



Appeal Decision

Site visit made on 14 September 2020

by D. Szymanski, BSc (Hons) MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st September 2020

Appeal Ref: APP/V5570/D/20/3255683

19 Archibald Road, Islington, London, N7 0AN

- 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 A Silverstone against the decision of the Council of the London Borough of Islington.
 - The application Ref: P2020/0913/FUL dated 27 March 2020, was refused by notice dated 22 May 2020.
 - The development proposed is partial-width dormer to rear roof, and conservation roof lights to front and rear roofs.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has advised they would be willing to omit the front roof lights from the appeal scheme. In the context of the appeal scheme the change is significant. Taking into account the Wheatcroft principles¹, it is important that I determine this appeal on the basis of what was determined by the Local Planning Authority, and on which interested people's views were sought.

Main Issues

3. The main issues are the effect of the proposed development upon the character and appearance of the host dwelling, and whether the development would preserve or enhance the character or appearance of the Tufnell Park Conservation Area.

Reasons

4. The appeal site comprises a three storey mid-terrace dwelling on the south side of Archibald Road within the Tufnell Park Conservation Area (the TPCA). The TPCA is largely made up of the Tufnell Park Estate, built during the 1860's – 1870's as a residential estate, consisting mainly of generously proportioned detached, semi-detached villas and terrace properties. The significance of the TPCA derives from the high architectural quality of the buildings, with a variety of styles, and use of different materials and decoration.
5. Within the TPCA there is a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to

¹ Bernard Wheatcroft Ltd v Secretary of State for the Environment [JPL, 1982, P37]

the desirability of preserving or enhancing its character or appearance. Paragraph 193 of the National Planning Policy Framework (2019) (the Framework) requires when considering the impact upon the significance of a designated heritage asset great weight should be given to the asset's conservation. Harm to the significance of a designated heritage asset should require clear and convincing justification (paragraph 194).

6. This terrace of attractive dwellings successfully integrates a multitude of materials and finishes against buff brickwork. This includes two-storey bay windows, a variety of embellished stone, red brick lintels, corbelling under well preserved slate roofs, with pairs of two storey outriggers. Notwithstanding the area of flat solar panels on part of the rear roof slope, the contribution of the appeal site to the significance of the TPCA, is as a dwelling in this well preserved historic terrace retaining its traditional forms and materials, resulting in a rhythm to the design and appearance at its front and rear.
7. The size, position, materials and appearance of the front rooflights would result in a significant modification to the traditional simple front roof slope. They would be clearly visible from the opposite footway on Archibald Road and many dwellings in the facing terrace. Whilst there are some examples in the wider TPCA, only two dwellings had front rooflights on the two terraces of Archibald Road. Therefore, in the context of these lengthy terraces, the rooflights would not be in keeping with the overriding character of their frontages, resulting in harm to the character and appearance of the host dwelling, terrace and this part of the TPCA.
8. Many dwellings in the terrace, including the appeal site, have a matching small rear window that protrudes a small amount above the eaves next to the rear chimney stack. However, none of the dwellings in the terrace has a dormer window on the main roof slope above these small historic openings. The appeal site has been modified by flat solar panels on part of the rear roof and a dormer on the outrigger. However, this new rear dormer would be considerably higher and larger, occupying the majority of the width of the roof slope, positioned close to the ridge. It would create a large angular protrusion of approximately 1.5m in height at a depth of up to approximately 2m.
9. Notwithstanding the proposed materials, the combination of its position, substantial height, width, depth and flat roof form, would considerably modify and dominate the rear roof slope and unbalance the traditional roof form of this terrace. The position, width and shape of the window would be at odds with that of the traditional first and second floor window openings. The proposed dormer would be a large and incongruous modification not in keeping with and harmful to the character and appearance of the historic rear elevation of the host dwelling, the terrace and the significance of this part of the TPCA.
10. The dormer would be highly visible from a number of other dwellings facing the rear of the appeal site. Although views from public areas would be highly restricted by other dwellings and surrounding mature vegetation, much of the vegetation is not under the control of the appellant. Consequently, its long-term retention is not guaranteed. Furthermore, when the trees are not in leaf visibility would increase.
11. The Council raises no objection to the proposed rear rooflight, and I see no reason to disagree. I have noted the appellant's mapping of other dormers and rooflights on other streets and was able to view some on my visit. The full

details of the circumstances that lead to these developments are not before me so a fully reasoned comparison with the appeal proposal is not possible, which I have considered on its own merits. Such features are not unusual in some other parts of the TPCA. However, they are not characteristic this well-preserved terrace or street frontage.

12. For the reasons set out above the development would be harmful to the character and appearance of the host dwelling and would fail to preserve or enhance the character or appearance of the TPCA, adversely impacting upon its significance. Therefore, it would conflict with Policies 7.4, 7.6 and 7.8 of the London Plan (2016), Policy CS9 of Islington's Core Strategy (2011) (the CS) and Policies DM2.1 and DM2.3 of the Islington's Local Plan: Development Management Policies (2013). In combination and amongst other things, these require that development is in keeping with and makes a positive contribution the character and appearance of the area, the historic environment, and shall conserve and enhance the significance of heritage assets.
13. Even if I were to accept the view that some of the highlighted sections of the Islington Urban Design Guide (2017) (IUDG), might not be as relevant to dormer windows, the development would still conflict with the IUDG. In particular this is due to the shape and width of the window in relation to the historic openings. Furthermore, compliance with aspects of the IUDG would not outweigh the conflict with the development plan.
14. The Council has referred to Policy CS8 of the CS. However, this primarily relates to more broad high level place making objectives. Therefore, the policies I have previously set out are the most relevant. The Conservation Area Design Guidelines for Tufnell Park (2002) provides a useful description of the TPCA, but in the absence of a specific reference, I see no direct conflict of the appeal proposal with its guidance.
15. The harm set out above would be less than substantial harm. Paragraph 196 of the Framework requires that where a proposal would lead to less than substantial harm to a designated asset, the harm should be weighed against the public benefits. However, less than substantial harm should not be equated with a less than substantial planning objection. The benefit of providing additional accommodation is noted but is a small public benefit. There would be a minor economic benefit from construction, but it would be short lived. The small public benefits of this development do not outweigh the significant harm from the proposal, which attracts great weight. Therefore, the development conflicts with the Framework.

Conclusion

16. The proposed development would be contrary to the development plan and the National Planning Policy Framework. There are no other considerations advanced, including the policies of the Framework, which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

Dan Szymanski

INSPECTOR