

Appeal Decision

Site visit made on 2 July 2020

by Jameson Bridgwater DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2020

Appeal Ref: APP/U5360/W/20/3245484

Top Floor Flat, 108 Kyverdale Road, Hackney, London N16 6PR

- 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 Gani against the decision of the London Borough of Hackney.
 - The application Ref 2019/2650, dated 19 July 2019, was refused by notice dated 13 September 2019.
 - The development is described as 'an extension at first floor level'.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue in the appeal is:
 - the effect of the proposal on the character and appearance of the host building and the area.

Reasons

3. Kyverdale Road is a residential street which is urban in character. The properties in the area are predominantly two-storey plus basements arranged in terraces. In general, the rear gardens of corner properties provide a degree of punctuation visually in the inter-connecting streets due to the absence of built form at first floor level. The properties are constructed in the main, from brick, with the vast majority in the area retaining their original detailing and fenestration. The layout of the terraces, materials, fenestration and prominent hipped roofs contribute to the character and appearance of the area.
4. Number 108 is a two-storey plus basement, end of terrace property. Located at the junction of Kyverdale Road and Lynmouth Road, it occupies a prominent corner position in the street scene. The proposal seeks to add a roof extension at first floor level at the rear/side of the building, that would provide a third bedroom to the first floor flat (Flat 3). The proposal would principally front Lynmouth Road, although it would be clearly visible from Kyverdale Road/Oldhill Street due to its projection beyond the main elevation of the host building.
5. I accept that there has been a genuine attempt by the appellant to produce an extension that is designed to be subordinate to the host property in terms of materials, height and massing. Moreover, I acknowledge that the proposed design of the roof extension is similar to an adjoining commercial property

'Little Gems Nursery'. However, even taking these factors into account the proposed extension would appear incongruous and unsympathetic in the street scene due to the Mansard style design and form of the roof being at odds with the prevailing hipped roofs that characterise the host building and residential properties in the immediate area. This is further emphasised by the highly visible location, meaning that the roof form would appear unduly dominant when viewed from both Kyverdale Road and Oldhill Street. Consequently, the proposed roof extension would result in material harm to the character and appearance of the area and the host building due to its Mansard form/design and prominent location.

6. Having reached the conclusion above, the proposed extension at first floor level would therefore conflict with Policy 24 of the Hackney Core Strategy, Policy DM1 of the Hackney Development Local Plan and Policies 7.4 and 7.6 of the London Plan. These policies amongst other things seek to ensure that new buildings and extensions relate to their setting to protect and enhance local character. In reaching my conclusions I have also taken into account the guidance contained within the Hackney Residential Extensions and Alterations SPD.

Other considerations

7. The appellant has referred to a number of other schemes in the area and cite these as setting a precedent for their case. However, I have limited information about their histories, but inevitably their contexts would differ to that of the scheme before me, and so they do not lead me to a different view in this case.

Conclusion

8. For the above reasons and having regard to all other matters I conclude that the appeal should be dismissed.

Jameson Bridgwater

INSPECTOR