached neighbour. Both these offshoots have flat roofs and incorporate roof terraces. A few properties to the east there is an offshoot that is around 4 storeys high, although it is set lower than the main eaves by about a metre.

5. The development would introduce an extension on the roof terrace. It would be set behind the flank parapet walls and set away from the rear parapet allowing a small area of outside terrace to remain. With the inset from the sides and rear the extension would not appear prominent either from views out of neighbouring properties or their gardens. The use of a cladding material in a muted colour would appear as a subtle and light weight addition that would be contrasting but nevertheless sympathetic to the appearance of the terrace. It would still be set down from the eaves and below the height of the arched brick window head located on the main rear wall. I consider that this would be a sufficient degree of punctuation below the eaves when considered alongside the use of contrasting materials and the set in and back such that it would appear as a subservient addition.
6. The extension would not be set a full storey height below the eaves, which is suggested by the Council's Urban Design Guide Supplementary Planning Document 2017 (the SPD) as a means to ensure extensions are subordinate. However it would be a broadly similar height to the 4 storey offshoot on the nearby property. It appears the appeal extension would be modestly taller than this, but not significantly so, and, given its set in and set back it, would not appear as prominent. The SPD also suggests that many terrace dwellings have paired rear additions with consistent rooflines. However this is not the case with the offshoots on the appeal site and at No.33 and the extension would not interrupt the rhythm any more significantly than is currently the case.
7. An appeal decision has been brought to my attention where an additional storey was proposed to be added to the offshoot at No.43. However, unlike the appeal scheme, that property had an original offshoot that was of a consistent height and roof form with its paired neighbour. No inset was incorporated and it also proposed significant changes to the glazing on the offshoot. The individual circumstances were significantly different to those that exist at the appeal site and therefore the dismissed appeal at No.43 does not persuade me that the appeal scheme is unacceptable.
8. For the above reasons I conclude that the extension would be in keeping with the character and appearance of the area. It would conform to Policies CS8 and CS9 of Islington's Core Strategy 2011 and Policy DM 2.1 of Islington's Local Plan: Development Management Policies 2013. These require that high quality architecture is utilised and that new development is sympathetic in scale and appearance, and complementary to, the character of the area.

Conditions

9. I have imposed a condition specifying the relevant plans as this provides certainty. The Council has suggested that the external materials match those of the existing building. That is not proposed in the application and, for the reasons set out above, the proposed materials would be acceptable. These are stated on the drawings and so the requirement that the development is carried out in accordance with the specified plans adequately deals with materials.

10. The roof of the offshoot is already utilised as a terrace, a small portion of this would be retained. There is no reason why the extension would only be acceptable if a privacy screen is erected around the retained terrace area and, in any event, no significant overlooking can occur from this terrace into neighbouring windows. The side window in the extension would provide some views of a small section of the study in the appeal flat. However the oblique angle is such that no views inside any windows of neighbouring properties would be possible. The requirement that the side window is obscure glazed is therefore not necessary.

Conclusion

11. For the above reasons, I consider that the development accords with the development plan when taken as a whole. I conclude that the appeal should be allowed.

K Taylor

INSPECTOR