
Appeal Decision

Site visit made on 23 May 2024

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05.06.2024

Appeal Ref: APP/V5570/D/23/3333560

22 Thornhill Road, Islington, London N11HW

- 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 Robert & Eleanor Lowe against the decision of the Council of the London Borough of Islington.
 - The application Ref P2023/2293/FUL, dated 7 August 2023, was refused by notice dated 2 October 2023.
 - The proposed development is for the creation of a small extension to roof level and creation of a roof terrace. An additional room will be created on loft level that will also provide access to the roof space.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development having regard to a) the character and appearance of the existing dwelling and surrounds, including the Barnsbury Conservation Area (CA); and b) the living conditions of the occupants of adjacent properties with respect to light and outlook.

Reasons

Character and appearance

3. The appeal site comprises a two-storey, end terrace dwelling on the north side of the junction between Thornhill Road and Albion Mews. The local area is predominantly residential in nature.
 4. Being situated in the CA, special attention must be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area, as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Paragraph 205 of the National Planning Policy Framework (the Framework) states that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
 5. The CA is the largest in Islington and is defined by some of the best examples of formal late-Georgian/early-Victorian residential developments in London. It contains a wide variety of architectural styles with distinctive detailing, built using materials suited to labour-intensive methods of construction.
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6. My attention has been drawn to a previous Inspector's decision for the adjoining property at 24 Thornhill Road (Council reference P2014/2536/FUL). He noted that the part of the CA in which the appeal site is located has a somewhat different character from the long terraces and elegant squares of early 19th century origin that form the greater part of the Conservation Area. Here, the properties face directly on to the street frontage and there is more variety in facades and roofscapes. The immediate vicinity of the appeal property has a more intimate feel and a less grandiose streetscape. I concur with this view.
7. The appeal proposal would not be visible from Thornhill Road due to the screening by the façade parapet and the relative narrowness of the highway to the front. There may be views of the very top of the development from further afield along Ripplevale Grove, however the amount of brickwork evident would be small and as such the impacts of the scheme from this vantage point would be limited.
8. As with the previous appeal for no.24, the critical viewpoints for the proposed development would therefore be from Albion Mews to the rear of Thornhill Road, and from the back of the houses on the west side of Lonsdale Square. To my mind, in the context of the varied, neighbouring roofscapes against which the proposed development would be seen, including the taller extension at no.24 against which the appeal proposal would be set, I consider that the visual impact from these directions would be minimal.
9. I appreciate that the scheme would be higher than the host property itself, nevertheless in design terms it would be of an acceptable appearance, and would not represent a dominant or incongruous feature.
10. I therefore conclude on this matter that the proposal would not result in harm to existing dwelling and surrounds, including the CA. It would accord with Policy HC1 of the London Plan 2021, Policies PLAN1, DH1 and DH2 of the Islington Strategic and Development Management Policies (SDMP), the Council's Urban Design Guide 2017 and the Barnsbury Conservation Area Guidance 2002. Taken together these seek to secure new development of acceptable scale and appearance that preserves the character or appearance of conservation areas.

Living conditions

11. The existing two-storey outrigger already limits certain views from the ground and first floor south-facing windows to no.24. I find that the increase in height of the development would neither appreciably diminish outlook from these openings nor exacerbate the situation above and over that which is already experienced.
12. However, given the relationship between built form there is the potential for loss of light to the internal accommodation within the same ground and first floor rooms of no.24. The appellant states that the appeal scheme would not unacceptably reduce light levels, yet I have not been presented with any supporting evidence to corroborate this assertion. In the absence of a BRE compliant daylight report it is not possible to confirm whether the neighbouring property would suffer a loss of light, and as such I cannot be certain that the living conditions of occupiers therein would be materially affected.

13. On this basis, whilst the proposal would not be harmful to outlook, I am unable to conclude that there would be no adverse impacts in respect of light to the occupants of neighbouring properties. This would run contrary to Policy PLAN1 of the SDMP, which seeks to ensure a good level of amenity is provided, including direct sunlight and daylight.

Conclusion

14. Given the previous arguments and all other factors advanced, the appeal is dismissed.

C Hall

INSPECTOR