



Appeal Decision

Site visit made on 18 April 2019

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 18th July 2019

Appeal Ref: APP/U5360/W/19/3219899

First Floor Flat, 167 Elderfield Road Hackney, London E5 0AY

- 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 Oded Reitten against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2018/3310, dated 10 September 2018, was refused by notice dated 26 November 2018.
 - The development proposed is described as rear second floor outrigger extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The National Planning Policy Framework was revised in February 2019 (revised Framework). I am satisfied that this does not alter the substance of the main parties' cases. I have considered the revised Framework as part of the determination of the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building and the surrounding area.

Reasons

4. The appeal site comprises a one bedroom first floor flat, forming part of 167 Elderfield Road, which is a terraced house. Elderfield Road and the wider area is characterised by terraced residential streets, where there is on-street car parking and small front gardens with rear gardens. The layout is uniform, and this regularity contributes positively to its overall character. At the site visit, I observed that several such dwellings have single and double storey extensions of varying sizes. These can be seen from Chippendale Street, where there is a gap in the built form.
5. The proposal would result in the addition of a second floor rear extension, of a contemporary design, which would add a single bedroom and small area of outdoor amenity space together with a rooflight over the bedroom. The extension would be set behind a small parapet wall and it would be clad in steel. It would also have a 'green' roof.

6. The extension would be built over an existing first floor extension which currently has a pitched slate roof. The proposed design is strikingly modern and it is clear that the proposal seeks to be very different when compared to the established development pattern and materials used in the existing terrace.
7. The scale and mass of the proposed extension will be significant within the wider context of the neighbouring properties. The proposal would result in the butterfly roof of the host building becoming obscured through the construction of an apron parapet wall.
8. Taken together with the lack of windows and 'solidity' of the structure, I consider the overall effect would be harmful to the character and appearance of the area where it would not be subservient to the host building.
9. The materials and proposed green roof are, in my view, potentially acceptable. However, the changes to the kitchen window would be somewhat out of keeping with the established size of windows within the host building.
10. The officer's report describes an adjacent lawful development certificate for a similar proposal on the neighbouring property at 169 Elderfield Road. The Council have concerns over the symmetry of the two outrigger proposals if they were to both be implemented and consider that the two should mirror one-another. The plans for the proposals associated with the neighbouring property are not before me and I cannot therefore make a judgement in this regard. I have therefore determined this appeal on its own merits.
11. The development plan for the purposes of this appeal is comprised of the Hackney Local Development Framework Core Strategy (2010) (CS) and the Hackney Development Management Local Plan (2015) (DMLP), as well as the London Plan (2016) (LP). The Hackney Residential Conversions and Alterations Supplementary Planning Document (2009) (SPD) provides guidance on residential extensions.
12. Overall, I find the scale and mass harmful to the character and appearance of the area, contrary to policies 7.4 and 7.6 of the LP which seek to preserve established local character and promote quality architectural designs that do not undermine privacy. I also find the proposals contrary to Policy 24 of the CS, as well as Policies DM1 (High Quality Design) DM2 (Development and Amenity) of the DMLP which seek a rigorous design approach that respects local character and policies, as well as development that will not result in harm to neighbouring residential amenity. I also find the proposals contrary to the design principles set out in the SPD.

Other Matters

13. I note that the proposal would provide an additional bedroom and enhanced living accommodation for the appellant. Moreover, the proposal has sought to overcome the Council's previous concerns. However, these matters do not alter my conclusions.

Conclusion

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

Sian Griffiths

INSPECTOR