

Appeal Decision

Site visit made on 7 June 2022 by T Bennett BA (Hons) MSc

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2022

Appeal Ref: APP/V5570/D/22/3292309

63 Cheverton Road, London, N19 3BA

- 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 Martyn Holman against the decision of London Borough of Islington.
 - The application Ref P2021/2854/FUL, dated 27 September 2021, was refused by notice dated 24 November 2021.
 - The development proposed is a loft extension including erection of rear dormer, one front rooflight, change of material of rear windows and associated alterations.
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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.

Preliminary Matter

3. The Council has raised no issue with the change of materials to the rear windows, and I find the choice of materials to be appropriate in the context of the proposed development. Therefore, the focus of this appeal is the rear dormer and front rooflight.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the Whitehall Park Conservation Area.

Reasons for the Recommendation

5. The host dwelling is a late Victorian terraced property located in the Whitehall Park Conservation Area. The significance of the area is derived from the distinctive architectural styles and qualities of the Victorian properties, which particularly include the decorative porches and window detailing, as noted in the Whitehall Park Conservation Area Design Guidelines (2002) (CADG) and observed whilst visiting the site. The presence of parapets is also a feature of many of the terraced properties within the Conservation Area and from my observations adds to the significance of the area.
6. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) places a duty upon the decision-maker, in the exercise of planning

functions, to have special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The National Planning Policy Framework (the Framework) further advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

7. The proposed front rooflight would be visible within the street scene. However, I observed rooflights on other dwellings in very close proximity to the appeal site, similar in size to what is being proposed. As a result of this and the rooflights modest size, set away from other roof features and of a conservation style, I find there to be an overall lack of harm in this context to the character and appearance of the host dwelling and Conservation Area.
8. Turning to the rear flat roofed dormer, it would occupy the full width of the rear roof plane of the building, up to and partially obscuring the parapet walls. This would be contrary to the guidance set out in the Urban Design Guide Supplementary Planning Document (2017) (SPD) which states that dormers should be positioned clear of the boundary parapets. Consequently, the bulk and massing of the resultant development would represent an unduly dominant addition which would not appear subordinate to the rear roof slope and would result in an adverse visual impact on the host property and the wider area.
9. I recognise that the SPD provides guidance only, and despite the design incorporating matching materials and being set marginally down from the ridge and up from the eaves, these factors would not provide sufficient visual mitigation to overcome the harm from this aspect of the proposal. As such, the proposed development would neither preserve nor enhance the character or appearance of the Conservation Area.
10. I acknowledge that because of the location of the development, the full extent and mass of the proposed dormer is not perceptible from public vantage points from which the main qualities of the character and appearance of this area are appreciated. However, by virtue of its design, it would be visible in private views from the rear of the properties on Dresden Road and adjoining properties, with the consequent harm to the character and appearance of the house inevitably having some adverse effect on the character and appearance of the wider area, irrespective of public visibility.
11. I have also had careful regard to the appellant's statement of case including the comparison elevation plan of a recently approved dormer at 45 Cheverton Road. Whilst the proposed dormer shares similarities in respect of it being set down from the ridge and up from the eaves, it differs in terms of the width with the proposal at number 45 set in from the parapet walls, ensuring they remain fully legible. As a consequence, whilst it is still large, visually it appears less bulky and top heavy.
12. From my observations on site and the evidence put before me, I note that there are a number of other flat roof rear dormers in the vicinity of the appeal site. These vary in siting, size, design quality and appearance and I am not persuaded that the presence of the other large rear dormers serve to justify the proposal. In any case I do not have the details of those schemes before me or whether they benefit from planning permission and I have determined the proposal on its own individual merits.

13. The harm to the significance of the Conservation Area that would result from the proposed dormer would be localised and therefore the effect on the Conservation Area as a whole would be less than substantial. The Framework makes it clear that in circumstances where there is less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal. However, I have not been provided with any evidence that the proposed development would represent a public benefit, and as a consequence the identified harm would not be outweighed in this respect.
14. On the basis of the submitted evidence, I am satisfied that whilst I find no harm to the host dwelling or Conservation Area in respect of the front rooflight, the proposed rear dormer would be harmful in these regards and therefore would conflict with the Act and the Framework. The proposed development would be contrary to Policies D1, D4 and HC1 of the London Plan (2021), Policies CS8 and CS9 of the Core Strategy (2011) (CS) and Policy DM2.1 and DM2.3 of the Development Management Policies (2013) (DMP). Collectively, these policies seek high quality design that makes a positive contribution to the local character and distinctiveness of an area. Policy CS9 of the CS and Policy DM2.3 of the DMP also seek the conservation or enhancement of heritage assets. I also find that the proposed development in its entirety would not accord with the SPD and the CADG taken as a whole.

Other Matter

15. I note that the Council raised no concern in relation to the effect of the development on the living conditions of the neighbouring occupiers, and from my site observations this is a conclusion with which I would agree.

Conclusion

16. For the reasons given above, I recommend that the appeal should be dismissed.

T Bennett

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and agree that the appeal should be dismissed.

Martin Seaton

INSPECTOR