



Appeal Decision

Site visit made on 25 January 2024

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th February 2024

Appeal Ref: APP/V5570/W/23/3324636

Top Floor Flat, 7 Bardolph Road, Islington, London N7 0NJ

- 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 George Kyriacos Karageorgis against the decision of London Borough of Islington.
 - The application Ref P2023/0917/FUL, dated 30 March 2023, was refused by notice dated 23 May 2023.
 - The development proposed is a loft conversion and balcony.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the original decision the Council have, on 29 September 2023, adopted its Strategic and Development Management Policies (SDMP). This replaces the Islington Core Strategy (2011) and Islington Development Management Policies (2013) such that the policies of those plans cited on the decision notice are no longer part of the development plan and have no weight. I have therefore considered the relevant policies within the Strategic and Development Management Policies (2023).
3. On 20 December 2023, the Government published its revised National Planning Policy Framework ('the Framework'). The Framework represents the Government's up-to-date planning policies for England and how they should be applied. I have had regard to the Framework in reaching my decision.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal property is a top-floor flat within a converted terraced property. The building is three-storeys in height with a basement level, and is located in an area of properties of a similar design and scale. The terrace where the appeal property is located, and the surrounding terraces, have a pleasant degree of architectural form and detailing. Although the property fronts onto Bardolph Road, its rear elevation is highly visible from Cardwell Road.
6. The host building has an existing four storey rear extension with a flat roof. This projects noticeably from the rear elevation and is clearly visible from

Cardwell Road. It is proposed to install a balcony with railings on top of this extension, with a dormer window being proposed in the main section of the roof at the rear elevation.

7. Due to its elevated siting, on top of the already highly noticeable four storey extension, the proposed balcony and railings would be in a highly prominent position. It would cover the whole of the roof of the extension, when combined with its design and siting at such a high level would appear incongruous. When combined with any outdoor paraphernalia that would be placed on the terrace, the railings would result in visual clutter at a prominent height that would be highly visible from Cardwell Road.
8. I acknowledge, as the appellant highlights, railings are used elsewhere in the area. However, as in the case of the examples given, these are typically used at street-level. They are therefore not wholly comparable to the proposed development.
9. I observed that there are other examples of roof terraces in the immediate area, including on the property on the corner of Cardwell Road and Crayford Road. These are however in different positions, generally being set at a lower level and in less prominent positions. Some of the examples also serve to confirm the harm that can be caused by inappropriate installations. Furthermore, I do not have full details of the background to give these installations significant weight in the appeal. I have in any event, determined the appeal on its own individual planning merits.
10. In terms of the proposed dormer window, due to its siting on the main section of the roof, it would be less prominent than the protruding balcony installation. The requirement to 'cut-away' a proportion of the roof to accommodate the proposed doorway would appear discordant and cause a moderate degree of harm.
11. On my site visit I noted that there were dormer windows present on the rear elevations of properties on both Bardolph Road and Crayford Road. A number of these are visible from public vantage points on Cardwell Road and Tabley Road. Generally however, the existing dormers are smaller additions than the appeal proposal.
12. I find that the harm that would be caused by the development primarily relates to the balcony and railings, with a lesser degree of harm caused by the size and design of the dormer. It may be possible that a more appropriately designed dormer window could be accommodated at the property.
13. I therefore find that the proposed development would cause significant harm to the character and appearance of the area. It would be contrary to Policy PLAN1 of the Islington Local Plan Strategic and Development Management Policies (2023) and Policy D4 of the London Plan (2021). These policies require, amongst other things, that development is of high quality design and makes a positive contribution to the local character. The proposed development would also be contrary to the Urban Design Guide Supplementary Planning Document (2017).

Other Matters

14. The appellant has commented that if the property was a dwellinghouse, a dormer window could be installed under permitted development. Be that as it

may, the appeal property is not a dwellinghouse, and thus there is no fallback before me. Either way, this would not have overcome the harm I have identified would be caused by the proposed balcony and railings.

15. The appellant has referred to the improved energy efficiency of the property as a result of the proposed development. There is limited substantive evidence on the matter, and such measures are a requirement in any event. I therefore give this limited weight in the appeal.

Conclusion

16. The proposed development would therefore conflict with the development plan and there are no identified other considerations, including the Framework, that outweigh this conflict.
17. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR

