

## Appeal Decision

Site visit made on 20 June 2017

**by Sarah Housden BA (Hons) BPI MRTPI**

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

**Decision date: 29 June 2017**

---

**Appeal Ref: APP/U5360/D/17/3176563**

**124 Mapledene Road, Hackney, London E8 3LL**

- 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 Robin Mahoney against the decision of the London Borough of Hackney.
  - The application Ref 2017/0601, dated 14 February 2017, was refused by notice dated 12 April 2017.
  - The development proposed is 'mono-pitch single storey side extension to end of terrace house'.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The above description is taken from the planning application form. The Council's refusal notice provides a more accurate description of the development as a 'two storey side extension' and I have assessed the proposal on that basis.

### Main Issue

3. The main issue in this case is whether or not the proposed development would preserve or enhance the character or appearance of the Graham Road and Mapledene Conservation Area, having particular regard to the effect of the proposal on the character and appearance of the host property.

### Reasons

4. In the exercise of planning functions, the statutory test is that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Paragraph 132 of the National Planning Policy Framework (the Framework) advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
  5. I have not been supplied with any evidence relating to the significance of the Graham Road and Mapledene Road Conservation Area as a designated heritage asset. However, it appeared from my site visit that its significance derives from the form and character of the Victorian terraced houses which retain a number of original features and create an established and traditional character and appearance. The position of dwellings set back from the road, planting to
-

front and side gardens and roadside trees create a spacious and pleasant residential character.

6. The appeal property is located within an area of more recent development comprising terraced dwellings positioned at right angles to Mapledene Road and served by individual cul-de-sacs. It occupies a corner plot at the junction of the cul-de-sac and Mapledene Road. The proposed extension would be located to the side of the dwelling with the side wall on the back edge of the pavement facing onto Mapledene Road. The existing picket fence would be replaced with a brick wall approximately one metre high.
7. The extension would project forward of the building line of the Victorian properties to the west of the site, occupying some of the side garden area between the house and the picket fence at the back edge of the pavement. However, the retention of the remaining open area between the rear garden wall and proposed new wall which contains established trees would maintain the sense of spaciousness around the host dwelling together with a degree of visual separation from the traditional terraced dwellings to the west. As such, the loss of some of the space to the side of the dwelling would not be harmful to the character or appearance of the Conservation Area and in coming to that view, I have had regard to the position of the side extension at No 140 Mapledene Road (No 140) which occupies a similar position at the back edge of the pavement.
8. However, the inclusion of accommodation at first floor level results in an awkwardly shaped extension. The predominantly lean-to form of the roof and its steep pitch would not reflect the shallow pitched, hipped roof form of the existing dwelling. The extension would have an incongruous appearance in relation to the host dwelling and by reason of its position on a corner plot in close proximity to the pavement it would be prominent and conspicuous in the street scene. In addition, whilst the height of the chimney stack on the existing dwelling has been reduced, the external stack feature would be obscured by the extension.
9. The form of the extension would not reflect the advice in the Hackney Residential Extensions and Alterations Supplementary Planning Document (SPD) that side extensions should normally be of a similar form and subordinate to the roof the main building and should not obscure architectural features on a flank wall.
10. I recognise that the scheme incorporates some of the contemporary design features used in the extension at No 130 Mapledene Road (No 130). However, the extensions at both Nos 130 and 140 reflect the form and character of the host dwelling in terms of their roof form and chimney features. Whilst the examples of other side extensions in the Graham Road and Mapledene Conservation Area referred to me by the appellant have a contemporary design, they are subordinate in form and appearance to the host dwellings whereas the appeal scheme would appear as a discordant addition to the property.
11. The proposal would be harmful to the existing character and appearance of the host dwelling and would fail to preserve or enhance the character or appearance of the Conservation Area. Accordingly, it would be contrary to Policies 7.4, 7.6 and 7.8 of the London Plan (2016), Policies 24 and 25 of the Hackney Core Strategy (2010) (CS) and Policies DM1 and DM28 of the Hackney

Development Management Local Plan (2015) (LP). These policies, amongst other things, require a high standard of new design for alterations and extensions which identifies and respects the existing context and makes a positive contribution to the character of the historic and built environment and preserves or enhances Conservation Areas. There would be further conflict with the advice in the SPD.

12. The impact of the proposal would be relatively localised and in my view the harm to the Conservation Area identified above would be less than substantial. The Framework makes clear in paragraph 134 that where a proposed development would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal.
13. Deterring littering and fly-tipping would be of wider public benefit but there are other statutory powers to deal with this and it is not clear how the appeal scheme would deter such problems on the remaining open area to the side of the rear garden wall. The additional accommodation is required for an elderly family member, but no further details of the circumstances have been provided and this consideration can be given only limited weight in the determination of this appeal. The ease of maintaining a low wall instead of the existing picket fence is essentially a private matter and does not weigh in favour of the proposal.
14. In short, there would be insufficient public benefit arising from the proposal to outweigh the harm that would be caused to the character and appearance of the host dwelling and the Conservation Area. Accordingly, the appeal proposal fails to accord with the provisions of the Framework with regard to the conservation of designated heritage assets.
15. For the reasons outlined above, and having had regard to all of the other matters raised, I conclude that the appeal should be dismissed.

*Sarah Housden*

INSPECTOR