



Appeal Decision

Site Visit made on 11 June 2021

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th July 2021

Appeal Ref: APP/V5570/W/20/3257681

Flat 8, Print House, 32 Aylesbury Street, London EC1R 0ET

- 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 Dan Neidle against the decision of London Borough of Islington.
 - The application Ref P2020/0210/FUL, dated 22 January 2020, was refused by notice dated 18 March 2020.
 - The development proposed is the erection of a roof extension to the existing residential flat with associated external terracing and installation of plant unit.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the original decision The London Plan 2021 (LP) has been published by the Mayor of London. It comprises the spatial development strategy for London and is now part of the development plan. The policies contained in the LP replace those of The London Plan 2016 referred to in the Council's original decision.
3. The Council have commented that Policies D3, D4 and HC1 of The London Plan 2021, replace Policies 7.4, 7.6 and 7.8 of The London Plan 2016 as referred to in the original Decision Notice.

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character and appearance of the Clerkenwell Green Conservation Area (CGCA) and the setting of nearby listed buildings.

Reasons

5. The appeal property forms part of a six-storey commercial and residential building that is located on the junction of Aylesbury Street and Woodbridge Street. It is located within the Clerkenwell Green Conservation Area (CGCA) that is characterised by its range of building styles and sizes with a variety of uses. There are also a number of listed buildings in close proximity to the site, including the terrace houses of Sekforde Street, the Sekforde Arms and Woodbridge Chapel. Hayward's Place, to the north of the site is a locally listed terrace of residential properties.

6. The appeal property comprises part of the fourth floor of the building and the whole of the fifth floor which is a later extension to the building. The proposed development would involve the addition of another floor onto part of the existing roof extension with the remainder of the space on top of the existing roof extension being used as a roof terrace.
7. In the context of Aylesbury Street, the building of which the appeal site forms part, sits between buildings of a similar height which appear to have had additional roof level accommodation installed in a manner similar to the appeal property. The building on the opposite side of Aylesbury Street has a double storey roof addition and is of a greater scale.
8. Due to the scale of the existing buildings, and the tightness and close confines of Aylesbury Street itself, the existing roof extension is not readily visible from the Aylesbury Street street-level. For these reasons, the proposed development in the context of the Aylesbury Street streetscape would not appear overly dominant or prominent.
9. There is however a clear and marked drop in the overall scale of the built environment towards the rear of the site and it is in this area which includes several heritage assets, that are notable for their relatively low-rise character and setting. When viewed from Woodbridge Street, and also its junction with Sekforde Street, the rear of the building is highly prominent and highly noticeable, this includes views from the listed buildings at Sekforde Street, the Sekforde Arms and Woodbridge Chapel. The proposed development due to its design, siting and the resultant increase in height would result in an incongruous and highly prominent addition to the building, the effect of which would be exacerbated owing for the additional roof paraphernalia and roof terrace.
10. For these same reasons, owing to its proximity to the appeal site, harm would be caused to the setting of the grade II listed Woodbridge Chapel. However, due to the greater separation from the appeal site, the impact on the setting of the listed buildings on Sekforde Street and the Sekforde Arms would not be harmful and would thereby be preserved.
11. Its design would result in a layered appearance of the building which, although taking a similar form from the extension it would be sited upon, would be at odds with the remainder of the relatively simple form of the original building. I acknowledge that such a layered approach has been used in the building directly opposite the appeal site, however I do not consider that is sufficient reason to allow the approach on this more highly prominent elevation when viewed from the locations to the rear of the site within the CGCA and the setting of the listed buildings.
12. When viewed from St John Street, as illustrated in proposed view 3 in the appellants statement of case, the proposed development, due to its design and siting, would appear highly prominent when viewed in the context of the adjoining building. It would again appear at odds with the appearance of the remainder of the building. Its overall design and disparity in width from the remainder of the frontage, would make it appear as an alien feature in the context of the host building and its surroundings.
13. In justification of the proposed development, the appellant has referred to the heights of several buildings in the surrounding area. I acknowledge that these

exist, and I was able to view these from the rooftop of the appeal property. These other buildings do not however share the exact same characteristics as the appeal site and do not justify allowing harmful development. The appellant has also referred to the planning history relating to some of the surrounding buildings. Although I do not have full details of these cases, they relate to different developments in different contexts. In any event I do not consider that these decisions justify allowing the harm to be caused which I have identified. I have also determined the appeal on its own individual planning merits.

14. Therefore, in light of the harm I have identified, the proposal would fail to preserve or enhance the character and appearance of the CGCA, nor would it preserve the setting of the grade II listed Woodbridge Chapel. It would be contrary to Policies CS9 of Islington's Core Strategy (2011), DM2.1 and DM2.3 of Islington's Local Plan: Development Management Policies (2013) and D3, D4 and HC1 of The London Plan 2021. Collectively, these policies seek to ensure that development is of a high-quality design that conserves or enhances the historic environment.
15. The development would also be contrary to the National Planning Policy Framework (the Framework) (2019), which requires, amongst other things, that development is of high-quality design, sympathetic to local character whilst sustaining and enhancing the significance of heritage assets.
16. The development would also be contrary to Islington's Conservation Area Design Guidelines (2002), which for the CGCA states, amongst other things, that roof extensions visible from the street or a public open space will not be granted where this is harmful to the character and appearance of the building.
17. It would also be contrary to the Islington Urban Design Guide Supplementary Planning Document (2017) which outlines, amongst other things, that roof extensions should be sympathetic to the host building, and even where there are variations in building heights, an alteration to an existing roofline is likely to be unacceptable where it adversely impacts on the public realm or the architectural integrity and quality of the existing or neighbouring buildings.

Other Matters

18. I note the representations that were received in support of the proposed development. For the most part, the matters raised relate to the effect on the character and appearance of the area which I have considered above.
19. I acknowledge that the proposed development would increase the size of the existing unit which some interested parties consider would make it more desirable for family accommodation. There is however no substantive evidence that the existing dwelling is not capable of suitable family accommodation for me to give this matter significant weight. Although the development would increase the size of the unit, this is largely a matter of personal circumstance that seldom carries significant weight in the decision-making process that is primarily concerned with land use planning matters. Either way, this factor does not outweigh the harm I have identified.
20. I acknowledge that the proposed development would incorporate some biodiversity enhancements. I am not however convinced that the proposed

development is the sole means of achieving these enhancements. Either way, they do not outweigh the harm I have identified.

21. Representation is also made that the proposed development would not harm the living conditions of any occupiers of existing residential properties. The lack of harm is, however, a neutral factor in the overall balance.

Planning Balance and Conclusion

22. Having regard to paragraph 196 of the Framework, I find that the harm to the CGCA and the setting of the listed building is relatively localised and therefore the proposal would cause less than substantial harm to the significance of the designated heritage assets. I do not, however, find that this harm is outweighed by any public benefits of the proposal.

23. For the reasons set out above I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR