



Appeal Decision

Site visit made on 24 September 2019

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2019

Appeal Ref: APP/U5360/W/19/3230890

Flat B 65 Alvington Crescent, Hackney, London E8 2NN

- 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 Barney Sutton against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2018/4034, dated 20 September 2018, was refused by notice dated 26 April 2019.
 - The development proposed is creation of balcony in rear roofslope.
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Decision

1. The appeal is allowed and planning permission is granted for creation of balcony in rear roofslope at Flat B 65 Alvington Crescent, Hackney, London E8 2NN in accordance with the terms of the application, Ref 2018/4034, dated 20 September 2018, 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: Location Plan, 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012 and 013.
 - 3) The external surfaces of the development hereby permitted shall match those used in the construction of the existing building.
 - 4) Notwithstanding conditions 2 and 3, no means of enclosure shall be provided to the perimeter of the balcony hereby permitted until details of the materials to be used for this enclosure have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is whether or not the proposed development would preserve or enhance the character or appearance of the St Mark's Conservation Area, and the setting of the Dalston Conservation Area as a designated heritage asset.

Reasons

3. The appeal site is part of 65 Alvington Crescent. No. 65 and neighbours on Alvington Crescent to the east are within the St Mark's Conservation Area, while buildings to the west on Kingsland High Street and immediately to the south on Sandringham Road are within the Dalston Conservation Area. There is a strong sense of uniformity to the street scene of Alvington Crescent overall

including as a consequence of the consistent building line of the terraced properties, the brick finishes with horizontal banding, the striking front bay features and the arched lintels over windows which predominate. It is features such as these from which the significance of the conservation area derives.

4. However, the rendered and painted brick finish and fenestration detailing to No. 65, as well as its positioning forward of the neighbouring building at ground level, contrasts with this distinctive character. While neighbours to the east of the site are described on the Conservation Area Boundary maps as 'Buildings of Townscape Merit', No. 65 is not identified as such.
5. The rear elevations of buildings on Alvington Crescent are largely screened from view by the terraced dwellings on Sandringham Road to the south. However, spacing to the side of the two-storey commercial building to the south east of the appeal site facilitate some views through, including to the rear of No. 65. At the time of my site visit, additional views were possible as a consequence of redevelopment taking place to the south west of the appeal site at the junction of Sandringham Road and Kingsland High Street.
6. In these views, the generally consistent roofline of dwellings on Alvington Crescent and prominent chimneys are apparent. However, it is also evident that 63 and 65 Alvington Crescent diverge from this pattern. No. 63 and the eastern part of the roof to No. 65 are much shallower than neighbours to the east. Consequently, the ridge line to these buildings is set closer to the street frontage, and the eaves at their rear are broadly in line with the adjacent ridge line to 61 Alvington Crescent. The stepped footprint of No. 65 which results in an asymmetric pitched roof profile over the two deeper sections towards the west, the lack of rear fenestration to the deeper part of the building and the rooflights further distinguish No. 65 which appears as a discrete element, separate to the distinctive roof forms to the rest of the terrace beyond No. 61.
7. I have not been provided with full details of the ongoing redevelopment of 130 Sandringham Road and so am unable to determine the degree to any screening of the proposal on completion of this adjacent development. However, the proposed balcony would in any event be visible as a consequence of the spacing to the side of 130A Sandringham Road to the south.
8. Nevertheless, it would affect only part of the rear roofslope of the appeal site in terms of both its width and depth. The increase in height of the rear section of parapet at the west flank of the building would be limited, and would affect only a relatively small section to the rear part of the parapet. The enclosure forming the edge of the balcony would be lower than the eaves of the shallower part of the building towards the east, and would not project further than the rear building line of No. 61 and neighbours beyond. These factors would lessen the visual impact of the development and given it's scale it would not be an unduly bulky or disproportionate feature within the roofslope as a whole. Moreover, as a subordinate feature it would not result in significant alteration to the overall size and shape of the roof.
9. While the balcony would contrast with the usual pitched roof profile of buildings on Alvington Crescent, the appeal site and neighbour at No. 63 are already distinct from the characteristic pattern. The introduction of the proposed balcony would not therefore be discordant, but would simply add to the variety. Furthermore, the balcony would be proportionate to the host roofslope, and given that it would not project deeper or above the eaves of neighbours beyond

No. 61 to the east it would not compete with or interfere with the distinctive roof forms which contribute to the character of this part of the Conservation Area. Nor would it be prominent so as to detract from the setting of the adjacent Dalston Conservation Area.

10. Although roof level accommodation is not readily apparent within dwellings on Alvington Crescent, buildings on Kingsland High Street to the west are four-storeys. The rooflights to the appeal site are already a feature visible from the street scene, and accommodation at this level would not therefore appear incongruous within this building or excessive in the surrounding context. Furthermore, the rear of the deeper part of the appeal building lacks fenestration and the balcony would add interest to this elevation, enhancing its overall appearance.
11. In paying special attention to the desirability of preserving or enhancing the character or appearance of the St Mark's Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, I find that the proposed development would conserve and enhance the character and the appearance of the St Mark's Conservation Area. For similar reasons, there would be no harm to the setting of the Dalston Conservation Area.
12. The proposed development would therefore not conflict with Policies DM1 and DM28 of the Development Management Local Plan 2015, Policy 24 of the Core Strategy 2010 or Policies 7.4 and 7.6 of the London Plan 2016 which amongst other aims, seek to protect local distinctiveness and the character of an area, and to ensure that alterations and extensions within conservation areas do not upset the scale, proportions or architectural integrity of buildings or harm the unity or significance of a group of buildings. The development would also accord with guidance within the Residential Extensions and Alterations Supplementary Planning Document 2009 that roof conversions will be acceptable where they do not depart from or disrupt the existing roof form.

Conditions

13. In addition to the standard time limit condition, I have imposed a condition specifying the approved plans for the avoidance of doubt and in the interest of certainty. To protect the character and appearance of the area, I have also imposed conditions requiring submission of further details of the proposed materials to be used to enclose the balcony, and to require that the external materials used in the construction of the remainder of the development match those of the existing building.

Conclusion

14. For the reasons given above, I conclude that the appeal should be allowed.

J Bowyer

INSPECTOR