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# Appeal Decision

Site visit made on 21 March 2023

**by A James BSc (Hons) MA MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 2<sup>nd</sup> May 2023**

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**Appeal Ref: APP/V5570/W/22/3310595**

**Second Floor Flat, 62a Bride Street, Islington, London N7 8AZ**

- 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 The St Giles Christian Mission against the decision of the Council of the London Borough of Islington.
  - The application Ref P2022/2467/FUL, dated 29 June 2022, was refused by notice dated 18 August 2022.
  - The development proposed is extension to existing apartment by adding a storey and replacing existing windows with double glazed painted sash windows to match existing.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The Council raise no objections to the replacement windows on the second floor. Based on the information before me and my site visit, I have no reason to come to a contrary conclusion and have determined the appeal accordingly.

## Main Issue

3. The main issue is the effect of the proposed roof extension on the character and appearance of the host building and surrounding area.

## Reasons

### *Character and appearance*

4. The appeal property is a 3 storey brick built building, which has a parapet roof and includes historic features such as timber sash windows, headers and cills. The façade of the property contains references to the adjoining congregational chapel and is built of similar materials. The adjoining chapel is 2 storeys high (excluding the basement) and has a pitched roof. To the west of the appeal site is a pedestrian access, which leads to a car park at the rear. Adjacent to the access is a row of more modern 3 storey terraced houses, which are lower in height than the appeal property.
5. The appeal property is a prominent building on this part of Bride Street due to its height and its position directly fronting the pavement. Its third storey is visible over the pitched roof of the adjoining chapel and above the flat roofs of the neighbouring terrace. The rear elevation is also prominent in the public realm and is visible from the car park and footway to the rear.

6. Opposite the appeal site is the St Mary Magdalene Conservation Area (CA). The significance of the CA, insofar as is relevant to this appeal derives from its attractive brick built, 3 and 4 storey Victorian terraced properties, which contain ornamental detailing such as headers and cills. The terraced properties within the CA typically have timber sash windows. The appeal property through its design, materials and historic features makes a positive contribution to the setting and therefore the significance of the adjacent CA.
7. The proposed roof extension would protrude above the ridgeline of the adjacent chapel and have a flat roof. There is not a consistent roof form on this side of Bride Street; however, the appeal property is already prominent in the street scene and visible above the roofs of adjacent properties. Although the proposed roof extension would be set back and partially screened by the front and side parapet walls, given the building's back of pavement location, the proposed height, extent of fenestration and use of modern materials, the proposal would appear unduly dominant and result in a disproportionate addition to the host building. Consequently, the proposed development would appear out of scale with neighbouring properties and incongruous in the street scene.
8. The proposed roof extension would have a set back on the front elevation to provide a roof terrace. The set back would fail to respect the proportions and relative symmetry of the existing building and cause harm to the character and appearance of the host building and the surrounding area. The proposal would be visible from the CA; however, the Council has raised no objections in this regard.
9. Although standing seam copper sheet is present on the canopies of the adjoining building, the proposed materials (metal cladding and metal window frames) would jar with the traditional brickwork and timber sash windows on the appeal property. Whilst the roof extension would be set back behind the outriggers on the host building and parapet on the adjoining property, the proposal would be flush with the main rear elevation and there would be no definition between materials. As a result, the proposed roof extension would appear unduly bulky and discordant in relation to the host building.
10. At my site visit, I noted terraced properties in the locality, which have had a further storey added. The design and materials of these extensions typically matched the original buildings. I also noted extensions on the rear roof slopes of the modern terraced properties. However, these did not project above the height of the existing roof. These schemes are materially different than the proposal before me and I therefore attach limited weight to these examples.
11. The appellant argues that the existing apartment does not meet national space standards or fire safety regulations and is impractical and unsafe. The proposal would provide a larger and higher quality residential unit that would be more energy efficient and comply with national space standards and fire safety regulations. However, I do not consider that these benefits outweigh the harm that I have identified to the character and appearance of the host building and surrounding area.
12. In conclusion, I find that the proposed roof extension would cause significant harm to the character and appearance of the host building and surrounding area and would be contrary to Policy CS9 of Islington's Core Strategy dated February 2011 and Policy DM2.1 of Islington's Local Plan: Development

Management Policies dated June 2013. These policies seek to protect and enhance Islington's built and historic environment and require proposals to be of high quality design and make a positive contribution to the character of the local area. The proposed roof extension would also conflict with the relevant paragraphs of the National Planning Policy Framework (the Framework), which seek to achieve well-designed places that are sympathetic to local character, including the surrounding built environment.

13. Furthermore, the proposal would be contrary to relevant guidance within the Council's Urban Design Guide Supplementary Planning Document dated January 2017, which states that alterations to existing roof lines are unlikely to be acceptable where they would impact adversely upon the architectural integrity and quality of existing or neighbouring buildings or would be out of scale with neighbouring properties.

### **Other Matters**

14. The Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010 (the Act) identifies that religion is a relevant protected characteristic for the purposes of the Act. The PSED sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. The proposed development would provide enhanced accommodation for the church pastor and their family. The appellant also asserts that the proposal would heighten the profile of the Christian Mission in the locality, though it is unclear why the proposal would be necessary to do this.
15. I have found that the proposal would cause significant harm to the character and appearance of the host building and surrounding area. Whilst I appreciate that the proposal would bring significant benefits to future occupiers of the apartment, it has not been demonstrated that this is the only way to achieve these benefits.
16. I have had due regard to the PSED, but the unacceptable effect of the proposed roof extension outweighs its benefits in terms of eliminating discrimination against persons with the protected characteristics of religion, advancing equality of opportunity for those persons and fostering good relations between them and others. I conclude that it is proportionate and necessary to dismiss the appeal.
17. While I note that no comments were received from neighbouring residents, this does not affect my overall conclusions on this appeal.

### **Conclusion**

18. For the reasons given above, having regard to the development plan as a whole, the Framework and all other relevant material considerations, including the appellant's protected characteristics, I conclude that the appeal should be dismissed.

*A James*

INSPECTOR