



Appeal Decision

Site visit made on 14 September 2023

by C Cresswell BSc (Hons), MA, MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 November 2023

Appeal Ref: APP/V5570/W/23/3320516

62 Baring Street, Islington, London, N1 3DS

- 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 Melvin Wright against the decision of London Borough of Islington.
 - The application Ref P2022/4024/FUL, dated 17 November 2022, was refused by notice dated 7 February 2023.
 - The development proposed is addition of a fourth floor of accommodation to create a new one bedroom apartment.
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Decision

1. The appeal is allowed and planning permission is granted for “addition of a fourth floor of accommodation to create a new one bedroom apartment” at 62 Baring Street, Islington, London, N1 3DS, in accordance with the terms of the application, Ref P2022/4024/FUL, dated 17 November 2022, subject to the conditions set out in the Schedule at the end of this Decision.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Arlington Square Conservation Area.

Reasons

3. The appeal concerns a three storey residential building situated at the end of a terrace in Baring Street, close to the Grand Union Canal. Although the building is relatively modern, it reflects the architectural style of the older terraced properties in the street. The building and surroundings form part of the Arlington Square Conservation Area, the significance of which is mainly derived from the architectural quality of historic buildings and terraces.
4. The side elevation of the building comes into view when approaching from the direction of the canal bridge in New North Road. Baring Street forks at this point, creating a relatively open street scene. This leaves the side elevation of the building visually exposed, particularly when seen from the east. As the building is taller than those around it and is positioned at the end of a terrace, it is a relatively prominent feature in this part of Baring Street.
5. The proposed roof extension would further increase the height of the building. However, the extension would be recessed from the edges of the roof which would help to reduce the perception of scale. It would also feature a high proportion of glazing, which would give the extension a relatively lightweight appearance and would further reduce its visual prominence within the street.

6. Hence, despite the increase in height, the extension would not have the effect of dominating other buildings within this part of the Conservation Area. Furthermore, there are a number of much taller buildings visible within the local street scene. This includes Baring Court and the various high-rise buildings on the other side of the canal. While these properties are situated outside the Conservation Area, they nonetheless form the context in which the buildings in this part of Baring Street are seen.
7. I am mindful that parts of Baring Street show a high degree of architectural consistency. This includes the row of terraced housing on the opposite side of the street, which has an unbroken roofline. However, the terrace in which the appeal building is situated has a less consistent appearance. Although the extension would increase the height of the building, it would not have the effect of disrupting a coherent roofline. It would therefore be compatible with the aim of paragraph 5.150 of the Urban Design Guide¹, which advises against proposals for roof extensions along unaltered rooflines.
8. The extension would be visible from Baring Street and some surrounding streets. This includes New North Road and some parts of the canal towpath. With this in mind, I am conscious that paragraph 4.8 of the Design Guidelines² says that roof extensions visible from the street, including long views from neighbouring streets, will not be allowed. However, in this case, the extension would not undermine the appearance of the Conservation Area. For the reasons given above, it would be relatively inconspicuous and would maintain the architectural qualities of the host building and terrace. As such, it would reflect the overarching objectives of the Design Guidance to protect the Conservation Area from harmful forms of development.
9. I therefore conclude on this issue that the proposed development would preserve the character and appearance of the Conservation Area. There would be no conflict with Policies CS8 and CS9 of the Core Strategy³, Policies DM2.1 and DM2.3 of the Development Management Policies⁴, or Policies D1, D4 and HC1 of the London Plan⁵. Together, these policies seek to achieve appropriate standards of design and to protect heritage assets.

Other matters

10. The appellant has submitted a legal agreement to pay a contribution towards affordable housing and carbon offsetting. This is to reflect the provisions of the Affordable Housing SPD⁶ and Policy CS12 of the Core Strategy. Given the requirements of these policies, I consider the contributions to be necessary, directly related to the development and fairly related in scale and kind.

Conditions

11. In the interests of clarity, standard conditions requiring the development to be carried out in accordance with the plans and within a time limit have been imposed. To comply with Policy CS10 of the Core Strategy, there is also a condition to ensure the development remains car free. In the interests of character and appearance, there are conditions requiring further details of

¹ Islington Urban Design Guide Supplementary Planning Document, January 2017

² Arlington Square (CA04) Conservation Area Design Guidelines, January 2002

³ Islington's Core Strategy, February 2011

⁴ Islington's Local Plan: Development Management Policies, June 2013

⁵ The London Plan, Mayor of London, March 2021.

⁶ Affordable Housing Small Sites Contributions Supplementary Planning Document, October 2012

external materials and the roof. To protect the amenity of neighbours a construction management plan is also required. For similar reasons, conditions are also imposed requiring cycle parking and refuse storage.

Conclusion

12. The appeal is allowed.

C Cresswell

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 345-22-01, 345-22-07, 345-22-08, 345-22-09, 345-22-10, 345-22-11, 345-22-12.
- 3) Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any building work commencing on site. The details and samples shall include: a) cladding; b) roofing; c) window and door treatment (including sections and reveals); d) terrace balustrade; d) boundary treatments and e) any other materials to be used. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.
- 4) Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The CEMP should refer to Islington's Code of Practice for Construction Sites (2018) and include details and arrangements regarding:
 - a) The notification of neighbours with regard to specific works;
 - b) Advance notification of any access way, pavement, or road closures;
 - c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;
 - d) Details regarding the planned demolition and construction vehicle routes and access to the site;
 - e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;

- f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;
- g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00- 13.00 on Saturdays, and none on Sundays or Bank Holidays.)
- h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;
- i) Details of measures taken to prevent noise disturbance to surrounding residents;
- j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;
- k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)
- l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic at all times, including emergency service vehicles;
- m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure;
- n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.
- o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.
- p) Details of measures taken to deal with any form of asbestos during the demolition of the existing garages.

The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads. The demolition and development shall thereafter be carried out in accordance with the approved details and measures.

- 5) Bicycle storage areas shall be provided for no less than 2 bicycle spaces prior to the first occupation of the development hereby approved and maintained as such thereafter.
- 6) Dedicated refuse/recycling enclosures shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.
- 7) Details of the biodiversity green roof hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The roof shall be: a) biodiversity

based with extensive substrate base (depth 80-150mm); b) laid out in accordance with plans submitted and hereby approved; and c) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). The biodiversity green roof shall not be used as an amenity or sitting out space and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The biodiversity roof shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

- 8) All future occupiers of the additional residential units, hereby approved shall not be eligible to obtain an on street residents parking permit except: i) In the case of disabled persons; ii) In the case of the resident who is an existing holder of a residents parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.