



Appeal Decision

Site visit made on 15 May 2024

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2024

Appeal Ref: APP/V5570/D/23/3332212

37 Aberdeen Park, Islington, London N5 2AR

- 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 Ms N Hofer against the decision of the London Borough of Islington Council.
 - The application Ref P2023/2117/FUL, dated 21 July 2023, was refused by notice dated 15 September 2023.
 - The development proposed is a single storey side extension with planter to the frontage; a living wall to the front elevation and a sedum roof.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Subsequent to the decision made by the Council on the application to which this appeal relates, the National Planning Policy Framework has been revised. I have therefore made my decision with regard to the National Planning Policy Framework (December 2023) (the Framework).
3. Also subsequent to the decision made by the Council on the application, but prior to the appeal being made, the Council adopted the Islington local Plan Strategic and Development Management Policies (28 September 2023) (the SDMP). This replaces the Islington Core Strategy (2011), Islington Development Management Policies (2013). I have therefore made my decision without regard to the policies in the plans that the SDMP replaces and have only had regard to the Policies of the SDMP, to which substantial weight was given in the Council's decision.

Main Issue

4. The main issue is the effect on the character and appearance of the appeal dwelling and that of the local area, with reference to the Aberdeen Park Conservation Area (the CA)

Reasons

5. Aberdeen Park is a private road that, in this part, is fronted by elegantly proportioned brick built houses set behind good sized front gardens. The appeal property is a two storey semi-detached house located on the inside of a bend in

the street of Aberdeen Park, which results in a wedge shaped gap between the appeal dwelling and neighbouring houses. The gaps between semi-detached houses allow for views through to the trees and rear gardens beyond and contribute to the spacious and verdant character of the area. The Aberdeen Park Conservation Area Design Guidelines (2002) (the APCA Guidelines) recognises this as forming part of the significance of the CA.

6. In line with the duty imposed on me by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the CA.
7. The proposal is for a single storey side extension that would be very slightly set back from the front elevation where it would connect with the existing house. The front elevation of the proposed extension would angle away from the front elevation towards the boundary of the appeal dwelling, where, at a right angle to the proposal's front elevation, its flank elevation would align with the existing boundary of the appeal dwelling with 39 Aberdeen Park (No.39).
8. The wedge shape of the proposal would result in a narrow rear elevation that would align with the rear elevation of the appeal dwelling, which would be altered to accommodate a wide opening with sliding doors. The proposed extension would have only a small window in its rear elevation, with none to the front and flank elevations. The proposed extension would have a complex angular roof form that would accommodate a roof light to provide the majority of the light to the interior of the extension.
9. An earlier proposal for a similar side extension formed part of a proposal for extension and alteration of the appeal dwelling, for which a split appeal¹ decision was issued. This dismissed the appeal in relation to the side extension but allowed a roof extension. The proposal in this appeal omits glazed doors in the front elevation of the proposed extension and includes a planter to its front, a green wall system that would clad the front and rear elevations of the proposal and also includes a green roof. The appellant's description of development indicates this would be a sedum roof, although the drawings indicate that it would be a wildflower roof.
10. I appreciate that the appellant has sought to overcome the reasons for dismissal of the previous appeal, by attempting to address the previous inspector's reasons in relation to the design of the front elevation and loss of greenery and screening of the proposal in views from the street. The omission of the previously proposed glazed opening in the front elevation would simplify the design of the proposal in relation to the existing elevation of the appeal dwelling.
11. However, I find that that the green wall system, whilst introducing some living greenery, would not actually screen the proposed extension but would rather read as an applied wall cladding, albeit a living one, which appears as an add on to, rather than an intrinsic part of the design of the proposal. The same would be true for the proposed greening of the roof of the proposed extension, whose disproportionate complexity would also be evident in views from the street.

¹ Appeal Ref: APP/V5570/D/22/3308661

12. As such, I find that the proposal would not overcome the previous inspectors concerns in relation to the proposed side extension having an awkward form and a roof with disproportionate complexity and that the extension would still encroach into the garden space between the appeal dwelling and No.39 eroding the existing spacious gap. All of which would be evident in views from the street.
13. In these views it would be evident that the scale, design, complexity and cladding of the proposal would result in it appearing as an incongruous addition to the appeal dwelling that would not reflect its existing architectural expression, encroaching on the space between the appeal dwelling and No.39. Thereby having a detrimental effect on the spacious character of the local area and diminishing the contribution that this affords to the significance of the CA.
14. The appellant has made reference to other side extensions or structures in the local area. These, however, appear to be either of some age and/or smaller in scale, or simpler in design to the proposal. Where planning permission has been granted for these, they would have been considered on their own individual merits and I have done likewise in my consideration of the appeal proposal. I have, therefore, only afforded these moderate weight in my considerations.
15. Whilst the appellant has sought to overcome the reasons for refusal for their previous proposal for a ground floor side extension , I have considered the appeal proposal on its own individual merits, which is a main tenet of the planning system.
16. For the reasons given above, I find that the proposed single storey side extension would cause harm to the character and appearance of the appeal property and the streetscape of the local area, thereby failing to preserve the character or appearance of the CA. This would not accord with the guidance set out in the Islington Urban Design Guide (2017) and the APCA Guidelines. It would also be contrary to Policies PLAN1, G1, DH1 and DH2 of the SDMP, Policies D3 and HC1 of the London Plan (2021) and Sections 12 and 16 of the Framework.
17. These collectively seek to ensure that developments are of a high standard of design and integrate with the local area, that green roof and vertical screening are integral to the design and not an add on at the end of the process, having due regard to the importance of preserving or enhancing heritage assets and conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
18. The Council's decision notice sets out that the proposal would be contrary to Policy D4 of the London Plan (2021). I have not come to this same conclusion, as Policy D4 relates to design management procedures and policy guidance for London planning authorities.

Planning Balance and Conclusion

19. The harm to the character and appearance of the appeal dwelling and local streetscape would be substantial, although the harm to the character and appearance of the CA would be less than substantial. Whilst the proposal would increase the size of the appeal dwelling and improve amenity for its occupiers, this would be of primarily private benefit.

20. I must give considerable importance and weight to the effect on the significance of the CA, in addition, I have given substantial weight to the effects on the character and appearance of the appeal property and local streetscape. As there are no public benefits of the proposal that outweigh the harm I have identified, the proposal conflicts with the development plan as a whole, and with the heritage aims of the Framework.
21. For these reasons, I conclude that the appeal should be dismissed.

Victor Callister

INSPECTOR