



Appeal Decision

Site Visit made on 13 July 2021

by J Hunter BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2021

Appeal Ref: APP/V5570/W/21/3266872

33 Jackson Road, London N7 6ES

- 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 Jack Bamberger against the decision of London Borough of Islington.
 - The application Ref P2020/2919/FUL, dated 20 October 2020, was refused by notice dated 14 December 2020.
 - The development proposed is described as erection of first and second floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a first and second floor rear extension at 33 Jackson Road, London, N7 6ES in accordance with the terms of the application, Ref P2020/2919/FUL, dated 20 October 2020 and drawings: Location Plan 01a, Design and Access Statement, Proposed Elevation 04 and Proposed Plans 03 and 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: Location Plan 01a, Design and Access Statement, Proposed Elevation 04 and Proposed Plans 03.
 - 3) The facing materials of the extensions hereby approved shall match the existing building in terms of colour, texture, appearance and architectural detailing and shall be maintained as such thereafter.

Preliminary Matters

2. In March 2021, the London Plan 2021 was adopted and its policies replaced those within the London Plan 2016, including Policies 7.4, 7.6 and 7.8 which formed part of the original policy basis for the refusal of planning permission. The London Plan 2021 replacement policies Policy D4 and Policy D5 have been referenced as part of this appeal and the appellant has had to opportunity to comment. I have therefore determined the appeal on this basis.
3. During the course of the appeal the revised National Planning Policy Framework was published (20 July 2021). The main parties have been given the opportunity to comment and my decision is made in the context of the revised Framework.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal property is a three-storey end of terrace dating from the Victorian period. It is faced in brick with a rendered lower floor and parapet which extends around the gable and rear elevation. This roof arrangement differs from that of the neighbouring properties which have a rendered parapet wall at the front with a butterfly roof arrangement to the rear.
6. There is an existing single storey rear extension and first floor roof terrace across the full width of the appeal property. The proposal would see the construction of a further two storeys which would occupy half the width of the rear elevation. A small first floor roof terrace would be retained along the shared boundary with the neighbouring property.
7. The Council's Urban Design Guide Supplementary Planning Document (SPD) provides guidance in respect of rear extensions. Paragraph 5.134 states *'rear extensions must be subordinate to the original building; extensions should be no higher than one full storey below eaves to ensure they are sufficiently subordinate to the main building. For this reason and also in order to respect the rhythm of the terrace, full width rear extensions higher than one storey, or half width rear extensions higher than two storeys, will normally be resisted, unless it can be shown that no harm will be caused to the character of the building and the wider area.'*
8. The positioning of the appeal property at the end of the terrace together with the alternative roof arrangement and the partially chamfered gable wall means that it has a different character to the rest of the adjoining terrace. Indeed, as the property that forms the end return of the terrace it reads as a full stop to the uniformity and rhythm of the remainder of the row. For this reason, I consider that the proposal would not interfere with the architectural rhythm of the terrace.
9. Furthermore, I consider that owing to its relatively narrow width and stepped roof arrangement the extension would be sufficiently subordinate to the original building. Consequently, the proposal would not cause significant harm to the character and appearance of the area.
10. I acknowledge that the Council consider that the proposal would fail to accord with the guidance contained in the SPD, nonetheless, as I have not identified any harmful effects there is justification to depart from the guidance in case.
11. For the reasons outlined above the proposal would not conflict with the requirements of Policies DM2.1 of Islington Local Plan, Development Management Policies 2013, Policies CS8 and CS9 of the Islington's Core Strategy 2011 and D4 and D5 of the London Plan 2021. These policies seek to, amongst other things, ensure that developments are of high-quality design that reflect and enhance the character of the locality.

Conditions

12. Planning permission is granted subject to the standard three year time limit condition. It is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. I have therefore imposed a condition to this effect.
13. In the interests of safeguarding the character and appearance of the area, I have also imposed conditions relating to the use of materials to match the existing property.

Conclusion

14. For the reasons set out above and taking into account all other matters raised, I conclude the appeal should be allowed.

J Hunter

INSPECTOR