



Appeal Decision

Site visit made on 13 June 2022

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th June 2022

Appeal Ref: APP/V5570/W/22/3291465

Second floor only, 21 Halliford Street, Islington, London N1 3HB

- 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 N Patel on behalf of Halliford Flats Ltd against the decision of London Borough of Islington.
 - The application Ref P2021/2489/FUL, dated 25 August 2021, was refused by notice dated 9 November 2021.
 - The development proposed is extension at second floor to extend a studio flat into a 2 bedroom apartment.
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Decision

1. The appeal is allowed and planning permission is granted for an extension at second floor to extend a studio flat into a 2 bedroom apartment at Second floor only, 21 Halliford Street, Islington, London N1 3HB in accordance with the terms of the application, Ref P2021/2489/FUL, dated 25 August 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be begun not later than the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents: jw1025-105 B (including Site Location Plan scaled 1:1250); jw1025-106 A; Planning, Design & Heritage Statement (August 2021).
 - 3) The development hereby permitted shall be constructed in full accordance with the external materials annotated upon approved plan jw1025-106 A.

Preliminary Matter

2. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of designated conservation areas when exercising planning functions. I shall have regard to this statutory duty in my consideration of this appeal.

Main Issue

3. Whether or not the proposed extension would preserve or enhance the character or appearance of the East Canonbury Conservation Area (the CA).

Reasons

4. The significance of the CA as a designated heritage asset is drawn, in-part, from its predominance of residential uses and its array of regularly laid out and

often ornately detailed terraced rows dating to the nineteenth century. This significance is further defined by the prevalence of traditional external-facing materials.

5. The appeal property forms the end of a terrace that addresses Halliford Street (the Street) and occupies a corner plot where the Street meets Elizabeth Avenue (the Avenue). Reflective of its corner plot location, the property exhibits featureful elevations and is of generous scale. It comprises a vacant public house at ground floor with flatted residential accommodation above.
6. To the rear, a two-storey extension of parapet roof design (the previous extension) also providing flatted accommodation has been erected. This addresses the Avenue and adjoins No 26 Elizabeth Avenue (No 26), which makes up part of a short, connected terrace. It is pertinent to note that the gap that would have once existed between the appeal property and No 26 is no longer readily interpretable by virtue of the previous extension.
7. The proposed extension would be of modest size. It would sit above the previous extension (but beneath the full height of the main roof) and be stepped back from the Avenue beyond a street-facing parapet. It would be of mansard style/design where to address the Avenue and would incorporate traditional features such as lead-clad dormers and timber sash windows. As a result of these factors, and despite its high-level siting, the proposed extension would read as a subservient and complimentary addition to the appeal property. Indeed, it would suitably respect the design and external-facing materials of the property's main roof and would not appear as unduly bulky or visually intrusive. It would also satisfactorily reflect the height and roof-level composition of No 26.
8. Islington's Conservation Area Design Guidelines (January 2002) (the CADG) set out that roof extensions which are visible from the street or other public areas will not be permitted within the CA. This is in recognition that very few full roof extensions exist in the CA, and that their proliferation would spoil the harmonious character of terraces and groups of houses with a uniform cornice and parapet line. However, the proposal that is before me relates to an intended extension above infill development of relatively modest height that does not exhibit a roof scape reflective of neighbouring built form. As such, in the circumstances here, it is not warranted to resist the proposal on in-principle grounds related to an extension being introduced at roof-level.
9. For the above reasons, the proposed extension would preserve the character and appearance of the CA. The scheme satisfactorily accords with Policies D3, D4 and HC1 of the London Plan (March 2021), Policies CS8 and CS9 of Islington's Core Strategy (February 2011), Policies DM2.1 and DM2.3 of Islington's Development Management Policies (June 2013), the Islington Urban Design Guide Supplementary Planning Document (January 2017) and the CADG in so far as these policies and guidance require that alterations to existing buildings in conservation areas shall conserve or enhance their significance.

Other Matters

10. The scheme involves an extension of modest size to an existing residential unit. It thus holds limited potential to increase residential occupancy at the site. Any additional pressures to be placed upon existing on-street parking or on-site

waste storage facilities would realistically be minimal and would not constitute (a) reason(s) to resist granting planning permission.

11. As was apparent upon inspection, the intended location of the proposed extension currently serves as a roof terrace accessible to occupiers of the existing studio flat. As such, the proposal would not introduce sensitive views not already available from the roof terrace. Furthermore, the rear-facing opening that is proposed would be setback behind a parapet wall and be suitably positioned so as not to raise undue overlooking concerns. Therefore, the privacy of neighbouring residential occupiers would not be prejudiced.
12. Owing to the intended scale and positioning of the proposed extension (set in from the site's rear boundary), as well as to the orientation of the site, the proposal could not realistically be anticipated to have harmful overshadowing effects. Nor would it be experienced as overbearing to the detriment of available outlook experienced by neighbouring occupiers. This is notwithstanding the proximity of habitable window openings and private garden spaces to the rear boundary of the site.
13. The proposal is focussed upon an extension to an existing studio flat and does not involve alterations at ground floor. Moreover, whilst there would be community benefits associated with bringing a vacant public house back into active use, the proposal that is before me must be considered upon its own individual terms and merits.
14. The proposal accords with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conditions

15. In the interests of certainty, a condition specifying the approved plans and documents is required. In the interests of protecting the character and appearance of the CA, a condition requiring the scheme to be implemented in accordance with the suite of external facing materials indicated upon the proposed elevations is reasonable and necessary.

Conclusion

16. For the above reasons, the appeal is allowed and planning permission is granted subject to conditions.

Andrew Smith

INSPECTOR