
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: 10 November 2016

Appeal Ref: APP/U5360/D/16/3157494
65 Blurton Road, Hackney, London E5 0NH

- 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 Roderic Jones against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/0806, dated 3 March 2016, was refused by notice dated 6 June 2016.
 - The development proposed are: "amendments to existing planning approval ref 2015/2842 for the erection of mansard style roof at main roof level and extension over existing two storey outrigger; The amendments are to the rear elevation and roof windows of the proposed mansard roof extension."
-

Decision

1. The appeal is allowed and planning permission is granted for "amendments to existing planning approval ref 2015/2842 for the erection of mansard style roof at main roof level and extension over existing two storey outrigger; The amendments are to the rear elevation and roof windows of the proposed mansard roof extension" at 65 Blurton Road, Hackney, London E5 0NH in accordance with the terms of the application, Ref 2016/0806, dated 3 March 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: '254_PR_103'; '254_PR_104'; '254_PR_105'; '254_PR_106'; '254_PR_107'; '254_PR_108'; '254_PR_109'; '254_PR_110'; '254_PR_111'; '254_PR_112'; and '254_PR_113'.

Procedural Matters

2. The submitted plans indicate some details of ground floor alterations that have been already approved through a separate planning permission. I am not dealing with those in this appeal.

Main Issue

3. The main issue is the effect of the proposed rear roof extension upon the character and appearance of the area.
-

Reasons

4. The appeal property includes a terraced dwelling within a row of similar dwellings on the northern side of Blurton Road. As the Council explains, the parapet line (or roofline) of the terrace on the northern side of Blurton Road is unbroken and continuous.
5. A similar set of proposals for the property (2015/2842 approved on 5 October 2015) have already been approved. The proposed extension to the rear outrigger or closet wing has been approved and a similar front roof alteration was included within that planning permission along with a mansard style rear alteration. The Council's main concerns relate to the proposed changes to the rear roof in comparison with the previous approval.
6. I am satisfied that the alternative (or 'fallback') scheme is highly likely to be implemented and construction work was underway at the time of my site visit. The previous approval is a material consideration of significant weight. I have been provided with indications of the scale and form of that proposal.
7. The Council's Supplementary Planning Document¹ (SPD) advises that where the introduction of a roof extension would be acceptable, a mansard roof should normally be used. The existing roof of the main part of the house is a butterfly roof set behind a parapet or cornice. The current proposal includes a sloping roof off of the parapet at the front as did the previous approval. This does not conform to the advice within the SPD. The Council state that this is considered acceptable "given that it was introduced to restrict the front of the property". It is not precisely clear to me what this means in terms of the application of the SPD or other policies.
8. At the rear, a high glazed infill is proposed between the side party wall parapets that, along with the chimney, would be increased in height. The fallback scheme would also involve the increased height of these side walls and the chimney.
9. Both of the proposals would result in a protrusion above the roof line breaking the existing continuity along the terrace by a similar amount. The main difference between the schemes would be the change from the existing butterfly roof at the rear to a vertical glazed dormer rather than the mansard with smaller dormers as already approved. Both alternatives would be set back, behind a rear parapet that would retain an indication of the butterfly roof shape. They would also be set behind the second floor extension to the narrow outrigger. The proposed dormer would not be visually prominent and would be on the rear of the building rather than on a prominent publicly visible part of the building. The inclusion of a larger area of glazing would be lightweight in appearance and given the lack of prominence would not have a harmful impact. The proposal would have a similar impact to the fallback scheme.
10. The proposal does not conform to the guidance within the SPD. However in relation to the main issue I do not consider that it would have a harmful impact upon the character and appearance of the area particularly when compared to the fallback scheme. The proposal would comply with Policies DM1 and DM2 of the Development Management Local Plan², Policy 24 of the Core Strategy³ and

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

Policies 7.4 and 7.6 of the London Plan⁴.

Other Matters

11. The rear alterations would be far enough away from the properties within Rushmore Road to prevent any significant impacts upon those or other nearby residents in terms of light and outlook.
12. I have imposed a condition specifying the relevant drawings as this provides certainty that the development will be implemented as proposed. The only other condition suggested would require that the materials used match the existing building. This is unnecessary as some different materials are proposed and the plans provide adequate annotations regarding external finishes.

Conclusion

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

A Harwood

INSPECTOR

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