
Appeal Decision

Site visit made on 6 December 2017

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

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

Decision date: 18 December 2017

Appeal Ref: APP/V5570/W/17/3181131
42 Mildmay Park, Islington, London N1 4PH

- 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 Alfonso Cuozzo against the decision of the Council of the London Borough of Islington.
 - The application Ref P2017/0564/FUL, dated 13 January 2017, was refused by notice dated 5 April 2017.
 - The development proposed is extension of existing three storey plus basement building to add additional mansard storey.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council, in its decision notice refers to the Newington Green Conservation Area Statement (2014) (the NGCAS) and the Islington Urban Design Guide Supplementary Planning Document (the UDG) to which I have applied some weight due to their role in supporting the relevant development plan policies.
3. The description of development in the fourth bullet point of the above header is taken from the original planning application form. I note from the submissions, including the plans, that the proposed development would include a three storey rear extension at ground to second floor level as well as the mansard roof extension. I have determined the appeal on that basis.

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Newington Green Conservation Area (the CA).

Reasons

5. The site is located in the CA and as such special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the CA. The CA comprises a largely residential area, particularly in the vicinity of the site, made up of a variety of building designs and ages. In the vicinity of the site, they are mainly large Victorian three storey townhouses, often also with basements, forming attractive terraces or linked semi-detached properties, with generally consistent design features within each row, albeit including varying degrees of alterations and additions. In this respect, a small number

- have roof extensions to form an additional storey, however they are very much in the minority and do not generally deflect from the main building lines of the original buildings.
6. No 42 is located in a prominent corner position at the junction of Mildmay Grove South and Mildmay Park and with a railway line, set down from road level, separating it from the northern section of Mildmay Park. It is therefore clearly seen in vistas on the approaches along Mildmay Grove South and Mildmay Park and from Mildmay Grove North on the opposite side of the railway line.
 7. Although No 42 is a modern building, its design is generally consistent with that of the rest of the traditional row of properties comprising Nos 30-40 (evens) to which it is attached at the northern end. Despite some degree of rendering and infilling of gaps above original side porches, that consistency is particularly apparent in respect of the front elevation features, including the fenestration design and alignment and the height of the roof parapets. Although, unlike No 42, Nos 30-40 also have shallow pitched roofs, they are largely concealed by those parapet walls at the front. That is not the case at the rear such that the parapet of No 42 rises above the visible eaves of Nos 30-40. However, it is still lower than their ridge heights so as not to have a dominating effect. The entire row comprising Nos 30-42 (evens) is also recorded in the NGCAS as comprising notable unlisted buildings within the CA.
 8. The proposed introduction of a substantial mansard roof extension occupying most of the roof of No 42 would be clearly visible above the existing parapet due to its extent, height and steep sides. As such, that feature would draw the eye disproportionately away from the distinct parapet lines at the front of Nos 30-42. It would also be noticeably higher than the ridge height of No 40 as seen from the rear and of a significantly more bulky form than those shallow pitched roofs of Nos 30-40. As such it would be seen as a dominant and jarring feature of that row of properties comprising Nos 30-42, despite being no higher than the significantly less bulky chimneys of No 40 and having its windows aligned with those below. It would also stand out as an incongruous bulky roof addition seen from Mildmay Grove North on the opposite side of the railway line in the context of the pleasing continuity of the nearby three storey facing terrace of Mildmay Grove South with its distinctive parapet line and subservient shallow pitched roofs.
 9. There are those other properties in the locality and within the CA generally which have roof extensions of various designs, including those identified by the appellant. However, the circumstances of those properties and the surrounding context, particularly in terms of the degree of prominence of the host building and the relationship with the associated terrace is not generally the same as for the appeal proposal which I have in any case considered on its own merits. I also acknowledge that the proposed mansard would be intended to reflect the traditional form, design and materials of such features. However, again, I have considered the proposal on its own merits having regard to the particular context.
 10. The existing rearmost full height element of the building projects beyond the main rear building line of Nos 30-40 at upper floor levels. That, together with the separation of No 42 from those properties at upper floor level, results in a degree of variation from that otherwise distinctly consistent rear building line of

the terrace at those upper floor levels. However, the nearest part of No 42's rear elevation to No 40 pays respect to that building line and ensures that the projecting element is noticeably separated from it. Together with that element's fairly slender width, these factors ensure that it does not dominate and harmfully detract from that otherwise consistent building line.

11. The infilling of that rear corner of the building to its full existing height would bring that projecting element materially closer to No 40. This, together with the noticeably broader rear elevation, would remove that degree of subservience of the existing projecting element in relation to the otherwise consistent rear building line. It would therefore cause the rear part of the building to become an uncharacteristically bulky and dominating feature to the rear of those properties. This would be particularly highlighted when viewed obliquely from the close approach to the site along Mildmay Grove South and from Mildmay Grove North.
12. I note that street trees in the vicinity of the site would be likely to screen the proposals to varying degrees depending on the vantage point. However, such screening would be variable and also materially less in the winter months with the leaves off. I have therefore afforded little weight to this factor.
13. Having regard to paragraphs 132 and 134 of the National Planning Policy Framework, harm to the significance of the CA would be less than substantial due to the small scale of development in the context of the CA as a whole. I acknowledge the appellant's intention to provide additional living space for the existing flats, and an additional bedroom for flat 4. However, I have not received any substantive evidence to indicate that the existing accommodation is of a particularly low standard. Furthermore, the proposals only relate to three dwellings such that any benefit of increased accommodation would be small in the context of housing provision generally in the area. Such a benefit would therefore be insufficient to outweigh that less than substantial harm, and I have not received substantive evidence of any other public benefits relating to the proposal that would do so.
14. For the above reasons, the proposed development would fail to preserve the character and appearance of the CA. As such, it would be contrary to policies 7.4 and 7.6 of the London Plan (2016), policies CS8 and CS9 of Islington's Core Strategy, policies DM2.1 and DM2.3 of Islington's Local Plan: Development Management Policies and the NGCAS and UDG, which together require development to be of high quality design and to conserve and enhance the historic significance of Islington's heritage assets and historic environment.

Conclusion

15. For the reasons given above, I conclude that the appeal should be dismissed.

Andrew Dawe

INSPECTOR