



Appeal Decision

Site visit made on 14 November 2023

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 2 January 2024

Appeal Ref: APP/V5570/W/23/3324464

452 – 454 Hornsey Road, Islington, London N19 4EE

- 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 Tony Georgiou against the decision of the Council of the London Borough of Islington.
 - The application Ref P2022/3864/FUL, dated 8 November 2022, was refused by notice dated 26 January 2023.
 - The development proposed is a second floor rear extension.
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 22 November 2023

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Islington Local Plan Strategic and Development Management Policies (SDMP) has superseded the Islington Core Strategy and Islington Local Plan Development Management Policies that were in effect at the time of the Council's decision. The parties have had the opportunity to comment on these changes and responses, where received, have been taken into account for the purposes of my decision.

Main Issues

3. The main issues are the effect of the proposed development on: the character and appearance of the area; and the living conditions of occupiers of Nos. 452 and 454 Hornsey Road with particular regard to outlook and light.

Reasons

Character and appearance

4. The appeal site is formed of 452-454 Hornsey Road, a pair of adjoining, four-storey, mid-terraced properties with a part single, part two storey rear extension. The surrounding area comprises a mix of residential and commercial uses, with submitted plans depicting the appeal properties as having commercial units to the ground floor and residential accommodation to the rear and in the upper floors. The rear elevations of the immediate terrace are varied in nature but, although a range of alterations and additions are evident, second floor projections are not a characteristic of the group.

5. The proposal seeks to erect a single-storey, second-floor rear extension at both Nos. 452 and 454, positioned on top of the existing first floor projections, albeit not extending to the same depth. It would be constructed from materials to match the host dwellings and has been reduced in depth from a previous application. Overall its design would be somewhat symmetrical, with a largely consistent placement of fenestration that would replace the current inconsistent glazing features on the rear wall of these buildings.
6. Nevertheless, in representing the first, second-floor extension of its kind within the terrace it would read as a prominent and out of place addition that would fail to respect the character or proportions of both the host dwellings and the wider grouping. It would interrupt an otherwise largely visually consistent second floor along this row of properties that is free from projection or significant alteration, appearing jarring and disruptive in context. Although positioned to the rear of the properties, it would be readily visible from surrounding dwellings, where the visual harm caused would be evident.
7. While reference has been made to the Council's Urban Design Guidance and its wording that extensions should be no higher than one full storey below eaves to ensure they are subordinate, this does not represent policy. Even if the proposal were to be no higher than one full storey below eaves, the specific context and circumstances of the appeal site remain such that it would not appear subordinate. When combined with the lower extensions the proposal would result in a bulky element of built form, leading to the appeal properties appearing unduly bottom-heavy and creating a sense of over-development at the site. Together with its incongruous, second-floor nature failing to respect the rhythm of the terrace, this would result in a harmful visual impact both at the host properties and within the immediate surrounds.
8. For the reasons given, the proposal would have a significant adverse effect on the character and appearance of the host dwelling and the area. In this regard it would fail to comply with Policy PLAN1 of the SDMP insofar as it seeks to ensure high quality development that makes a positive contribution to local character and reflects the defining characteristics of an area.

Living Conditions

9. The proposal would result in a solid element of built form that would abut first floor rear windows at both Nos. 452 and 454. It would rise above the height of these windows and be readily visible from the associated rooms when looking in the direction of the extension.
10. However, due to the configuration of the properties, the outlook from these windows is already somewhat restricted in these directions due to it comprising the built form of the first floor extension. In addition, even with the proposal in place, the main outlook from these windows over the ground floor extension and towards the rear gardens of the properties along Corbyn Street and Thorpedale Road would remain. As such, even acknowledging the single aspect of one of these rooms the proposal would not unduly further restrict outlook so as to result in an increased sense of enclosure that would negatively impact occupiers' enjoyment of these rooms.
11. Although not a reason for refusal, concerns were also raised on the effect of the proposal on the rooms served by these first floor rear windows, with regard to light. However, while I note reference to BRE guidelines, for the

reasons set out above the proposal would not unduly impact the living conditions of occupiers in this regard. Due to the close presence of the built form already abutting these windows in the direction of the proposal, and the retention of an otherwise open area outside of the windows in all other directions, the presence of the proposal would not have a significant impact on light. While the proposal would introduce a higher element of built form, this would not in itself significantly reduce the amount of light reaching these spaces or significantly increase the length of time during the day when these rooms on the rear elevation would lack direct sun.

12. For the reasons given, the proposal would not have a significant adverse effect on the living conditions of occupiers of Nos. 452 – 454 Hornsey Road with regard to outlook and light. In this regard there would be no conflict with Policy PLAN1 of the SDMP insofar as it seeks to ensure development provides a good level of amenity, including consideration of direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

Other Matters

13. The proposal would create an additional bedroom at No. 454 Hornsey Road, contributing to the housing mix and stock of the area. This benefit is acknowledged but, due to the limited contribution that would be made in this regard, carries little weight.

Planning Balance and Conclusion

14. I have found the proposal would not harm the living conditions of occupiers of Nos. 452-454 Hornsey Road with regard to outlook and light. This represents a lack of harm, which is neutral in the planning balance. However, I have found that the proposal would cause harm to the character and appearance of the host properties and area. The other matters raised would not outweigh this harm.
15. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

C Rafferty

INSPECTOR