
Appeal Decision

Site visit made on 9 May 2017

by Daniel Hartley BA Hons MTP MBA MRTPI

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

Decision date: 18 May 2017

Appeal Ref: APP/U5360/D/17/3169819

147 Victorian Grove, Hackney, London N16 8EH

- 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 Andrew and Beth Dainty against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/3753, dated 10 October 2016, was refused by notice dated 15 December 2016.
 - The development proposed is the erection of a dormer extension to the main roof incorporating two windows on the rear elevation and two roof lights.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the area.

Reasons

3. The appeal site comprises a brick built mid terraced dwelling built in about the 1970s. It is positioned within a housing estate where there are two and three storey blocks of residential development which mainly have mono pitched roofs. The property, along with No 145 Victorian Grove, is set in from the front and rear elevation of the remainder of the long terrace and also has a lower roof line. The appeal property is positioned behind existing properties fronting Victorian Grove. There are public footpaths in the area (including to the front of the property) which connect the various terraced blocks of residential accommodation.
 4. The proposed roof extension would form a flat roof projecting approximately 950mm above the existing front eaves and 2.3m above the existing rear eaves inset by 230mm from the rear elevation. The roof extension would be positioned across the entire roof width and would include two roof lights set back by about 1.2 metres from the main elevation and projecting 300mm above the flat roof.
 5. The proposed roof extension would result in a separate ridgeline owing to the set back nature of the property. Furthermore, when considered against the height and overall appearance of the roof at No 145 Victorian Grove, which would not be altered, the development would appear out of place and at odds
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with the deliberate design uniformity that exists between the two set back properties. Such an impact would be particularly noticeable when viewed from the footpaths at the front of the property and from glimpses of the site from Victoria Grove (i.e. between No 93 and 113 Victorian Grove). I consider that the proposal would cause harm to the overall design and architectural integrity of the terrace and whilst it would not be as prominent in the public realm when compared to say properties that directly front Beatty Road and Victorian Road, it would still be conspicuous when viewed by passing pedestrians.

6. I note that the appellant considers that the proposal should be allowed as other roof additions have been built in the immediate area. According to the Council, some of these roof additions have been built utilising permitted development rights. I acknowledge that to some extent this has changed the appearance of the area, but I do not consider that this should reasonably be considered as justification for allowing development which would cause demonstrable harm to the host dwelling and the terrace as a whole.
7. In this instance, the terrace is very long (unlike others on the housing estate) and setting Nos 145 and 147 Victorian Grove back from the rest of the terrace, both horizontally and vertically, provides some welcome relief to the otherwise elongated elevation. If the appeal were to be allowed the roof extension would significantly detract from this very deliberate design characteristic: it would be at a similar height to other dwellings in the terrace and would no longer reflect the scale and appearance of the roof at No 145 Victorian Grove. Consequently, neither the existence of other roof extensions, nor the overall position of the appeal site, outweighs my overall conclusion that the proposal would constitute an obtrusive and incompatible form of development which would have a significantly detrimental impact upon the character and appearance of the area.
8. For the above reasons the proposal would not accord with the design aims of Policies 7.4 and 7.6 of the London Plan 2016; Policy 24 of the adopted Hackney Local Development Framework Core Strategy 2010; Policy DM1 of the adopted Hackney Local Development Framework Development Management Local Plan 2013 and the Hackney Residential Extensions and Alterations SPD 2009.

Conclusion

9. For the reasons outlined above, and taking into account all other matters raised, the proposal would not accord with the development plan for the area. Therefore, the appeal should be dismissed.

Daniel Hartley

INSPECTOR