

Appeal Decision

Site visit made on 25 June 2019 Ifeanyi Chukwujekwu BSc (Hons) MSC PIEMA
RTPI (Assoc)

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 July 2019

Appeal Ref: APP/U5360/D/19/3226403

124 Shepherdess Walk, London, N1 7JN

- 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 Noel Arnold against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2018/4644, dated 18 December 2018, was refused by notice dated 11 March 2019.
 - The development proposed is Erection of a rear roof extension and single storey ground floor rear extension, alterations to front window and door, and installation of a front rooflight.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The appellant has indicated on the appeal form that the description of the proposed development has changed since the application was originally submitted. The Council has determined the application based on this description, but objects to the proposed rear dormer window¹. I will proceed on this basis.

Main Issue

4. The effect of the proposed rear roof extension upon the character and appearance of the host property and street scene.

Reasons for the Recommendation

5. No. 124 is a mid-terrace three storey property. The street is residential in character with blocks of three-storey terraced properties. There is a general appearance of uniform roofscape. Rear dormer extensions are not a feature of the area.

¹ Taken from the planning officer's delegated report.

6. The appellant argues that proposed roof extension's size would be acceptable having regard to the Residential Extensions and Alterations Supplementary Planning Document (SPD) 2009. However, the development, by virtue of the rear dormer's size and positioning on the roof, would introduce a bulky addition to the host property's roof. It would not be subordinate to the existing roof form. It would detract significantly from the unaltered roof form and the uniformity of the terrace.
7. The appellant argues there are similar roof extensions in the wider locality. For example, the two dormers visible from Eagle Wharf Road. Nonetheless, the roof-form of the terrace in which no. 124 is located remains mainly uniform and the proposed addition would appear out-of-keeping with the predominant roofscape. Roof extensions can add valuable floorspace for residential purposes, but the appeal dormer would fail to complement local distinctiveness because of its top-heavy and over-dominant appearance. The development would detract from the block's style and it would have a detrimental effect on the residential quality of the area, given the roof extension's overall design and layout. The existence of other similar development is not a strong enough reason to justify visually harmful development.
8. The appellant refers to the existence of a fallback position having regard to permitted development (PD) rights. A dormer window could be erected without express planning permission, but the appeal scheme would be plainly unacceptable given the bulk and scale of the proposed dormer window. Even if there is a realistic prospect of PD rights being exercised, this matter attracts limited weight.
9. Consequently, I find that the proposed rear roof extension would have a detrimental effect on the character and appearance of the host property and street scene. Accordingly, the scheme would conflict with Policies 7.4 and 7.6 of the London Plan, Policy 24 of the Hackney Local Development Framework Core Strategy, Policy DM1 of the Development Management Local Plan, and the aims and objectives of the SPD.

Conclusion and Recommendation

10. For the reasons given above and having had regard to evidence before me, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I too concur that the appeal should be dismissed.

A U Ghafoor

INSPECTOR