



Appeal Decision

Site visit made on 9 November 2021

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 February 2022

Appeal Ref: APP/V5570/W/21/3280464

321 Caledonian Road, London N1 1DR

- 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 Cally Heritage Restoration Ltd. against the decision of London Borough of Islington.
 - The application Ref P2021/0010/FUL, dated 21 January 2021, was refused by notice dated 15 March 2021.
 - The development proposed is described as a "single storey mansard roof extension to create 1 no. self-contained residential unit (Use ClassC3) with roof terrace above and alterations to ground floor shopfront".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i. the effect of the proposed development on the character and appearance of the area, including the Barnsbury Conservation Area (BCA), and the appeal property.
 - ii. whether or not the appeal scheme would provide satisfactory living conditions for future occupiers of the appeal scheme.
 - iii. Whether or not the appeal scheme makes appropriate provision in respect of Affordable Housing

Reasons

Character and Appearance

3. The appeal property at 321 Caledonian Road is part of a short terrace of buildings that includes a mix of more modern properties and older buildings that have undergone various forms of extensions and alterations. The site is located within BCA, the significance of which lies in the evidence of historical residential architecture in a variety of architectural styles with distinctive detailing.
4. The proposed mansard roof extension would sit on the existing flat roof, detailed on the submitted plans as a roof terrace currently accessed by a hatch, adjacent to an existing mansard roof on a neighbouring property. I note that the submitted plans show a roof terrace set down into the mansard roof extension.

5. I saw at the site visit that the mansard roof extension would be visible from Caledonian Road and from adjacent streets. Furthermore, I noted the presence of some examples of mansard roofs, including the neighbouring property as referred to by the appellant. The roof terrace is shown on the submitted plans as being located towards the middle of the proposed mansard roof and set down into the structure. Railings around the proposed roof terrace project above the roof line and would be visible from some public locations, particularly along Caledonian Road.
6. The Islington Urban Design Guide Supplementary Planning Document (the SPD) provides general advice on roof extensions. The SPD confirms that it is necessary to consider the particular terrace within which the host building sits and the local context. Within conservation areas, the SPD asserts that the roofline is often important in contributing to an area's character and therefore proposals for roof extensions.
7. In the context of the varied architecture of this part of Caledonian Road and the existing mansard roof of the neighbouring property I am satisfied that the appeal scheme would not appear as a prominent or an incongruous feature.
8. In relation to the test concerning the level of harm as it applies to designated heritage assets under the National Planning Policy Framework, based on the reasons I have set out above, I find that the appeal scheme would not result in harm to the significance of the BCA.
9. To conclude this main issue, for the reasons detailed above I find that the appeal scheme would not harm the character and appearance of the area, including the Barnsbury Conservation Area (BCA), and the appeal property and as such is not contrary to Policy D4 of the London Plan 2021, Policies CS8 and CS9 of the Core Strategy, Policies DM2.1 and DM2.3 of the Development Management Policies and the guidance contained within the Urban Design Guide 2017 and the Barnsbury Conservation Area Design Guidelines that, amongst other matters, seek development of good design that reflects and enhances built environment and the character of the area

Living conditions

10. The appeal scheme would provide a one dual aspect self-contained flat of 37m² with a combined bedroom, sitting area and kitchen in an L shape set around the small bathroom and the staircase that would provide access to the dwelling and up to the small roof terrace.
11. To this extent the appeal scheme complies with specificity of the relevant floor and outside space requirements Policy D6 and Table 3.1 of the London Plan (the LP) and Policy DM3.4 and Table 3.2 of the 'Islington's Local Plan: Development Management Policies' (the DMP), that amongst other matters detail the required minimum internal space standards.
12. Nonetheless, Policy D6 of the LP requires that new dwellings are of "high quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose". The residential unit shown on the submitted plans appears small, cramped and compromised by the sloping roof in key areas including the bathroom, kitchen and seating area resulting in a poor quality of accommodation.

13. Furthermore, a note to Table 3.2 of the DMP, as referred to by the Council, details that "Studios/Bedsits/single bedroom flats will only be permitted in exceptional circumstances". By the very nature of the proposals the size of the proposed unit is dictated by the existing roof of the appeal property and, based on the submitted plans, it is clearly not practicable to create a roof extension to accommodate more than one bedroom.
14. However, the Council has referred to the potential to incorporate the space created by the proposed roof extension into the existing residential unit below and the appellant has provided very limited substantive evidence as to why this cannot be done, and it is my planning judgement that the evidence and arguments submitted by the appellant do not amount to the exceptional circumstances referred to in the note to table 3.2 of the DMP.
15. In combination, the poor quality of the accommodation and the absence of any exceptional circumstances would result in a scheme that fails to provide satisfactory living conditions for future occupiers of the appeal scheme contrary to Policies D6 and H10 of the LP, Policies CS12 of the Core Strategy and Policies DM2.1, DM3.1, DM3.3 and DM3.4 of the DMP that amongst other matters requires new development to be of a high quality design, supported by robust local evidence of need and to provide adequate amenity to future residents.

Affordable Housing

16. The Council states that the appeal scheme would generate a requirement for a contribution of £50,000 to provide affordable housing off site, in accordance with Policy CS12 of the Core Strategy and The Affordable Housing Small Sites SPD. I note that the appellant has undertaken to pay this contribution, but no such legal obligation has been submitted to support the appeal.
17. As such, the appeal scheme would not make appropriate provision for affordable housing, contrary to Policy CS12G of the Core Strategy and The Affordable Housing Small Sites SPD.

Other Matters

18. The appeal scheme would increase the provision of housing in what I saw at the site visit is an established and accessible location. This is a material consideration that weighs in favour of the appeal scheme but does not outweigh the harm I have previously identified.
19. Limited reference is made by both parties to an earlier planning permission for a mansard roof extension, granted in 2018. I have not however been provided with any substantive details of the scheme, the policies or circumstances that existed at the time permission was granted.

Conclusion

20. For the reasons given above I conclude that the appeal should be dismissed.

Mr M Brooker

INSPECTOR