



Appeal Decision

Site visit made on 18 January 2022

by Katherine Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2022

Appeal Ref: APP/U5360/D/21/3282998

33 Lidfield Road, Hackney, London N16 9LX

- 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 Kate Tobias against the decision of London Borough of Hackney.
 - The application Ref 2021/1227, dated 20 April 2021, was refused by notice dated 28 July 2021.
 - The development proposed is described as a "second floor rear extension".
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a second-floor rear extension at 33 Lidfield Road, Hackney, London N16 9LX in accordance with the terms of the application, Ref 2021/1227, dated 20 April 2021, and the plans submitted with it, 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: Site Location Plan 1:1250; Existing Rear Elevations and Sections 21034 EGA001; Existing Roof and Floor Plans 21034 EGA001; Proposed Rear Elevations and Sections 21034 PGA001; and Proposed Roof and Floor Plans 21034 PGA001.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the appeal property and the surrounding area.

Reasons

3. The appeal property is an end terrace house on Lidfield Road which forms a triangular shaped block with Winston Road and Green Lanes. The properties within the block are generally characterised by two-storey terraces with butterfly roofs that are concealed behind parapet walls at the front. Many of the properties, including the appeal property, have mansard roof extensions. There are also a variety of other single, two and three storey rear extensions and outriggers on many of the properties.
4. The proposal would extend the existing two-storey mono-pitched outrigger upwards to form a three-storey flat roofed structure. It would be sympathetic

to that of the existing house with respect to materials. It would also appear subservient to the host dwelling by virtue of its overall width, depth and its setback from the side elevation of the existing outrigger upon which it would sit.

5. The extension would be viewed in the context of other similar extensions within the block including a metal clad outrigger extension on the same stretch of terrace as the appeal property. It would therefore not appear as an obtrusive feature nor out of character with the residential nature of the surrounding area.
6. The Council refers to conflict with its Supplementary Planning Document, Residential Extensions and Alterations (SPD) (2009). As a roof extension to the outrigger the Council is concerned that it does not follow the principles set out at paragraph 3.65. The SPD also provides advice in respect of rear extensions at paragraphs 3.13 and 3.36. The proposal would deviate from this advice. However, it would be viewed in the context of other extensions and outriggers within the block and as such would not be an excessively large addition nor would it harm the living conditions of neighbouring occupiers which the guidance seeks to protect and is not poorly designed.
7. The Council contends that the proposal would be an obtrusive addition and an incompatible form of development because of its excessive bulk and massing. Consequently, it considers the development to be not subordinate or sympathetic in its design, scale or siting and would therefore conflict with development plan and SPD policies. However, as set out above, the size and design of the development would be both subordinate and sympathetic to the design of the building and its surroundings.
8. Accordingly, I conclude that the proposed extension would not have any adverse effect on the character and appearance of the appeal property or the surrounding area. There would be no conflict with Policy LP1 of the Hackney Local Plan (HLP) (2020) which seeks to ensure that all new development is of a high quality and respects local character and context. Despite technical breaches of the SPD's guidance, the site-specific circumstances of this appeal mean that the scheme would still comply with the overall amenity and design aims of the guide and those contained within HLP Policy LP1 and the development plan as a whole.

Conditions

9. I have considered the Council's suggested conditions in the light of the National Planning Policy Framework and Planning Practice Guidance. I agree that a plans condition is necessary and reasonable in the interests of certainty. I have also attached a matching materials condition in the interests of the character and appearance of the area.

Conclusion

10. For the reasons set out above, having had regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be allowed.

Katherine Robbie

INSPECTOR