



Appeal Decision

Site visit made on 4 February 2020

by R E Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2020

Appeal Ref: APP/U5360/D/19/3241254

33 John Campbell Road, Hackney, London N16 8JY

- 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 H Silver against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2019/2929, dated 8 August 2019, was refused by notice dated 15 October 2019.
 - The development proposed is the erection of a rear dormer extension to main rear roof; installation of two rooflights to front roof slope and one rooflight to rear roof slope; increase main roof ridge height by 300mm.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Dalston Conservation Area.

Reasons

3. The appeal property is situated along John Campbell Road within the Dalston Conservation Area (CA), a designated heritage asset. The CA is centred on Kingsland High Street and includes Victorian and Edwardian built form. Opposite the appeal site lies a modern 4-storey building on the corner with Crossway. However, the appeal property lies within an attractive Victorian terrace which is identified in the Council's Dalston CA Appraisal (2016) as buildings of townscape merit.
4. Properties within the terrace have raised parapets along the party walls and substantial chimneys which project above the plane of the roof. Although the ridge is not seen as one uninterrupted line, there is a relative uniformity in the height and design of these properties which contributes to the character and appearance of this part of the CA.
5. The roof of the appeal property can be seen from both John Campbell Road and more clearly around the junction with Crossway. In such a prominent position I consider that the proposed increase in height would appear as an incongruous addition. I recognise that the submitted design ensures that the eaves and pitch of the roof would appear unchanged and the resulting ridge would remain below the parapet and chimney. However, the resulting ridge would protrude

above the ridge of both attached neighbouring properties. This would be at odds with the pattern of the roofscape along the terrace and would detract from the relative uniformity of the height and roof design of the properties within the street scene.

6. The appellant has referred me to an example at No 23B John Campbell Road (No 23B) where the Council granted consent for an increase in the ridgeline by a similar amount. I saw that this is not prominent within the street and note that a photo of the property is included within the CA appraisal. However, it is noticeable and, in my view, represents a harmful incremental alteration to the roofscape which should not be used to set a precedent to permit further similar proposals. Moreover, due to the position of the appeal site in relation to Crossway the proposal would be more evident in the street scene than the example at No 23B.
7. The Council's Residential Extensions and Alterations Supplementary Planning Document (2009) (SPD) provides, amongst other things, a general guide for the design and scale of dormer windows. The proposed dormer would be to the rear and would have a width slightly larger than half the width of the host building. This would be at odds with the advice within the SPD.
8. The rear of the terrace does not share the same level of uniformity as the front. It includes, amongst other things, large dormers, albeit the Council advise that they were approved prior to the designation of the CA. Nevertheless, located to the rear and due to the position of commercial buildings, the proposed dormer would not appear unduly prominent in the public realm. Moreover, it would still appear subservient to the roofscape and the original roof form would still be evident. Taking these factors together, the proposed rear dormer would not, in my view, result in harm to the character and appearance of this part of the CA.
9. The Council considers the rooflights to the front and rear to be appropriate additions and I agree. The proposed rooflights would be of a conservation style and would not harm the character and appearance of the property or CA.
10. Although I consider the proposed rooflights and dormer to be appropriate additions, I conclude that the proposed roof alterations would result in harm to the character and appearance of the Dalston CA. The harm would be localised and, as such, would be less than substantial in the context of paragraph 196 of the National Planning Policy Framework (the Framework). Although the harm may be less than substantial any harm to the CA is a matter that attracts great weight, having regard to paragraph 193 of the Framework and the statutory duty to preserve or enhance CA's. In accordance with paragraph 196 of the Framework I must balance that less than substantial harm against the public benefits of the proposal.
11. I accept that the appellant, is seeking to make an effective use of an existing dwelling, an objective which is encouraged by the Framework. I understand that extending the property might meet the appellant's need for increased accommodation. I afford these benefits limited weight as the benefits to the public would be low. As such, I am not persuaded that these benefits outweigh the harm I have identified to the character and appearance of the Dalston CA. Accordingly, the proposal would conflict with the requirements of the Framework.

12. The proposal would also therefore conflict with the requirements of Policies 7.4 and 7.8 of the London Plan (2016), Policies 24 and 25 of the Hackney Local Development Framework Core Strategy (2010) and Policies DM1 and DM28 of the Hackney Development Management Local Plan (2015). These policies seek, amongst other things, that alterations in a CA do not harm the architectural integrity of a building or the unity and significance of a group of buildings or terrace. The proposal would also be at odds with the advice within the SPD which says that roof conversions will only be acceptable where, amongst other things, the conversion does not depart from or disrupt the existing roof form, including roof hips, eaves and ridges.

Other Matters

13. I have had regard to the representation received during the planning application including, amongst other things, concerns raised regarding the potential loss of light and privacy from the proposal. However, as I am dismissing this appeal on other grounds, I have not pursued these matters further.

Conclusion

14. I have taken account of all the other matters raised including the benefits of the proposed development. However, none changes the balance of these findings and harm I have identified to the character and appearance of the Dalston CA. I therefore conclude that the appeal should be dismissed.

Robert Walker

INSPECTOR