
Appeal Decision

Site visit made on 6 October 2020 by A J Sutton BA Hons DipTP MRTPI

by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 November 2020

Appeal Ref: APP/V5570/W/20/3247200

Flat 2, 63 Tabley Road, Islington, London, N7 0NB

- 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 Mr Yoram Eshkol-Rokach against the decision of the Council of the London Borough of Islington.
 - The application Ref P2019/2723/FUL, dated 9 September 2019, was refused by notice dated 25 November 2019.
 - The development proposed is described as 'To convert the existing loft into a habitable room with a rear-facing dormer built no higher than the existing ridge; 200mm above the edge of the eaves; and of a high-quality corten steel material.
 - To install 3nr street-facing skylights each sized 980x700mm
 - To install a new internal staircase between level 1 and level 2 in order to refurbish the interior of the existing property.'
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Decision

1. The appeal is allowed, and planning permission is granted to convert the existing loft into a habitable room with a rear-facing dormer built no higher than the existing ridge; 200mm above the edge of the eaves; and of a high-quality corten steel material. To install 3nr street-facing skylights each sized 980x700mm. To install a new internal staircase between level 1 and level 2 in order to refurbish the interior of the existing property at Flat 2, 63 Tabley Road, Islington, London, N7 0NB, in accordance with the terms of the application, Ref P2019/2723/FUL, dated 9 September 2019, 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: Location Plan Drawing No 164_L100, Site Plan Drawing No 164_L101, Proposed Plans Drawing No 164_A200, Proposed Plans Drawing No 164_A201, Proposed Elevations 1 of 2 Drawing No 164_A202, Proposed Elevations 2 of 2 Drawing No 164_A203, Proposed Section Drawing No 164_A204.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on the approved plans and in the Design and Access Statement and maintained as such thereafter.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The appellant has requested that I consider a revised plan as part of this appeal. Under the principles established by the Courts in *Wheatcroft*,¹ I find that to consider such modifications would deprive those who should have been consulted on the change, the opportunity of such consultation. As such the plans and drawings submitted with the planning application have informed this recommendation.
4. Reference is made to a separate self-contained unit. For the avoidance of doubt this recommendation is limited to the proposed development as described.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons for Recommendation

6. The appeal property forms the top section of a subdivided four-storey mid terrace dwelling. The period terrace has a general sense of uniformity derived from retained architectural detailing to the front elevations of properties typical of development of its era. To the rear of the properties are a number of extensions and alterations, including at roof level and it is within this context that I have assessed the proposal.
7. The proposed rear dormer would fill a substantial portion of the roof space. Although there is no proposed set in from the side parapets, it would be stepped down from the ridge and set up from the eaves, which would allow some sight of the original roof slope. Whilst it would be a prominent feature in a part of the terrace where roofs are relatively unaltered, it would not appear uncharacteristic when observed in the wider terrace.
8. The proposed cheek edges of the dormer would be relatively slender, and the design would achieve a balance between the pattern of fenestration and proportion of solid face. Moreover, the detailing of the proposed fenestration would reflect the existing sash windows below. Although wider than those below, the windows in the dormer would roughly align with existing windows on the rear elevation and in this respect would continue the existing rhythm and would, overall, maintain the vertical emphasis of the property.
9. The proposed roof lights to the front roof space would differ in layout to that of nearby properties. However, given their proposed size and position they would not adversely disrupt any positive unifying period architectural features of the appeal property or the wider terrace.
10. It is therefore concluded that the proposed development would not have a harmful effect on the character and appearance of the host property, the terrace of which it forms part or the area. Accordingly the proposal complies

¹ Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37]

with Policies CS8 and CS9 of Islington's Core Strategy 2011 and Policy DM2.1 of the Islington's Local Plan: Development Management Policies 2013 and Policies 7.4 and 7.6 of the London Plan which collectively require development to be of a high quality, incorporating inclusive design principles and making a positive contribution to the local character and distinctiveness of an area.

11. It would also conform with guidance set out in the Urban Design Guide Supplementary Planning Document 2017 which advises, amongst other matters, that dormer windows are typically incorporated within pitched roofs and mansard roofs and their design should be in keeping with the original dwelling and relate to the windows of the original house in proportion, detailing and position. The proposal also accords with the objectives of the National Planning Policy Framework in terms of achieving well designed places.
12. The Council's decision notice makes reference to London Plan Policy 7.8, however this relates to heritage assets and archaeology. I have not been provided with evidence that the proposal would affect nearby heritage assets and I find that this policy is not of relevance in this case.

Conditions

13. In the event that the appeal is allowed the Council has suggested a number of conditions it would wish to see imposed. To ensure that the development is undertaken as approved it is necessary to attach a condition referencing the approved plans. To protect the character and appearance of the area, a condition controlling the use of external materials is also necessary.

Conclusion and Recommendation

14. For the reasons outlined above, and having regard to all other matters raised, I recommend that the appeal should be allowed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and concur that the appeal should be allowed with the suggested conditions.

R C Kirby

INSPECTOR