



Appeal Decision

Site Visit made on 7 April 2021

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 April 2021

Appeal Ref: APP/V5570/D/20/3263583

92 Axminster Road, LONDON, N7 6BS

- 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 Sunita Jeetun against the decision of London Borough of Islington.
 - The application Ref P2020/2027/FUL, dated 31 July 2020, was refused by notice dated 24 September 2020.
 - The development proposed is ground and first floor rear extensions following demolition of existing and associated alterations.
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Decision

1. The appeal is allowed, and planning permission is granted for Erection of ground and first floor rear extensions following demolition of existing and associated alterations. at 92 Axminster Road, LONDON, N7 6BS in accordance with the terms of the application, Ref P2020/2027/FUL, dated 31 July 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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: 1748/01, 1748/05, 1748/06, 1748/07, 1748/08.
 - 3) That the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The London Plan 2021 has been published by the Mayor, setting the spatial development strategy for London and is now part of the development plan. The decision notice for the appeal application referred to the London Plan 2016, but only in general terms which have not changed with the publication of the London Plan 2021. The Officer Report is clear that policies in Islington's Core Strategy February 2011 (the Core Strategy) and Islington's Local Plan: Development Management Policies, June 2013 (the Local Plan) are the most relevant for this appeal. As such, I have not found it necessary to seek the views of the parties on the London Plan 2021.

Main Issues

3. The main issues are the effect of the proposal on i) the character and appearance of the area and the host building, and ii) the living conditions of the occupiers of 93 Axminster Road (No 93) with specific regard to their outlook and sense of enclosure.

Reasons

Character and appearance

4. The appeal site is a three-storey mid-terraced property, with a variety of single-storey and two-storey extensions and alterations to the rear. Other properties in the same terrace also have alterations in a variety of heights, depths, styles, character and appearance. The opposite terrace at the rear also has a broad mixture of alterations. I note the comments of the Council that some of these alterations are older and came about under a different policy context. However, they do contribute to the established character and appearance of the area. To the rear, the original fenestration of the appeal site and its neighbours has taller, narrower windows to one side, serving stair landings, with shorter, wider windows serving the habitable rooms.
5. The proposal would consolidate the current, somewhat disjointed and piecemeal elements to the rear of the property into a single, cohesive and simple design. This would be more consistent with the established rhythm, simplicity, character and appearance of both the original property and other alterations around it. The proposal would not compete with the original dwelling in terms of scale or massing, depth or height. The proposal would therefore be consistent with, and appropriate to, the established character and appearance of the area. Whilst the proposal would be visible from neighbouring properties, given my conclusions on its overall design, character and appearance I do not consider that this counts against it.
6. I therefore consider that the proposal would not harm the character or appearance either of the area or the host building. The proposal would therefore comply with Policy CS9 of the Core Strategy Policy DM2.1 of the Local Plan. These policies seek, amongst other things, to ensure that development is of high quality and is appropriate to the character and appearance of its surroundings. The proposal would also comply with general strategic policies on local character in the London Plan. As I have concluded that the proposal would not harm the character of the area or the building, the proposal also accords with guidance in the Urban Design Guide Supplementary Planning Document 2017 (the SPD).

Living conditions

7. As noted above, the rear elevations of properties in this terrace have windows serving habitable rooms and the stair landings. The latter are closer to the shared boundary. As a result, the proposal, which extends to and from the shared boundary, would be relatively close to this window in the neighbouring property, No 93. However, as noted, this window does not serve a habitable room. The proposal would be visible from this window, and indeed from other windows at the rear of No 93. However, I also note the relatively limited depth of the proposal at first floor level and the orientation of the properties, as well as the longer views which would still be available.

8. I do not therefore consider that the proposal would be unacceptable or that it would cause significant, unacceptable harm to living conditions through its effect on outlook or give rise to an undue, harmful sense of enclosure.
9. I therefore consider that with regard to its effect on the living conditions of the occupiers of No 93 with specific regard to their outlook and sense of enclosure, the proposal would be acceptable. It would therefore comply with Policy DM2.1 of the Local Plan which seeks to ensure that new development provides and protects a good level of amenity.

Conditions

10. Having had regard to the Questionnaire, the requirements of the National Planning Policy Framework (the Framework) and the Planning Practice Guidance I have imposed standard conditions concerning commencement (1), compliance with the submitted plans (2), and requiring the use of matching materials (3), in order to ensure the satisfactory appearance of the completed development. These conditions meet the tests in, and requirements of both the Framework and the Planning Practice Guidance.

Conclusion

11. For the reasons given above I conclude that the proposal accords with the development plan, and the appeal should be allowed.

S Dean
INSPECTOR