
Appeal Decision

Site visit made on 24 February 2026

by **N Armstrong BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 April 2026

Appeal Ref: APP/V5570/W/25/3376698

124-128 Balls Pond Road, London N1 4AE

- 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 Goldrose Sharpe Developments Ltd against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2025/2759/FUL.
 - The development proposed is the erection of three storey infill extension at first, second and third floor level (following part demolition of existing building) to deliver 4no. units (1 x 1 bed, 2 x 2 bed and 1 x 3 bed). Replacement of existing hipped roof with mansard roof to create enlarged third floor unit. Associated external alterations. Installation of ASHPs.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposed development provided on the application form differs from that on the Council's decision notice. I have taken the description used on the decision notice for the banner heading above as this more accurately describes the proposed development. The appellant has also relied on this on the appeal form, which along with their submission of the Council's letter validating the planning application, appears to suggest there was no objection to the amendment. I am satisfied that the cases of the parties would not be prejudiced by use of the above description, and I have determined the appeal accordingly.
3. Although Certificate A was completed as part of the planning application form, the appellant has subsequently completed Certificate B as part of the appeal form and has served notice on the owner of the appeal site. The Council has not raised any procedural concerns regarding this and it would appear that the owner has had the opportunity to make comments regarding the proposal and is not therefore prejudiced in any way. I have dealt with the appeal accordingly.
4. At the time of my visit, a large part of the host building was surrounded by scaffolding and shrouding that concealed some of the building. However, I was able to view parts of the site to the side and rear of the building that are the subject of the proposed development from the adjacent public highway. Having regard to the appeal submissions and my observations on site, I am satisfied that I have sufficient detail before me to assess the proposed development.
5. The proposed development includes development that does not form part of the Council's reasons for refusal, nor does the Council identify any conflict with the development plan in relation to these aspects of the proposed development.

Following my site visit I see no reason to disagree. Therefore, the focus of my assessment is the proposed three-storey rear extension at first, second and third floor levels, as referred to on the Council's decision notice.

6. The appellant has submitted three versions of a Unilateral Undertaking during the course of the appeal. The Council has had the opportunity to comment on the latest amended version, and I will consider this further in my reasoning below.

Main Issues

7. The main issues are:

- the effect of the proposed development on the character and appearance of the host building and the surrounding area, with particular regard to the three-storey rear extension; and
- whether the proposed development would provide adequate living conditions for the future occupiers of the first and second floor flats, with particular regard to outlook and aspect.

Reasons

Character and appearance

8. The appeal site comprises a three-storey building occupying a prominent corner plot adjacent to the crossroads formed by Balls Pond Road, Mildmay Park and Southgate Road. It is situated in a busy area featuring a mix of commercial and residential development. The host building fronts Balls Pond Road with a ground floor shopfront for commercial use and forms a terraced group with adjacent three-storey properties. The host building turns the corner with its side elevation built up to the pavement edge facing Mildmay Park. There is a significant change in the height of the host building to the rear of the site where a metal structure sits above part of a single-storey flat roof section extending from its rear. This contributes to a distinct transition between the host building, the adjoining terrace and a more modern four-storey residential building that extends a considerable way along, and is set back from, Mildmay Park.
9. There are variations in the layout, scale and design of development to the four corners of the crossroads. This includes a more modern, predominantly four-storey development opposite on Balls Pond Road that curves around onto Southgate Road, which features variations in its height, depth of front elevation and architectural detailing. A four-storey building forms the corner opposite the site, with a relatively modern appearance onto part of Mildmay Park and a more traditional frontage with ground floor commercial uses onto Balls Pond Road. A taller ten-storey tower block is opposite this, set well back from the road frontages with Balls Pond Road and Southgate Road with intervening public realm and landscaping. These buildings contribute to a varied townscape in the area.
10. The proposed development would replace the existing metal structure and would add significant new scale and massing to the host building. The submitted plans show a two-storey section to the west elevation that would provide part of the accommodation at first and second floor levels. This would be set back from the side elevation of the three-storey part of the host building and be a similar height to its parapet. The remainder of the west elevation of the extension would be set further back again from this two-storey element, filling the gap with the adjoining

four-storey building and constructed on a similar building line to it. A mansard roof with third floor accommodation would add further scale and massing above this part of the extension, with its front facing slope on a similar line with the front elevation of the adjoining four-storey building and built up to a similar height.

11. Views towards the rear of the host building and the area of the proposed rear extension from the public domain are primarily seen from Mildmay Park and Mildmay Street, as well as from Balls Pond Road surrounding the crossroads. The existing change in height from the rear of the three-storey building to the single-storey flat roof and metal structure sections provides a notable gap and visual relief between the larger frontage of the host building and the significant length and mass of the adjacent four-storey residential building, as well as to the adjacent properties within the terrace. The visual separation between the developments is primarily appreciated in views when close to the site on Mildmay Park and Mildmay Street, but also from the rear of properties in the adjoining terrace. A mature tree close to the rear of the site on Mildmay Park will likely screen some views of the rear of the appeal site, albeit the extent of this screening would likely change throughout the year.
12. Due to the staggered and intentional set back of the extension from Mildmay Park and its different roof heights there would be some subservience in relation to the host building. This would also reduce some of the visual impact of the taller third floor sections to receptors at street level, although not for its full extent, and there would still be some direct views. The main frontage onto Balls Pond Road and the section turning the corner onto Mildmay Park would still appear as the main parts of the host building at this junction. However, notwithstanding this, the development would infill and link the rear of the host building with the adjoining four-storey building, removing the existing gap and transition between the two. This would result in considerable new bulk to the rear of the host building and a much larger, continuous built form in the street scene linking the currently distinct forms of development at a higher level than existing. Consequently, notwithstanding the mixed character of the area, the increased scale, massing and visual impact arising from the three-storey rear extension would detract from and harm the character and appearance of the host building and the immediate surrounding area.
13. The proposed east elevation of the extension would result in a substantial section of new wall at first and second floor levels that would be constructed from the rear of the host building up to the adjoining four-storey building. Due to its overall depth and height, this would result in a significant addition close to the eastern site boundary in comparison to the existing built form of the host building and the properties in the adjoining terrace. From the evidence before me, other rear extensions to buildings in the terrace appear to be much more modest in terms of their overall height and scale in comparison to the proposed development. Those properties closest to the appeal site do not appear to have been extended at the upper floor levels, whilst the height of the new extension would appear higher than the eaves levels in the terrace. Whilst the new mansard roof would slope away from the parapet of the new extension, it would add further to its overall bulk at this point.
14. Consequently, this part of the extension would appear as a much more solid and imposing elevation that would dominate the host building. The substantial overall scale of the extension would not appear subservient to the host building at this point. Due to its overall scale and the loss of the gap between the different built forms it would also significantly enclose the immediate area to the rear of the

terraced group alongside the mass of the adjacent four-storey building. Views of the east elevation from public areas beyond the site boundaries would likely be very limited, if seen at all. Nevertheless, this part of the proposed development would appear as a substantial new addition to the host building from the rear of properties close to the site. In combination, the considerable bulk of the proposed three-storey rear extension would therefore appear out of scale and character with the host building, the properties in the terrace and the character of the surrounding area, with a resultant adverse visual impact.

15. The appeal site benefits from prior approval¹ for the change of use of the three-storey frontage part of the host building to seven residential units. Planning permission² has also been granted for the partial demolition of the building, the erection of a two-storey rear extension and mansard roof replacing the existing pitched roof to deliver two residential units. The proposed development would replace the metal structure to the rear of the host building with a much larger rear extension than the approved scheme and would also feature a mansard roof extension replacing the existing pitched roof similar to that approved. Given some similarities with the proposed development, this planning permission is a material consideration that I give significant weight to in my assessment as development that could be implemented on the site.
16. The proposed west elevation of the proposed development would incorporate a similar form to the approved scheme with part of the development reflecting the depth and height of the rear extension at first and second floor level as approved. However, the three-storey infill extension would still appear as a substantial new addition to the host building in comparison to the approved scheme that would remove the higher-level gap between the site and the adjoining four-storey building. The increased depth of the proposed east elevation above the scale of the approved scheme would appear as a substantial increase to the host building and would also be at odds with the scale, proportions and character of the adjoining terrace.
17. I have had regard to the Islington Urban Design Guide Supplementary Planning Document (January 2017) in my assessment, including the references to rear extensions, side extensions and end of terrace infill. The visual impact of the proposed development would be mitigated to some degree by the staggered form of the west elevation and some subservience to the host building in that area. However, when considered as a whole, due to the overall scale, massing and appearance of the three-storey rear extension, the proposed development would appear as a discordant addition to the host building in its immediate context. It would erode the distinct transition between the adjacent forms of development and result in harm to the character and appearance of the surrounding area, including its scale and form alongside the adjoining terrace.
18. For the above reasons, I conclude that the proposed development would have an unduly harmful effect on the character and appearance of the host building and the surrounding area, with particular regard to the three-storey rear extension. The development would therefore conflict with Policy PLAN1 of the Islington Local Plan Strategic and Development Management Policies (September 2023) (the SDMP).

¹ Application refs: P2024/0617/PRA and P2024/2254/PRA

² Application ref: P2025/0580/FUL

Amongst other things, this aims for development to be of a high quality design and make a positive contribution to local character.

19. The Council's reason for refusal also refers to Policy HC1 of The London Plan (March 2021) (the LP). However, as this is relevant to the historic environment I do not find it to be determinative to this main issue. The Council has also acknowledged that this reference is an error. The appellant suggests that policies D3 and D4 of the LP are more relevant, which aim for development to enhance local context, respond to the character of a place and deliver high quality design. However, the proposed development would also conflict with these policies for the same reasons as above.

Living conditions

20. The proposed development proposes a one-bedroom and a two-bedroom unit at first floor level, a three-bedroom unit at second floor level and a two-bedroom unit at third floor level. All of the flats would be dual aspect apart from the one-bedroom unit. This would have door openings serving part of the main living space and the bedroom facing onto its private amenity space and towards the busy Mildmay Park.
21. Policy D6 of the LP aims for housing development to maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B of LP Policy D3 in regard to higher density developments than a dual aspect dwelling, and it can be demonstrated it will have adequate passive ventilation, daylight and privacy, and avoid overheating. Policy H4 of the SDMP also seeks that new residential units should be dual aspect, unless such provision is demonstrated to be impossible or unfavourable. Where these circumstances are demonstrated, all single aspect units must ensure that, amongst other things, the aspect does not face onto main roads that would preclude opening windows given the potential for air and/or noise pollution. The supporting text to the policy states that provision of a greater quantum of residential units is not considered adequate justification for provision of single aspect units.
22. The only aspect for Flat 1B would face the busy road of Mildmay Park and would be close to the site boundary. Notwithstanding the door openings, this would offer limited outlook for future occupants and increase the likelihood that openings would remain closed. From the information before me, I am not satisfied that the proposed development would provide a high quality design and adequate living conditions for future occupiers of this unit. Despite maximising dual aspect units in the proposed development, it has also not been sufficiently demonstrated that the single aspect layout is a more appropriate design solution, or that dual aspect is impossible or unfavourable in this instance.
23. The appellant offers some justification for the proposed single aspect flat, which includes achieving appropriate internal daylight and sunlight levels and providing amenity space that would exceed minimum standards. The appellant also refers to draft Support for Housebuilding London Plan Guidance, which has been subject to consultation and suggests changes to housing design standards. This indicates greater flexibility to the approach for assessing single aspect proposals. However, from the evidence before me this has not been published or adopted, therefore I attach limited weight to it. In any event, having regard to the requirements of

Policy D6 of the LP and Policy H4 of the SDMP as set out above, these matters do not alter my position in respect of the single aspect flat.

24. The previously approved scheme comprised two-bedroom flats at first and second floor levels of the rear extension. These would be triple aspect units with openings and areas of private amenity space to the west elevation facing onto Mildmay Park and also to the north facing the side of the adjoining four-storey building. A bedroom window at first and second floor level for each unit would face east.
25. The proposed development would increase the amount of development at the site compared to the approved scheme but would result in a reduced quality of accommodation given the layout of Flat 1B and its single aspect. The two flats approved under the previous scheme permitted openings facing Mildmay Park and other openings would face towards the adjoining four-storey building rather than a more open outlook. However, whilst the outlook to the north would be limited, in combination with the generous areas of amenity space, these triple aspect flats were found to have acceptable standards of accommodation.
26. Whilst the Council raises concerns with the rear outlook for Flats 2B and 3B, their arrangement would provide adequately sized rooms with comfortable and functional layouts, as well as sufficient daylight and external amenity space. Although the proposed development would not be triple aspect as approved, the quality of the accommodation would not be compromised to an unacceptable degree for these units having regard to the rooms these windows would serve and other openings to the living space. The approved scheme also made provision for some openings to the east elevation. The potential for further development to the rear of adjoining development is a matter that I give little weight to as the likelihood of this appears to be speculative, whilst the approved scheme has already permitted openings to this elevation.
27. Whilst I do not find harm in respect of Flats 2B and 3B, I am not satisfied that the proposed development would provide adequate living conditions for the future occupiers of Flat 1B, with particular regard to outlook and aspect. The proposed development therefore conflicts with Policy D6 of the LP and Policy H4 of the SDMP, the aims of which are set out above. Although the Council references Policy H2 of the SDMP in its reason for refusal, given the overall proposed housing mix and the aims of the policy, I do not find it to be determinative to this main issue.

Other Matters

28. I have had regard to the potential benefits of the proposed development. These include optimising the capacity of this previously developed site in a sustainable location with a design-led scheme, and within the context of the aims of the National Planning Policy Framework and the development plan. The proposed development would also contribute to increased housing supply and a mix of sizes, including two and three-bedroom units that the Council assigns high and medium priority to respectively. However, the SDMP assigns low priority to market one-bedroom units. Despite an overall increase in the number of units compared to the approved scheme, such benefits would be modest.
29. The proposed development would see improvements and enhancements to the third floor residential unit, removal of the metal structure, façade improvements along the street frontages, a mansard roof to the main building, car free development and cycle parking, improvements to the access, shared amenities and

services for the prior approval scheme, and biodiversity enhancements. However, the previously approved scheme secured similar elements to those proposed in the proposed development that would be delivered in a less harmful way. These benefits are given limited weight.

30. The submitted Unilateral Undertaking (UU) includes various planning obligations including contributions to affordable housing and carbon offsetting. Whilst the affordable housing contribution would ordinarily attract some weight as a benefit, the UU appears to be flawed as there is no attached plan to clearly identify the site within the submitted UU. As I am dismissing the appeal for other reasons, and as it has not been raised as a concern by the Council, I have not pursued this matter further with the parties. Consequently, in reaching my decision, I have not had regard to the UU and any affordable housing benefits that stem from it.
31. In any event, even if I had given weight to the affordable housing contribution, that benefit, together with the other benefits associated with the proposed development would not outweigh the significant weight I give to the harm to the character and appearance of the host building and the surrounding area, as well as to the living conditions of future occupants of the proposed development.

Conclusion

32. Although I find that future occupiers of Flats 2B and 3B would be provided with adequate living conditions with particular regard to outlook and aspect, future occupiers of Flat 1B would not, and the proposed development would be harmful to the character and appearance of the host building and the surrounding area. The proposed development therefore conflicts with the development plan as a whole and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

N Armstrong

INSPECTOR