



## Appeal Decision

Site visit made on 24 February 2020 by S Witherley

### Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 March 2020

---

#### Appeal Ref: APP/U5360/D/19/3242515

#### 7 Lingwood Road, Hackney, London E5 9BN

- 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 R Lewis against the decision of the Council of Hackney Council.
  - The application, Ref 2019/3377, dated 16 September 2019, was refused by notice dated 19 November 2019.
  - The development proposed as described on the application form is: Front and rear dormer roof extension (revised application).
- 

### Decision

1. The appeal is allowed, and planning permission is granted for a front and rear dormer roof extension, at 7 Lingwood Road, Hackney, London E5 9BN, in accordance with the terms of the application, Ref 2019/3377, dated 16 September 2019, and subject to the following conditions:
  - 1) The development, hereby permitted, shall begin not later than three years from the date of this decision.
  - 2) The development, hereby permitted, shall be carried out in accordance with the following approved plan: Proposed plan jw733 – 132.
  - 3) The materials to be used in the construction of the external surfaces of the development, hereby permitted, shall match those used in the existing building.

### 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 Matter

3. The description on the application form refers to it relating to a revised application. As that is not an act of development, this has been removed from the description of development in the formal decision above.

### Main Issue

4. The effect on the character and appearance of the property and the surrounding area, with particular regard to the design and scale of the proposed dormer window on the front elevation.
-

## Reasons for the Recommendation

5. The appeal property is a two-storey dwelling house with pitched roof located at the southern end of a long row of terraced properties of similar character and appearance. Many of the properties within the immediate and surrounding locality have been extended with large front and rear dormer extensions of various sizes, some being full, or almost full, width dormers.
6. The proposal would result in a full width box dormer in the front roof slope. The Local Development Framework, Supplementary Planning Document, *Residential extensions and alterations* (2009) (SPD) sets out guidance for development upon the front roof slope and notes that full width box dormers will not normally be permitted. However, there are exceptions to this where front dormer extensions have subsequently changed the visual appearance of a number of streets.
7. From observations made at the time of my site visit, the plethora of front dormer extensions in Lingwood Road and the surrounding streets, most notably in Ashted Road and Craven Walk, have become a significant characteristic feature of the area thus altering the visual appearance of these streets. In addition to this, the proposed front dormer would not extend beyond the ridge or eaves of the original roof, thus it would be similar in design, scale and form to many others that can be seen throughout the street and wider locality. This includes the one on the neighbouring property, No. 9. The proposal would not therefore appear as a discordant feature against the appeal property nor would it appear as an overly dominant or bulky addition when viewed from the surrounding area. Consequently, the proposal accords with the SPD which seeks development to preserve the appearance of its residential area and reflect local distinctiveness.
8. I have been drawn to the planning history of the appeal property and in particular to application, Reference No. 2016/1032, this proposal sought planning permission for a full width front dormer and was refused as it was considered that it would adversely affect the character and appearance of the immediate row of terraces due to its bulk, scale and massing. A further application was submitted, Reference No. 2019/2053, this proposal sought planning permission for a front dormer with a narrower width and was approved. Whilst the front dormer of the proposal before me would extend across the full width of the front roof slope, its width would not result in the front dormer appearing as a visually dominant and overbearing feature when compared with other front dormers within the immediate street or surrounding area, consequently it would not cause material harm to the character and appearance of the appeal property nor to the surrounding area for the reasons noted above.
9. The Council note that the full width front dormer located on the adjoining property, No. 9, was approved prior to the adoption of the Council's relevant policies and SPD, however, I have no details of whether the previous policies fundamentally conflict with the now adopted policies and the SPD. I have considered the proposal on its own individual merits and for the reasons discussed above have considered the proposal to accord with the adopted policies and SPD.
10. The Council do not raise any concerns regarding the character and appearance of the rear dormer. I would agree that this element of the proposal would not, as a result of its design, scale and form, result in any harm to the character and appearance of the appeal property or surrounding area.
11. The proposed development would not, therefore, have a harmful effect on the character and appearance of the appeal property and surrounding area with particular regard to the

design and scale of the proposed dormer window on the front elevation. Consequently it would comply with Policies 7.4 and 7.6 of the London Plan (2016), Policy 24 of the Hackney Local Development Framework Core Strategy (2010) and Policy DM1 of the Hackney Development Management Local Plan (2015) all of which seek a high standard of design which respects the local context and reinforces local distinctiveness.

### **Conditions**

12. I have imposed the standard time limit condition and have specified the approved plans as this provides certainty. A condition is necessary for the materials to match those that are used in the existing property to maintain the character and appearance of the area.

### **Conclusion**

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

*S Witherley*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

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

*K Taylor*

INSPECTOR