
Appeal Decision

Site visit made on 23 March 2021

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 31 MARCH 2021

Appeal Ref: APP/V5570/D/20/3255039

27 Ashmount Road, Islington, London N19 3BJ

- 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 Mr and Mrs Pearl against the decision of the Council of the London Borough of Islington.
 - The application Ref P2019/3226/FUL, dated 28 October 2019, was refused by notice dated 14 January 2020.
 - The development proposed is construction of a rear garden room with integrated bike store.
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Decision

1. The appeal is allowed and planning permission is granted for construction of a rear garden room with integrated bike store at 27 Ashmount Road, Islington, London N19 3BJ in accordance with the terms of the application, Ref P2019/3226/FUL, dated 28 October 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PG-01; PG-02; PG-03; PG-04; PG;05.

Preliminary Matter

2. I have used the description as set out in the decision notice as it omits the reference to permitted development and accurately reflects the development. I am satisfied that the minor amendment does not prejudice either party.
3. The London Plan 2021 was adopted on 2 March 2021. Neither party referred time to any of its policies as an emerging plan, although policies from the previous version of the London Plan from 2016 were cited in the reason for refusal and referred to by both parties. Policy 7.8 of the London Plan 2016 is not critical to my decision, and I have not referred to it further.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area, with particular regard to the Whitehall Park Conservation Area.

Reasons

5. The appeal site is located within the Whitehall Park Conservation Area (the CA) and I have had special regard to the desirability of preserving or enhancing the character or appearance of the conservation area. The significance of the CA is found in the character of the streets to the south of the Highgate-Hornsey Ridge which are laid out as a late Victorian residential estate, fanning out slightly and following the contour pattern of the slope of the land which falls considerably away from the Ridge. No 27 Ashmount Road is an example of Victorian estate planning.
6. The proposed garden room would be located to the rear of the back garden of the dwelling, the garden is relatively generous and a good level of space would be retained following completion of the building.
7. The building would incorporate the use of brick to match the boundary wall, along with a contemporary roof and rooflights. The Islington's Conservation Area Design Guidelines advise that modern materials may be acceptable as long as the design of the building complements the area. The scale of the building is such that it would appear as a subservient outbuilding and the use of both traditional and modern materials would allow the building to settle comfortably into the rear garden whilst also providing a contemporary structure.
8. The proposal would not harm the significance of the CA, which is found in the design features of the dwellings and the overall spatial approach to estate planning. Furthermore, it would comply with Islington's Conservation Area Design Guidelines in respect of permitting modern development where appropriate.
9. I find that the building would be a positive and inclusive addition. It would comply with Policy CS9 of the Islington Core Strategy 2011 and Policy DM2.3 of the Islington Development Management Policies 2013 which collectively advise development should be of high quality contextual design and also confirm that innovative design is welcomed. It would comply with Policy DM2.1 of the Islington Development Management Policies 2013 which requires development to be of a high quality which incorporates inclusive design principles.

Conclusion

10. I have found that the proposal would comply with the Development Plan when taken as a whole. There are no material considerations that would justify a decision other than in accordance with the development plan. Accordingly, the appeal should succeed.
11. I have included a condition specifying the plans for certainty. I have not included a separate condition relating to materials as this is specifically and adequately addressed on the plans.
12. For the reasons above I include that the appeal is allowed.

J Ayres

INSPECTOR