



Appeal Decision

Site visit made on 10 May 2022 by S Witherley CIHCM MRTPI

Decision by J Hunter BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st May 2022

Appeal Ref: APP/V5570/D/22/3295477

33 Devonia Road, London N1 8JQ

- 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 Wales against the decision of the Council of the London Borough of Islington.
 - The application Ref P2021/3473/FUL, dated 25 November 2021, was refused by notice dated 20 January 2022.
 - The development proposed on the application form is: The proposals include a full house refurbishment, demolition of the roof and erection of new mansard roof, partial demolition and rebuild of the three storey rear outrigger, removal of an existing timber infill lean-to extension, a new rear upper ground floor brick infill extension with a flat parapet roof and new glazed roof lantern, and a new full width lower ground floor extension at the rear with a traditional lead roof and timber joinery. The works will also include a new gate and new metal stairs to the front lightwell, removal of the bitumen coating to the front steps and reform with traditional stone, removal of the existing casement window in the lower ground floor entrance lobby, removal of existing exterior door in lower ground floor entrance lobby and replacement with new sash window, widening and partial lowering of existing front lower ground floor window on front facade. The assumed existing vault is to be unblocked, reinstated and tanked. Additional localised mortar repairs are proposed along with the installation of traditional style metal balcony at the rear upper ground floor doors serving the kitchen
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. Whilst the proposal contains a number of different elements, the Council's main concern relates to the proposed mansard roof. The Council viewed the other elements of the proposal as acceptable and having viewed the details before me I see no reason to consider otherwise. Therefore, the main issue in this appeal is:

The effect of the proposed mansard roof on the character and appearance of No. 33, a locally listed building and the surrounding area, including whether it would preserve or enhance the Duncan Terrace /Colebrooke Row Conservation Area (CA) in which it is located.

Reasons

4. No. 33 is a three storey plus basement terraced property. It is one of a number of properties in the terrace row which is locally listed, recognised for its important design and contribution to the street scene.
5. It is located within the CA. The significance of which, in so far as it relates to this appeal, is derived from the regular terrace rows of late Georgian and early Victorian residential properties. There is consistency in terms of the age of buildings, their sizes, styles and architectural rhythm which contributes positively to its special character and forms part of its significance.
6. Whilst there is evidence of a number of properties in the same terrace as No. 33 having undergone roof modifications, including small-scale developments, dormer windows and mansard roofs, these do not appear as an established or predominant form of development. The relatively unaltered roofscape depicts the original design of the buildings and forms part and parcel of the character and appearance of the CA as an area of high-quality housing.
7. Whilst the proposed mansard roof would appear to be set back from the front and rear elevations, it would still remain visible from various viewpoints along Devonian Road and from some of the neighbouring rear gardens. Within these views, the resulting scale and massing of the mansard roof would appear as a bulky and incongruous addition that would significantly alter the existing roofscape of the building and this part of the terraces roofscape.
8. In this respect, the proposed mansard roof would not, as a result of its proposed scale and form, make a positive contribution to the local distinctiveness or historic quality of the surrounding area. Hence it would not follow the guidance set out in The Islington Conservation Area Design Guidelines (CADG) January 2002 which states the construction of roof extensions which are not in keeping with the terrace can be damaging to its architectural unity, and have a deleterious effect upon the character and appearance of the CA.
9. The appellant has provided details of a planning approval¹ for a similar mansard roof development at No. 32 Devonian Road. Whilst I would agree that aspects of that planning application, in terms of its design, are similar to the appeal before me, No. 32, however, is located on the opposite side of the road where mansard roofs appear more frequently. This is in contrast to the appeal site where the roof scape of the immediate terrace appears relatively unaltered and where mansard roofs are not a prominent feature. The presence of other similar developments on neighbouring terrace rows does not alter my conclusions on the harm that would be caused to No. 33 or the terrace in which it sits for the reasons set out above.
10. Furthermore, from what I saw of other roof extensions in the area they highlight the need to assess each proposal on its individual merits to ensure that no further harm to the character or appearance of the CA arises. As noted, the immediate context of the terrace in which No. 33 sits remains largely unaltered and free of unsympathetic additions and the presence of mansard roofs elsewhere does not set a precedent for further harm in that context.

¹ P2021/3425/FUL

11. The appellant has stated that the proposal meets the aims of the Framework in that it makes effective use of an existing building and aligns with the Government's support for upward extensions. There is no indication that the extension is required in order to secure the property's optimum viable use nor that it meets a need for a particular size of home in the area. In addition, whilst there will be situations where an upward extension will be considered as suitable, for the reasons set out above, this is not one of them. I consider that the benefit of providing additional accommodation would be a private benefit for the appellant rather than providing a wider public benefit. Accordingly, these matters are not of sufficient weight to outweigh the harm identified to the heritage asset.
12. The proposal is modest and not overly prominent in the context of the Conservation Area as a whole. However, as a result of the harm I have identified in relation to the character and appearance of the appeal property and the terrace, the appeal scheme would fail to preserve or enhance the character or appearance of the CA. Consequently, it would cause less than substantial harm to the significance of the CA as a designated heritage asset. No public benefits have been demonstrated that would outweigh the harm to the CA.
13. Having regard to the above and all matters raised, it is considered that the proposed mansard roof would have a detrimental effect on the character and appearance of the appeal property, a locally listed building and fails to preserve or enhance the character or appearance of the CA. Accordingly, it conflicts with Policies CS8 and CS9 of the Islington Core Strategy (2011), Policies DM2.1 and DM2.3 of the Islington Local Plan Development Management Policies (2013) and Policies D1, D4 and HC1 of the London Plan (2021) and guidance within the CADG, the Urban Design Guidelines (2017) and the National Planning Policy Framework (the Framework). Collectively these seek developments to protect local character, ensure heritage assets are conserved or enhanced and secure high-quality details based on the defining characteristics of the area.

Conclusion

14. The proposal conflicts with the most relevant policies in an up-to-date development plan and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

J Hunter

INSPECTOR