



Appeal Decision

Site visit made on 3 September 2019

by Laura Renaudon LLM LARTPI Solicitor

an Inspector appointed by the Secretary of State

Decision date: 19th September 2019

Appeal Ref: APP/U5360/W/19/3230338

69, 71 & 73 Broadway Market, London E8 4PH

- 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 Jean Paul Van Cauwelaert against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2019/0246, dated 21 January 2019, was refused by notice dated 1 April 2019.
 - The development proposed is the construction of mansard roofs at 69, 71 & 73 Broadway Market including internal reconfiguration and the demolition of the existing roofs.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on designated heritage assets; namely on the character and appearance of the Broadway Market Conservation Area and on the setting of the Listed Building to the north at Nos 75 - 77.

Reasons

3. The appeal properties lie towards the northern end of Broadway Market, a vibrant district of the Borough close to London Fields. The Conservation Area is characterised by C19 buildings of two or three storeys arranged in terraces. The street front generally rises to parapet walls with roofs hidden behind. To the southern end of the street, south of Welshpool Street, buildings are generally of 3 storeys. Between Welshpool Street and Dericote Street the western terrace consists of 2 storey buildings with mansard or pitched roofs above. North of Dericote Street, the terrace that includes the appeal properties at its northern end has the appearance of 2 storey properties with little visible roof form above.
4. The appeal properties appear more modest and have a lower parapet than their adjoining neighbours, around 8 brick courses below the adjacent part of the terrace to the south. Despite this slight difference in height, the terrace appears as having a generally uniform appearance and an unbroken roof line to the front. A gap between properties to the north of No 73, which appears of more recent construction than its neighbours, reveals a triangular parapet to

- the northern gable end of the terrace. Unlike its neighbours No 73 has a dual pitched rather than traditional butterfly roof. From a distance, the differing roof forms become apparent, with the dividing walls to the south of No 73 being 'squared off' at the top, but this does not overall produce a fragmented relationship or detract from the uniformity of the parapet from the front.
5. North of the gap lies a further terrace in a similar style. Most properties of this terrace are around the same height as the appeal properties, but more prominent is the Grade II Listed Building at Nos 75 – 77, dating from around 1830 consisting of 2 shops below, the northern of which has a perfectly preserved shopfront, and three windows above set in arched brick recesses. Little of the roof form of this terrace is visible from the street, and together the two terraces present a modest uniform and pleasing appearance.
 6. The appeal proposal is to raise the gable wall to the northern end of the terrace, to raise the party walls between each of the appeal properties and to the south of No 69, and to insert mansard roofs on all 3 properties in order to create a further floor of accommodation. This would consist of additional residential floor space above the ground floor shops at Nos 69 and 71, and additional professional (Class A2) floorspace above the estate agency at No 73.
 7. The Residential Extensions and Alterations SPD advises that much of Hackney's townscape and urban form are composed of areas with unified streetscapes retaining their visual integrity, and of individual buildings or groups of buildings forming distinct, unified terraces. This part of Broadway Market is in my view one such example. The SPD goes on to advise that any extension should not dominate or detract from the original building or group of buildings or the street scene. It further advises that roof extensions are not normally acceptable in terraces where unbroken roof lines remain.
 8. The creation of a further floor of space by constructing a mansard roof across the properties would introduce a feature that would be alien to this part of Broadway Market, and adversely affect the architectural integrity and uniformity of this part of the terrace. In so doing it would harm the Conservation Area and would adversely affect the setting of the adjacent Listed Building. In my judgement that setting includes the uniformity of the terrace's existing appearance, where the Listed Building is slightly more prominent and ornate than its neighbours. By raising the height of the roof and gable wall relatively extensively, the appeal proposal would appear to dominate the Listed Building so reducing its significance.
 9. I conclude that the proposed development would not preserve or enhance the Conservation Area or the setting of the adjacent Listed Building. I consider therefore that it would not be supported by the development plan for the area, in particular Core Strategy Policy 25 requiring all development to make a positive contribution to Hackney's historic and built environment. The proposal's contributions to the housing stock and to employment space are not sufficient benefits to outweigh the harm that I have found would arise to heritage assets. Therefore the appeal is dismissed.

Laura Renaudon

INSPECTOR