

Appeal Decision

Site visit made on 10 January 2023

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 16th February 2023

Appeal Reference: APP/V5570/D/22/3301663

39 Cheverton Road, Islington, 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 R and C Wedderburn against the decision of Islington Borough Council.
 - The application (reference P2022/0398/FUL, dated 8 February 2022) was refused by notice dated 5 April 2022.
 - The development proposed is described in the application form as the “conversion of existing main roof loft space including rear dormer with flat rooflight”.
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Decision

1. The appeal is allowed and planning permission is granted for the “conversion of existing main roof loft space including rear dormer with flat rooflight”, at number 39 Cheverton Road, Islington, London N19 3BA, in accordance with the terms of the application (reference P2022/0398/FUL, dated 8 February 2022), subject to the conditions set out in the attached Schedule of Conditions.

Main issue

2. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host building and its surroundings.

Reasons

3. The appeal site is located in a closely built up and attractive area of the London Borough of Islington. The location is easily accessible to services and facilities at Archway and it is well located in relation to the public transport network, with an Underground station also at Archway.
4. Houses are predominantly laid out in terraces of substantial properties, dating from the nineteenth century for the most part, with some newer insertions. The area has been designated as the Whitehall Park Conservation Area but many of the houses have been altered and adapted at the rear, over the years.
5. Number 39 Cheverton Road is an attractive mid-terrace house in a lengthy terrace of similar properties on the northern frontage of the road. The house dates from the nineteenth century and is constructed in a traditional form, of

- brickwork under a slate roof. It stands behind a small front garden, which rises above the road, with a steep garden at the rear. The back garden is somewhat secluded at present, by existing shrubs, but the surrounding gardens are not large and there is a significant degree of overlooking in the locality. At the time of the site visit, repair and improvement works were being undertaken on the ground floor of the house, essentially unrelated to the current proposals.
6. It is now proposed to alter and extend the house at roof level, to provide a fourth bedroom (with an en-suite bathroom) to be lit by a dormer on the rear roof slope. The front roof slope would be unaffected, however.
 7. Provisions in the Planning (Listed Buildings and Conservation Areas) Act 1990 impose obligations on those considering whether to grant planning permission for development that would affect a conservation area. In such cases, decision makers are required to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas affected by development proposals. Those formal requirements are reinforced by the 'National Planning Policy Framework', especially at Section 16, which emphasises the importance of conserving and enhancing the historic environment, though it also points out the desirability of putting a heritage asset to its "optimum viable use" as does the 'Planning Practice Guidance'.
 8. In addition, the 'National Planning Policy Framework' emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history (while protecting existing residential amenities and providing good standards of accommodation).
 9. Local policies in the Development Plan have the same aims. In particular, Policies D1, D4 and HC1 of 'The London Plan' (dated 2021) are similarly concerned with design issues generally and with enhancing and protecting heritage assets (including conservation areas), specifically. Policies CS8 and CS9 of 'Islington's Core Strategy' (dated February 2011) are also intended to protect and enhance Islington's built and historic environment, and they specifically identify the importance of Islington's conservation areas. Policies DM2.1 and DM2.3 of 'Islington's Local Plan: Development Management Policies' (dated June 2013) bring more detail to the broader policies of the 'Core Strategy'.
 10. Islington's 'Urban Design Guide Supplementary Planning Document' (dated January 2017) and the 'Whitehall Park Conservation Area Design Guidelines' (dated 2002) are also relevant but do not carry the same weight as the adopted policies in the Development Plan.
 11. The proposed conversion of the roof space at 39 Cheverton Road would involve the creation of a new dormer on the rear roof slope. Part of the new construction would be in the form of a simple "box" dormer, inset from the neighbouring party wall to the east and lighting a new bedroom. In addition, a sloping section of new roof would be constructed above a new access stair, alongside the party wall to the west and aligned with the sloping line of that wall.

12. The proposed alterations would not obscure the original roof structure and would be broadly in keeping with other changes that have occurred in the vicinity of the appeal site. The scheme would not have any material impact on public views or on the streetscene. On balance, I have concluded that the proposals would be assimilated with the existing townscape when viewed from the rear, where private views would be available. In short, I have concluded that the scheme would not have an undue impact on the host building or its surroundings.
13. Evidently, the appeal site lies within an established urban area, which is “sustainable” in planning terms, and the proposed extension would be a useful addition to the accommodation at number 39 Cheverton Road. The contribution that the appeal scheme would make to the provision of residential accommodation in the locality, even though it would be limited, weighs in favour of the appeal. I am persuaded that the proposed development would not have an unduly harmful effect on the character and appearance of the host building or its surroundings in the Conservation Area.
14. Hence, I have concluded that the project would not be in conflict with the Development Plan, in principle, and that the scheme before me can properly be permitted. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
15. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal). I accept that conditions are necessary, to define the planning permission and to ensure that quality is maintained.

Roger C. Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before 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 drawings:
 - drawing number 100/- (Site Location Plan & Existing Site Plan);
 - drawing number 101/B (Existing Ground & First Floor Plans);
 - drawing number 102/D (Existing Loft Plan & Roof Plan);
 - drawing number 103/A (Existing Front & Rear Elevations);
 - drawing number 104/C (Existing Sections A-A & B-B);
 - drawing number 111/- (Proposed Ground & First Floor Plans);
 - drawing number 112/- (Proposed Loft Plan & Roof Plan);
 - drawing number 113/- (Proposed Front & Rear Elevations);
 - drawing number 114/- (Proposed Sections A-A & B-B).
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.