
Appeal Decision

Site visit made on 21 March 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2023

Appeal Ref: APP/V5570/D/22/3313274
70 Elwood Street, Islington, London N5 1EH

- 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 Steven Filis against the decision of the Council of the London Borough of Islington.
 - The application Ref P/2022/3036/FUL, dated 15 August 2022, was refused by notice dated 10 October 2022.
 - The development proposed is the erection of a second-floor roof extension over outrigger and alterations to existing dormer.
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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 local area.

Reasons

3. The appeal property is a mainly 2-storey end-terrace dwelling that occupies a corner plot at the junction of Elwood Street and Avenell Road within a mainly residential area, within which terraces and flats predominate. Like No 70, I saw that some properties in the area surrounding the site have been altered and extended at roof level. Although these changes have resulted in some variety to the existing built form, characteristic features of the terraces close to the site include the broad consistency of pitched roofs and the subservience of rear projections to the main dwelling in scale and height. The site does not fall within a conservation area nor is No 70 a listed building.
4. A new dormer extension is proposed on the flat roof of the 2-storey outrigger at the back of No 70. The new addition would include a flat roof and be set back from the rear wall of the outrigger with windows that would broadly line up with those below. The proposed extension would be clad in zinc as would the existing dormer on the main rear roof slope of No 70.
5. The proposal follows 2 separate schemes to extend and alter the existing outrigger and rear dormer that were both refused planning permission at appeal. Compared to the most recently refused development, the new dormer would be similar in design and height although shorter and thus smaller in scale. By reducing the length and size of the new dormer, the appellant considers that the concerns previously raised by other appeal Inspectors have

been satisfactorily addressed and resolved. I also note that the Council has also granted a certificate of lawfulness (CoL) for a rear dormer extension on the outrigger together with the reinstatement of a mono-pitched roof.

6. With the new built form in place, there would be no increase to the footprint of the existing dwelling nor any reduction to the external amenity space available to the occupiers of No 70. The proposed external materials would also be appropriate. Nevertheless, the new dormer would still be a sizeable addition. It would introduce a third storey to the existing outrigger and extend over one half of its total length. The upper section of the proposal would also project well above the eaves of the main building with the party wall along one side of the outrigger extended upwards. On this scale, the proposed dormer would be longer and larger than its counterpart that was approved under the CoL.
7. Due to its scale, mass and flat roof, the new dormer would appear as overly large and bulky 'box-like' addition that would relate poorly to the appearance and modest proportions of the outrigger. By introducing new built form in a high-level position, the proposal would also unduly disrupt subordinate relationship between the outrigger and the main house even with the top of the new extension set down from that of the existing dormer.
8. As the appeal scheme would be at the back of the dwelling, it would not be readily evident from Elwood Street. It would, however, be clearly visible from Avenell Road, as the appellant's computer-generated image shows. When seen from this public vantage point, the new dormer would be a conspicuous feature of the host building given its scale and elevated position. For the same reasons, it would also be prominent within the local street scene.
9. In views from Avenell Road, the new addition would draw the eye because its scale and mass, combined with that of the existing dormer, would visually dominate the rear of No 70 and give the completed dwelling an awkward top-heavy appearance. That impression would be apparent even considering the varied existing built form at the back of No 70; the presence of a taller and more substantial property at 51 Avenell Street just to one side of the site; and the notable difference in local ground levels. As the rear dormer under the CoL scheme would be smaller than the proposal before me, its visual impact would be less pronounced than that of the appeal scheme. Given these findings, the proposal does not overcome the concerns previously raised by other appeal Inspectors in relation to the earlier schemes.
10. 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. Accordingly, it is contrary to Policies D1 and D4 of The London Plan, Policy CS 8 of Islington's Core Strategy and Policy DM2.1 of Islington's Local Plan: Development Management Policies. These policies broadly aim to ensure that new development is high quality and that it positively contributes to the local character and distinctiveness of an area.
11. The proposal conflicts with the Council's Urban Design Guide Supplementary Planning Document which seeks to ensure that roof level extensions are designed to be sympathetic to the host building and harmonise with the predominant roofline in the area. It is also at odds with the National Planning Policy Framework (the Framework), which requires that development is sympathetic to local character and adds to the overall quality of the area.

12. Once complete, the proposal would provide additional living space for the appellant and his family. The site is accessible by means other than the car and the proposal would make efficient use of the space available, which national policies specifically encourage. The living conditions of others would not be adversely affected by the proposal. However, these matters do not outweigh the significant harm that I have identified.

Conclusion

13. 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.
14. For the reasons set out above, and having regard to all other matters raised, including the absence of objections from others, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR