
Appeal Decision

Site visit made on 6 December 2016

by Elizabeth Pleasant DipTP MRTPI

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

Decision date: 22 December 2016

Appeal Ref: APP/U5360/W/16/3159240

Flat E, 101 Mayola Road, Hackney, London E5 0RF

- 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 Niklas Alvaeus against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/2651, dated 14 July 2016, was refused by a notice dated 8 September 2016.
 - The development proposed is the conversion of loft with rear dormer.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect on the character and appearance of the host property, 101 Mayola Road and the surrounding area.

Reasons

3. 101 Mayola Road is an attractive double fronted terraced property which lies within a residential street close to its junction with Saratoga Road. When travelling along Saratoga Road towards Mayola Road, there are clear views of the appeal property's rear elevation and roof. The ridge of the property's existing rear outrigger sits below its eaves line and consequently the property displays a clean and uninterrupted rear roof slope which is visually prominent from Saratoga Road.
 4. The Council's adopted Supplementary Planning Document (SPD) on Residential Extensions and Alterations, 2009, provides detailed guidance for undertaking extensions and alterations to private dwellings. It advises that dormer windows will normally be acceptable on rear roof slopes, and as a general guide dormers should normally be set a minimum 0.5m below the ridge, a minimum of 1.0m above the eaves line and the height of any dormer should be no more than half the height of the roof or half the width of the roof. The guidance does accept that where a number of larger rear box dormers already exist within the immediate vicinity, then subject to a number of other criteria, a larger rear dormer might be acceptable.
 5. The Council point out that the proposed development would breach the initial guidelines established by the SPD in respect of its height and set back from the
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- eaves. Furthermore it would be set within a terrace which has retained its original roofline and a large dormer would disrupt the roof and be obtrusive.
6. I recognise that the appellant has reduced the size of the dormer to overcome the Council's initial concerns regarding its size. However, in this instance the rear roof slope is visually prominent within the street scene and the traditional pitched roof makes a valuable contribution to the character of the area. The proposed dormer would introduce an incongruous element which would detract from the original simple roof form of the property. Although the remainder of the terrace displays butterfly roofs, their original roof forms remain unaltered and they similarly contribute to the overall character of the area.
 7. I understand that there may be other large dormers in the area; however I did not see any on my site visit that were visually conspicuous from Saratoga Road. In any event the existence of these other examples does not provide justification for this proposal, which I have considered on its own merits. Furthermore the need for additional living accommodation does not outweigh the harm I have identified to the character and appearance of the area.
 8. I conclude that the proposed development would have a harmful effect on the character and appearance of the host property, 101 Mayola Road and the surrounding area. I therefore find conflict with the development plan, and in particular Policy 24 of Hackney's Core Strategy, 2010 and Policy DM1 of the Development Management Local Plan, 2015, which are consistent with Policies 7.4 and 7.6 of the London Plan and the National Planning Policy Framework, which seek to secure high quality design and, amongst other things, respect the visual integrity and established scale, massing and rhythm of buildings. I also find conflict with the SPD the aims of which are set out above. The Council has cited conflict with Policy DM2 of the DMP in its Decision; however I find not conflict with this Policy which relates to 'Development and Amenity'.

Conclusion

9. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Elizabeth Pleasant

INSPECTOR