



Appeal Decision

Site visit made on 29 May 2024

by A Hunter LLB (Hons) PG Dip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th June 2024

Appeal Ref: APP/V5570/W/23/3329146

Flat 3, 21 Crouch Hill, Islington, London N4 4AB

- 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 Mr James Tollington against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2023/0572/FUL.
 - The development proposed is described as "Loft conversion, with new side and rear dormer to create a bedroom and a small rear terrace. Extended ridge line and new front facing rooflight."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the description of development above, I have deleted reference to the proposal being a resubmission of an earlier approval, as that is not an act of development.
3. The National Planning Policy Framework (the Framework) was revised on 19 December 2023 and is a material consideration in planning decisions. Having regard to the matters that are most relevant to this appeal, there have been few substantive changes. Hence, I am satisfied that no one will be prejudiced by the changes to the national policy context, and both parties have had the opportunity to make comments on the revised Framework within their statements and final comments.
4. The Council has advised that its Development Management Policies Document (2013) and its Core Strategy (2011) referred to in its notice of decision are now superseded by the Islington Local Plan, Strategic and Development Management Policies, dated September 2023 (ILP). The Council has advised of the new policies of the ILP that are relevant to this appeal, and the appellant has had the opportunity to comment on them. The appeal has been determined on this basis.

Main Issue

5. The main issue is the effect of the proposed development on the Stroud Green Conservation Area (the CA).

Reasons

6. The appeal site is a top floor flat within a three-storey property, part of a curved row of similar terraced properties, it has a hipped roof. One of its

adjoining properties, No. 23, is lower in height, which allows public views of the appeal property's roof, including its hipped side, from Crouch Hill, and also from two nearby roads; Sparsholt Road and Japan Crescent. Whilst there is some variety in roof forms nearby, including both gable and hipped roofs, the front and side elevations of them that are visible from nearby roads, mostly do not have roof extensions.

7. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires when determining proposals in conservation areas that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. At paragraph 203, the National Planning Policy Framework (the Framework), sets out matters which should be considered, including sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 205 of the Framework states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
8. The Stroud Green (CA39) Conservation Area Design Guidelines, dated December 2007 (CADG), states that the area is characterised by mixed-use buildings with ground floor shops and residential uses above, which line some of the main roads, such as Crouch Hill. The designs and materials of the buildings within the CA vary, however, many buildings were built in the same style as their neighbouring properties, and the variety of roof forms make an important part of the visual and architectural character of both the buildings and the CA, forming part of its significance. Alterations that are not in keeping with it, are said by the CADG to be damaging to the CA.
9. Both main parties have made me aware of an extant planning permission¹ for the conversion of the existing roof space to habitable use with an extension to the width of ridge line; the erection of rear dormer with associated Juliet balcony; 1 no. new replacement front facing rooflight; 2 no. side facing rooflights; and 1 no. rear facing rooflight ('the approved scheme'). This appeal proposal differs from that approved scheme by seeking to add a dormer roof extension to its side elevation, alterations to the rear dormer extension to include a balcony area, and to have only one rooflight on the front elevation of the property. The Council's reason for refusal solely relates to the proposed side dormer extension.
10. Even though the roof ridge is to be extended, it would be by a small amount, and it would retain its broad hipped roof form. However, the design and scale of the proposed side dormer roof extension would introduce a top heavy and bulky addition at odds with the host property, which would dominate the hipped roof and appear incongruous against it.
11. Notwithstanding the curvature of road, the neighbouring chimney, raised party wall, and that it may not be visible from opposite the front of the appeal site by virtue of its set back and position, it would still be visible from the neighbouring roads; Sparsholt Road and Japan Crescent, and from nearby properties. Its appearance would be in stark contrast to the hipped roofs, parapet wall, and chimney it would be seen against, and it would introduce a wholly discordant feature onto the terrace of properties, harming their relatively unaltered simple

¹ Ref. P2021/2049/FUL

character and appearance. I recognise some of these viewpoints on Sparsholt Road would be from outside of the CA, nevertheless such views into the CA would be harmed from seeing the proposal in the context of the roofs of neighbouring properties.

12. The appellant has referred to a side dormer roof extension at No.5 Crouch Hill, which the Council has said there is no record of any planning approval for. I saw that this dormer roof extension does not positively contribute to the CA, and whilst there are some similarities between it and the appeal proposal, I did not regard its presence to justify the identified harm to the CA. Consequently, it did not lead me to conclude differently.
13. In terms of the other aspects of the proposal, as they would be sensitively designed and positioned, they would respect the character and appearance of the property and I see no reason to disagree with the Council in that these aspects would ensure the CA is preserved.
14. In view of the above, although I found the other aspects of the proposed development to preserve the CA, the proposed side dormer extension would be harmful to the character and appearance of the appeal property, and it would neither preserve or enhance the character or appearance of the CA, contrary to the requirements of the Act. For the same reasons, the proposal would also conflict with Policies PLAN1, DH1, and DH2 of the ILP, that amongst other things, collectively seek to ensure new development is high quality, makes a positive contribution to local character and conserves or enhances conservation areas.
15. The proposal would also be inconsistent with Islington's Urban Design Guide, Supplementary Planning Document, dated January 2017, that at paragraph 5.150 seeks to prevent roof extensions on unaltered rooflines within a conservation area and its broader objective for proposals to respond positively to existing buildings, the streetscape and the wider context. In addition, the proposal is also inconsistent with the CADG, which at paragraph 39.25 seeks to prevent roof extensions that are visible from the street particularly on side elevations, and in terms of its overriding objective of protecting the CA and preventing damaging alterations to properties within it.

Other Matters

16. I acknowledge that objections have been raised regarding the effects of the proposals upon the living conditions of the occupiers of the flat below, including from construction works. However, as I have found harm above in terms of its effects upon the CA, it has not been necessary for me to consider these issues further in this case.
17. It is noted that the appeal property is not a listed building, and that it is said to meet relevant space standards, and that there would be no unacceptable privacy issues. These are, however, neutral matters than neither weigh in favour nor against the proposal.
18. The appellant has stated that the proposal would provide good quality living standards at the appeal property, including for the occupier's workspace; allow cross ventilation; provide a dual aspect; allow a raised ceiling height in the roof space; and that it optimises the development capacity of the appeal property. These benefits of the proposal are noted, and whilst they weigh in favour of the

proposal, it is to a limited extent due to them representing private and not public benefits.

Planning Balance

19. I have found that the proposed development fails to preserve or enhance the character or appearance of the CA. I give this harm considerable importance and weight in the planning balance of this appeal.
20. I find the harm to the CA to constitute less than substantial harm owing to its effect being localised. Although, this does not equate to a less than substantial planning objection, especially where the statutory tests are not met. Paragraph 208 of the Framework requires public benefits to outweigh such harm. In this case, as permission has already been granted for some of the proposed development, I have limited my assessment of the public benefits to those aspects not already granted planning permission. Those benefits would include economic benefits associated with the construction of the development, which on their own are likely to be limited. I am not persuaded that the other benefits raised by the appellant are public benefits, in the context of this proposal. I therefore find the public benefits to be limited in this case, and not to outweigh the harm identified above to the significance of the designated heritage asset. Accordingly, there is conflict with the heritage protection policies of the Framework.

Conclusion

21. The proposed development would be harmful to the heritage asset. As such, the proposal is contrary to the requirements of the Act, the development plan taken as a whole, the Framework and taking into account all the points raised, there are no other considerations that outweigh this conflict. Accordingly, I therefore dismiss the appeal.

A Hunter

INSPECTOR