



Appeal Decision

Site visit made on Monday 20th January 2020 by S Witherley

Decision by Chris Hoult BA(Hons) BPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th February 2020

Appeal Ref: APP/U5360/D/19/3238105

43 Beck Road, Hackney, London E8 4RE

- 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 Sucha Bansal against the decision of the Council of the London Borough of Hackney.
 - The application, Ref 2019/2611, dated 14 July 2019, was refused by notice 13 September 2019.
 - The development proposed as described on the application form is: Loft conversion and ground floor side extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The Council do not raise any concerns regarding the proposed ground floor rear extension. The main issue is the effect of the roof extension on the appeal property and the character and appearance of the surrounding area.

Reasons for the Recommendation

Character and appearance

4. No. 43 is a mid-terrace property located in a long row which is bisected mid-way by a railway bridge. Properties either side of the bridge vary slightly with the most notable differences being in the style of the roofs. To the east of the bridge the roof profile in the main appears to be dual pitched with properties to the west having "butterfly" (or "valley") roofs which sit behind a distinctive cornice parapet to the front but which are visible from the rear. No. 43 sits to the west of the railway bridge and along with most other properties in this section of terrace it has retained a number of original features including the parapet and butterfly roof. To the rear is an original two storey pitched roof offshoot paired with its neighbour at No. 45. This sits below the main roof and covers over half of the rear elevation, extending out into a modest sized rear garden.
 5. The Council note that properties in the terrace retain a remarkable number of original features, such as window, door, lintel and parapet detailing, which are repeated throughout and considered to be of architectural interest. The unbroken and uniform parapet to the street frontage is viewed as a strong feature. As such Beck Road has been identified as a potential Conservation Area. While it remains undesignated, this is an indication that the Council consider these elements to merit statutory preservation.
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6. The proposal seeks to construct a roof extension to provide an additional floor of accommodation. It has been designed with a shallow sloping roof at the front which would be set back from the parapet. To the rear the proposal would have a mansard roof. It would extend across the full width of the dwelling.
7. The proposal would retain the parapet and the plans indicate that the front roof slope has been designed to be fully screened by it in views from the front on the opposite side of the street. The butterfly roof profile would be retained in views from the rear with the extension sat above this. The Council note and I agree that, given this, it would not register in short views from directly in front of the appeal property.
8. However, the appeal property can be seen in oblique views from further away, particularly when approaching it from the north along Sheep Lane and more particularly from outside Arden House. From here, it is unclear to me whether the higher part of the roof slope would be visible as a skyline feature above the parapet, resulting in disruption to otherwise uninterrupted views of the parapet as a consistent feature running the full length of the terrace. If the consistent line of the top part of the parapet were to be disrupted in this way, it would visually break up the symmetry of the terrace, which is a significant part of its attractiveness, and cause harm to its character.
9. In views from the rear, along Bush Road and the approach to it from Sheep Lane, and despite the height and prominence of the rear boundary wall to the appeal property and others in the terrace, the roof profile of the appeal site and its immediate neighbours registers as a skyline feature behind the rear elevation and roof line of the rear offshoot. The proposed mansard roof would sit squarely within the valley of the butterfly roof, forming a new, raised and bulky skyline feature. Given its design, scale and form, the roof profile of the appeal property would significantly alter and the distinctive original repeated roof lines of the sequence of properties in this part of the terrace would be irrevocably broken. This would jar visually, to the detriment of its character, and set an unwelcome precedent for other similar roof extensions on this part of the terrace.
10. The butterfly roof profile at the rear and uninterrupted parapet at the front of the appeal property and its neighbours are original features which contribute to an established residential character and appearance within the area and are major contributors to the significance of this part of the terrace as an albeit undesignated heritage asset. My concern throughout in assessing the appeal proposal has been to seek to preserve their integrity as architectural features. Even if I were to accept that the front roof slope could be successfully screened from all views to the front, both long and short, behind the parapet, the mansard roof to the rear would remain harmfully visible in views from that direction. For these reasons, I consider that the proposal would compromise the architectural integrity of the appeal property and neighbouring buildings contrary to the guidance contained within the Council's Supplementary Planning Document *Residential Extensions and Alterations* in relation to early/mid Victorian streets.
11. I noted on my visit that a roof extension could be seen further along this section of terrace, towards the railway bridge. The background to this proposal is unknown, nevertheless, it does not detract significantly in visual terms from the original character and appearance of this section of terrace as I have described it above. In addition to this, a number of other roof extensions could be seen on properties located to the east of the railway bridge. These extended properties have a different roof profile to the appeal property and roof treatments generally are more varied. For these reasons, the appeal property is not considered comparable to these other properties and none of these examples are considered to set a precedent for similar types of development in the more immediate vicinity of the appeal property.

12. Reference has been made to a recent appeal¹ for a similar proposal on a property located on the opposite side of the street, described by the appellant as an “identical” roof extension. This appeal was allowed and the appellant gives weight to this decision in his grounds of appeal.
13. The Inspector noted that the proposal would “*hardly be seen from the street and would not be seen at all from the sides except in views from passing trains. To the rear, the traditional mansard design would fit in well with the roof form, leaving the outline of the butterfly roof intact. This would only be seen in views from a small number of neighbouring houses and the trains*”. The appeal property in that case is however located nearer to the railway bridge, on the north as opposed to the south side of Beck Road, and both long and short views of it are confined to Beck Road itself and are terminated to the east by the railway bridge.
14. While I have no reason to disagree with the Inspector’s findings regarding views from the front, the property subject of the current appeal is located towards the western end of the terrace and, unlike that property, longer views of it are afforded when approaching from Sheep Lane. Moreover, the rear roof profile can readily be seen from the south along Sheep Lane and various points along Bush Road. It is unclear how visible the other property is to the rear from public vantage points. A reading of paragraph 8 of the decision indicates that views may be quite limited.
15. Whilst the findings of the previous Inspector are material and there is a need for consistency in the planning process, there are differences between the two properties in terms of their visibility notwithstanding their close proximity in purely geographical terms. I am not bound to reach the same conclusions as the previous Inspector provided there are sound planning reasons for departing from them. For the reasons given, I consider that the differences that I have highlighted are significant enough to persuade me to conclude differently on the merits.
16. In the light of the foregoing, therefore, I conclude that the roof extension would have a harmful effect on the character and appearance of this appeal property and the surrounding streetscape. Accordingly, the proposal would be contrary to Policy 24 of the Core Strategy *Hackney’s strategic planning policies from 2010 – 2025* (2010), Policy DM1 of the Development Management Local Plan (2015) and policies 7.4 and 7.6 of the London Plan (2016) which require, amongst other things, that local distinctiveness and vernacular is reinforced and complimented, including the retention of characteristic rooflines which make a positive contribution to the character of an area.

Other matters

17. Comments were received from a neighbour who raised a number of concerns regarding light levels, the Party Wall Act, structural issues and disturbance to the chimney, as well as matters relating to the character and appearance of the proposal. The Council have addressed matters relating to light levels and there is no reason to have a different view. Other matters relating to the party wall, disturbance and structural issues are matters that are outside the remit of the planning appeal process.

¹ APP/U5360/D/18/3203775

Conclusion

18. For the reasons given above and having had regard to all other matters raised, it is recommended that the appeal should be dismissed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis I agree that the appeal should be dismissed.

C M Hoult

INSPECTOR