
Appeal Decision

Site visit made on 28 June, 2017

by G. Rollings, BA (Hons) MA(UD) MRTPI

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

Decision date: 9th August, 2017

Appeal Ref: APP/U5360/W/17/3171956

Flat 6, Brooks Lodge, 194a Hoxton Street, Hackney, London, N1 5HU

- 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 Williams against the decision of the Council of the London Borough of Hackney.
 - The application Ref: 2016/4535 dated 9 December, 2016 was refused by notice dated 3 February, 2017.
 - The development proposed is alterations to form roof terrace.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the Hoxton Street Conservation Area.

Reasons

3. The appeal site is part of a four-storey building with residential uses in the upper three floors. The neighbouring building to the south is set back from the street, and as such, the appeal site has the appearance of a corner building. It is also higher than its immediate neighbours and these factors contribute to its prominent appearance within the street scene. It is visible from some distance along its northern and southern street approaches and has a relatively simple appearance which is common to many of the other retained buildings within the immediate area. Accordingly, it makes a positive contribution to the conservation area.
 4. The conservation area is arranged primarily along Hoxton Street. The appellant identified several other examples of terrace-edge and protective structures at roof level on buildings along the street. Some of these are similar in nature to the proposed development, although in most cases these were either along a sole frontage with less prominence than the appeal building, or partly camouflaged against other structures. The example at 76 Hoxton Street was pointed out as being similar to the appeal proposal, and can be seen from street level outside the building. However, the visibility of the glass balustrade is tempered by the brickwork behind the structure.
 5. The development proposal incorporates the addition of a staircase housing at roof level to enable access onto the roof, which would be bounded by a glass balustrade. This would be set in from the roof edge.
-

6. I saw no examples that were comparable with the appeal proposal, in which glass balustrading would project upward from the roof, with no structures behind. I appreciate that the setback of the glass barriers would limit its visibility in views from street level immediately adjacent to the site. However, given the long views of the site along Hoxton Street, and the lack of a parapet wall on the existing building, views of the balustrade would still be possible from the street, as well as from numerous surrounding properties close to the site. I acknowledge the lightweight nature of the proposed balustrading, but note that glass can reflect light, collect dirt, and discolour over time, which would increase its visibility.
7. Despite the examples given, I observed that the majority of retained buildings within the conservation area have kept their flat roofs. The addition of structures on the roof of the appeal building would be detrimental to its unfussy appearance and heritage character, add unnecessary clutter to the street scene above street level, and therefore appear both obtrusive and incongruous.
8. I therefore conclude the development would fail to preserve or enhance the character or appearance of the Hoxton Street Conservation Area, as a designated heritage asset. Pursuant to the advice given within the *National Planning Policy Framework* (paragraph 134), I consider that the potential harm caused to its wider significance as a heritage asset would be less than substantial. However, in this case, I do not consider that there are any public benefits that would outweigh this harm.
9. The proposal conflicts with the Council's adopted *Core Strategy* (2010) Policies 24 and 25 and *Development Management Local Plan* (2015) Policy DM28, along with *The London Plan* (2016) Policies 7.4, 7.6 and 7.8. Together, these policies require development to have a design appropriate to its context and make a positive contribution to the character of the historic and built environment, amongst other factors. In reaching this decision, I have also given consideration to the Council's *Residential Extensions and Alterations Supplementary Planning Document* (2009).

Conclusion

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G J Rollings

INSPECTOR