



Appeal Decision

Site visit made on 6 November 2024

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2024

Appeal Ref: APP/V5570/W/24/3347003

20 Flat C, Blythwood Road, Islington, London N4 4EU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Arthur Asseraf against The Council of the London Borough of Islington.
 - The application Ref is P2024/0063/FUL.
 - The development proposed is loft extension, rear-facing balcony and new matching window frames to a flat in a Victorian converted building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal was submitted on the basis of the failure of the Council to determine the planning application within the prescribed period. The Council has stated that, had it determined the application, it would have refused planning permission. The main issues I have identified are based on the evidence before me, including the Council's suggested reasons for refusal.
3. The proposal was revised during the lifetime of the planning application to reduce the scale of the proposed roof extension, and amended plans were submitted accordingly. I have based my decision on the amended proposal.
4. I was unable to access the rear garden of the appeal building on my site visit. However, I was able to observe the site and surroundings from the host property and nearby streets and I am satisfied that I have enough evidence to make my decision.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host property and the area.

Reasons

6. The host property is a flat set over the upper floors of a mid-terraced building, with rear outrigger. Its rear elevation faces the garden of the ground-floor property and, beyond that, the buildings on Holly Park.
7. The proposed dormer would be a substantial structure that would cover most of the existing roof slope. Whilst it would be set-back from the eaves, and partially set-in from the boundary parapets, it would extend fully to the ridge,

thus concealing most of the existing roof. Although the proposed materials would reflect the colour of the roof tiles, the loft extension would be disproportionately large, and it would lack subordination to the host property due to its height. The proposal would therefore fail to accord with the Urban Design Guide Supplementary Planning Document (January 2017), insofar as it expects dormers to be positioned a clear distance below the ridgeline and significantly clear of the boundary parapets.

8. There are other rear dormers near to the appeal property, including at 11 and 13 Blythwood Road. I do not have the full circumstances before me that led to those developments becoming established. However, their design and appearance does not alter my view that the proposed development would be harmful to the character of the host building and area by way of its overly dominant width and height. Moreover, other rear dormers I observed, including on the host terrace, are set-in and set-back significantly from the eaves, ridge and roof edges, allowing large areas of the original roof slope to remain exposed.
9. The proposed balcony would be reasonably modest in size, and it would be set well back from the rear and side edges of the outrigger. Consequently, the balcony would be tucked behind the existing outrigger roof, which would remain largely intact and visible. Moreover, the glass balustrades would have a lightweight and discrete appearance, enabling the balcony to be subordinate to the host property. There are other rear balconies on this side of Blythwood Road, including those at Nos 40 and 42, which I saw on my site visit. However, notwithstanding those structures, the proposed balcony would be sympathetically designed so as to safeguard the character of the host property and wider area.
10. There would be limited opportunity for public views of the development from surrounding streets due to the tall and dense vegetation to the rear on Holly Park. However, there is no guarantee that the vegetation would be retained in the longer term, and it is likely the development would be visible through gaps in the trees, particularly during the winter months when there could be less leaves. Due to its disproportionate height and massing, the proposed loft extension would be unduly prominent in those views. Moreover, even if the development would not be exposed to public vantage points, this would not negate the need to secure high-quality design, which is a clear requirement of Policy PLAN1 of the Islington Local Plan Strategic and Development Management Policies (September 2023) (SDMP) and the National Planning Policy Framework.
11. Overall, I conclude that the proposed development would cause harm to the character and appearance of the host property and area. Therefore, there would be conflict with Policy PLAN1 of the SDMP, which requires development to be of a high-quality design and to make a positive contribution to local character.

Other Considerations

12. The proposed development would enhance the accommodation in the host property, by enlarging the internal living space and providing external amenity space. It could also improve the energy efficiency of the building. However, these benefits would not outweigh the harm that would be caused to the character and appearance of the host property and the area.

Conclusion

13. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

E Catchside

INSPECTOR