



Appeal Decision

Site Visit made on 7 September 2021 by S Witherley CIHCM MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st December 2021

Appeal Ref: APP/U5360/W/21/3268046

116 Flat D, Clarence Road , London E5 8JA

- 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 Z Ahmed against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2020/3390, dated 9 November 2020, was refused by notice dated 14 January 2021.
 - The development proposed is proposal for the reconfiguration and enlargement of existing second floor apartment with a roof extension to form a 2-bed duplex apartment.
-

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.

Preliminary Matters

3. A new London Plan 2021 was published in March 2021 and this post-dates the Council's refusal notice. I afforded the main parties an opportunity to advise which policies in the new London Plan are now relevant to the development and to comment upon the implications of these for the purposes of determining this appeal. No further comments have been made. Accordingly, the proposal has been considered against the development plan policies of the Hackney Local Plan 2033 (2020).

Main Issue

4. The effect of the proposal on the character and appearance of the appeal property and the surrounding area.

Reasons for the Recommendation

5. The appeal property is a converted three storey terraced property. The front of the building has a number of repeating features with regular vertical windows at second and third floor level with an attractive parapet cornice along the roof line. Behind this parapet is an original butterfly roof.
6. Whilst the rear roof profile is obscured from along Clarence Road it is visible from the side streets of Tilia Road and Sladen Place. The original butterfly roof

appears throughout the terrace block and is free of any roof additions. Such features are visually distinctive and contribute to an established residential character and appearance within the area which is attractive. Overall, the repeating features seen throughout the terrace make a positive contribution to both the character of the street scene and wider locality.

7. The proposal would introduce a flat-topped mansard roof to sit behind the existing parapet. Although the original butterfly roof profile would still be evident beneath the extension, in line with section 3.93 of Hackney's Supplementary Planning Document Residential Extensions and Alterations (2009) (SPD), as there are no other similar roof extensions within this terrace block, the proposal would appear as an incongruous addition particularly as a result of its excessive height, mass and overall design.
8. This would result in a bulky and dominant addition to the dwelling, visually at odds with the prevailing roof design within the terrace. For this reason, the proposal would compromise the architectural integrity of the appeal building and the terrace as a whole, contrary to the overall guidance contained within the SPD which seeks roof extensions and alterations to be designed to complement the individual house and existing streetscape. As noted, the original roof form makes an important contribution to the townscape and is a key characteristic of the terrace and worthy of retention for the reasons specified.
9. In conclusion, the proposal would harm the character and appearance of the appeal property and surrounding area. Accordingly, the proposal would be contrary to Policy LP1 of the Hackney Local Plan 2033 Strategic Planning (2020) which amongst other things seeks development to be of the highest architectural and urban design quality and responsive to local character.

Conclusion and Recommendation

10. For the reasons given above and having had regard to all other matters raised, I find that there are no material considerations that indicate the decision should be made other than in accordance with the development plan. I recommend that the appeal should be dismissed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR