
Appeal Decision

Site visit made on 2 September 2020 by C McDonagh BA (Hons) MA MRTPI

by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 October 2020

Appeal Ref: APP/V5570/D/20/3250549

35 Hamilton Park, Islington, London N5 1SH

- 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 Maggie Kemmer against the decision of the Council of the London Borough of Islington.
 - The application Ref P2019/3522/FUL, dated 25 November 2019, was refused by notice dated 14 January 2020.
 - The development proposed is a roof extension to create new bedroom.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building and whether or not the proposal would preserve or enhance the character and appearance of the Highbury Fields Conservation Area.

Reasons

4. The appeal property is an end of terrace dwelling located on the corner of Hamilton Park and Roseleigh Avenue. The property forms part of a distinctive and attractive row of terraced houses within the Highbury Fields Conservation Area (CA).
5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
6. The CA derives significance as a heritage asset partly from the architectural and historic quality of some of the buildings in the area. Of particular importance are the Georgian terraces and Victorian villas preserved in the streetscapes. Whilst I noted the presence of some less sympathetic buildings in the area, the appeal site and the terrace of which it forms part, contributes positively to the character and appearance of the Conservation Area.

7. The Highbury Fields Conservation Area Design Guidelines (the guidelines) advises that matching materials should be used for extensions and states that no roof extensions or dormers will be permitted on the properties listed in Schedule 5.5. This includes the terrace of 22-35 Hamilton Park, which is highlighted as a positive contributor to the overall quality and character of the CA. The guidelines, published in 2002, are a material consideration in the determination of this appeal.
8. The proposal involves the creation of an additional bedroom in the roof space by way of a contemporary glazed extension to the existing, non-original roof structure. The extension would significantly change the roof form of the appeal property. The box-like shape of the extension would cover much of the width and depth of the roof and extend to a height greater than the chimney stack and above the adjoining roof. While glass may be a traditional material in its use as a window, in this instance its use as walls would be at odds with the robust, traditional materials of the host building.
9. I note that some of the existing form and materials of the roof may not be original or traditional, and that some elements of the roof such as the chimney may be in need of repair. However, the extensive use of glass above the existing roof line would appear incongruous and the box-like shape would jar with the existing roof form, part of which would remain. Overall, the unusual form and height of the proposal would add appear discordant and as such would harm the character and appearance of the host building.
10. I acknowledge that there have been some alterations to the roofs across the terrace, although traditional butterfly roofs still appear to be the predominant form. However, as a result of its form, height and materials, the proposed extension would further unbalance the roofscape of the terrace and, while I acknowledge that public views of it would be limited, it would be a highly distracting feature. A gradual erosion of elements that make a positive contribution to the character and appearance of the area can have an adverse effect on its significance as a heritage asset. As a result of its unconventional position and appearance I am unconvinced that the extension would achieve the aims set of the Framework, in that it would not respond to local character nor reinforce local distinctiveness. Accordingly, it would thereby diminish the contribution of the terrace to the significance of the Conservation Area.
11. For the reasons set out above the proposal would neither preserve nor enhance the character or appearance of the Conservation Area. The harm arising from the proposal, in terms of the approach in the National Planning Policy Framework (the Framework), would be less than substantial. In these circumstances the Framework advises at paragraph 196 that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
12. I acknowledge there would be some public benefit from the generation of electricity from the use of Building Integrated Photovoltaic glazing. However, while the Framework recognises small-scale projects provide a valuable contribution to cutting greenhouse gas emissions, this would not outweigh the harm I have identified to the significance of the CA which, in accordance with the requirements of the Framework, carries great weight. All other aspects of the proposal would be of private rather than public benefit.

13. My attention is drawn to other developments which are similar to that before me. I have limited details of these or the circumstances which led to their approval and cannot therefore be sure they directly relate to the proposal before me.
14. For the reasons set out above the development would be harmful to the character and appearance of the host dwelling, and it would fail to preserve or enhance the character or appearance of the Highbury Fields CA, contrary to the statutory requirements of the Act. In addition, it would conflict with policies DM2.1 and DM2.3 of the Islington Local Plan Development Management Policies, CS8 and CS9 of the Islington Core Strategy and 7.4, 7.6 and 7.8 of the London Plan. In combination and amongst other things, these policies require that alterations to existing buildings in conservation areas conserve or enhance their significance.

Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

S Ashworth

INSPECTOR