
Appeal Decisions

Site visit made on 24 September 2020

by Paul Jackson B Arch (Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 20th October 2020

**Appeals Ref: APP/V5570/D/20/3244293 & APP/V5570/Y/20/3244292
39 Alwyne Road, Islington, London N1 2HW**

- The appeals are made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission and section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeals are made by Mr Stuart Brown against the decisions of the Council of the London Borough of Islington.
 - The applications Ref P2019/2719/FUL & P2019/2737/LBC, dated 10 September 2019, were refused by notices dated 5 November 2019.
 - The development proposed is removal of existing rear balcony and the erection of a new lightweight glass rear extension. Along with associated works: 1) The removal of non-original fireplaces and joinery on the ground floor. 2) The reinstatement of a sash window on the ground floor of the bay where currently there is a window. 3) The removal of poor pipework, a casement window and lanterns on the rear facade. 4) Rearrangement of the lower ground floor kitchen to allow for modern family living.
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Decisions

1. The appeals are dismissed.

Main Issues

2. The main issues are as follows:

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Whether the proposed development would preserve or enhance the character or appearance of the Canonbury Conservation Area (CA).

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The effect of the proposed works on the architectural character and historic interest of No. 39, which is listed at Grade II.

Reasons

3. The proposed associated works to non-original internal features and the re-configuration of the existing lower ground floor for modern living are not contentious and I agree.
4. Nos 38, 39 and 40 comprise a terrace of 3 mid-19th century dwellings at the beginning of Alwyne Road at the junction with Alwyne Villas. No. 39 forms the central 4 storey double fronted house whilst Nos. 38 and 40 form symmetrical wings of 3 storeys on each side, each projecting significantly into the rear

garden area. No. 39 has an original and unique central semi-circular bay at the rear between these projections, rising from the lower ground to the ground floor with a prominent cornice. The lower ground floor is level with the rear garden.

5. The proposal comprises a rectangular glass extension almost the same width as the dwelling, encompassing all the existing lower ground openings at the rear. Whilst the extension would be 'read' as a contemporary and separate structure, it would have the effect of largely concealing the existing lower ground floor elevation which is central to the composition of the whole. Rather than being subordinate and complementary to the existing terrace, it would represent an uncomfortable contrast right at the centre. Importantly, it would significantly change the visible proportions and the ability to properly appreciate the curved central bay as part of the whole.
6. Moreover, the introduction of the inevitable domestic paraphernalia in the new indoor space, would add visual distraction. Given that the extension would be visible from the public path along the New River Walk (especially in the colder months), there is also the likelihood that some form of blind or curtain would be introduced, further adding prominence and opacity to the extension, which would be outside planning control. The potential public visibility of the terrace from this important heritage walkway and to an extent from Canonbury Grove beyond, carries weight.
7. Recognising that there is an existing conservatory extension at No. 40, that originated in a 1980s extension prior to listing and cannot form a precedent. The suggested removal of a later small balcony and ground floor door on the side of the bay do not carry significant weight: these alterations (and other minor changes to the rear elevation over time) are distinctly subordinate and do not seriously compromise the historic interest of the building or prejudice appreciation of its architectural qualities. In any event restoration of these features does not require the appeal scheme to be implemented. The contemporary alterations and extensions carried out to other listed buildings nearby are noted but are not comparable to the appeal proposal in terms of effect on significance, the main reason being the effect on the original bay which is central to the elevation.
8. The Council's Urban Design Guide notes at paragraph 5.136 that single storey extensions of high quality contemporary contextual design, for instance utilising a lightweight glazed form, can be appropriate. Policy CS9 of Islington's Core Strategy 2011 (CS) encourages innovative design. However, in this case, the introduction of a contemporary element of the scale proposed would distract from and diminish the composition of the whole terrace and would not preserve the character of this part of the CA. The degree of harm would fall short of the threshold of 'substantial harm' as set out in paragraph 196 of the National Planning Policy Framework (NPPF). However, 'less than substantial harm' has to be balanced against the public benefit. No public benefit has been identified.

Conclusion

9. The proposed glazed extension would not be in keeping with the architectural character of the listed building and would not preserve or enhance the character or appearance of this part of the CA. It would not be in accordance with the heritage protection aims of the NPPF, policy 7.8 of the London Plan

2016, CS policy CS9 or policy DM2.3 of Islington's Development Management Policies 2013; or the advice on extensions in the Urban Design Guide of 2017.

10. For all these reasons, the appeals should be dismissed.

Paul Jackson

INSPECTOR