



Appeal Decision

Site visit made on 17 February 2025

By SJ Desai BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2025

Appeal Ref: APP/V5570/W/24/3351672

Flat B, 57 Cleveland Road, Islington, London N1 3ES

- 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 A George against the decision of the London Borough of Islington.
 - The application Ref is P2024/1692/FUL.
 - The development proposed is described as rear lower ground floor and ground floor infill extension, changes to rear fenestration and internal alterations.
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Decision

1. The appeal is allowed, and planning permission is granted for a rear lower ground floor and ground floor infill extension, changes to rear fenestration and internal alterations at Flat B, 57 Cleveland Road, Islington, London N1 3ES in accordance with the terms of the application, Ref P2024/1692/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: LO-A-01, LO-A-02, PR - A0.01_Rev 2, PR – A1.01_Rev 2, PR – A1.02_Rev 2, PR – A1.03_Rev 2, PR – A2.01_Rev 2, PR – A3.01_Rev 2, PR-A3.02 Rev_2 and Sustainable Design and Construction Statement.
 - 3) The external materials of the development hereby permitted shall be constructed in accordance with the schedule of materials noted on the approved plans.
 - 4) The flat roof area of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area, including whether it would preserve or enhance the character or appearance of the East Canonbury Conservation Area (CA).

Reasons

3. The appeal relates to a four-storey mid terrace building that is located in a predominantly residential area that is characterised by wide attractive streets, which are lined with tall, terraced properties.

4. The appeal site is also located in the CA. The terms of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require me to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
5. The CA covers a relatively compact area of mainly residential properties that were predominantly developed between 1820 and 1860, with many being architecturally unified. The East Canonbury (CA23) Conservation Area Design Guidelines 2002 (CADG) sets out that these examples of fine terraces and groups of properties, and their harmonious 19th century qualities are worthy of protection and enhancement. As such, I find the significance of the CA to be primarily associated with the cohesive and well-preserved historic buildings, their uniformity, symmetry and their relationship with the street. The area thereby has both architectural and historic interest.
6. The appeal property forms part of such a fine terrace within the CA. However, its rear elevations are generally simpler in composition and appearance than its facade. The upper levels are mostly uniform with the lower levels having more variety in design and in parts an irregular rhythm. Furthermore, the appeal property and its immediate neighbours, 55 and 59 Cleveland Road, contain a close sequence of two and, in the case of No 55, part three storey rear projections, appearing as an unusual grouping within the wider terrace. Whilst different development plan policies may have been applied at the time of the consideration for the rear extension at No 55 it still forms a part of the local context.
7. The CADG and Urban Design Guide Supplementary Planning Document (UDG) 2017 seek to preserve the scale and integrity of existing buildings. The CADG sets out that full width rear extensions higher than one storey or half width rear extensions higher than two storeys, will not normally be acceptable, unless it can be shown that no harm will be caused to the character of the area.
8. The proposed development would in-fill the gap between the existing two-storey projections at the appeal site and No 59. It would also be set back from the rear elevation of No 57's existing projection and set down below its parapet. These factors, when combined with its simple form would leave much of the rear second and third floor elevation and roof plane unaffected, thereby allowing the original built form to remain legible. As a result, the proposed development would appear subordinate to the rear elevation of the host property.
9. Furthermore, the proposal would not be visible from Cleveland Road or from adjacent public spaces. Whilst views would be afforded from gardens and windows of neighbouring properties, these would be generally filtered and screened by existing trees. Moreover, the proposed development would be read in the context of the irregular rhythm and unusual grouping of the existing projections along this part of the terrace. Accordingly, it would thereby also not cause material harm to the significance of the designated heritage asset.
10. I therefore find that the proposed development would not harm the character and appearance of the host dwelling and the surrounding area and would preserve the character or appearance of the CA. As such, the proposal would not conflict with Policies D3 and D4 of the London Plan (2021), Policies PLAN1, DH1 and DH2 of the Islington Local Plan: Strategic and Development Management Policies (2023) and the guidance contained within the UDG 2017 and CADG 2002, which amongst

other things, seek to protect heritage assets and deliver high quality design that protects the scale and integrity of existing buildings.

Conditions

11. I have considered the conditions suggested by the Council against the tests of paragraph 57 of the Framework and advice in the Planning Practice Guidance: *Use of planning conditions*. In addition to the statutory time limit condition, I agree that a condition specifying the relevant plans is necessary to provide certainty. A reworded condition relating to materials is also reasonable and necessary in the interests of character and appearance.
12. The appellant has also suggested a condition restricting the use of the proposal's flat roof. I agree that this is reasonable and necessary in the interests of safeguarding the living conditions of neighbouring occupiers.

Conclusion

13. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, the appeal should therefore be allowed.

SJ Desai

INSPECTOR