



Appeal Decision

Site visit made on 9 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/21/3289791

18 Parkholme Road, Hackney, London, E8 3AG

- 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 Angus Graham against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2021/2283, dated 22 July 2021, was refused by notice dated 1 October 2021.
 - The development proposed is described as '*Demolish a poor quality extension at the rear and build a new two-storey rear extension, a new dormer extension, and a small bike store at the front of the property. Replace the existing timber sash windows with new double glazed units, removing the uncharacteristic red paint from the brickwork at the front of the property, new landscaping to the front and rear garden, including removing existing front garden wall and gates and building a new garden wall with new entrance gate at the front of the property.*'
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Decision

1. The appeal is dismissed insofar as it relates to the rear extension and the dormer roof extension. The appeal is allowed and planning permission is granted for the insertion of rooflights in the front roofslope, the removal of paint, the replacement of existing windows and the changes to the front garden landscaping at 18 Parkholme Road, Hackney, London, E8 3AG in accordance with the terms of the application Ref 2021/2283, dated 22 July 2021 subject to the conditions in the schedule attached to this decision.

Main issues

2. The main issues in this appeal are the effect of the proposed development on:-
 - the character and appearance of the dwelling and the Graham Road and Mapledene Conservation Area (CA);
 - the living conditions of neighbouring occupiers with regard to outlook.

Reasons

Character and appearance

3. The development plan includes policy LP1 of the Hackney Local Plan 2033 (2020) which seeks to ensure that all development is of the highest quality and policy LP3 which seeks to ensure that development preserves or enhances the character and appearance of Conservation Areas.

4. The appeal dwelling is a three storey mid terraced, Victorian house of a similar design to others on this side of Parkholme Road and like those, is set back from the road behind a front garden with steps leading up to the front door. The uniformity of proportion, scale and detail of the front elevations of these dwellings contributes strongly to the character and appearance of the CA. On the rear elevation, whilst some of the dwellings have had alterations at ground floor level and to their roofs, at upper ground and first floor levels they retain a strong degree of uniformity which contributes positively to the CA.
5. As the proposed rear dormer would occupy most of the width of the roof on the rear elevation and would be only slightly set down from the ridge, it would not accord with the Council's guidance in its 'Residential Extensions and Alterations' Supplementary Planning Document (2009) (SPD). It would be unduly bulky and disproportionate to the scale of the dwelling. Although there are a few other dwellings in the terrace that have rear roof dormers, those are generally significantly smaller than that proposed here. No 14 has a large side dormer and in the terrace to the rear, on St Philip's Road, there are some large dormers but I am unaware of the planning status of those. 52 Parkholme Road has a large, approved dormer but that is in a separate terrace and is not seen within the context of the appeal dwelling. Those examples do not, therefore set a precedent for an exception to the Council's SPD in this case. The proposed dormer would significantly disrupt the largely unbroken and uniform roofscape of the dwelling and the terrace.
6. An existing flat roofed extension at lower ground floor level across the width of the rear elevation, would be demolished and replaced with a contemporary style extension. Set back from that, a smaller flat roofed extension is also proposed at upper ground floor level. The height of the lower ground floor element, which includes a glazed 'clerestory' element would obscure part of an original upper ground floor window opening and would result in an overly bulky extension. The upper ground floor extension would involve the removal of another original window opening and the proposed flat roof design and timber panel would be uncharacteristic of the rear elevation at upper ground floor level of the dwelling and the terrace, detracting from its uniformity. Whilst I noted a timber structure at first floor level on another dwelling, I have not been told of any approvals in the terrace for such extensions and that does not provide justification for this proposal.
7. I conclude then that the proposed dormer and rear extension would fail to preserve the character and appearance of the CA, contrary to development plan policies LP1 and LP3. Whilst the harm to the CA would be less than substantial, the public benefit cited by the appellant of improving the appearance of the house, together with the private benefit of additional space and an improved layout, could be achieved through a more appropriate extension and are insufficient to outweigh the wider harm that would be caused by this proposal.
8. The proposal also includes a new front garden wall, entrance gates, landscaping and bike and refuse storage. Front gardens on this side of the street are varied. The appeal dwelling has an existing vehicular access, hard paving and railings alongside the steps. Although some of the other dwellings in the street also have railings, it seems to me that they would not have been an original feature of this terrace. However, as the proposed railings would replace the existing modern style railings, they would represent an

improvement to the property. The proposed bike store would be set at lower ground floor level and would not be clearly seen from the street, with its planted roof providing some enhancement.

9. I conclude that the proposed garden alterations would not harm the character and appearance of the dwelling and would preserve and enhance the character and appearance of the CA, in accordance with development plan policies LP1 and LP3. As suggested in the Council's officer's report, a condition for full details of the hard and soft landscaping works, including the provision of permeable paving and details of the railings, is necessary in the to ensure satisfactory drainage and in the interests of the CA.
10. The Council has raised no objection to the front roof lights, the removal of paint from the front elevation or the proposed window replacements and I am satisfied that those parts of the proposal are also acceptable. As suggested in the Council's officer's report, a condition requiring details of the methodology for undertaking paint removal, including a sample panel, is necessary to ensure that the underlying brickwork is not damaged. A condition requiring details of windows, also suggested in the Council's officer's report, is necessary in the interests of the CA.

Living conditions

11. As the proposed lower ground floor extension would not project significantly beyond the neighbouring extensions and the proposed first floor extension would be very modest in its projection and would be set some 1m from the nearest neighbouring window, the extension would not result in a significant loss of outlook when seen from neighbouring windows. As such, the living conditions of neighbouring occupiers would not be significantly harmed and the proposal would accord in this respect with development plan policy LP2 which seeks to ensure that developments do not result in significant adverse impacts for neighbouring occupiers.

Conditions

12. In addition to the conditions referred to above, together with the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans insofar as they relate to the approved parts of the proposal, in order to provide certainty.

Conclusion

13. For the reasons stated above, I shall issue a split decision. The appeal should be dismissed insofar as it relates to the dormer window and the rear extension. The appeal should be allowed insofar as it relates to the garden alterations, the front roof lights, the removal of paint from the front elevation and the replacement windows.

Sarah Colebourne

Inspector

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans insofar as they relate to the approved elements only: GA000; GA200; GA201; GA202; GA203; GA204; GA205; GA207; GA208; GA209; GA211; GA212; Design, Access and Heritage Statement.
- 3) The gardens alterations hereby authorised shall not commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Those details shall include:- detailed drawings for the railings, boundary wall and gates, together with proposed materials; planting plans for soft landscaped areas; hard surfacing materials, including the provision of permeable paving; details of materials for the bike/refuse storage unit. The landscaping works shall be carried out in accordance with the approved details in accordance with an agreed implementation programme. The completed scheme shall be maintained in accordance with the approved details.
- 4) The paint removal hereby authorised shall not commence until details of the methodology for undertaking paint removal, including a sample panel, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and sample.
- 5) The window replacements hereby authorised shall not commence until details of the replacement windows, including drawings at a scale of 1:20, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

End of conditions.