
Appeal Decision

Site visit made on 24 January 2017

by Brendan Lyons BArch MA MRTPI IHBC

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

Decision date: 20th February 2017

Appeal Ref: APP/U5360/W/16/3159493

Flat C, 73 Nevill Road, London N16 8SW

- 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 Alex Bultitude against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/1283, dated 11 April 2016, was refused by notice dated 6 June 2016.
 - The development proposed is a mansard roof extension.
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Decision

1. The appeal is allowed and planning permission is granted for a mansard roof extension at Flat C, 73 Nevill Road, London N16 8SW, in accordance with the terms of the application Ref 2016/1283, dated 11 April 2016, subject to the following conditions:
 1. The development hereby permitted shall begin no later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: Nos.125-000, 001, 002B, 003A, 004, 005B, 006A, 007, 020, 021, 022, 023, 024, 025.
 3. Prior to commencement of above ground works, full details/specifications (including samples where appropriate) of all materials to be used on the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Appeal proposal

2. The appeal relates to the top floor flat of a mid-terrace house that has been converted to three flats. The terrace, like much of the surrounding residential area, dates from the mid-nineteenth century, but faces onto an estate of modern three-storey blocks of flats, some of which are set back behind a small green space. The appeal terrace has three storeys over a basement, with a flat front topped by a parapet with a moulded cornice, behind which is a 'butterfly' roof, with a valley gutter in the middle of each house.
 3. Permission is sought to add a mansard roof as an extension to the top flat, to provide living space in the extension and the existing space to be converted to bedrooms. The front of the mansard would be raked back behind the parapet
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and faced in imitation slate, with two lead-clad projecting dormer windows. Brick party walls would be carried up to each side. The rear would be clad in zinc sheet, with a part vertical and part raked profile, with a recessed area to one side forming a small balcony, described by the Council as a roof terrace.

4. Some of the original plans were amended during consideration of the planning application, and these substitute plans are acknowledged in the Council's decision notice. The appellant has since realised that some small discrepancies existed and has submitted three further amended plans¹ with the appeal. The Council has not raised any concern on this point. As the changes made are very minor and serve only to clarify the proposal, I consider that no party's interests would be prejudiced by acceptance of the new plans, and I have assessed the appeal on this basis.

Main Issue

5. The main issue is the proposal's effect on the character and appearance of the terrace and of the wider area.

Reasons

6. The Council considers that the proposed mansard would be an uncharacteristic feature of the terrace and the wider street scene. In reaching this conclusion, it places some weight on the absence of mansards in the immediate vicinity, and on the terrace's perceived unbroken roof line.
7. However, as the appellant points out, the terrace has been significantly interrupted by the insertion of a replacement building at Nos.59-61, probably to replace war damage. The newer building maintains some of the proportions of the original terrace and carries through the main cornice line, but it also includes an additional floor at roof level. At the front, this takes the form of a mansard, which is discreetly sloped back but results in a bulkier roof profile and increased parapet height.
8. The appeal proposal would thus not be the first mansard in the terrace, and could not therefore be said to be wholly uncharacteristic. I acknowledge that the mansard at Nos.59-61 is something of an exception in the more urban three-storey terraces of this stretch of Nevill Road and the adjoining Barbauld Road. However, in the northern part of Nevill Road and the surrounding roads, which are slightly more suburban in character owing to their two-storey scale and short front gardens, mansard extensions are commonplace, both singly and in groups. This form of alteration is now highly characteristic of the wider area.
9. The Council does not raise any objection to the actual design of the front of the proposed mansard. Unlike Nos.59-61, the proposal would maintain both the existing cornice and parapet. Its windows would align with those of the elevation below, and their lead cladding would blend with the slate of the mansard, in accordance with the guidance of the SPD. The proposal would thereby respect the character of the front façade. Because of the height of the façade, the mansard would not be highly prominent in street views of the front of the terrace.

¹ Plan nos. 125-002B, 005B and 006A

10. To the rear, the proposed use of grey zinc cladding in a cranked profile would also reflect SPD guidance. The Council's main concern relates to introduction of the proposed balcony. I agree with the appellant that it is something of an overstatement to describe this modest feature as a roof terrace. In my view, it would have no extra impact over the addition of a full-width mansard. If anything, the recess in the roof would serve to reduce the bulk of the new addition. Other than a concern that a roof terrace would be uncharacteristic, the Council does not specify precisely what harm would arise from the proposed design, and there is no concern over loss of amenity. I note that small roof-level balconies already exist to the rear of Nos.59-61, without any obvious harm to the character of the area.
11. For these reasons, I find that in the particular circumstances of this location there would be no adverse effect on the character of the terrace or of the wider area. There would be no conflict in this instance with the guidance of the Council's Supplementary Planning Document ('SPD') Residential Development and Alterations, adopted in 2009, which sets general design guidelines for roof extensions, including mansards. The proposal would also comply with the design objectives of Policies 7.4 and 7.6 of the London Plan 2016, of Policy 24 of the Hackney Core Strategy 2010, and of Policy DM1 of the Hackney Development Management Local Plan 2015.

Conditions

12. The Council has put forward three conditions, to which the appellant raises no objection. I agree that, subject to slight amendment in the interests of precision, the proposed conditions would be reasonable and necessary. In addition to the standard condition on commencement time, a condition specifying compliance with the approved plans is necessary to confirm the approved form of development. The third condition, requiring the approval of materials and detailing, is necessary to ensure that the character and appearance of the house and of the local area is respected.

Conclusion

13. For the reasons set out above, I conclude that the appeal should be allowed and planning permission granted subject to conditions.

Brendan Lyons

INSPECTOR