
Appeal Decision

Site visit made on 6 September 2016

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 September 2016

Appeal Ref: APP/U5360/W/16/3151445
88 Lower Clapton Road, Hackney E5 0QR

- 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 Marcial Doporto against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2015/2861, dated 5 August 2015, was refused by notice dated 1 December 2015.
 - The development proposed is the re-design of the previously approved mansard roof extension (application ref 2014/4126) to a more contemporary form. Replacement of existing windows at first and second floor with new timber framed windows as per previously approved application.
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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 host property and the area.

Reasons

3. The appeal property is an end of terrace three-storey building situated at the junction of Lower Clapton Road and Linscott Road with a bar at ground floor level and residential use above. The neighbouring properties comprise of a dense mix of generally three-storey terraced properties set in narrow plots with ground floor commercial uses and residential uses at the upper levels. These properties, along with those in the surrounding residential streets, are predominantly built in brick with slate or concrete tile pitched roofs. These features give the area a strong unifying character and appearance.
 4. The proposal would involve the construction of a roof extension to create additional accommodation for the existing second floor flat. The proposal would be of a contemporary dome shaped design, with a curved front elevation that would sit slightly under the front parapet wall and a flat vertical rear elevation set back from the rear building line. The overall height of the extension would be about 1m above the parapet wall and predominantly constructed from grey zinc and glass. The proposal would also involve new timber windows, as previously approved, to the facade of the building.
 5. The contemporary appearance and materials of the proposed roof extension would however be very much at odds with the older more traditional character
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and appearance of many of the properties in the area. The proposed extension would result in a material alteration to the property's butterfly roof, which when viewed from Linscott Road, currently makes a positive contribution to the roofscape of the terrace of properties and the character and appearance of the area. These shortcomings are exacerbated by the extension's prominent position, which would be visible from a number of public vantage points along Linscott Road and to a more limited extent from Lower Clapton Road above the parapet wall. As such I consider that the proposed extension, by virtue of its siting, design and choice of materials would result in an incongruous and out-of-keeping addition to the host property and the street scene.

6. The extension would be visible at the rear from the Portico of Clapton's Girl Academy which is a listed building at the end of Linscott Road. However, given the modest scale of the extension and the separation distance between the property and the Portico, the proposal would have no material impact on the setting of the listed building. The setting would therefore be preserved.
7. I have noted the appellant's comments about the previous planning appeal¹ and planning approval² on the site. Whilst the overall size and proportions of the proposal would be smaller than the roof extension previously considered at appeal and a similar massing to the approved roof extension, it would not overcome the adverse effects outlined above and the dominance of the more contemporary extension in relation to the host property and in the street scene. The appellant makes reference to the contemporary extension at the rear of the appeal property in support of the proposal. This, however, is a single storey extension that has different development characteristics to the appeal scheme. It is a rare example of a contemporary-styled building in the area and unrepresentative of the overall character and appearance of the area. I therefore accord them limited weight as precedents in this case.
8. Consequently, I conclude that the proposed extension would have a harmful effect on the character and appearance of the host property and the surrounding area. The development conflicts with Policies 7.4 and 7.6 of the London Plan 2016, Policy 24 of the Hackney Local Development Framework Core Strategy 2010 and Policy DM1 of the Hackney Development Management Local Plan 2015. These policies, amongst other things, seek to ensure that new development demonstrates a high quality design that respects and responds positively to existing buildings and the local character and distinctiveness of the area. The development does not accord with the Council's Supplementary Planning Document: Residential Extensions and Alterations 2009 which includes similar aims relating to good design for roof extensions that respects and responds positively to original buildings and the street scene.

Conclusion

9. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR

¹ APP/U5350/A/13/220947

² 2014/4126