



Appeal Decision

Site Visit made on 6 October 2020 by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2020

Appeal Ref: APP/U5360/D/20/3256626

41 Ufton Road, Hackney, London N1 4HE

- 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 John De Coninck against the decision of London Borough of Hackney.
 - The application Ref 2020/0348, dated 30 January 2020, was refused by notice dated 4 May 2020.
 - The development proposed is a side and rear extension to existing house.
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Decision

1. The appeal is dismissed.

Appeal Procedure

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

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling, the row of terrace dwellings in which it is located and the De Beauvoir Conservation Area.

Reasons for the Recommendation

4. The appeal property is a three-storey, end of terrace dwelling with single storey garage to the side, that has been converted to provide habitable accommodation, and a single storey rear extension. It is located within an urban residential area and the De Beauvoir Conservation Area (the Conservation Area), which is a designated heritage asset. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
5. The significance of the Conservation Area relates to the high-quality architecture, strongly uniformed rows of terraced dwellings and the rhythmic layout of development. The appeal site, as an end of terrace property, has a slightly more spacious character and, with its original architectural features, makes a positive contribution to the significance of the Conservation Area. The proposal includes a first-floor side extension over the existing garage, with a two-storey extension to extend this further to the rear, and a two-storey rear extension above the existing single storey rear extension.

6. The proposed first-floor side extension would be over half the width of the host dwelling and, although lower in height than the main dwelling, it would be a significantly large addition to the appeal site. Due to its location, it would be highly visible within the streetscene and therefore would have a visible impact on the character and appearance of the Conservation Area. Although the side extension would use complementary materials and reflect the detailed design of the host property and houses in the area, its scale when combined with the extension to the rear, would not appear subservient to the host dwelling and, when seen in the street scene, would unbalance the uniformity of the terrace in which it is located.
7. It is noted that there are many end of terrace properties within the surrounding area that have side extensions similar in design to the appeal proposal before me and these are an established characteristic within the area. However, this proposal is much larger than these other extensions on Ufton Road, both in width and depth. Indeed all the other examples highlighted by the appellant would appear to be narrower than that proposed so are not comparable. It would therefore appear as a much bulkier addition than others within the streetscene and the wider area. It is also not set back from the front elevation like many other extensions in the area and extends further into the rear garden, which adds to its size and dominant appearance.
8. The extension to the rear of the property, above the existing single storey rear extension, would have limited views from the public realm. It would abut, and be similar in size and appearance, to the rear projection at the neighbouring property, 43 Ufton Road. However, the cumulative impact of the rear extension along with the side extension would result in a significantly larger property than at present, which would be out of keeping with others in the terrace.
9. The appellant has stated that further architectural details and adjustments could be made through the imposition of a planning condition. However, this would only amend minor details and would not be sufficient enough to overcome the harm found.
10. I conclude that the development fails to preserve the character and appearance of the host dwelling, the row of terrace dwellings and the De Beauvoir Conservation Area. Therefore, it conflicts with Policy 24 of the Hackney Core Strategy (2010), Policy DM1 of the Hackney Development Management Local Plan (2015) and Policies 7.4 and 7.6 of The London Plan (2016), which seek to ensure development is of a high-quality design, enhances the built environment and makes a positive contribution to a coherent public realm and streetscape. It would also conflict with Policy 25 of the Hackney Core Strategy (2010), Policy DM28 of the Hackney Development Management Local Plan (2015) and Policy 7.8 of The London Plan (2016), which require new development within a Conservation Area to make a positive contribution to the character of the historic environment by preserving and enhancing the character and appearance of Conservation Areas and conserving their significance.
11. Policy DM2 of the Hackney Development Management Local Plan (2015), referred to in the decision letter, relates solely to the impact upon the living conditions of occupiers of neighbouring dwellings and therefore is not relevant to the proposal and the reason for refusal.

12. Due to the size of the development and the built up nature of its surroundings, the harm found is relatively small scale in the wider context of the Conservation Area and therefore, having regard to the Framework, the harm to the significance of the De Beauvoir Conservation Area is less than substantial. The Framework requires, where there would be less than substantial harm, for it to be balanced against the public benefits of the scheme.
13. The appellant has stated that the proposal will not provide a separate residential unit and is intended to create additional space for the current residents. This is a private benefit that would be given very limited weight. No public benefits have been highlighted by the appellant or are evident from the information provided in this appeal. Therefore, the public benefits of the scheme do not outweigh the less than substantial harm to the heritage asset previously identified.

Conclusions and Recommendation

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

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

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

Andrew Owen

INSPECTOR