

Appeal Decision

Site visit made on 7 December 2016

by P Eggleton BSc(Hons) MRTPI

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

Decision date: 20TH December 2016

Appeal Ref: APP/U5360/D/16/3160093

121 Culford Road, Hackney, London N1 4HT

- 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 & Mrs I Duncan against the decision of the London Borough of Hackney Council.
 - The application Ref 2016/2343, dated 20 June 2016, was refused by notice dated 15 August 2016.
 - The development proposed is a single storey, first floor, rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

3. The property lies within the De Beauvoir Conservation Area which includes De Beauvoir Square but is also characterised by the formally laid out streets and the period terraced properties that align them. This property has a full width lower ground floor extension and an upper ground floor, half width, outrigger. The proposal would result in an addition to the height of the outrigger.
 4. Although views of the rear of the property are possible from Ardleigh Road, these are of little wider significance. However, although not a corner property, the rear of the dwelling is clearly visible from Culford Grove. The existing outrigger is already clearly evident in this view but it sits relatively unobtrusively because of its limited height, form and materials.
 5. The height of the new addition would be limited so that its parapet and roof would be significantly below that of the main roof of the property. It would be of a form and materials that would match the existing structure. However, as the neighbouring corner property does not have rear additions at upper ground floor level, it would be clearly evident, prominent and imposing. It would be overly dominant and it would detract from the character of the property. It would also unacceptably dominate and detract from the simple appearance of the neighbouring property. It would represent poor design in this particular context.
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6. Although the backs of these properties are of less importance than their frontages, this alteration would nevertheless result in harm to the appearance and character of this terrace and the wider area. It would detract from and fail to preserve or enhance the character or appearance of the conservation area. The proposal would therefore be contrary to the design requirements of Policies 7.4 and 7.6 of the London Plan 2015; Policy 24 of the Hackney Core Strategy 2010 (CS); and Policy DM1 of the Hackney Local Plan 2015 (LP). As these policies generally accord with the design requirements of the *National Planning Policy Framework*, I afford them considerable weight.
7. As the extension would result in harm to the conservation area, the proposal would conflict with the heritage requirements of CS Policy 25, LP Policy DM28 and London Plan Policy 7.8. The harm to the conservation area would be less than substantial, as described in paragraph 134 of the *Framework* but the public benefits of the proposal would not be sufficient to outweigh this harm. In addition to being contrary to the heritage policies of the development plan, it would also conflict with the similar requirements of the *Framework*.
8. The Council's Supplementary Planning Document: Residential Extensions and Alterations 2009 (SPD) advises that when rear elevations can be viewed from adjoining streets, the townscape impact should be taken into account. It also requires that extensions do not dominate or detract from the original building or group of buildings. The matching form and high quality materials of this proposal gain support from the SPD, as does its set down from the main roof. However, given the unacceptable wider impact, on balance, I find conflict with its overall objectives.
9. There is a similar extension, also visible from Culford Grove, at 127 Culford Road. Although equally prominent, the Council advise that it did not benefit from planning permission and was not therefore considered against the policies of the development plan. An extension at 118 Culford Road also has a comparable design but differs from this proposal as it has very limited wider prominence given the constrained views from De Beauvoir Road. There is a variety of other rear extensions on Culford Road but these also have a very limited wider impact. I am unclear of the planning history with regard to the property at the junction of Culford Road and Buckingham Road but it differs significantly from this proposal and it is not a positive feature of the conservation area.
10. This proposal must be considered on its own merits and in light of the current policies of the development plan. I have had regard to the other extensions referred to but the circumstances that led to their development do not appear to have been entirely comparable. They do not persuade me that I should accept an application for development that would be contrary to both the development plan and the *Framework* and would result in harm to the conservation area. I have considered all the other matters put forward by the appellants but I do not consider that they are sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton
INSPECTOR