



Appeal Decision

Site visit made on 12 October 2021 by M Long

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2021

Appeal Ref: APP/U5360/D/21/3276558

71 Maury Road, Hackney, London N16 7BT

- 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 Alastair Brooks against the decision of The London Borough of Hackney.
 - The application Ref 2021/0853, dated 16 March 2021, was refused by notice dated 24 May 2021.
 - The development proposed is described as roof extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

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

Procedural Matters

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). I have had regard to this as a material consideration however, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. The issues most relevant to this appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area and whether it would preserve or enhance the character or appearance of the Northwold and Cazenove Conservation Area.

Reasons for the Recommendation

5. The appeal site is located in the Northwold and Cazenove Conservation Area which predominantly derives its significance from its historic terraces and architectural detailing. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

6. The appeal site is a mid-terrace property that sits within a group of ten two-storey dwellings bookended by three-storey dwellings. The group of two-storey dwellings are characterised by a similar design including front bay windows, parapet walls, butterfly roofs and outrigger features. These terraced dwellings remain largely in their original form and the roofscape has a limited number of modest interventions.
7. The proposed development would result in the loss of the existing butterfly roof and the erection of a large roof extension that would extend onto the outrigger roof. The roof extension would be concealed behind the existing parapet wall which would obscure views of the development from the Maury Road streetscene. However, due to its significant height, the proposal would be visible from the rear of surrounding properties.
8. Due to its substantial size and scale, the proposed extension would appear as an incongruous feature in the terrace's largely uninterrupted roofscape. It would give the appearance of an additional storey at roof level which would significantly detract from the level of uniformity that characterises the surrounding group of two-storey dwellings. The loss of the traditional butterfly roof form, which contributes positively to the appearance of the area, and its replacement with a large roof extension would be out of keeping with the character of the host dwelling and wider terrace. While the proposal would utilise high-quality architecture and materials, its overall design would be inappropriate in its current context.
9. Although the roofline of the wider terrace is differentiated by buildings of different heights and architectural design, the appeal property is considered within the context of the distinct group of two-storey dwellings which largely retain their original roofs. The Residential Extensions and Alterations Supplementary Planning Document requires that roof conversions do not disrupt the existing roof form and have regard to the character of an area. The proposal would therefore conflict with this document.
10. Given the harm that I have identified above and having carefully considered the Clapton Conservation Areas Advisory Committee's comments, I find that the contribution the host dwelling and terrace of which it forms part makes to the character and appearance of the area would be significantly eroded by the proposal. It follows that the scheme would neither preserve or enhance the character or appearance of the conservation area.
11. The appellant has directed my attention towards a number of roof extensions in the surrounding Conservation Area. Although the full details of these schemes are not before me, they appear to share similarities with the appeal scheme. However, these instances are not so numerous that they form a significant part of the character and appearance of the Conservation Area and there are no examples of similar developments along the appeal terrace. Therefore, it is not considered that there is a significant precedent to justify a roof extension of the proposed size at the appeal site. Upon my visit to the site, I observed the VEX House which was located close to the northern end of the appeal terrace. While this development has a unique and contemporary character, it is a stand-alone property which is not part of the appeal terrace and has limited relevance to its historic roofscape. In any event, each appeal must be determined on a case-by-case basis subject to its individual planning merits and circumstances.

12. Due to the limited views of the proposal, the extent of the development's harm to the Northwold and Cazenove Conservation Area, as a designated heritage asset, would be less than substantial. In such circumstances, paragraph 202 of the National Planning Policy Framework (Framework) indicates that this harm should be weighed against the public benefits of the proposal. However, no substantive benefits have been put forward to outweigh the harm that would be caused to the Conservation Area, a matter to which I give great weight in line with the Framework.
13. Given the above, I conclude that the proposal would be harmful to the character and appearance of the area and would neither preserve or enhance the character or appearance of the Northwold and Cazenove Conservation Area. It would be contrary to the Hackney Local Plan 2033, adopted July 2020, specifically Policies LP1 and LP3 which collectively seek to ensure new development responds to local character and context and in conservation areas preserves or enhances the established local character of individual buildings and groups of buildings. There would be further conflict with The London Plan, adopted March 2021, specifically Policy HC1 which seeks to ensure development proposals conserve the significance of a heritage asset and Policy D3 which seeks to ensure development responds to the existing character of a place. The proposal also conflicts with the statutory test and the conserving and enhancing the historic environment aims of the Framework.

Other Matters

14. The appellant has stated that the proposed extension would cater to the specific needs of his family, however these are private benefits and would not outweigh the harm identified above.
15. The appellant has raised concerns with the Council's processing of this case, including a lack of clarity in their communication and decision-making. Nevertheless, these issues are not related to the specific planning merits of the scheme, which must be the focus of the recommendation. It is suggested that the Council did not undertake a site visit, however a visit has been undertaken in association with this appeal and has informed this recommendation.

Conclusion and Recommendation

16. The proposed development would not accord with the development plan, when considered as a whole. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and I agree that the appeal should be dismissed.

RC Kirby

INSPECTOR