
Appeal Decision

Site visit made on 5 October 2020

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2020

Appeal Ref: APP/V5570/W/20/3245758

Flat 2, 14 Friend Street, Islington, London EC1V 7NS

- 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 Bernadette Cunningham against the decision of the Council of the London Borough of Islington.
 - The application Ref P2019/0789/FUL, dated 13 March 2019, was refused by notice dated 24 September 2019.
 - The development proposed is described as extension to existing building.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect upon the character and appearance of the host building and its surroundings, including the setting of the adjacent New River Conservation Area (the NRCA).

Reasons

3. The appeal property makes up part of a large mixed-use block of development (the block) that fronts Goswell Road to the northeast and addresses Friend Street and Rawstorne Street to the northwest and southeast respectively. The block is inherently modern in terms of its appearance and is of stepped height. Its lower elements can be observed to be positioned towards the block's rear (southwest) where it abuts the NRCA.
4. The significance of the NRCA as a designated heritage asset is drawn, in part, from its fine array of historic buildings and formally laid out terraced streets and squares. This significance is further defined by the typically consistent scale, design and ornate detailing of its buildings. Paget Street is located within the NRCA and is addressed by a terraced row (the terrace) that backs on to the appeal site and the block. The terrace contains locally listed and similarly designed Georgian properties and is reflective of the NRCA's significance as identified above.
5. No 10 Friend Street (No 10) comprises the property situated to the terrace's north-western end. It is three stories where it addresses Paget Street, but falls to two stories to the rear where it abuts the appeal site. This rear element has recently been remodelled¹ to provide first floor living space and the installation

¹ under the terms of planning permission P2016/0688/FUL, subsequently varied via P2018/1060/S73

of a flat roof. Its height currently closely matches that of the neighbouring two-storey part of the block, above which the proposed extension is intended to be sited. I note here that an even more recent unsuccessful proposal² for a further second floor level extension at No 10 is of limited relevance to the outcome of this appeal.

6. Indeed, the block's stepped-down two-storey height, where it sits adjacent to No 10 and to the NRCA, is respectful of the terrace's historic value and status within the townscape. The proposed two-storey addition would significantly reduce the valuable breathing space that currently exists between the main body of the terrace and higher elements of the block. Being set at a height that would exceed No 10's ridge height, the proposed extension, owing to its close siting, would have an unduly domineering and harmful effect upon how the terrace would be read and experienced.
7. The Urban Design Guide Supplementary Planning Document (January 2017) (the UDG) suggests that, with respect to end-of-terrace infill development, there could be scope for an infill building/extension that repairs and improves the street frontage where, for example, an especially long gap exists. However, when noting the proximity of a designated heritage asset and the proposal's effect upon it, the intended two-storey infilling of an upper floor level gap would not repair or improve the Friend Street frontage.
8. I acknowledge that there are other buildings of height located close by, including a modern block (the opposing building) that fronts Friend Street's north-western side directly opposite where both No 10 and the proposed extension are/would be positioned. However, the opposing building's relationship to the terrace differs when compared to the appeal site which is set directly to the rear of No 10 and forms part of the same Friend Street frontage. Although the opposing building also abuts the NRCA, the position and height of its front façade is respectful of the height of the traditional terrace it adjoins.
9. The proposed extension has been designed to complement the block in terms of its form, modern appearance and intended external finishes. Whilst some differences in fenestration are proposed (when compared to the typical makeup of the block's elevations), I am content that the character and appearance of the host building would be satisfactorily respected.
10. Nevertheless, for the above reasons, the proposal would cause harm to the character and appearance of the site's surroundings. The proposal would have an adverse effect upon the NRCA's setting and result in less than substantial harm being caused to its heritage significance. As set out in the National Planning Policy Framework (February 2019) (the Framework), any less than substantial harm to a designated heritage asset should be weighed against the public benefits of the proposal.
11. As also indicated in the Framework, when considering the impact of a proposal upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any identified harm to its significance is at a substantial or less than substantial level.
12. The proposal would have the effect of improving the Borough's housing stock through providing enlarged living space to a flat that does not currently meet

² P2019/1208/FUL

the nationally described space standard for a two-bedroom, three-person dwelling. Nevertheless, no additional unit of residential accommodation would be created such that this public benefit attracts limited weight. The scheme's benefits would not outweigh the less than substantial harm that I have identified in this case.

13. For the above reasons, the proposal would cause harm through failing to preserve or enhance the NRCA's character and appearance as a result of development within its setting. The proposal conflicts with Policy 7.8 of the London Plan (2016), Policy CS9 of Islington's Core Strategy (February 2011) (the Core Strategy), Policies DM2.1 and DM2.3 of Islington's Local Plan: Development Management Policies (June 2013) (the DMP), Islington's Conservation Design Guidelines (Revised Version, January 2002) and the UDG in so far as these policies and guidance require that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to the form, scale, materials and architectural detail and set out that harm to the significance of a conservation area will not be permitted unless there is clear and convincing justification.
14. Whilst not identified in the Council's reason for refusing planning permission, I find that the proposal also conflicts with Policy 7.4 of the London Plan (2016) in so far as it requires that buildings, streets and open spaces should provide a high quality design approach that is informed by the surrounding historic environment.

Other Matters

15. Due to the appeal site's setback position relative to Goswell Road and owing to the scheme's fairly limited scale, I am content that the proposal would preserve the character and appearance of the nearby Duncan Terrace / Colebrooke Row Conservation Area.
16. I have noted objections/concerns raised by interested parties with respect to matters including noise from construction and the impact upon sun lighting levels. However, as I have found the proposal to be unacceptable for other reasons, it is not necessary for me to explore these matters further here.
17. The scheme's benefits (as set out above) would not outweigh the harm and policy conflict that I have identified. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

18. For the above reasons, the appeal is dismissed.

Andrew Smith

INSPECTOR