



Appeal Decision

Site visit made on 11 February 2020

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd March 2020

Appeal Ref: APP/V5570/D/19/3239203

39 Hillmarton Road, Islington N7 9JD

- 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 Mrs Bridget Laing against the decision of the Council of the London Borough of Islington.
 - The application Ref P2019/1811/FUL, dated 12 June 2019, was refused by notice dated 15 August 2019.
 - The development proposed is a new steel balcony in front of kitchen window and replacement of double sash window with triple sash window.
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Decision

1. The appeal is allowed and planning permission is granted for a new steel balcony in front of kitchen window and replacement of double sash window with triple sash window at 39 Hillmarton Road, Islington N7 9JD in accordance with the terms of the application, Ref P2019/1811/FUL, dated 12 June 2019, 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: Site Location Plan, MC/186 (01)_01, MC/186 (01)_02, MC/186 (01)_03, MC/186 (01)_04 Rev C, MC/186 (01)_05 Rev B, MC/186 (01)_06, MC/186 (01)_08, MC/186 (02)_01, MC/186 (02)_02 Rev A, MC/186 (02)_03, MC/186 (02)_04, MC/186 (02)_05, MC/186 (02)_06, MC/186 (02)_07 Rev A, MC/186 (02)_08 Rev A.
 - 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.

Procedural Matters

2. The appellant has submitted revised drawings with the appeal submission to address the discrepancy between the elevation drawings and floor plans submitted with the planning application with regard to the width of the balcony. Given that these drawings reduce the width indicated on the application drawings, I am satisfied that no one would be prejudiced by my consideration of them. Accordingly, I have determined the appeal based on the revised drawings MC/186(02)_07 Rev A and MC/186(02)_08 Rev A.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host building and whether it preserves or enhances the character or appearance of the Hillmarton Conservation Area.

Reasons

4. The appeal site is within the Hillmarton Conservation Area (the CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
5. The CA covers an area first developed in the 1850s and 1860s with pairs of three and four storey semi-detached villas and terraces. The Islington's Conservation Area Design Guidelines (CADG) 2002 considers the CA to have a spacious character with wide streets and views between the houses to the rear gardens. This reflects the observations I made on site.
6. Paragraph 32.18 of the CADG states that full width rear extensions higher than one storey will not normally be permitted unless it can be shown that there would be no harm caused to the character of the area. The purpose of this is to preserve the scale and integrity of the existing buildings by ensuring that extensions are subordinate to the mass and height of the building.
7. The appeal building is a four-storey, mid-terrace Victorian property set within a row of similar properties. A characteristic feature of the rear elevation of the properties is the two-storey bay window, which adds depth and verticality to the elevation. Whilst the front elevation of the terrace row remains largely unaltered, the rear contains a number of additions on various levels, including lower ground and ground level. Some of these additions are full width above single-storey in height, although the majority of these are on the properties that form the south east portion of the terrace row. The additions to the north west properties are typically smaller in size and retain the traditional scale and verticality of the properties, particularly by retaining the bay windows, which are generally lost on the south east properties due to the multi-storey additions covering them up.
8. The Council raise no objection to the proposed replacement window. Based on the evidence before me and the observations I made on site, I find no reason to conclude otherwise.
9. The proposed balcony would adjoin a previously approved ground floor balcony resulting in the overall balcony extending across the majority of the width of the property, set back slightly from the shared boundary with 37 Hillmarton Road. The balcony would extend across much of the bay window. However, the height of the balcony would only cover part of the upper level of the bay window. Due to its limited height and the visual permeability of the railings, allowing clear views of the bay window behind them, the positive contribution the bay window makes to the building and the overall terrace would not be harmed.
10. Whilst the CADG restricts extensions higher than one-storey in height, providing it can be shown that there would be no harm caused to the character of the area, they can be acceptable. For the reasons I have outlined above, I

consider that it has been demonstrated that there would not be any harm to the host building or the CA as a whole.

11. I therefore conclude that the proposal would not harm the character and appearance of the host building and would preserve the character and appearance of the CA. As such, it would comply with Policies CS8 and CS9 of the Islington Core Strategy (2011), which seek to enhance Islington's character and protect the historic environment. It would also comply with policies DM2.1 and DM2.3 of the Islington Development Management Policies (2013), which seek to ensure that new development makes a positive contribution to the local character and distinctiveness of an area and conserves or enhances the significance of conservations areas. In addition, I find no conflict with the CADG or the guidance set out in the Islington Urban Design Guide 2017.

Conditions

12. I have had regard to the various conditions suggested by the Council. For the avoidance of doubt, it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans. In the interests of the character and appearance of the area a condition regarding materials is necessary.

Conclusion

13. For the reasons given above, the appeal is allowed.

Alexander Walker

INSPECTOR