



Appeal Decision

Site visit made on 28 February 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st March 2023

Appeal Ref: APP/V5570/D/22/3313262

101 Thorpedale Road, Islington, London N4 3BD

- 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 and Mrs Helen and Kieron Cooke against the decision of the Council of the London Borough of Islington.
 - The application Ref P2022/3182/FUL, dated 31 August 2022, was refused by notice dated 25 October 2022.
 - The development proposed is a loft conversion with provision of a dormer to rear roof elevation, a side return roof dormer and insertion of 3no Velux windows to front roof slope.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

3. The appeal property is a 2-storey mid-terrace dwelling that lies within a mainly residential area, wherein terraces predominate. The appeal dwelling is not a listed building, and it does not fall within a conservation area.
4. The proposal is to erect 2 dormer extensions with a larger upper element on the rear roof slope of the main dwelling and a smaller lower part on the existing 2-storey rear projection. The new additions would be set in from the edges of the host roof with external materials to match the existing dwelling and windows that would be in keeping with the appearance of the house. New roof lights are also proposed on the upper main front roof slope of No 101.
5. The Council has recently granted a certificate of lawfulness (proposed) (CoL) for a dormer on the main rear roof slope of No 101 together with 2 front roof lights and a new rear window. From the evidence provided, the CoL scheme is a realistic fallback position against which to assess the proposed development.
6. The new dormers would be sizeable additions. Together, they would extend across almost the full width of the main building and about half the length of its rear projection with the top of the smaller element projecting noticeably above both the eaves of the main building and the ridge line of existing rear projection. On this scale, the proposal would be much larger than the CoL

- scheme, in which the rear dormer would be confined to the main rear roof slope of No 101.
7. With flat roofs and an overall 'L' shape, albeit staggered in height, the new dormers would appear as overly large and bulky 'box-like' additions that would relate poorly to the traditional style, modest proportions, and the pitched roof of the host building. The visual impact of the appeal scheme would be far greater than might be implied simply from a numerical exercise that compares the volume of living space to be created with an alternative extension that could come forward through the exercise of permitted development (PD) rights.
 8. From Almington Street, just beyond the rear of the site, the new dormers would be conspicuous features of the host building given their size and elevated position. Whether or not this highway is lightly used due to it being a no through route, public views of the proposal from it would be at a reasonably close range. From this vantage point, the new dormers would draw the eye because their combined scale and mass would give the completed dwelling an awkward top-heavy appearance.
 9. When seen from Almington Street, the appeal scheme would also interrupt the regular simple lines of the terrace to which No 101 belongs and its roof scape that, with one notable exception, is of free of significant roof level extensions. While the CoL scheme would do likewise, the dormer in that case would be limited to the main roof slope and so its visual impact would differ to that of the proposal. I also acknowledge that there is an isolated dormer extension in the same terrace at 107 Thorpedale Road. However, this existing dormer is atypical. It is not characteristic or reflective of the basic form of buildings in the same terrace nor is it an appropriate reason to find in favour of a development that would cause significant harm.
 10. The appellant places some reliance on roof level extensions to other properties notably on Almington Street and Montem Street, with some background details and photographs provided. Several of the examples cited are like the proposal with the case at 22 Almington Street the subject of a CoL, which is a different process to that of a planning application because it seeks to establish whether or not a scheme qualifies as PD. In any event, a key principle of the planning system is that each development should be assessed on its own merits. Having done so, my own conclusion is that the proposed dormers, seen together, would unduly compromise the form of the existing dwelling and there would be a significant adverse impact on the local area.
 11. On the main issue, I therefore conclude that the proposed development would materially harm the character and appearance of the host building and the local area. As such, it is contrary to Policy D4 of The London Plan, Policies CS 8 and CS 9 of Islington's Core Strategy and Policy DM2.1 of Islington's Local Plan: Development Management Policies. These policies aim to ensure that development achieves a high standard of design and positively contributes to local character and distinctiveness of an area.
 12. The proposal also conflicts with the Council's Urban Design Guide insofar as it advises that the design of dormers should be in keeping with the original dwelling. It is also at odds with the policies of the National Planning Policy Framework (the Framework), which require that development is sympathetic to local character and add to the overall quality of the area.

Other matters

13. Once complete, the proposal would provide additional living, home working and study space that would meet the needs of the appellants and their family. The proposal would make efficient use of the space available at roof level. However, these matters do not outweigh the significant harm that I have identified. The absence of objections from others does not necessarily indicate that the proposal is therefore acceptable.

Conclusion

14. The proposed development would conflict with the development plan, as a whole. There are no material considerations, including the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan.
15. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR