
Appeal Decision

Site visit made on 30 October 2019

by Neil Smith BA Hons BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2019

Appeal Ref: APP/U5360/W/19/3233970

Flat B, 133 Rushmore Road, Hackney, London E5 0HA

- 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 Paul McEntee against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2019/0795, dated 28 February 2019, was refused by notice dated 29 April 2019.
 - The development proposed is for the erection of a mansard roof extension.
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Decision

1. The appeal is allowed and planning permission is granted for a new mansard extension over the existing inverted roof, including raising the party walls and chimneys to enclose the extension at 133b Rushmore Road, Hackney, London E5 0HA in accordance with the terms of the application, Ref 2019/0795, dated 28 February 2019, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; 095 GA101- Proposed Floor Plans - Ground & First; 095 GA102 - Proposed Floor Plans - Second & Roof; 095 GA103 - Proposed Elevations & Section and 95 GA104 – Existing / Proposed Block Plan.

Main Issue

2. The main issue is the effect of the appeal proposal on the character and appearance of the area.

Reasons

3. The appeal property is a three-storey, mid-terrace dwelling. It has been converted into two flats with a flat encompassing the ground and basement levels and a flat at the first floor. The dwellings in the terrace have a traditional design and there are variations to the roofs, with the appeal dwelling being in a row of eight dwellings which have hidden valley roofs.
4. The Hackney Extensions and Alterations Supplementary Planning Document (SPD) (2009) states that roof extensions are not normally acceptable in

terraces where an unbroken roof line remains. I saw from my site visit that No 123, which forms part of the row of eight, has been extended with a mansard roof, including raising of the party walls and chimneys. The mansard roof is visible from the street and therefore this part of the terrace does not have an unbroken roof line and, as such, a roof extension would be acceptable subject to its detailed design.

5. The appeal proposal is for a traditional mansard roof, which would also include raising the party walls and chimneys to accommodate the extension. The slope of the proposed mansard extension would rise from a point behind the parapet wall at both the front and back. It would rise from points sufficiently behind the parapet wall and would be separated by a substantial gutter. The windows to the front would align with those on the front elevation and are simple, modest in size and unpretentious. Therefore, the detailed design meets all the criteria set out in the Council's SPD. Similar to the mansard roof at 123, there would only be very limited views of the proposed development from the street and it would be compatible with the host property and there would be no harm to the character and appearance of the area.
6. Consequently, the appeal proposal would be subservient and sympathetic in design to the host property, clad in a standing seam metal finish that would integrate well with its neighbours.
7. The proposal complies with Policies 7.4, and 7.6 of the London Plan (2016), Policy 24 of the Hackney Local Development Framework Core Strategy (2010), Policy DM1 of the Hackney Development Management Local Plan (2015), the Hackney Residential Extensions and Alterations SPD 2009, which amongst other things, require all developments including alterations and extensions to be of high-quality design.

Conditions

8. In addition to the standard time limit condition, I have imposed a condition that the development is carried out in accordance with the approved plans in the interest of certainty and it is not necessary that existing plans are listed. It is also not necessary to attach a condition in respect of the proposed materials as they are clearly identified on the plans.

Conclusions

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

Neil Smith

INSPECTOR