
Appeal Decision

Site visit made on 13 October 2021

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2021.

Appeal Ref: APP/U5360/D/21/3270227

123 Nevill Road, Hackney, London N16 0SU

- 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 Ms J Beck against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2020/3855, dated 4 November 2020, was refused by notice dated 27 January 2021.
 - The development proposed is 'roof extension to rear section of pitched roof'.
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Decision

1. The appeal is allowed and planning permission is granted for a roof extension to rear section of pitched roof at 123 Nevill Road, Hackney, London N16 0SU, in accordance with the terms of application, Ref. 2020/3855, dated 4 November 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No. 5327 00_001 P2 (Site and Block Plan)

Drawing No. 5327 00_100 P2 (Proposed Floor Plans)

Drawing No. 5327 00_200 P2 (Proposed Elevations)

Drawing No. 5327 00_300 P2 (Proposed Sections)
 - 3) The materials to be used in the construction of the external surfaces of the roof extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in this case is the effect of the proposed roof extension on the character and appearance of the host dwelling and the surrounding area.
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Reasons

3. The appeal relates to a traditional mid terraced property with a two storey rear outrigger which is shared with the attached property, No. 121 Nevill Road. The proposal seeks to add a mansard extension above the existing outrigger.
4. The Council asserts that the addition of the proposed mansard extension would project above the point of the original eaves of the butterfly roof of the host dwelling, disrupting the subordinate appearance of the outrigger and failing to respect the character and appearance of the host dwelling and the surrounding area. To this end, the Council points to the fact that its adopted Supplementary Planning Document titled '*Residential Extensions and Alterations*' (SPD) explains that roof extensions are acceptable in principle, provided they do not disrupt the existing roof form, including eaves and ridges.
5. Nevertheless, a large mansard has already been added to the main body of the host dwelling which has altered the original butterfly roof considerably. Furthermore, highly material to this appeal is the fact that a very similar extension has been added to the attached outrigger of the adjacent dwelling, No. 121 Nevill Road, which the appellant has explained was permitted in 2019. The proposed extension would be very similar in terms of its scale and form and would have the positive effect of balancing this shared outrigger.
6. For the above reasons, I am satisfied that the proposed roof extension would not harm the character and appearance of the host dwelling or the surrounding area. In such terms, and in this particular case, I find no conflict with the overall aims of policy D4 of the London Plan, policy LP1 of the adopted Hackney Local Plan or the SDP which collectively promote high quality design that respects local character and context.
7. In addition to the standard conditions which limit the lifespan of the planning permission and direct that the development takes place in accordance with the approved plans, the Council has suggested one other condition in the event the appeal succeeds. I agree that the external materials of the mansard extension should match those of the existing dwelling in order to ensure a visually acceptable development. In allowing the appeal, I shall impose these conditions.

David Fitzsimon

INSPECTOR