



Appeal Decision

Site Visit made on 7 April 2021

by **S Dean MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 April 2021

Appeal Ref: APP/V5570/W/20/3261806

67a Stroud Green Road, London, N4 3EG

- 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 Dinglis Properties against the decision of London Borough of Islington.
- The application Ref P2020/2214/FUL, dated 18 August 2020, was refused by notice dated 13 October 2020.
- The development proposed is External alterations to allow balconies to first and second floors and Juliet balconies to the third floor.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on i) the character and appearance of the area, and ii) on the living conditions of occupiers of Athelstane Mews with regard to increased overlooking and loss of privacy.

Reasons

Character and appearance

3. Fronting onto a courtyard accessed from Stroud Green Road, the appeal site is a four-storey building, which steps back as it rises, containing flats over the commercial use of the ground floor. Immediately opposite the appeal site, across the courtyard area are a number of two-storey mews-style dwellings, with large windows facing the rear of the appeal site.
4. At present, whilst the appeal site has a somewhat busy rear elevation, with many windows, level changes and parapets, its overall character and appearance is simple, and is consistent with the surrounding buildings. I consider that the addition of the proposed mixture of railings and glazing would add significant complexity and visual clutter to the rear elevation, and this somewhat awkward mixture would be inconsistent with the existing character and appearance of the site and area.
5. I acknowledge that within the immediate context of the appeal site, there are a number of railings and glazed elements, including around a balcony area and bars in front of windows. However, these are atypical and do not, in my view, represent the predominant character or appearance of the area, such that they offer an irresistible precedent for the appeal proposal.
6. The proposal would therefore be harmful to the established character and appearance of the area. It therefore conflicts with Policy CS9 of Islington's

Local Plan, Policy DM2.1 of Islington's Development Management Policies (the DM Policies), and guidance in the Urban Design Guide Supplementary Planning Document 2017 (the SPD). These seek to ensure, amongst other things, that development is of high quality, contributes positively to local character and does not lead to visual clutter.

Living conditions

7. As noted above, the appeal site is close to, above and directly opposite residential development on Athelstane Mews. I acknowledge the close, urban relationship between the appeal site and Athelstane Mews, with windows already facing each other. However, whilst reasonably closely-opposed windows in a dense urban environment such as this are not particularly unusual, terraces and juliet balconies, particularly when elevated, as in this proposal, offer much greater opportunity for harmful, closer and unobstructed views than windows. In addition, they give rise to a much greater perception of overlooking and loss of privacy, which is in itself harmful.
8. I note the suggestion of a condition to add additional side screening. Whilst this could improve the relationship of the proposal to adjacent properties, I do not consider that this would address the harm caused by the proposal to the occupiers of Athelstane Mews. I acknowledge the aim of the proposal to improve the living conditions of occupiers of the appeal site, particularly in relation to pressures on the quality of indoor space, made plain by the coronavirus pandemic. However, this does not outweigh the need to protect the living conditions of occupiers of surrounding properties, and I have found that the harm to those would be unacceptable.
9. As the proposal would therefore cause unacceptable harm to the living conditions of occupiers of Athelstane Mews with regard to increased overlooking and loss of privacy, it would conflict with Policy DM2.1 of the DM Policies which seeks to ensure that development provides good levels of amenity, as well as guidance in the SPD around the effect of balconies on neighbours.

Conclusion

10. For the reasons given above I have found that the proposal conflicts with the development plan, and as such conclude that the appeal should be dismissed.

S Dean

INSPECTOR