

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/16/3154861

86a Rushmore Road, Hackney, London E5 0EX

- 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 Ms Jane Simpson against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/1504, dated 26 April 2016, was refused by notice dated 22 June 2016.
 - The development proposed is the erection of an additional storey (single height extension) at second floor level above parts of the existing building volume to accommodate an additional bedroom.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposal was altered with the appellant's agreement when the planning application was registered. I have used that above.

Main Issue

3. The main issue is the effect of the proposals upon the character and appearance of the area.

Reasons

4. The appeal site is positioned close to the junction of Rushmore Road and Powerscroft Road. It is located between the back gardens of the dwellings within Powerscroft Road and the end of the long line of terraced dwellings.
 5. The existing dwelling is a 2 storey flat roof structure. The height of this is substantially below the level of the parapet along the line of terraced dwellings. The rendered end wall of the terrace is in clear view from the direction of the nearby junction. The terrace possesses a number of unifying characteristics such as the rhythm of the front bays and windows as well as in the use of similar materials such as the continuity of the moulded fronts to the parapets.
 6. The existing openness above the existing flat roof of the dwelling helps to retain an emphasis on these unifying features. Space is retained at the higher level and the building does not compete with those more long-established dwellings. This is a characteristic of the traditional layout of the dwellings in
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the area and is also the case above the fence line between No 69 Rushmore Road and No 97 Powerscroft Road opposite the site.

7. The proposal would involve a small increase the height of the existing first floor level of the building. Then, an additional storey would extend the full width of the front of the building but stepped back from the front. Towards the rear, the additional storey would also be set back from the side where it would adjoin the garden of No 93 Powerscroft Road.
8. The increased height and bulk of the building would be more emphatic within the street-scene. The building would be set down from the roof level of the terrace and in from the front building line. This would prevent the direct obscuration of specific traditional architectural features. However the increased height and bulk of the building would result in the loss of space at the high level which would go against the existing distinctive qualities of the area. As opposed to sitting comfortably low down alongside the adjoining traditional dwellings, the proposal would be incongruous and would be more emphatic within the street scene. This would not complement the local distinctiveness of Rushmore Road.
9. The street tree within the pavement in front of the site breaks up the view of the site from some positions. It would help to reduce the impact of the proposal from some points of view. However that cannot be guaranteed as a permanent feature.
10. The appellant has referred to a number of examples where in similar situations, high buildings have been approved. These rather confirm my view that such development can be harmful to the street-scene. They do not set a precedent and have not changed the character of the area around the appeal site. I have considered this case on its own merits.
11. In relation to the main issue, the proposal would have a harmful effect upon the character and appearance of the area. This would not comply with Policy DM1 of the Development Management Local Plan¹, Policy 24 of the Core Strategy² and Policies 7.4 and 7.6 of the London Plan³.

Other Matters

12. An adjoining neighbour is concerned about the lack of sufficient survey information to enable proper consideration of the impacts upon the occupants of that dwelling. From the information available, I do not consider that the proposal would substantially enclose those gardens or cause a loss of light or outlook for those residents within their dwellings.

Conclusion

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

Andy Harwood

INSPECTOR

¹ Hackney Development Management Local Plan, adopted 2015

² Hackney Local Development Framework Core Strategy, adopted 2010

³ The London Plan, The Spatial Development Strategy for London Consolidated with alterations since 2011, adopted March 2015