



Appeal Decision

Site visit made on 27 February 2024

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 March 2024

Appeal Ref: APP/V5570/D/23/3332757

29 Thornhill Road, Islington, London N1 1JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Carty and Ghaffari against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2023/2607/FUL.
 - The development proposed is ground floor rear extension, reconfiguration of existing dormer including replacement of rooflights with new sash windows, formation of new entrance area and external stair to front lightwell, refurbishment works to front boundary wall and gate including installation of railings and gate, paving to front garden, replacement of sash windows throughout.
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Decision

1. The appeal is allowed and planning permission is granted for ground floor rear extension, reconfiguration of existing dormer including replacement of rooflights with new sash windows, formation of new entrance area and external stair to front lightwell, refurbishment works to front boundary wall and gate including installation of railings and gate, paving to front garden, replacement of sash windows throughout at 29 Thornhill Rd, Islington, London N1 1JR in accordance with the terms of the application, Ref P2023/2607/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. During the appeal, a new version of the National Planning Policy Framework (the Framework) came into effect but there are no material changes relevant to the substance of the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, including the appeal property, bearing in mind that it would be within the Barnsbury Conservation Area (BCA).

Reasons

4. The appeal property is a three storey over basement mid terrace dwelling. There are a number of extensions and alterations to the rear of the terraces of varying design at the ground and lower ground floor level which creates a somewhat unbalanced and irregular appearance.
5. The site falls within the BCA and in line with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or

appearance of the conservation area. From my observations and the BCA Design Guidelines (2022) the significance of the conservation area, insofar as is relevant to this case, is primarily derived from its surviving historic fabric and associated architectural detailing with a rare quality of consistency and completeness. As a period property with a traditional appearance the appeal site contributes positively to the BCA.

6. The proposal is similar to an existing planning permission at the appeal site but differs by an increase of around 1.2 metres to the depth of the single storey lower ground rear extension. Irrespective of any numerical breach of the proportion of the depth of the proposal relative to the appeal property, given the height of the appeal property and the long linear garden, the scale and massing of the proposal would not dominate the rear elevation and sufficient garden space would be retained in line with advice set out in the Urban Design Guide Supplementary Planning Document (2017) (SPD).
7. While full width, the extension would be no higher than one storey. I have found that the proposal would be subordinate to the appeal property, it therefore follows that the proposal would preserve the scale and integrity of the wider terrace. Consequently, the proposal would meet the guidance within the BCA Design Guidelines regarding rear extensions. Despite being taller and deeper than a similar extension at 31 Thornhill Road, the proposal would add to the variety in appearance on this elevation and would not be intrusive or detract from the qualities of the appeal property or the wider terrace.
8. Owing to the position and low height of the extension the proposal would not be seen in any clear views from Lofting Road or from the access road or car park to the rear of the site, and given my findings above, the proposal would not be discordant in private views from surrounding properties and gardens. Bearing in mind the position, nature and extent of the proposal, it would preserve the character and appearance of the BCA as a whole and in doing so would preserve its significance.
9. Accordingly, the proposal would not harm the character and appearance of the area, including the appeal property, and would preserve the BCA and its significance. The scheme is therefore in accordance with Policies PLAN1, DH1 and DH2 of the Islington Local Plan Strategy and Development Management Policies (2023) insofar as they require development to protect and enhance the unique character of the borough, including its heritage assets and be of a high quality and make a positive contribution to local character.
10. It would also meet the provisions of the Framework which seek to conserve and enhance the historic environment and be in line with the guidance set out in the SPD in relation to ground and lower ground extensions.

Other Matters

11. I have carefully considered comments from neighbouring occupiers regarding the effect of the proposal on their living conditions, which includes concerns in relation to outlook and daylight/sunlight. Given the low height of the proposal, the orientation of the building and the window/patio door size and positions, sufficient outlook and light levels would be retained, and no unacceptable harm would result.

Conditions

12. I have considered the Council's suggested conditions in light of the Framework and Planning Practice Guidance. I agree that a plans condition is necessary and reasonable in the interests of certainty. I have also imposed a materials condition in the interests of the character and appearance of the area which includes reference to the front paving materials, so a separate condition is not necessary. Similarly, a condition is imposed to secure details of the front boundary treatment to protect the character and appearance of the area given its location within a conservation area.
13. In the interest of biodiversity and minimising surface run off a condition relating to the green roof is imposed. Notwithstanding the information contained within the Design and Access/Planning Statement, including Sustainable Design and Construction Statement document, I impose a condition to secure the submission of a sustainable design and construction statement to ensure the proposal delivers a sustainable form of development.

Conclusion

14. For the reasons given above the proposal accords with the development plan, read as a whole. There are no material considerations that indicate that I should take a decision otherwise than in accordance with it. Therefore, I conclude that the appeal should be allowed.

F Harrison

INSPECTOR

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: Location Plan 219 001 Revision A; Proposed Plans 219 SK 200 Revision C; Proposed Plans 219 SK 201 Revision A Proposed Front and Rear Gardens 219 SK 205 Revision B; Proposed Front and Rear Elevations 219 SK 210 Revision B; Proposed Section A 219 SK 220 Revision C; Proposed Section B 219 SK 221 Revision D; Proposed Front Elevation – Sash Windows 219 SK 227; Proposed Rear Elevation – Sash Windows 219 SK 228; and Typical Proposed Sash Window Details 219 SK 229.
- 3) No above ground construction shall commence until a Sustainable Design and Construction Statement is submitted to and approved in writing by the Local Planning Authority. It shall demonstrate a circular economy approach to design and construction, that a minimum 10% of the total value of materials used in the construction of the development has been derived from recycled and re-used content in the products and materials selected and that cost effective energy efficiency measures have been applied to the existing property, where practical. The development shall be carried out in accordance with the approved Sustainable Design and Construction Statement.
- 4) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and the paving to the front garden shall be of a Yorkstone materiality.
- 5) Prior to commencement of the front boundary refurbishments, architectural details of the proposed gate and railings at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such.
- 6) The green roof shall be laid out in accordance with the details shown on Proposed Plans 219 SK 200 Revision C and thereafter maintained as such. It shall be biodiversity based with a varied extensive substrate base of an average depth of 80-150mm and planted/seeded with a 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 green roof shall not be used as an amenity area of any kind whatsoever and shall only be used for maintenance of the building or as a means of escape in emergency.

*****End of Conditions*****