



Appeal Decision

Site visit made on 31 October 2017

by David Cliff BA Hons MSc MRTPI

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

Decision date: 29th November 2017.

Appeal Ref: APP/V5570/W/17/3180678
289-291 Caledonian Road, London, N1 1EG

- 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 Andrew Panayi against the decision of the Council of the London Borough of Islington.
 - The application Ref P2017/1732/FUL, dated 2 May 2017, was refused by notice dated 27 June 2017.
 - The development proposed is described in the application form as "Construction of new roof extension over 289-291 Caledonian Road, construction of a new rear first floor extension over the existing commercial unit and internal alteration works to the existing first and second floor residential accommodation to create two residential units. The proposed residential units to comprise 2 no. two bedroom self-contained flats. These proposed residential units are to replace the 2 no. existing two bedroom self-contained residential units on site. No additional residential units are proposed."
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Decision

1. The appeal is allowed and planning permission is granted for construction of new roof extension over 289-291 Caledonian Road, construction of a new rear first floor extension over the existing commercial unit and internal alteration works to the existing first and second floor residential accommodation to create two residential units (no additional residential units are proposed) at 289-291 Caledonian Road, London in accordance with the terms of the application Ref. P2017/1732/FUL, dated 2 May 2017 and subject to the conditions in the attached schedule:

Preliminary Matters

2. I have used the address as stated above as it more accurately describes the location of the site than the address used in the planning application form.
3. In my formal decision above, in the interests of clarity and conciseness, I have shortened the description of the proposed development from that used in the application form. I am satisfied that neither of the main parties would be prejudiced by this revision.

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character and appearance of the Barnsbury Conservation Area.

Reasons

5. The appeal site is part of a terrace of properties fronting on to Caledonian Road. The ground floor of the terrace is in commercial use with residential use above. The Barnsbury Conservation Area is predominantly characterised by imposing late Georgian and early Victorian development laid out in a formal pattern of terraces and squares. The strong building and roof lines along with the pattern of architectural features give the Conservation Area a generally consistent and unified character and appearance.
6. The roof of the terrace in which the appeal site is located has not been the subject of any significant alterations. It has therefore retained a consistent roofline. However, there are several examples of roof extensions to other terraces in this part of Caledonian Road, along with some other properties of a different design and roof form, which I consider contribute to the overall character and appearance of this particular stretch of road in which the appeal property is located.
7. The Islington Urban Design Guide 2017 (IUDG) states that the roofline is often an important feature contributing to the character of an area and therefore proposals for roof extensions anywhere along an unaltered roofline within a conservation area will not generally be permitted. In this case, whilst the site is clearly visible from the front and the rear, the proposed roof extension has been designed to be set back from the front and rear parapets and to be of a limited height so that it would not be prominent in views around the site.
8. It appears clear that the roof extension would not be visible when viewed from Caledonian Road adjacent to the front of the site, or from Carnoustie Drive to the rear. Whilst it appears possible that it would be partially visible in longer distance views, it would not be a prominent or dominant feature. It would also be viewed in the context of other roof extensions that have been constructed on other terraces and which contribute to the overall character of the area.
9. A previous appeal¹ at the site which included a roof extension was dismissed in 2016. The Inspector considered that the proposed pitched roof rising up above parapet level would be uncharacteristic of the concealed roofline and would not reflect the traditional mansard roof extensions in the surrounding area. The current proposal is materially different to the previous proposal in that it proposes a more traditionally designed mansard roof extension with a flat rather than a pitched roof and it would be lower in height. It would therefore be less visible and of a more suitable design in this location.
10. A roof extension to a property (267 Caledonian Road) within another terrace was allowed at appeal in 2015². In that case the Inspector noted that the proposal would not be visible from street level at the front of the property. Whilst the IUDG was not adopted at that time, the relevant development plan policies were the same.
11. The appeal site is not included in the Barnsbury Conservation Area Design Guidelines 2002 (BCADG) list of those properties where roof extensions may be permitted. However, whilst I have taken this guidance into account, I consider that there are particular circumstances relevant in this case. Firstly, the

¹ APP/V5570/W/16/3157111

² APP/V5570/W/15/3004811

proposed roof extension would not be visible in adjacent street level views and would, at worst, only be partially visible in longer distance views. Secondly, whilst this particular terrace currently has an unbroken roofline, the group of terraces along this part of Caledonian Road when viewed as a whole, do not have a consistent roofline due to previous extensions. There are also other buildings of different design in the streetscene which break to a certain extent the uniformity. Whilst I agree that some of the other existing extensions do not set a favourable precedent, I consider that the current appeal proposal is of a significantly better design than most others. It is also a more sympathetic design than the previous proposal considered at appeal at this property. Taking all matters into account, in this case I do not consider that any harm would result in this case upon the character or appearance of the conservation area.

12. The existing appeal property has three separate first floor rear projections. There are also existing large single storey projections across the majority of the terrace, each being of a differing height and appearance. As such I do not consider that the rear of the terrace has a particularly uniform appearance.
13. The proposed rear extension would extend across the whole of the appeal site and would be of greater massing and height than the existing first floor projections. However, it would be stepped back a considerable distance from the full extent of the ground floor projections and its height would be much lower than that of the main part of the building. In the context of the terrace when viewed as a whole, it would not appear as being a dominant or obtrusive form of development.
14. The rear extension now proposed would be of substantially less depth and would be smaller than the previous proposal dismissed at appeal. Its design would also be more in keeping with the traditional appearance of the existing terrace than the previous proposal, including the use of traditionally designed windows. Although the other properties within the terrace do not have first floor extensions, given the lack of overall uniformity including the three existing first floor extensions at the appeal property, I do not consider that this weighs significantly against the proposal.
15. The BCADG states that full width extensions higher than one storey will not normally be permitted. The IUDG has similar guidelines. However, in this particular case for the reasons set out above, the proposal would not be harmful to the overall integrity of the terrace or the wider townscape. Whilst it would be clearly visible from the road and buildings to the rear, given its acceptable design, no adverse effect would result upon the wider townscape. I deviation from the usual guidelines would therefore be acceptable in this instance.
16. Overall therefore, I find that the proposed development would not adversely impact upon the character or appearance of the Barnsbury Conservation Area. It would consequently preserve the character and appearance of the conservation area.
17. The proposals would accord with the relevant design aims of policies 7.4, 7.6 and 7.8 of the London Plan (2016), policies DM2.1 and DM2.3 of Islington's Development Policies (2013), policies CS6 and CS9 of Islington's Core Strategy and the National Planning Policy Framework.

Conditions

18. The Council has suggested several conditions should the appeal be allowed. I have imposed a condition specifying the relevant drawings as this provides certainty. Details of cycle and refuse storage are necessary in order to promote accessibility by sustainable means and to provide an appropriate residential environment. Approval of external materials is necessary in order to preserve the character and appearance of the conservation area. A Construction Method Statement is required to safeguard neighbouring living conditions and the highway during the construction stage. Details of the proposed green roof are necessary in order to promote biodiversity.
19. Conditions 3, 4, 5 and 6 require approval prior to commencement of the development as, in the case of 3, 4 and 6, they may affect the detailed design of the scheme and in the case of 5 it relates to impacts during construction. I have amended the wording of some conditions from that suggested by the Council in order to accord with the Planning Practice Guidance (PPG), including the need for preciseness.
20. I have not imposed the Council's suggested restriction regarding car free development. The Council says in its statement that its car free policy would apply to any housing units created. Nevertheless in this case the proposal would not result in the creation of additional residential units on the site. The two resulting residential units would replace the two existing units. From the evidence before me, as there is no increase in the number of units from the existing situation, I do not consider it to be either necessary or reasonable to impose a car free restriction in this case. Given this conclusion, it has not been necessary for me to go on to consider the acceptability of this condition in the context of the other relevant tests in the PPG.

Conclusion

21. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

David Cliff

INSPECTOR

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: L(PL)289-291CR-01, L(PL)289-291CR-02, L(PL)289-291CR-03, L(PL)289-291CR-21, L(PL)289-291CR 22.
- 3) Details of bicycle and refuse storage shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development hereby permitted. The approved facilities shall be provided prior to the occupation of the development and maintained as such thereafter.
- 4) Details and samples of all facing materials shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development hereby permitted. The details and samples shall include:
 - a) Solid brickwork (including brick panels and mortar courses);
 - b) Render (including colour , texture and method of application);
 - c) Window/door treatment (including sections and reveals);
 - d) Roofing materials;
 - e) Balustrading treatment (including sections).
- 5) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall include:
 - a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) measures to control the emission of dust and dirt during construction;
 - e) a scheme for recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.
- 6) Details of the green roof shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development hereby permitted. The green roof shall be constructed in accordance with the approved details and retained thereafter.