



Appeal Decision

Site visit made on 30 May 2023

by D Cleary MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2023

Appeal Ref: APP/V5570/W/23/3314155

Flat A, 11 Riversdale Road, Islington, London N5 2SS

- 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 Ben Altimira against the decision of the Council of the London Borough of Islington.
 - The application Ref: P2022/1349/FUL, dated 22 September 2022, was refused by notice dated 15 November 2022.
 - The development proposed is described as "erection of a single rear extension"
-

Decision

1. The appeal is allowed and planning permission granted for the erection of a single rear extension at Flat A, 11 Riversdale Road, Islington, London N5 2SS in accordance with the terms of the application, Ref: P2022/1349/FUL, dated 22 September 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans referenced;

00528849-629EF7 - Location Plan

00528850-6227D4 – Site Plan

N5-3321 SHT001 Rev A – Plans as Existing & Proposed
 - 3) The materials to be used in the construction of the external surfaces of the walls of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. I have amended the description of development in the banner and my decision to that which is used in the decision notice and appeal form as it more succinctly describes the development.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the existing building and wider area.

Reasons

Character and Appearance

4. The appeal site is a ground floor flat, located within a three-storey mid-terraced building. The row of terraced properties are set within linear plots and include two-storey and single-storey projections of varying design, scale and footprint, while some of the units have outbuildings located to the rear of their curtilage. The appeal building has two-storey and single-storey projections to its rear. Externally, the building has a lower rear patio of modest depth, beyond which is a larger upper garden terrace set at a much higher level, accessed via steps. The lower patio area is enclosed by tall brick walls to three sides, with the boundary to No.13 having additional fencing above.
5. The proposal is for a single-storey rear extension which would infill the majority of the lower patio area. The height of the extension would be similar to that of the existing single storey additions, but would be set below the height the existing roof lanterns and brick parapets. Additionally, the extension would be set well below the height of the adjacent wall and fence boundary with No.13. Its siting results in an extension which would be well contained by the existing site's side boundaries, and the upper garden terrace wall. Due to its land level, modest scale and presence of intervening features, views of the extension would be limited from public vantage points. Furthermore, I consider that the enclosure and containment of the extension within the lower patio area is such that the extension would not be overly apparent or prominent from the surrounding private realm. Therefore, I consider that the extension would appear subservient to the host building, whilst retaining a visual hierarchy in the built form with the original building and later additions.
6. It is noted that cumulatively with other additions, the undeveloped depth of the plot would be further eroded, and the resultant building would extend further to the rear than other units within the row. However, having regard to the advice for ground floor extensions within the Council's Urban Design Guide SPD 2017 (SPD)¹, I have found that the extension would be neatly accommodated due to its containment by existing features. Furthermore, the higher-level garden would be unaffected and sufficient useable garden space would be retained.
7. For these reasons, I find that the proposed development would not have an unacceptable effect on the character and appearance of the existing building, and that of the wider area. Therefore, the proposed development accords with Policy CS9 of the Islington's Core Strategy, Policy DM2.1 of Islington's Local Plan Development Management Policies document, the SPD, and guidance contained within the National Planning Policy Framework which, together, seek to achieve high quality design.

Conditions

8. I have imposed standard conditions relating to the commencement of development, and to require compliance with the submitted plans for certainty. A condition requiring the development to be carried out in materials matching

¹ Paragraph 5.138

those of the existing building is necessary in the interest of the character and appearance of the area.

Conclusion

9. For the above reasons, I consider that the proposals accord with the Development Plan and that the appeal is allowed.

D Cleary

INSPECTOR