

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: 13 January 2017

Appeal Ref: APP/U5360/W/16/3157912

346 Queensbridge Road, Hackney, London E8 3AR

- 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 Uri Eisenstein on behalf of P4i LTD against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2015/4244, dated 24 November 2015, was refused by a notice dated 4 March 2016.
 - The development proposed is a partial change of use at ground floor from commercial to residential, part three storey rear extension and mansard roof extension to facilitate the conversion of an existing building into 3no residential self-contained flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect on:
 - The character and appearance of the host property, Queensbridge Road Conservation Area and the adjoining Graham Road and Mapledene Conservation Area; and
 - The living conditions of the occupiers of 348 Queensbridge Road, with particular regard to daylight/sunlight and outlook.

Reasons

Character and appearance

3. The appeal property forms part of an attractive traditional three-storey Victorian Terrace which displays a butterfly roof profile behind a cornice and parapet wall. No 346 is the end of terrace property and occupies a prominent position on the corner of Queensbridge Road and Forest Road and within Queensbridge Road Conservation Area.
 4. Queensbridge Road Conservation Area and the adjoining Graham Road and Mapledene Conservation Area are characterised by similar mid-Victorian terraced houses and villas. The relatively consistent scale, form and design of the properties fronting onto the eastern side of Queensbridge Road, including
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the host property, provide an attractive and harmonious street scene which contributes to the significance of the heritage asset.

5. Policy 24 of Hackney's Core Strategy, 2010 (CS) and Policy DM1 of the Development Management Local Plan, 2015 (DMLP) which are consistent with Policies 7.4 and 7.6 of the London Plan, seek to secure high quality design and, amongst other things, respect the visual integrity and established scale, massing and rhythm of buildings. The Council's adopted Supplementary Planning Document (SPD) on Residential Extensions and Alterations, 2009 provides detailed guidance for undertaking extensions and alterations. It advises that all roof extensions should accord with the general design principles and reflect the design of the original building. Furthermore it states that rear extensions must be subordinate to the principal building.
6. The proposed development would introduce a mansard roof to the property which would extend beyond its existing rear elevation to encompass the proposed three-storey rear addition. Consequently, the property's original butterfly roof would be completely masked. The simple form and rhythm of the existing roof profile is clearly visible from Forest Road and it contributes significantly to the character of both the host property and the Conservation Areas. Although a couple of the other properties within the terrace have had mansard roof extensions, they are much smaller in scale than this proposal. Moreover, they are not readily visible to public views from Forest Road where the host property's existing butterfly roof profile is most conspicuous.
7. The host terrace displays a number of rear additions which vary in their design, scale and form. However, they are all clearly subservient to the original property and the intrinsic design characteristics and form of the terrace remain clearly discernible. In contrast the scale and mass of the proposed development would dominate the host property. Although the principal elevation towards Queenbridge Road would remain relatively unchanged, the flank and rear elevations, which are equally visible to public views, would be significantly altered. The existing open aspect across the rear elevation of the terrace when viewed from Forest Road would be lost and the contribution this vernacular property makes to the character and appearance of the Conservation Area would be diminished.
8. I recognise that the use of contrasting materials would enable the original flank profile of No 346 to be identified. However, the rendered and lead effect cladding on the flank wall would appear stark and this would increase the prominence of this elevation within the street scene. The overall design, form and external surface materials of the proposal would not respond to the character of the host property and would detract from the character and appearance of the Conservation Areas.
9. I cannot not agree with the Appellant that the proposal would bridge the gap between old and new development. The contemporary flats on the opposite side of Queensbridge Road do not lie within a conservation area and they are free standing buildings which display individual design concepts. I have also taken into consideration the extension to the property on the corner of Queensbridge Road and Mapledene Road, which has been brought to my attention. However in that case, whilst the mansard extension is visually dominant, the host terrace does not have a butterfly roof. Furthermore, its rear extension reflects the scale, design and form of the host property. These

developments are not therefore directly comparable and in any event their existence does not justify the harm I have identified to the character and appearance of the area by the appeal proposal.

10. I conclude that the proposed development would cause significant harm to the character and appearance of the host property, Queensbridge Road Conservation Area and the adjoining Graham Road and Mapledene Conservation Area. It would cause less than substantial harm to the Conservation Area as a heritage asset. The harm is not outweighed by any public benefits, including the contribution that three new residential units would make to housing supply within the Borough. The proposal is therefore contrary to policies in the National Planning Policy Framework which seek to conserve and enhance the historic environment and also does not accord with the development plan. In particular I find conflict with the SPD as well as Policy 24 of Hackney's CS, Policy DM1 of the DMLP and Policies 7.4 and 7.6 of the London Plan, the aims of which are set out above. I also find conflict with Policy 25 of the CS, DM28 of the DMLP and Policy 7.8 of the London Plan which seek to ensure, amongst other things, that all development makes a positive contribution to the character of Hackney's historic and built environment, conserves the significance of the heritage asset, and that alterations and extensions in conservation areas do not upset the scale or proportions of buildings nor harm the architectural integrity of a building or the unity and significance of a terrace.

Living conditions

11. The proposed rear addition would extend to three-storey in height and would abut the site's common boundary with No 348 Queensbridge Road. Despite 348 having a ground floor rear outrigger, it is clear to me that the scale and height of the proposal, in such close proximity to the common boundary, would have a significantly enclosing impact on the outlook from the windows on the rear elevation of 348.
12. The proposed plans indicate that the 45 degree angle would not be breached from No 348's second floor rear bedroom window. However, this angle does not take account of the extent of the vertical plane of the flank wall to the rear extension, or its position directly to the south of it. In the absence of any daylight or sunlight report to demonstrate otherwise, it is my view that by reason of the height of extension's flank wall, including the mansard roof above, it would almost certainly result in a loss of daylight and sunlight to the rear windows of No 348, which in turn would have a harmful impact on the living conditions of the occupiers of this property.
13. I conclude that the proposed development would have a harmful effect on the living conditions of the occupiers of 348 Queensbridge Road, with particular regard to daylight/sunlight and outlook. The proposal would not therefore accord with the development plan, and in particular with Policy DM02 of the DMPD and the SPD which seek to ensure that development proposals, amongst other things, are designed to ensure that they will not result in significant adverse impacts on the amenity of occupiers and neighbours, including impacts on overshadowing, outlook, sunlight/daylight and artificial light levels. I also find conflict with one of the Framework's core principles of providing a good standard of amenity for all existing and future occupiers of land and buildings.

Conclusion

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

Elizabeth Pleasant

INSPECTOR