
Appeal Decision

Site visit made on 25 October 2016

by Andy Harwood CMS MSc MRTPI

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

Decision date: 09 November 2016

Appeal Ref: APP/U5360/D/16/3155765

52 Cazenove Road, Hackney, London N16 6BJ

- 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 K Singh against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/1621, dated 3 May 2016, was refused by notice dated 12 June 2016.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 52 Cazenove Road, Hackney, London N16 6BJ in accordance with the terms of the application, Ref 2016/1621, dated 3 May 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: '8396 FP01' and '8396FP02'.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. Whether the proposed extension would preserve or enhance the character or appearance of the Northwold and Cazenove Conservation Area (CA).

Reasons

3. The appeal site is within a row of large, 3 storey traditional dwellings close to the edge of but within the CA. There are many unifying traditional qualities to the front elevations in particular of the dwellings in the CA. The rear elevations of the dwellings are subject to a much greater degree of variety. The large 3 storey rear outrigger additions with hipped roofs are similar and provide a degree of physical and visual connectivity between each of the dwellings. However, various single storey additions to the rear outriggers differ considerably in appearance and size. These can be seen from adjoining gardens and from the higher properties to the rear. The boundaries within this group of dwellings between rear gardens are open with only low enclosures.
 4. At the moment there is a partly completed single storey extension at the
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appeal site which is a little deeper than the existing outbuilding at the adjoining property, No 50. The proposal would extend this further by 2m. The design would be simple, matching the appearance of the existing extension.

5. The Council gives the overall length of the proposed extension as being between 6m and 7.5m. This would exceed the depths suggested for rear extensions set out within the Supplementary Planning Document¹ (SPD) which is a material consideration that I can give some weight to. The SPD is a useful guide but the consideration of compliance with the relevant policies referred to requires a judgement taking account of the surrounding context rather than simply a technical appraisal.
6. In this case, the increase in depth of the extension would make little difference to the appearance of it. A good amount of garden would remain with a reasonable amount of space around the building. There would be an additional degree of enclosure of the neighbouring garden due to the extension but the simple form would not be imposing upon those adjoining residents. The high original dwelling and those around it would continue to dominate the appearance of the property. The low extension would be subservient to the original dwelling and that is one of the aims of the SPD.
7. The extension would therefore not look out of place up against the back of the dwelling within a row of properties that contains a variety of single storey structures. This would not upset the scale or proportions of the existing buildings or harm the architectural integrity of them. In relation to the main issue, the proposed extension would preserve the character and appearance of the CA. This would comply with Policies DM1 and DM28 of the Development Management Local Plan², Policies 24 and 25 of the Core Strategy³ and Policies 7.4, 7.6 and 7.8 of the London Plan⁴. The proposal would not harm the significance of the CA and it is not therefore necessary for me to carry out the balance within paragraph 134 of the National Planning Policy Framework.

Other Matters

8. The proposal would provide a little more privacy within the rear garden of No 50 and would not have negative impacts upon those residents.
9. I have imposed a condition specifying the relevant drawings as this provides certainty that the development will be implemented as proposed. The Council has only suggested one other condition requiring the materials used match the existing building. I agree that this is necessary.

Conclusion

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

A Harwood
INSPECTOR

¹ Hackney Supplementary Planning Document, Residential Extensions and Alterations, approved April 2009

² Hackney Development Management Local Plan, adopted 2015

³ Hackney Local Development Framework Core Strategy, adopted 2010

⁴ The London Plan, The Spatial Development Strategy for London Consolidated with alterations since 2011, adopted March 2015