

Appeal Decision

Site visit made on 29 March 2017

by J D Westbrook BSc(Hons) MSc MRTPI

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

Decision date: 7 April 2017

Appeal Ref: APP/U5360/D/17/3169216

7a Cassland Road, London, E9 7AL

- 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 Miss Janet Blair against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/2887, dated 15 May 2016, was refused by notice dated 1 November 2016.
 - The development proposed is a loft conversion including a rear dormer extension and roof windows/lights to the front.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the roof dormer preserves or enhances the character or appearance of the Victoria Park Conservation Area.

Reasons

3. No 7a is a mid-terraced house situated on the northern side of Cassland Road, between its junctions with Terrace Road and Lauriston Road. Nos 7, 7a and 7b all are narrow fronted with long rear, two-storey outriggers. No 7c, which completes the terrace is wide-fronted, but lacks a rear outrigger. The outrigger at No 7 is narrow with a steeply pitched roof. The outrigger at the appeal property is shared with No 7b and has a shallower roof pitch with a lower ridge. Each of the properties within the terrace has a long rear garden of irregular shape. The fronts of the houses are faced in red brick, whilst the sides and rear elevations are of a yellow/grey colour, more in keeping with the general tone of colour of the buildings in the near vicinity. The roofs have grey tiles. The terrace lies within the Victoria Park Conservation Area (CA).
 4. The proposed dormer at No 7a is already constructed and is a complex structure with two sections. One section extends the full width of the rear roof slope and is set down slightly from the main ridge. The other section appears to be around 3 metres deep, and is positioned above a large portion of the rear outrigger, from the party wall down almost to the eaves. It projects above the ridge of the outrigger by a considerable amount. The walls of the dormer comprise red tiles, and both sections have a flat roof.
-

5. The Council's Supplementary Planning Document: Residential Extensions and Alterations (SPD), indicates that dormer windows to a rear roof slope should reflect the architectural character of the existing building and its neighbours in their form, detailing and materials. Moreover, dormers should be well spaced and positioned within the existing roof slope, set in from the party wall on each side and down from the ridge. Generally the width of a single dormer should not exceed half the width of the roof. Whilst there is a limited degree of flexibility in these standards relating to streets where there is already a large number of front and rear roof extensions, this part of Cassland Road is not such a street and, in any case, the dormer as constructed would still not comply with the guidelines. It occupies almost the whole of the rear roof slope and a large proportion of the roof slope of the outrigger. It also projects well above the ridge of the outrigger roof.
6. The appellant contends that the dormer, being to the rear, is not part of the street scene, and that there is already a large rear dormer window at the nearby No 7c. I accept that the dormer at the appeal property is not visible from the street, but it is not in scale with the host property and dominates the roofscape, particularly with the addition of the section above the outrigger, which projects well above the ridge. I do not consider this good design in the context of respecting the character and appearance of the existing dwelling, or of the terrace as a whole. Moreover, the red tiles used for the walls of the dormer appear somewhat strident when seen against the restrained colours of the walls and roofs of the rest of the terrace.
7. With regard to the existing dormer at No 7c, this occupies only around half of the width of the, admittedly unusual, roof of the dwelling. There is no outrigger at No 7c so the dormer is a smaller structure. It also has red tiles to the side cheek, which is visible to a certain extent from the public realm, but I consider this to be an undesirable feature, detrimental to the street scene. In any event, it would appear that this dormer benefits from a Certificate of Lawfulness dating back to 2008, and that it was constructed prior to this part of Cassland Road being incorporated into the CA. I do not consider that it can or should be looked upon as a precedent for this current proposal.
8. In conclusion, I find that the rear dormer extension, by virtue of its scale, position and design, does not respect the character or appearance of the appeal property, or the terrace of which it is a part. On this basis, it would not preserve or enhance the character or appearance of the CA. In addition, it would conflict with Policy CS24 of the Council's Core Strategy (CS) and Policy DM1 of the Council's Development Management Local Plan, both of which relate to the achievement of a high quality design that complements and enhances local distinctiveness, and with Policy CS25 of the CS, which requires all development to make a positive contribution to the historic environment. Finally, it would conflict with guidance in the adopted SPD.

J D Westbrook

INSPECTOR