The Planning Inspectorate

Appeal Decision

Site visit made on 10 September 2019

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date:26 September 2019

Appeal Ref: APP/U5360/W/19/3231808
Flat C, 55 Nevill Road, Hackney, London N16 8SW

- 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 & Mrs David & Jenni Cahill against the decision of the Council of the London Borough of Hackney.
- The application Ref 2019/0992 dated 15 March 2019, was refused by notice dated 13 May 2019.
- The development proposed is erection of mansard roof extension at top floor flat.

Decision

1. The appeal is allowed and planning permission is granted for the erection of a mansard roof extension at Flat C, 55 Nevill Road, Hackney, London N16 8SW in accordance with the terms of the application Ref 2019/0992, dated 15 March 2019, subject to the following conditions:

   1) The development hereby permitted shall begin not later than three years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: NEVR 000, NEVR 01E, NEVR 02E, NEVR 03E, NEVR 01P, NEVR 02P, NEVR 03P NEVR 12, NEVR 13, NEVR 14, NEVR 20, NEVR 21, NEVR 22, NEVR 23, NEVR 24 & NEVR 25.

Procedural Matter

2. The Council refers to the 2011 London Plan in its decision notice. I have referred to the latest adopted 2016 version in determining this appeal.

Main Issue

3. The main issue is the effect of the roof extension on the character and appearance of the building and the wider terrace.

Reasons

4. The character of the terrace is relatively mixed, partly through some variation to the roof slopes. While many of the properties retain their original butterfly roof form, No 73 has a mansard roof extension which is of similar appearance to the appeal proposal. No's 59 and 61 appear to be later infill properties which include an additional floor at roof level which at the front takes the form of a mansard which is set behind a notably higher parapet wall than the neighbouring properties. This results in a significantly bulkier roof profile.

5. The Council have detailed design guidance in relation to mansard roof extensions within the Supplementary Planning Document *Residential Extensions and Alterations* (2009) (SPD). The appeal proposal, on the whole meets with this guidance in terms of its design and positioning. It would allow reference to the original butterfly roof form to the rear, incorporate an appropriate angle of roof slope and be set back behind the existing roof parapets.

6. In general design terms, the proposed windows, to the Nevill Road and Knebworth Road elevations would align with those on the property below. This would allow the appeal proposal to compliment the appearance of the existing building. The more modern fenestration proposed to the rear would be less widely visible and would relate appropriately to a modern glazed extension below. The appeal proposal would therefore be acceptable in terms of its design and positioning on the building.

7. The SPD states that roof extensions are not normally acceptable on terraces where an unbroken roof line remains. As noted above, this is not the case within this terrace which does not have a uniform or unbroken roof line. The roof extension would be visible from both Nevill Street and Knebworth Road by reason of its corner location, which would to a degree increase its visibility in the street scene. However, it would still be viewed in the context of the existing inconsistent roof line of the terrace. Consequently, the appeal proposal would not form an incompatible or obtrusive feature within the terrace.

8. In summary the appeal proposal would be acceptable in relation to the character and appearance of the building and the wider terrace. It would therefore comply with Policy 24 of the Hackney Core Strategy (2010), Policies 7.4 and 7.6 of the London Plan (2016) and the SPD, which amongst other things seek good quality design and architecture which is appropriate to local character.

Conditions

9. Although no conditions have been suggested by the Council, I have imposed a standard timeframe condition, and a condition referencing the approved plans in the interests of certainty.

Conclusion

10. For the reasons above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

T J Burnham

INSPECTOR