

Appeal Decision

Site visit made on 16 August 2023

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL
an Inspector appointed by the Secretary of State

Decision date: 12 September 2023.

Appeal Reference: APP/V5570/D/23/3323163
50 Dresden Road, Islington, London N19 3BQ

- 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 Ms V. Gudko against the decision of Islington Borough Council.
 - The application (reference P2022/4293/FUL, dated 20 December 2022) was refused by notice dated 27 March 2023.
 - The development proposed is described in the application form as follows: "*erection of dormer extension to main rear roof slope, a roof terrace over the proposed dormer, and three new rooflights on the front slope of the roof*".
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Decision

1. The appeal is dismissed.

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 in the Whitehall Park Conservation Area.

Reasons

3. The appeal site is located in the northern part of the London Borough of Islington, in an established residential area that is characterised by terraces of Victorian houses in a geometric street pattern, within the Whitehall Park Conservation Area. In Dresden Road, the terraces vary in style but the houses are set back behind small front gardens, often with hedges or shrubs, while trees in the highway also soften the townscape.
4. The house at number 50 Dresden Road is part of a terrace that is a little grander than those opposite. It is constructed of brickwork, with some coloured brick patterning, and elaborate door and window embellishments, including classical features on a two-storey bay window. Above the bay, a tall gable feature incorporates a window that lights the existing loft space. The roof is finished with modern roof tiles, however.
5. The development that is the subject of this appeal proposes the erection of a dormer extension to the rear slope of the main roof, with a new roof terrace above. Three new rooflights would be inserted on the front slope of the roof.

- The alterations would create a new bedroom at second floor level, with its own en-suite facilities.
6. 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.
 7. Those formal requirements are reinforced by the 'National Planning Policy Framework', especially at Section 16, which emphasises the importance of conserving or 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. The 'National Planning Policy Framework' also 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, although it is recognised that appropriate change may include increased densities.
 9. An emphasis on the importance of protecting heritage assets and of encouraging good design more generally is also to be found in the Development Plan.
 10. In particular, Policy HC1 of 'The London Plan' (dated March 2021) identifies the need to conserve the significance of heritage assets, avoiding harm and identifying enhancement opportunities. Policy D4 is concerned with achieving high standards of design more generally.
 11. Similarly, Policy CS9 of 'Islington's Core Strategy' (dated 2011) aims specifically at the conservation of Haringey's heritage assets, while Policy CS8 promotes high standards of design more broadly. Policies in 'Islington's Local Plan: June 2013 Development Management Policies' have the same aims, notably Policies DM2.1 and DM2.3, which are relevant to "Design and Heritage".
 12. Policies in the new Local Plan carry forward the objectives of the earlier plans and are close to formal adoption. They carry significant weight, although the underlying planning principles that apply in this appeal are well established in formal planning policies in any case.
 13. The Council's 'Urban Design Guide Supplementary Planning Document' (dated January 2017) and the 'Whitehill Park Conservation Area Guidelines' (dated 2002) are also relevant but they do not have the force of the statutory Development Plan.
 14. The proposed development would create a substantial change to the roof of the house at number 50 Dresden Road. The rooflights would have only a limited visual impact but the "box" shaped dormer on the rear roof slope would be visible from Ashmount Road as well as from surrounding properties and it

would be visually intrusive and alien to the Victorian host building. The roof terrace would also be striking in its elevated location and, in spite of its glass construction, would undoubtedly be visually incongruous and out of keeping with the surroundings. The prevailing roofline would be interrupted and the new roof form as a whole would be alien and unsympathetic to the existing terrace and the wider surroundings.

15. Although I accept that contemporary design and materials can have a place in a conservation area, in this case the new construction would be too insistent in its context and would undermine the harmony of the existing streetscene. I am therefore convinced that the proposed development would cause actual harm to the appearance of the host building and its surroundings and that it would manifestly fail to either preserve or enhance the character and appearance of the Conservation Area.
16. The Council's reason for refusal (as stated in their Decision notice) does not identify a concern about neighbours' residential amenities, but such concerns have been raised in correspondence. I am not persuaded that the proposed development would cause significant overshadowing or an unacceptable loss of light to neighbours but I accept that the project would intrude on their privacy. In particular, the proposed roof terrace would provide extensive views over the area that would cause justifiable disquiet. I conclude that the effect on neighbours' privacy also supports the refusal of planning permission.
17. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed development would make a useful addition to the existing house. Nevertheless, I am convinced that the visual harm that would be done to the existing house and to the character and appearance of the surroundings in the Conservation Area outweigh the benefits of the project. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies and that it ought not to be allowed. 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.

Roger C. Shrimplin

INSPECTOR