



Appeal Decision

Site Visit made on 12 October 2021

by L Douglas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th November 2021

Appeal Ref: APP/U5360/D/21/3280619

21 Hillstowe Street, Hackney, London E5 9QY

- 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 Nicholas Clough against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2021/0939, dated 22 March 2021, was refused by notice dated 17 May 2021.
 - The development proposed is "Erection of a part single storey, part two storey rear extension and rear dormer loft extension".
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Decision

1. The appeal is allowed and planning permission is granted for "Erection of a part single storey, part two storey rear extension and rear dormer loft extension" at 21 Hillstowe Street, Hackney, London E5 9QY in accordance with the terms of the application, Ref 2021/0939, dated 22 March 2021, 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: E-2019.02.001, P-2019.02.100 Rev B, E-2019.02.001 Rev A, E-2019.02.002 Rev A, E-2019.02.003 Rev A, E-2019.02.005 Rev A, E-2019.02.006 Rev A, P-2019.02.102 Rev B, P-2019.02.103 Rev B, P-2019.02.104 Rev B, P-2019.02.105 Rev B, P-2019.02.200 Rev B, P-2019.02.300 Rev B, and P-2019.02.301 Rev B.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan nos. P-2019.02.300 Rev B and P-2019.02.301 Rev B.

Applications for costs

2. An application for costs was made by Mr Nicholas Clough against the decision of the London Borough of Hackney. This application is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposed rear dormer and first floor extension on the character and appearance of the Lea Bridge Conservation Area (CA).

Reasons

4. The appeal building is a two storey end of terrace house dating from the early twentieth century which forms part of a small cluster of buildings of various styles, sizes and ages centred around an historic core of former industrial buildings next to a key crossing of the River Lea. The appeal site is bordered by Millfields Park to the south, and contemporary three storey buildings to the northeast, all of which comprise part of the CA.
5. The Council's appraisal¹ of the CA refers to the distinctive character and coherent townscape of the cluster of buildings which is informed by its compact form of settlement and the mix of former industrial buildings next to the river, accompanied by short domestic terraces. It identifies the domestic terraces of Hillstowe Street and Leagrave Street as positive buildings within the CA, suggesting they would have provided housing for workers in the nearby riverside industries, but making no reference to their architectural style or appearance.
6. The terrace along Hillstowe Street has been heavily altered since its original construction, with a number of rear facing wide dormers, other rear extensions of different sizes, and changes to roofing finishes and windows on the front elevations. The original proportions and layout of the historic terrace remain appreciable amongst larger contemporary buildings to the northeast along Otley Terrace. The character and appearance of the CA is therefore mixed, but it is the form of the front elevations of the terraced houses on Hillstowe Street which make a positive contribution to the CA's significance.
7. The proposed extensions would be of substantial mass and finished in high-quality modern materials. The proposed standing seam metal clad dormer would occupy almost the full width of the appeal building roof and would not be set in from the ridge or eaves. It would therefore be of similar size to dormers at neighbouring properties within the terrace. The large neighbouring dormers, with their inconsistent finishes, dominate views of the rear of the terrace and contrast with the consistent standing seam metal clad finishes of the contemporary third floors of the building backing onto Hillstowe Street from Otley Terrace. In this context, the scale, height and finish of the proposed dormer would not be out of character with its surroundings or harmful to the appearance of the CA.
8. The proposed first floor extension would be larger than any other extensions within the terrace, protruding further than the first-floor extension at the north-western end of the terrace. It would, however, be located within a relatively large rear garden and face onto Millfields Park, ensuring it would not appear unduly cramped or overly large for the appeal site. Despite its significant mass, it would remain subservient to the dwelling. Its pre-patinated zinc shingle cladding would be distinctly different to other facing materials used on the appeal building and the remainder of the terrace, but being confined to the rear elevation, it would be experienced alongside the modern buildings of Otley Terrace and others further to the northeast. Those contemporary buildings display a range of finishes of varying quality. The proposed zinc shingle cladding would appear as a high-quality addition to the palette of finishing materials on display across the CA.

¹ Lea Bridge Conservation Area Character Appraisal and Management Plan (February 2020)

9. The overall design of the proposed extensions would therefore be appropriate for this particular location, at the end of the terrace and facing onto Millfields Park. They would read as high-quality modern extensions to the historic terrace. They would not prevent the historic form and purpose of the terrace from being appreciated and would complement the existing traditional finishes of the appeal building and contemporary neighbouring buildings elsewhere within the CA. The proposed extensions would not harm the significance of the CA; they would preserve the character and appearance of the CA as a whole.
10. The proposed rear dormer and first floor extension would therefore accord with Policies LP1, LP3 and LP33 of the Hackney Local Plan 2033 (2020) and Policies D4 and HC1 of the Mayor of London's London Plan (2021). These require, amongst other things, development to comprise high-quality design and attractive materials, and to preserve or enhance the character and appearance of conservation areas, conserving the significance of heritage assets.

Other Matters

11. I have been referred to the Council's Supplementary Planning Document (SPD)², which provides guidance in respect of residential extensions to be read alongside the Council's development plan. The proposed dormer extension would not accord with the general design guidance set out within the SPD in that it would not be set in significantly from the sides, down from the ridge or up from the eaves. However, the SPD also advises that roof extensions should reflect the architectural character of neighbouring buildings. In this instance I have found that dormer extensions of similar sizes are a feature of the rear elevation of the terrace and other neighbouring buildings of contemporary styles and greater scales display a range of finishes, informing the character and appearance of the CA. I am therefore satisfied that the proposal would not harm the character or appearance of the CA, and would accord with the development plan for the reasons I have given.

Conditions

12. It is necessary to attach a condition requiring the development to commence within the relevant timeframe and a condition requiring development to be carried out in accordance with the approved plans to ensure clarity. The Council have suggested a condition requiring the development to be finished in materials to match the existing house, but I have found the finishing materials referred to on the plans would preserve the character and appearance of the CA. A condition requiring the use of finishing materials to match those specified is therefore reasonable and necessary to ensure an appropriate high-quality finish.
13. The Council have suggested conditions should be attached which require swift boxes to be provided "close to the eaves prior to first occupation" and the approval of a sustainable urban drainage system feature. No suitably detailed explanations or development plan policies have been put forward to justify these suggested conditions and based on the information before me they would fail to meet the relevant tests set out at Paragraph 56 of the National Planning Policy Framework (2021).

² Residential Extensions and Alterations (April 2009)

Conclusion

14. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

L Douglas

INSPECTOR