
Appeal Decision

Site visit made on 1 December 2016

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 8 December 2016

Appeal Ref: APP/U5360/D/16/3157981
16A Chart Street, Hackney, London N1 6DD

- 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 G Baker against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/1781, dated 11 May 2016, was refused by notice dated 11 July 2016.
 - The development proposed is the extension and remodelling of existing property and creation of a roof terrace.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor extension, creation of a roof terrace and elevational alterations at 16A Chart Street, Hackney, London N1 6DD in accordance with the terms of the application, Ref 2016/1781, dated 11 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: 1095 ASU 001 Rev A; 1095 ASU 002 Rev A; 1095 ASU 003 Rev A; 1095 ASU 004 Rev A; 1095 ASU 005 Rev A; 1095 ASU 006 Rev A; 1095 ASU 007 Rev A; 1095 APL 001 Rev A; 1095 APL 002 Rev A and 1095 APL 003 Rev A.
 - 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.

Procedural Matters

2. The description of the development provided on the application form, as set out in the banner, above, has been replaced by a more precise version in subsequent documents. I consider this to be more usefully accurate and have thus employed it in my decision, above.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property, and upon the surrounding area, including the setting of the grade II listed Hoffman Square, opposite.
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Reasons

4. The appeal property is a two storey building abutting the much larger, angular, three storey bulk of Chart House (16 Chart Street) to the south, and a three storey end-of-terrace house at 17 Chart Street. The terrace, comprised of Nos 17 – 24 of which No 17 is located at the end, is locally listed and has a consistent, uniform appearance, with a strong, unbroken parapet line at roof level, with uniformity of doors and windows along its length.
5. Originally granted planning permission in 2005 in place of a single storey garage the appeal building retains something of the appearance of a garage about it. However, its scale and form, particularly the existing first floor element and the gable elevation to the Chart Street frontage, appear at odds with the adjoining buildings. The mix of traditional design elements at ground floor and a more contemporary approach above creates, to my mind, a building that sits somewhat uncomfortably in the context of the surrounding streetscape. The mix of design elements is at odds with the repetition and consistency of line and form evident in both old and more recent buildings elsewhere on Chart Street, whilst its scale and form deviates significantly from that of the buildings to either side of it.
6. The proposed first floor extension and the remodelling of the Chart Street façade would, I observed, better reflect the angular nature of Chart House and the adjacent locally listed terrace at 17 – 24 Chart Street. Its box-like appearance would reflect the form of these adjoining buildings and would provide an appropriately scaled transition between the larger buildings on either side. The extended building would be seen most readily in the context of the similarly angular structures of those either side, not Hoffman Square. Moreover, it would share more in terms of character and appearance with the end elevation of No 17, than it would the more detailed façade to Nos 17 – 24.
7. Whilst the gabled elevations of Hoffman Square, opposite are noted, they are of an altogether different, and far more substantial scale, than that of the existing building. Notwithstanding the host building's location directly opposite this grade II listed building, it is dwarfed in scale and presence by not just Hoffman Square, but by the buildings directly adjoining it. Although the Council consider that the existing gabled elevation fronting Chart Street makes reference to the listed building opposite, I tend to share the appellant's view that, other than employing an approximation of the gabled ends of that building, there is little in common between the listed building and No 16A. Nor have I been presented with any evidence to indicate that there is, or was, any historical, visual or functional link between the building on the appeal site and Hoffman Square.
8. In this context, the loss of the existing ground floor gabled elevation and the form of the proposed replacement building, would be largely absorbed within the streetscape in longer views southwards along Chart Street from Buttesland Street. The extended building would also sit more comfortably in terms of scale, form, design and materials alongside these other buildings than is currently the case. Although the proposal would result in the loss of the peaked gable elevation fronting Chart Street, I do not consider this loss to be harmful to the character or appearance of the surrounding area, nor to the setting of either the locally listed terrace or the statutorily listed Hoffman Square, opposite.

9. Thus, I conclude that the proposed extension, resulting in the loss of this gable feature would not harm the setting of the grade II listed Hoffman Square, opposite, nor would it harm the setting of the locally listed 17 – 24 Chart Street. Overall, the proposal would have a neutral effect on the setting of the nearby designated and non-designated heritage assets, thereby preserving their significance. It would have an unobtrusive presence within the streetscape and, rather than being an incompatible form of development would, I find, strike a balance between the varied styles, appearance and built form evident in the surrounding area.
10. For the reasons set out therefore, the proposal would not be in conflict with London Plan policies 7.4, 7.6 or 7.8, policies 24 or 25 of the Hackney Core Strategy or with policies DM1 or DM28 of the Hackney Development Management Local Plan. Together, these policies seek to ensure development of the highest quality design standards that complements, responds to and is sympathetic to the character, appearance, scale, form and detail of the host building, local townscape and the surrounding area. These policies align with the National Planning Policy Framework (the Framework) and can be afforded weight accordingly.

Other Matters

11. It is noted that objections were received to the proposed development, citing overlooking and loss of privacy, and obstruction of natural light to adjoining residential properties. Although the Council's reasoning as set out in the delegated report appears muddled in places, these matters did not ultimately form a reason for refusal.
12. From my observation of the site and its surroundings however, I am satisfied that the frosted glass balustrade around the perimeter of the roof-top terrace would provide sufficient screening so as to avoid unacceptable levels of overlooking of, and from, adjacent buildings. In the context of the scale of, and relationship between, the appeal property and those surrounding it, the additional massing at first floor level, and the enclosures at roof level, would not result in an unacceptable impact upon the living conditions of occupiers of those properties. I have not been presented with any evidence to lead me to conclude that these other matters, either individually or cumulatively, would be over-riding issues warranting dismissal of the appeal.

Conditions

13. I have considered the conditions suggested by the Council in light of the National Planning Policy Framework (the Framework) and Planning Practice Guidance. I agree that, in addition to the time limit condition, conditions specifying the approved plans and the use of matching materials are necessary in order to provide certainty and in the interests of the character and appearance of the host property and the surrounding area, respectively. I am satisfied that the approved plans adequately demonstrate the installation of frosted glass screens at roof top level, and that consequently the plans condition provides sufficient certainty regarding the installation thereof.

Conclusion

14. For the reasons set out above, and having considered all other matters raised, I conclude that the appeal should be allowed.

Graeme Robbie

INSPECTOR