



Appeal Decision

Site visit made on 26 March 2021

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2021

Appeal Ref: APP/V5570/D/20/3261863

55 Huntingdon Street, London, N1 1BX

- 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 Goran Mickovski against the decision of London Borough of Islington
 - The application Ref P2020/2134/FUL, dated 12 August 2020, was refused by notice dated 07 October 2020.
 - The development proposed is 'window placed in lower section of front elevation at a larger size than shown on approval P2015/3567/FUL'.
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Decision

1. The appeal is allowed and planning permission is granted for 'window placed in lower section of front elevation at a larger size than shown on approval P2015/3567/FUL' at 55 Huntingdon Street, London N1 1BX in accordance with the terms of the application, Ref P2020/2134/FUL, dated 12 August 2020, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The description of development on the application form was "*retention of window placed in lower section of front elevation at a larger size than shown on approval P2015/3567/FUL*". This description was amended following submission of the application to "*retention of windows at front lower ground floor level*". The original description better reflects the development proposed and is referred to for the purposes of the appeal. However, "retention" is not within the meaning of 'development' in Section 55 of the Town and Country Planning Act 1990 (as amended) and is thus omitted from the description.
3. The development has already been carried out.

Main Issues

4. The main issue for the appeal is the whether the proposed window has an acceptable effect on the character of the host property and its surroundings; including whether it conserves and enhances the significance of the Barnsby Conservation Area.

Reasons

5. The appeal site is a mid-terrace dwelling situated on Huntingdon Street, Islington, within the Barnsby Conservation Area. The terrace is constructed in

beige brick with a concrete tile roof and is simple in style. The window which is subject of this appeal is situated at ground level, underneath the existing ground floor window. A similar, slightly smaller, window was granted planning permission by the Council in October 2015 as part of a permission to excavate the basement (Ref. 2015/3567/FUL). The window provides light and ventilation to a basement area without an excavated lightwell. It is the only one of its type within the terrace.

6. The fenestration arrangement across the terrace is asymmetrical; the ground and first floor windows vary in width and only align on one edge. Similarly, the first-floor windows do not align with the door. The appeal scheme is in keeping with this arrangement, being wider than the window above and aligned only on one side. Its low positioning behind a small boundary wall, alignment, size and positioning next to a utility box maintains a subservient appearance which does not dominate the elevation. As such, the appeal scheme responds to the relationship between windows in the terrace and has an appropriate scale, as sought in the Islington Urban Design Supplementary Planning Document (UDSPD).
7. The Conservation Area Design Guide (CADG) identifies that the Conservation Area contains many of the best examples of formal late-Georgian and early-Victorian residential developments in London. These heritage buildings are the predominant development type in Huntingdon Road. The buildings contribute to a particularly attractive local character and make a strong contribution to the significance of the Conservation Area. The buildings commonly feature lower ground floor windows within excavated lightwells which are in keeping with the fenestration arrangements of the building as a whole and of which only a partial top element of the whole casement tends to be visible within most viewpoints along the street.
8. The terrace does not make the same contribution to the significance of the Conservation Area as the heritage buildings. It is, nonetheless, important that any development at the appeal site and the wider terrace is sensitive to the elements of the Conservation Area which do contribute towards its significance, as great weight is to be given to the preservation and enhancement of that significance.
9. The appeal scheme maintains the characteristic window arrangement in the host dwelling and is not dominant within the elevation or prominent within the streetscene. Where the window is visible, it is in keeping with the partial visibility of lower ground floor window casements in the surrounding heritage buildings, which is the vernacular. The appeal window therefore preserves the significance of the Conservation Area and surrounding heritage assets.
10. For these reasons, the appeal window respects the character and appearance of the host dwelling, its wider terrace and preserves the significance of the Barnsbury Conservation Area. The appeal scheme therefore complies with policies CS8 and CS9 of the Islington Core Strategy (CS), adopted in 2011, and policies DM2.1 and DM2.3 of the Islington Development Management Policies Document (DMPD), adopted in 2013. These policies seek, amongst other things, to conserve and enhance the significance of Islington's built and historic environment, as well as its character, by securing high quality, contextual, design.

Conditions

11. As the development has already been carried out, it is not necessary to impose the standard commencement condition. In the interests of clarity and to secure the details of the existing design, I have imposed a condition requiring the window to be maintained in accordance with the approved plans.

Conclusion

12. For the reasons stated above, I find that the appeal scheme is in accordance with the relevant policies of the Development Plan and the Framework. The appeal is therefore allowed.

Kim Langford Tejrar

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be maintained in accordance with the following approved plans: 1488/P2, 1488/01 and, 1488/P1.