

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/21/3276189
24 Windus Road, Hackney, London N16 6UP

- 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 Daniel Ria against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2021/0536, dated 19 February 2021, was refused by notice dated 14 April 2021.
 - The development proposed is a mansard roof extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the host dwelling and the street scene within which it sits.

Reasons

3. The appeal relates to a period terrace dwelling. It sits in the middle of a group of three dwellings of a similar scale with butterfly roofs which sit behind a parapet wall to the front elevation. This group is located at the end of a row of a noticeably taller group of terraced dwellings which have a traditional pitched roof profile.
 4. The proposal seeks to add a mansard roof to the front and rear of the dwelling. The mansard roof would sit behind the parapet wall and the windows would follow the positioning and size of the first floor windows of the appeal dwelling. However, it would be a bulky addition which would be much taller than existing roofline of the group of three similar dwellings within which the appeal dwelling sits.
 5. This would be in direct conflict with the advice contained within the Council's adopted Supplementary Planning Document titled '*Residential Extensions and Alterations*' (SPD). The SPD explains that for properties with a butterfly roof concealed behind a parapet forming a uniform cornice line on the street frontage, the continuity of the cornice line is an important townscape feature and '*roof additions will not normally be acceptable in those terraces where an unbroken roofline remains*'.
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6. In this case, the cornice line of the group of three similar dwellings within which the appeal property sits is not consistent. Nevertheless, the proposal would amount to a disjointed addition which would disrupt the broadly consistent roofline of the group. The effect would harm the character and appearance of the host dwelling and the addition would appear visually incongruous within the street scene.
7. I am mindful that a colleague Inspector has previously allowed an appeal for a mansard addition at the neighbouring property, No. 26 Windus Road (Appeal Ref. APP/U5360/A/06/2019814). However, this planning permission is now time expired and it was granted before the adoption of the SDP. In any event, No. 26 sits next to a much taller property and the mansard would have been seen in this context. It would not have been seen as an isolated roof addition as in the case of the appeal proposal. It is therefore not a directly comparable context.
8. I am also mindful that letters of support were submitted by the occupiers of neighbouring dwellings explaining that the proposal would have no adverse impact on their properties and it would improve the accommodation within the appeal property. Whilst these factors are not disputed, they do not outweigh the concern I have identified.
9. For the above reasons, I conclude that the proposed mansard roof extension would harm the character and appearance of the host dwelling and the street scene within which it sits. In such terms, it conflicts with policy D4 of the London Plan, policy LP1 of the adopted Hackney Local Plan and the SPD which collectively promote high quality design that responds to local character and context.
10. The arguments advanced by the appellant do not outweigh this harm and policy conflict therefore the appeal does not succeed.

David Fitzsimon

INSPECTOR