

Appeal Decision

Site visit made on 16 September 2016

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 27 September 2016

Appeal Ref: APP/U5360/D/16/3153470

124 Tottenham Road, Hackney, London, N1 4DY

- 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 James Busch against the decision of The Council of the London Borough of Hackney.
 - The application Ref 2016/0573 dated 16 February 2016 was refused by notice dated 7 April 2016.
 - The development proposed is described as 'The project comprises of the construction of a mansard-type roof extension at second floor level and internal layout alterations at first floor level'.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposal on the character and appearance of the host building and whether it would preserve or enhance the character or appearance of the De Beauvoir Conservation Area.

Reasons

3. The appeal site is a two storey mid-terrace property, which is situated in a predominately residential area and within the De Beauvoir Conservation Area. A wide variety of building styles are evident although the appeal property forms part of a group of buildings which have broadly similar fenestration detailing and a generally consistent roofline. A number of three storey terraces are situated opposite the appeal property and a two storey terrace takes a stepped form further to the west. Despite this variety, the short terraces and groups of properties within terraces, each with its distinctive form and consistent architectural styling along with the wide tree lined streets, contribute to the special character of the Conservation Area.
 4. The proposal includes a mansard style roof extension that would extend across the width of the property. Whilst I note the proposed roof extension would be of a traditional style and use high quality materials, it would be taller than the adjoining properties to either side. I was able to see a small section of a higher parapet wall on the appeal property at the time of my visit and accept that it is likely that the roof and other elements of the appeal building has been altered
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from its original form. However, this group of five buildings within which the appeal property sits, have a generally consistent roofline other than the remnants of a higher parapet. The mono pitched and flat section of the roof referred to by the appellant as alterations to the original form are not readily visible in the streetscene. The mansard roof would however, given its height and massing, appear visually intrusive from Tottenham Road, even with a reinstated parapet.

5. Whilst the wider area features three storey terraces and properties with a varied architectural style, and I also recognise that adjacent properties are not identical to the appeal dwelling and have been subject to past alterations including to their roofs, the proposal would appear as an isolated mansard at the roof level of this terrace and would represent a noticeable increase in the overall height and scale of the building. My attention has been drawn to a mansard roof extension on an unbroken stretch of four terraced houses. I am not aware of the full circumstances of this case, but this example does little to support the proposal and serves to demonstrate the harm that would be caused by the appeal scheme.
6. Although I have not been provided with details of the De Beauvoir Conservation Area Appraisal, I recognise the diverse architectural quality in the area including modern and traditional roofs. This diversity is however between distinctive groups of buildings that have a similar mass and form. The proposal would alter the appearance of this part of the terrace within which the appeal site sits, and which make a positive contribution to the character and appearance of the Conservation Area.
7. I conclude that the proposed development would cause unacceptable harm to the character and appearance of the host building, and would fail to preserve or enhance the character and appearance of the De Beauvoir Conservation Area. This would be contrary to Policies 24 and 25 of the Council's Core Strategy, Policies DM1 and DM28 of the Council's Development Management Local Plan and The London Plan Policies 7.4, 7.6 and 7.8. Amongst other things, these policies require proposals to be of the highest quality of design and to preserve or enhance the character and appearance of Conservation Areas. It would also be contrary to Section 12 of the National Planning Policy Framework (Framework), which seeks to conserve or enhance the historic environment.
8. Reference has also been made to the development meeting the design guidance within the Supplementary Planning Document *Residential Extensions and Alterations* (SPD). Whilst the proposal may comply with certain specific guidance and would not conflict with others, such as in relation to retaining original parapet lines, it would be contrary to design guidelines at Para 3.65 which requires roof extensions to complement the existing streetscape as well as not disrupting the existing roof form. Consequently, the proposal would be contrary to the SPD, which seeks development to, amongst other matters, respect and maintain the character of an area.
9. In relation to designated heritage assets, paragraph 134 of the Framework indicates that where there would be harm that is less than substantial, as in this case, it must be weighed against the public benefits of the proposals. The proposal would make a positive contribution to the Conservation Area through reinstating elements, including chimney pots and party wall upstands and I

have noted the Appellant's suggested conditions in this respect. The development would also offer wider benefits of providing better-insulated and improved housing stock, in terms of the provision of larger accommodation and meeting current Building Regulations. I do not however consider that these factors would outweigh the harm I have identified to the Conservation Area.

Other Matters

10. I acknowledge the appellant is seeking to optimise the potential of the site and create high quality indoor spaces. He has sought to achieve this using a traditional roof form, which would also maintain other traditional elements such as the chimney stacks. The scheme gains support in these respects from development plan policies. However, given the harm that I have identified in respect of the main issue, I do not consider the proposed development would be the form of sustainable development that the Framework intends there to be a presumption in favour of.
11. The proposal would also not give rise to any unacceptable adverse effects on the living conditions of neighbouring residents as the proposal is situated at roof level and would not project past the existing front and rear elevations of the property. This is however a neutral consideration and not a benefit of the proposal.

Conclusion

12. For the reasons given above and having considered all other matters raised, including the appellant's desire to create a generous family home and representations objecting to the proposal, I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR