



Appeal Decision

Site visit made on 30 September 2024

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2024

Appeal Ref: APP/V5570/W/24/3340856

First Floor Flat, 119 Corbyn Street, Islington, London N4 3BX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr GuoSong Zhong against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2023/3484/FUL.
 - The development proposed is the erection of a mansard roof extension and rear roof extension above existing rear outrigger.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal on the character and appearance of the area.

Reasons

3. This appeal concerns a flat on the upper floors of a two-storey, mid-terraced property which is located within a residential area comprised of predominantly terraced dwellings of similar scale and appearance. Key characteristics of properties in this locality include butterfly roofs set behind front parapets and two storey outriggers to the rear.
4. The Council's concerns relate solely to the proposed roof extension above the rear two storey outrigger. Paragraph 5.134 of Islington's Urban Design Guide Supplementary Planning Document (January 2017) (the UDG) states that half width rear extensions higher than two storeys will normally be resisted unless it can be shown that no harm will be caused to the character of the building and the wider area.
5. Despite the proposed extension not projecting the full length of the outrigger, it nevertheless lacks subordination to the property due to its positioning above the outrigger and integration with the proposed mansard extension. It would add significant bulk to the host property and be an overly dominant addition.
6. It would also be an incongruous feature along this part of the host terrace by virtue of its disruption to the natural rhythm and strong legibility to the rear elevations of the terrace which is formed by the consistent design, roof profile and arrangement of the outriggers.
7. My attention has been drawn to other examples of roof extensions in the locality. Of the four 2023 decisions which the appellant refers to I note that two concerned certificates of lawfulness. Similarly, the evidence before me

suggests that the example at 91 Corbyn Street has been constructed under permitted development (PD) rights.

8. Very limited information is before me with regards to the examples at 44 and 46 Corbyn Street. Similar to the above however, they appear to concern single dwellinghouses rather than flats and the Council note that the properties benefited from PD rights thus the ability to construct the proposed extensions under PD rights was considered a fallback position during the assessment of the applications. Accordingly, the circumstances around the above examples are not directly comparable to this appeal.
9. Whilst the Council granted permission for extensions at 39 Avenell Road it seems to me, from the officer report provided, that this was for a rear dormer on the main roof slope. This example is not therefore similar to the appeal proposal.
10. Notwithstanding the circumstances around their approval and construction, I nevertheless acknowledge the existence of the examples of extensions above outriggers. However, the total number in the immediate locality is limited and they are also a considerable distance from the appeal site. As such, they do not form part of the established character of the area thus do not serve to justify the proposed development.
11. Accordingly, the proposal would result in unacceptable harm to the character and appearance of the area and thus it conflicts with Policy D3 of The London Plan, The Spatial Development Strategy for Greater London (March 2021) (the London Plan) and Policy PLAN1 of Islington Local Plan, Strategic and Development Management Policies (September 2023). Together with the guidance in the UDG these policies seek to ensure developments respond and make a positive contribution to existing local character and distinctiveness.
12. Policy D4 of the London Plan is referred to in the Council's reason for refusal however it is not of direct relevance to this main issue.

Conclusion

13. The proposal conflicts with the development plan when considered as a whole and there are no material considerations that indicate a decision should be made other than in accordance with it. Therefore, the appeal should be dismissed.

H Ellison
INSPECTOR