

Appeal Decision

Site visit made on 23 August 2017

by Graham M Garnham BA BPhil MRTPI

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

Decision date: 04 September 2017

Appeal Ref: APP/V5570/D/17/3176985

15-17 Cloudesley Road, Islington, London, N1 0EL

- 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 Aaron Yap against the decision of London Borough of Islington Council.
 - The application Ref P2017/1091/FUL, dated 13 March 2017, was refused by notice dated 8 May 2017.
 - The development proposed is erection of a flat roof extension with mansard fascia to create an additional storey over the existing 2 storey house.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a flat roof extension with mansard fascia to create an additional storey over the existing 2 storey house at 15-17 Cloudesley Road, Islington, London, N1 0EL in accordance with the terms of the application Ref P2017/1091/FUL, dated 13 March 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: numbers CR1E00, CR1E01, CR1E02, CR1E03, CR1E04, CR1E05, CR1E06, CR1E07, CR1E08, CR1E120, CR1E121, CR1P02, CR1P03, CR1P04, CR1P05, CR1P06, CR1P07, CR1P08, & CR1P09.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - 4) Permission is not given for thick double glazing with applied glazing bars. All new sash windows shall replicate accurately the original windows surviving in the property, in terms of material, profile and detailing. They shall be painted timber, double-hung 8/8 sash windows with a slim profile and narrow integral (not applied) glazing bars with a putty finish (not timber bead). The glazing shall be no greater than 14mm in total thickness. No horns, trickle vents or metallic/perforated spacer bars are permitted.
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Procedural Matter

2. The site visit had been arranged on an “access required” basis. In the event, I was unable to gain entry to the appeal site. However, I was able to view the rear of properties in Copenhagen Street from Cloudesley Road and from no.10, to which I was given entry. Hence I consider that I have all the information I need to determine the appeal.

Main Issues

3. I consider that these are the effects of the proposal on, firstly, the character and appearance of the building, the setting of nearby listed buildings and the Barnsbury Conservation Area; and secondly, the living conditions of the occupiers of no.s 4 & 6 Copenhagen Street, with respect to loss of outlook and increased sense of enclosure.

Reasons

4. The appeal property is a 2 storey dwellinghouse. The building occupies almost its entire plot, and stands forward of no.19 next door. It is double fronted, but with a shallow footprint, one room deep. It is proposed to add a further storey above the existing roof, occupying the full width and depth of the building.

First main issue – effect on character and appearance

5. In terms of its height, mass and siting, the appeal property is unique in the local street scene. Atypically, it only has 2 floors of accommodation, rather than 3 or more, and looks somewhat diminutive in its context; it is double fronted, and the front elevation is wider than it is high, in contrast to the vertical emphasis of most properties; and while it abuts the next door property, it is not part of a terrace and stands forward of the local building line. The additional floor would be erected behind the existing front parapet, with a mansard profile that is common further north on Cloudesley Road. The top floor windows would be symmetrically aligned above those on the floors below and, in my view, of appropriate dimensions and scale for a roof extension on a house of this nature. The height of the narrow southern elevation would be accentuated by the proposal. However, this would bring the form of the building into closer conformity with others nearby and remove the unusual downwards dip in the side elevation, rearwards of the parapet. Taking the building as a whole, I consider that the form, scale and proportions of the enlargement would be in keeping with its character and appearance.
6. It is proposed to use matching London yellow stock bricks and natural slate roof tiles, and timber frame windows to match those on the first floor (where timber would replace the existing uPVC). These outcomes would be beneficial and necessary in the interests of a satisfactory appearance. They need to be secured by planning conditions that control the use of materials and require construction details of the windows to be submitted and approved. Subject to these conditions, I consider that the design and appearance of the extension would be an appropriate addition to the property.
7. The appeal site abuts the flank wall of no.19 Cloudesley Road. With no.21, this is a Grade II listed building. The pair are listed as terraced houses, built around 1830, with 3 storeys over basements. I consider that, on balance, the

increased height of the appeal property (the parapet of which currently is below the top of the first floor windows next door) would reduce the incongruity of their juxtaposition, and help to hide an unsightly structure on the rear part of the roof at no.19. Although no.15-17 stands forward of no.19, this situation would not be changed by the proposal. The heightened building would still be significantly lower and smaller in scale than its immediate neighbours, which would continue to be the dominant elements in the local street scene. Thus I find that the quality of the setting of these listed buildings would be preserved.

8. No.s 2-16 Copenhagen Street lie diagonally to the rear of the appeal site. They are listed Grade II, a terrace of 1820s – 1830s origin, also with 3 storeys above basements. This group somewhat dwarfs the existing appeal building. The proposal would not bring the footprint of the building any closer to the terrace. The roof extension would be a minor addition, only seen against the rear of the listed buildings and of significantly lower height and smaller scale. Hence I find that the settings of these listed buildings would similarly be preserved.
9. The appeal site is towards the southern edge of the Barnsbury Conservation Area. This is a very large area of late Georgian/early Victorian housing, mainly in the form of terraces and squares. There is a variety of styles and detailing but, within many streets, a high degree of uniformity of character. The Conservation Area Design Guidelines [CADG] (2002) say that the area has been declared to be of “outstanding” importance, with some of the best examples of this type of development in London. The area has a rare quality of consistency and completeness which, it is said, requires careful and sensitive policies to preserve and enhance it.
10. As already noted, the appeal building is atypical of the area, in terms of scale, form and appearance. This is not to devalue the need for high standards, but it means that caution is needed to avoid applying over prescriptively policies for the area as whole. It is proposed to use traditional materials, as expected by the guidelines. One important provision in the CADG that is of concern is the policy to refuse planning permission for any roof extension visible from street level, other than on frontages listed – which do not include the appeal site. The text supporting this approach notes that the roofline of a street, particularly a terrace, is a major component of character. It says that alterations not in keeping with existing buildings have a harmful effect on the character and appearance of the conservation area; and that there is a variety of roof forms, the most common being the hidden valley roof behind a parapet.
11. I find that, although the roof would be visible in the street scene, this reasoning does not apply directly to this proposal. Firstly, the house, while in a street of terraces, is not a terraced property as such, and is distinctly different from the adjoining development. Secondly, I have found that the alterations would be in keeping with the building. Thirdly, the existing roof does not have a hidden valley, and the proposed mansard format is more in keeping with terraces further along the street than is the present roof form.
12. Apart from other matters already covered, the other concern of the Council is the alleged effect of the proposal on the gap at the junction of Cloudesley Road with Copenhagen Street, between the rear sides of the rows of development in each road. These gaps are said to be typical between long terraces in the area, one opposite being cited as another case in point. I did not find such gaps to

be characteristic as I walked through the conservation area (or in studying the area map), nor do they appear to be identified in the CADG as being significant features. Moreover, the extension would not make the existing gap narrower, reduce open views or limit air circulation, other than to a very limited degree at second floor level. Thus I give little weight to this concern.

13. Taking all these matters into consideration I conclude that the proposal would preserve the character and appearance of the building, the setting of nearby listed buildings and the Barnsbury Conservation Area. I find that there would be no shortfall in relation to Policies DM2.1 & DM2.3 in Islington's Local Plan: Development Management Policies (2013), which are about design and heritage assets. Among other things, these policies require high standards of design that successfully address the local context, especially the significance of heritage assets. In this particular context, there would be no harm to the unity and consistency of rooflines, as required by the Islington Urban Design Guide (2017), and no material conflict with the purposes of the CADG.
14. The proposal would not be out of character for the building in question or its environs and would not have a harmful effect on the appearance of the street scene. Hence I am satisfied that the statutory duties regarding the desirability of preserving the setting of a listed building and the character and appearance of a conservation area would also be fulfilled.

Second main issue – effect on living conditions

15. I was not asked to view the appeal site from the rear of no.s 4 & 6 Copenhagen Street. However, I was able to see them from Cloudesley Road, and a viewing at no.10 together with sight of the interiors through the rear windows enabled me to gauge the likely uses behind the closest windows facing the appeal site.
16. The rear face of the Copenhagen Street terrace is angled at about 45 degrees to Cloudesley Road. No.4 is well to the south of the appeal site, with views of it possible only at an angle. I consider that there would be some increased sense of enclosure from the lower ground floor window, though not significantly from windows above this height. However, from all windows at no.4 the direct line of sight goes past the end of the appeal property, over Cloudesley Road itself. What appear to be kitchen windows at no.6 are closest to the appeal site. Outlook from the lower ground floor would already be limited by the existing building. In my view, it would not be materially worsened other than from close to this window. The added elevation of viewpoint from the kitchen above means that, while the extension would be in clear view, I consider that it would not intrude so far into the aspect as to reduce outlook or increase the sense of enclosure significantly. On balance, I am not persuaded that the effect on outlook or a sense of enclosure in these properties would warrant the withholding of planning permission.
17. Further along the terrace, properties again face towards the appeal site at an angle, and the impact on outlook would become less noticeable with increased distance away.
18. The appeal site lies due north of no.s 4 & 6, and between north-east and east of no.10. The effect on direct sunlight into these properties is likely to be limited. The appellant's Daylight and Sunlight Assessment confirms that the development would not result in a notable reduction in the amount of either

daylight or sunlight enjoyed by neighbouring buildings, in relation to Building Research Establishment Guidelines.

19. I conclude that the proposal would not materially harm the living conditions of the occupiers of no.s 4 & 6 Copenhagen Street, with respect to loss of outlook and increased sense of enclosure. Policy DM2.1 would be satisfied, in that a good level of amenity would be provided with regard to enclosure and outlook.

Overall conclusion

20. I have found in favour of the proposal with respect to both main issues. This is subject to the two planning conditions noted in paragraph 6 above. I also need to impose a condition specifying the relevant drawings as this provides certainty.
21. Subject to these conditions, I conclude overall and on balance that there is no reason to withhold planning permission, and I therefore allow the appeal.

G Garnham

INSPECTOR