
Appeal Decision

Site visit made on 14 August 2019

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 September 2019

Appeal Ref: APP/U5360/D/19/3230385

3 Thackeray Mews, Hackney, London E8 3EX

- 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 Teri Pengilley against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2019/0532, dated 12 February 2019, was refused by notice dated 10 May 2019.
 - The development proposed is a loft conversion and dormer extension to rear roof slope.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion and dormer extension to rear roof slope at 3 Thackeray Mews, Hackney, London E8 3EX in accordance with the terms of the application Ref: 2019/0532, dated 12 February 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans; Block Plans - Drawing Number PL_002; Proposed Ground Floor Plan - Drawing Number PL_021 Rev_C; Proposed First Floor Plan - Drawing Number PL_022 Rev_C; Proposed Loft Plan - Drawing Number PL_023 Rev_C; Proposed Roof Plan - Drawing Number PL_024 Rev_C; Proposed Front Elevation - Drawing Number PL_025 Rev_C; Proposed Rear Elevation - Drawing Number PL_026 Rev_C; Proposed Section A - Drawing Number PL_027 Rev_C; Proposed Section B - Drawing Number PL_028 Rev_C
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is whether the development would preserve or enhance the character or appearance of the Graham Road and Mapledene Conservation Area (CA).

Reasons

3. Thackeray Mews is an attractive cluster of ten properties built around a courtyard parking area that includes small areas of landscaping. The mews development is situated to the rear of Wilton Way and comprises two terraces

of 6 and 4 properties each. The appeal site is one of the dwellings in the terrace of 6 properties which is staggered as it projects back into the mews. This staggering of the properties is an attractive feature of the development adding positively and distinctively to the character and appearance of this part of the CA.

4. The CA covers a large area containing various buildings and uses but is predominantly characterised by terraces of residential properties. There is an existing dormer window to the rear of No. 1 Thackeray Mews and there are dormers of various sizes on several of the surrounding residential properties. The introduction of a dormer would not in principle be unacceptable in this part of the CA.
5. The proposal includes rooflights to the front roof slope of the property. The Council raise no objection to this proposed development. I have no reason to disagree with the Council's expressed views about this development and note that there are other rooflights in the immediate area. I am satisfied that this part of the development would preserve the character and appearance of the CA.
6. The point of contention between the main parties relates to the proposed dormer window. It would be set back from the eaves, ridge and side with No. 2 Thackeray Mews, but would be flush with the side adjacent to No. 4 Thackeray Mews leaving no set-back. Due to the staggered relationship of properties at the rear of the terrace, No. 4 is set back from the appeal site meaning that the dormer window would abut the gable of the property. The fenestration would broadly align with the position of the windows at the first floor of the appeal property.
7. The position of the appeal site and surrounding properties mean that the proposal would not be conspicuous from any public vantage points. It would be visible from the rear of properties on Wilton Way and Parkholme Road, however this would be over some distance and there are several large trees on the intervening land. The lack of a set back from No. 4 would not be readily apparent.
8. I acknowledge that the dormer would not fully comply with Hackney Residential Extensions and Alterations Supplementary Planning Document 2009 (SPD) which states that dormers should be set in from the party wall on each side. However, given the lack of visibility of the development from any of the surrounding area, combined with the staggered form of the terrace, the proposal would not cause harm to the appearance of the host property or the surrounding area. It would preserve the character and appearance of the CA. In this case, I am satisfied that there is justification for overriding the minor conflict with the SPD.
9. In conclusion, and notwithstanding the minor conflict with the SPD, the proposed development would accord with Policy 24 of the Hackney Local Development Framework Core Strategy 2010 which requires, amongst other things, that development should seek to enhance the built environment with regard to form, mass and scale, identifying with, and respecting the architectural, historic quality and character of the surrounding environment. It would also comply with Policies 7.4 and 7.6 of The London Plan 2016 which require, amongst other things, that buildings and structures should provide a

high-quality design having regard to the local character, considering orientation, scale, proportion and mass of the surrounding spaces.

Conditions

10. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. In the interests of the character and appearance of the area and the host property, it is necessary to impose a planning condition requiring the use of matching materials.

Conclusion

11. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should succeed.

A M Nilsson

INSPECTOR