



Appeal Decision

Site Visit made on 19 October 2021

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2021

Appeal Ref: APP/V5570/W/21/3279186

114 Seven Sisters Road, Islington, London N7 6AE

- 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 Tarik Yanik against the decision of London Borough of Islington.
 - The application Ref P2021/1214/FUL, dated 23 April 2021, was refused by notice dated 8 July 2021.
 - The development proposed is the erection of a first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor rear extension at 114 Seven Sisters Road, Islington, London N7 6AE in accordance with the terms of the application, Ref P2021/1214/FUL, dated 23 April 2021, 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: Site Location Plan, GUZEL 114 140 PRO, GUZEL 114 150 PRO and GUZEL 114 160 PRO.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of a similar appearance to those used in the construction of the exterior of the existing building.
 - 4) Prior to any works taking place to modify the external extractor vent to accommodate the approved extension, details of the proposed design, location and specification of the vent shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details.

Procedural Matter

2. A first and second floor extension has been erected to the rear of the appeal property, however the appeal before me proposes a first floor extension only. For the avoidance of doubt, I have determined the appeal as a first floor extension only and on the basis of the plans that were submitted and which show that quantum of development.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

4. The appeal property forms part of a perimeter block layout of buildings fronting onto Seven Sisters Road, Hornsey Road and Mayton Street. This layout encloses the rear elevations of the properties and allows only very limited views of them from the public domain. A number of properties close to the appeal site on both the same terrace row and the adjoining terrace rows have been extended to the rear, at first floor level or at first floor and second floor levels. Many of the properties close to the appeal site also have ground floor extensions that cover most, if not all, of their curtilages.
5. In this context, the proposed development would not be the first addition to the rear elevations of the terraces closest to where the appeal property is located. Whilst the planning status of some of the existing extensions is questioned by the Council and those which do have planning permission are said to have obtained this some time ago and under a different planning policy framework, nonetheless the proposal would not serve to harmfully disrupt the rear elevations of the host terrace and wider terrace setting.
6. In any event, by reason of its enclosure from public view, the proposed development would have no perceptible impact on the public domain and furthermore its presence would not be visually harmful when viewed from adjacent properties. The fact that it would represent a projection beyond the rear elevation of the existing terrace is not therefore in itself objectionable, even if it is assessed as a standalone development and aside from the consideration that there are other projections already present on nearby properties. Whilst the proposal would cover the full width of the rear elevation and project out 6 metres beyond it, its scale would not result in it being a visually discordant or dominant addition to the host building.
7. For these reasons, I conclude that the proposed development would not cause harm to the character and appearance of the host property or the surrounding area. Consequently, the proposal would accord with Policies D1 and D4 of the London Plan 2021, Policies CS8 and CS9 of Islington's Core Strategy 2011 and Policy DM2.1 of Islington's Local Plan: Development Management Policies 2013, where they seek to protect character and appearance. There would also be no conflict with the aims of the Islington Urban Design Guide Supplementary Planning Document 2017 in the same respect.

Other Matters

8. The proposal would be set an acceptable distance from the rear site boundary and the windows of the facing dwellings on Mayton Street. Its overall projection and height mean that it would also not have a harmful impact on the windows to the rear of the adjoining properties. Therefore, it would not cause harm to the living conditions of the occupiers of adjacent residential properties through a loss of light, overlooking or as a result of its massing. The plans submitted do not show an intended provision or the use of any external areas as outdoor amenity space. The proposal is for domestic use and would not cause harm through noise or light.
9. The fact that works have been undertaken without planning permission does not affect my determination of this appeal, which must be assessed on the merits of the proposal that is before me. Works to the original building that

may have taken place do not fall under the scope of what can be considered as part of this appeal.

Conditions

10. It is unclear as to whether the appeal proposal could be achieved by modification of the existing first and second floor rear extension or whether this would need to be demolished. Therefore, in the interests of providing certainty a 3 year time period for commencement condition is imposed, together with a condition confirming the approved plans. A condition requiring the use of matching external facing materials is required to ensure that the proposed development is of an acceptable visual appearance.
11. The plans submitted show how an existing extractor vent serving the ground floor use would be repositioned to allow the proposed development to take place, but this does not reflect the design of the already modified extraction vent that has taken place to accommodate the first and second floor extension. Furthermore, I have not been provided with any technical comments with respect to the effectiveness of the measures that are set out in the submitted Air Report.
12. It is therefore necessary and reasonable to impose a condition relating to the external extractor vent, in the interests of protecting the living conditions of the occupiers of nearby residential properties. I have reworded the Council's suggested condition in the interests of precision.

Conclusion

13. For the reasons given above, I conclude that the appeal should be allowed.

Graham Wraight

INSPECTOR