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# Appeal Decision

Site visit made on 13 January 2023

**by Alison Scott (BA Hons) Dip TP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 21<sup>st</sup> February 2023**

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**Appeal Ref: APP/V5570/W/22/3308124**

**5 Fortuna Close, Islington, London N7 8XS**

- 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 James Muldoon against the decision of London Borough of Islington.
  - The application Ref P2022/0820/FUL, dated 2 March 2022, was refused by notice dated 28 April 2022.
  - The development proposed is Construction of a rear dormer window.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the local area.

## Reasons

3. The appeal site forms part of a modern and planned housing estate of a specific style and design. The frontage of the terrace exhibits the typical characteristics of a dwelling with the front door and main aspect facing across the street scene. The rear of the terrace consists of integral garages and is accessed via a courtyard style arrangement. A cat slide roof extends to the rear of the property. A series of pedestrian routes runs past the appeal site and connects one estate to the other.
4. There are currently no alterations to the original rear elevation of the terrace. The proposal for a box dormer would add considerable mass and bulk to the rear elevation of the dwelling. Due to its scale, it would appear as an uncharacteristically large mass of development, made more severe by the fact that the terrace does not support other dormer extensions.
5. Even though the proposal would be to the rear elevation, it is visually exposed and would be seen from several public vantage points. Its dominant scale would not be viewed as a subordinate addition to the dwelling. It would appear as an incongruous and visually intrusive form of development that would adversely affect the host dwelling and consequentially would not safeguard the character and appearance of the local area.
6. I have considered the number of other extensions to local dwellings brought to my attention by the appellant. I was able to view these properties during my visit. They however do not precisely follow the circumstances of the appeal

site. This is due in the main to the arrangements of the layout of those sites and the style of dwelling that are not comparable to the appeal site. Therefore, I afford this only limited weight in my consideration. In any case, each decision is made on its own individual merits.

7. They comment on the use of permitted development rights to erect a rear dormer and that this is a real prospect to them as a fall-back position. However, I do not have sufficient evidence presented to substantiate this in order for me to consider it further. I therefore apportion limited weight to this in my assessment.
8. Therefore, to conclude on this main issue, the location, scale and mass of the proposal would lead to an adverse effect upon the character of the host dwelling and to the character and appearance of the local area contrary to the design aims of Policy CS8 of the Islington Core Strategy (2011); policy DM2.1 of the Islington Development Management document (2013) and the Urban Design Guide (2017). In addition, it would be contrary to the National Planning Policy Framework (2021) and policy D3 of the London Plan (2021) in their combined objectives to achieve well designed places.

### **Conclusion**

9. The scheme would thus lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

*Alison Scott*

INSPECTOR

