



Appeal Decision

Site visit made on 27 January 2020 by C Brennan BAE (Hons) M.PLAN

Decision by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 February 2020

Appeal Ref: APP/U5360/D/19/3238948

7 Overlea Road, Hackney, London E5 9BG

- 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 Low against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2019/2533, dated 10 July 2019, was refused by notice dated 19 September 2019.
 - The proposed development is erection of a single storey rear extension at second floor level.
-

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.

Procedural Matters

3. During my site visit, I observed that the appeal property had already been subject to a rear extension at second floor level, as well as a large front dormer. The width and fenestration of the extension was different to that shown on the submitted drawings. The appeal property is therefore significantly different in appearance to how it is shown within the existing plans and elevations submitted as part of the application. Regardless, this appeal can still be determined insofar as it relates to the proposed drawings.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the site and surrounding area.

Reasons for the Recommendation

5. The appeal site comprises a two-storey, mid-terrace property on the western side of Overlea Road which is characterised by similar properties with large front and rear dormer extensions. During my site visit, I observed that Nos. 5 and 13 had been subject to first-floor rear extensions, and that their rear roof dormers had been extended over these first-floor elements. However, these rear dormer extensions were no more than half the width of the host properties. In contrast, the proposed rear dormer extension would have a width greater than half that of the host property and would therefore represent
-

- a greater level of roof-level development than is typical of the surrounding area. Whilst the proposal would be lower than the existing ridge and matching materials would be used, in combination with the existing first-floor rear extension, its scale would appear as an overly dominant and obtrusive addition that would fail to relate positively to the proportions of the appeal property. Furthermore, due to its disproportionate scale and massing, the proposal would appear incongruous within the terrace, to the detriment of the character and appearance of the surrounding area. I acknowledge that the appearance of the terrace has changed over time but even in this altered context, the proposal would stand out as an overly large and unsympathetic addition to the dwelling.
6. I understand that permission has been granted for a similar, albeit smaller extension. I also understand that this extension would be higher than the eaves height of the building and would not be subordinate in the terms of paragraph 3.13 of Council's Supplementary Planning Guidance Residential Extensions and Alterations (SPD). Nonetheless, as this extension is not comparable in terms of its width and scale, it does not provide justification for the scheme before me which I have found to be unacceptable for reasons set out above.
 7. Although the proposal would not be perceptible within public views, it would nonetheless dominate the rear elevation of the host building in combination with the existing first-floor rear extension and would be particularly visible within private views from the block of flats to the west.
 8. Regardless of whether the site lies within a Conservation Area or any area of townscape merit, development proposals should be of high quality design. The SPD acknowledges that extensions to existing houses can generally be accommodated to the rear provided they are designed to respect the character and size of the original house. As set out above, the proposal would not be acceptable in this regard.
 9. For the above reasons, I conclude that the proposed development would cause unacceptable harm to the character and appearance of the site and surrounding area. The proposed development would therefore conflict with Policies 7.4 and 7.6 of the London Plan (2016), Policy 24 of the Core Strategy (2010), and Policy DM1 of the Development Management Local Plan (2015) , which state that development proposals should seek to enrich and enhance the built environment, be of high quality design, and respond to local character. The proposal would also run counter to the objectives of the SPD.

Other Matters

10. I understand that the proposal would provide improved accommodation for the appellant and their family. However, these personal circumstances do not outweigh the identified harm that would be caused by proposal.

Conclusion and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

P J Davies

INSPECTOR