



Appeal Decision

Site visit made on 8 February 2022

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th March 2022

Appeal Ref: APP/U5360/D/21/3288842

43 Lavers Road, Hackney, London, N16 0DU

- 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 Jonathan Hammant against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2021/2819, dated 13 September 2021, was refused by notice dated 17 November 2021.
 - The development proposed is described as 'proposed single storey first floor extension and internal reconfiguration'.
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Decision

1. The appeal is dismissed.

Reasons

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the dwelling and the area. The development plan includes policies D1 and D3 of the London Plan (2021) and policy LP1 of the Hackney Local Plan 2033 (2020) which together seek to ensure that all development is of the highest quality. The guidance in the Council's 'Residential Extensions and Alterations' Supplementary Planning Document (2009) (SPD) advises that all extensions should be subordinate to the principal building and should not detract from their scale or form.
3. 43 Lavers Road is a traditional, two storey end terrace dwelling that, like others in the terrace, has a two storey outrigger which mirrors that of the adjoining dwelling resulting in a pattern of symmetrical outriggers and side returns. Although most of those in the terrace are not seen from the street, the pattern contributes strongly to the character of the terrace and the area. The appeal dwelling has an existing single storey extension to the rear of a high quality, contemporary design which infills the side return, with a stepped, flat roof. The form of the outrigger and the openness of the side return at first floor level remain clearly visible from the rear of the property, from Dynevor Road to the rear through a gap between buildings and from Lavers Road across the communal gardens of an adjacent block of flats. The dwelling retains its traditional form overall and this contributes positively to the character and appearance of the dwelling, the street scene and the area.
4. The proposed development would infill the side return at first floor level to provide an enlarged third bedroom. It would align with the outrigger. The proposed single pitched roof would reflect the form, pitch and height of the

outrigger roof, resulting in a 'butterfly' roof when seen from the rear. Although it would mirror the existing roof, by reason of its siting on the side return adjacent to an existing pair of outriggers, it would disrupt the pattern of pairs of outriggers and side returns which prevails in this terrace, thereby harming the character and appearance of the dwelling and the character of the terrace.

5. When seen from the street, the extension would be separated by a gap at first floor level from the end gable wall of the dwelling. The roof would not be seen and the proposal would present as a high, raised section of wall above the boundary wall of the existing extension. I have noted that in a previous appeal at the site in 2018 for a first floor addition with a flat roof, the Inspector considered it to be not dissimilar to other side elevations in the locality. I would agree that there are many other examples in the area of end terraced houses with various side elevation treatments. Nevertheless, that Inspector highlighted the disruption to the pattern of adjoining symmetrical outriggers. As I have found that the same harm would arise in this case, the proposal would not fully overcome the previous Inspector's concerns.
6. The proposed enlargement of the bedroom would provide additional accommodation and an improved layout but those would be private benefits which would not outweigh the wider harm I have identified.

Conclusion

7. For the reasons stated above, I conclude that the proposal, by reason of its siting, would harm the character and appearance of the dwelling and the character of the area, contrary to the development plan policies referred to above and there are no material considerations that indicate otherwise. The appeal should be dismissed.

Sarah Colebourne

Inspector