



Appeal Decision

Site Visit made on 9 November 2021

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 March 2022

Appeal Ref: APP/V5570/D/21/3281574

27 Todds Walk, London N7 7RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Ms Caterina Athanasi against the decision of London Borough of Islington.
 - The application Ref P2021/1285/PRA, dated 26 April 2021, was refused by notice dated 5 July 2021. The development proposed is described as Construction of an additional two floors to provide four additional bedrooms, bathroom and storage areas.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether or not the appeal scheme complies with the requirements of Class AA of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 with particular regards to the loss of light in respect of adjoining premises and the external appearance (principal elevation) of the dwelling house.

Reasons

3. The appeal property forms part of a contiguous terrace of similar modest properties, that together with other terraces, form a compact group within this estate.
4. The appellant details that the appeal scheme would result in the height of the dwelling being increased by 3.5m, creating two additional floors with one of the floors within the roof space. The submitted plans show that a single row of windows would be introduced to the roof, as seen from the front, replicating the existing arrangement.
5. I saw at the site visit that the existing principal elevation, being the front elevation, is uncompromising in its appearance. The elevation is largely blank save for the recessed front door, timber cladding and narrow slit window. The proposed elevations are equally featureless but are shown as being of a considerably greater scale, detailed by the Council as being a third higher, and without any substantive fenestration to break up the extensive blank expanse, save for a continuation of the recessed timber cladding.
6. The submitted plans do not show the side elevations of the appeal scheme where it projects above the roof of the neighbouring properties. However, annotated section drawings do indicate the level of the existing roof and show

that the proposed development would project a significant distance above the neighbouring properties.

7. As a result of the considerable size and scale of the proposed development, the appeal scheme would appear as a wholly disproportionate addition to the modest scale of the appeal property and an incongruous feature out of proportion to the adjoining dwellings.
8. While I note that the appeal scheme would match bricks and roof tiles and the timber detailing of the existing property, I nonetheless find that the appeal scheme would harm the external appearance the dwelling house and the adjoining premises.
9. The appellant has submitted a sunlight and daylight assessment that indicates that there will be no loss of light to these properties in relation to the Vertical Sky Component test. However, a Daylight Distribution test (DD test) has not been conducted. I understand that DD test are included in the relevant British Standard (BS EN 17037).
10. I note that there are objections to the proposed development from the occupiers of neighbouring properties and that these refer to, amongst other matters, a loss of light. As detailed previously the appeal property forms part of a small terrace with other residential properties in close proximity to the front and rear. The Council details that the building that accommodates 6, 7, 17, 19, 22, 24 Todds Walk is set 7.8m to the northeast from the appeal site.
11. For the reasons detailed above I find that in the absence of a comprehensive and up to date assessment it has not been demonstrated that the appeal scheme would not result in a loss of light in respect of the adjoining premises.
12. To conclude, I find that the appeal scheme does not comply with the requirements of Class AA of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Conclusion

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

Mr M Brooker

INSPECTOR

