



Appeal Decision

Site visit made on 31 July 2019

by M Harris BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2019

Appeal Ref: APP/U5360/W/19/3226159

Flat B 25 Thornby Road, Hackney, London E5 9QL

- 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 Ms Faye Fornasier against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2018/3286, dated 7 September 2018, was refused by notice dated 2 November 2018.
 - The development proposed is described as 'a roof extension to the existing two-storey rear outrigger composed of a bedroom and ensuite shower room'.
-

Decision

1. The appeal is allowed, and planning permission is granted for a roof extension to the existing two-storey rear outrigger composed of a bedroom and ensuite shower room at Flat B 25 Thornby Road, Hackney, London E5 9QL in accordance with the terms of the application, Ref 2018/3286, dated 7 September 2018, subject to the following conditions:
 - 1) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.
 - 2) The development hereby permitted shall be carried out and completed strictly in accordance with the following approved plans:

1801-060; 1801-102; 1801-1000; 1801-000; 1801-050; 1801-100; 1801-150; 1801-101; 1801-151; 1801-152; 1801-153; 1801-103; 1801-154; 1801-200; 1801-250; 1801-201; 1801-251 Rev P01; 1801-300; 1801-350; 1801-301; 1801-351.
 - 3) All new external finishes in respect of all the works hereby approved shall match the existing building in respect of materials used, detailed execution and finished appearance.

Procedural Matters

2. The application was submitted by Ms Faye Fornasier however the appeal has been submitted by Mr Will Rodgers; Ms Fornasier has provided written agreement for the appeal to proceed in Mr Rodgers' name although in accordance with procedural guidance, Ms Faye Fornasier is cited in the banner.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the subject property and wider terrace.

Reasons

4. The appeal site, part of a terrace of properties on the north side of Thornby Road, is a two storey dwelling with a rear outrigger extension. It is sub-divided into two plats, Flat B being the appeal property situated over the upper floors and including converted loft space. Thornby Road is situated within a predominantly residential area where the general pattern and grain of development is two storey dwellings with a number featuring roof lights indicative of loft conversions.
5. There are views from within the property and the rear garden of a number of properties featuring a range of alterations and additions in the form of single or two storey extensions to the rear or where roof forms have been extended with dormer windows. There are instances where these have flat roof elements or pitches tying into the existing structure. During my site visit I observed that many of these are subservient and respectful to the host property in respect of their scale, mass and proportions.
6. The Council have stated that there are instances of some of these extensions not having planning permission. However, I do not have specific details before me of which properties the Council is referring to. Notwithstanding this, the issue in dispute in this instance is whether the proposal would have an unacceptable impact on the character and appearance of No 25 Thornby Road specifically together with the wider terrace.
7. Whilst recognising that the proposal would lead to the building differing in appearance to the immediate neighbours, I do not consider that the proposal would be so different as to cause an unacceptable impact on the character and appearance of the wider terrace. Guidance contained within the Hackney Residential Extensions and Alterations SPD (2009) discusses extensions, including to the roof space, and I do not consider that there is anything specifically within the SPD to indicate that the proposal runs counter to the overall aspiration to preserve character and appearance. Overall, the proposal would be subservient to the property by virtue of the design, including setback distances from the existing structure and as such would be proportionate in scale and mass. The proposed materials match the existing, ensuring that the proposal integrates with the host building.
8. For these reasons, I do not consider that there would be an unacceptable impact on the character and appearance of the host property or the wider terrace and find no conflict with the Development Plan in respect of Policy 7.4 and Policy 7.6 of the London Plan March 2016, Core Strategy Policy 24 of the Hackney Local Development Framework Core Strategy 2010 and Policy DM1 of the Hackney Development Management Local Plan 2015, which seek to ensure that development protects local character; is of the highest architectural quality; considers matters of design relating to form, mass, scale and local character; and high quality design in respect of context/setting and material use. Furthermore, I find no conflict with the guidance set out in the SPD.

Conditions

9. I have considered the conditions suggested by the Council, having regard to the six tests set out in the Framework. For the sake of clarity and enforceability, I have amended the conditions as necessary.
10. For the avoidance of doubt, it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans. Furthermore, in the interests of the character and appearance of the area, a condition is necessary regarding materials.

Conclusion

11. For the reasons given above, the appeal is allowed.

M Harris

INSPECTOR