



Appeal Decision

Site visit made on 22 June 2022

by E Grierson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2022

Appeal Ref: APP/U5360/W/22/3294186

Flat 4, Millfields Court, 204 Millfields Road, Hackney, London E5 0AR

- 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 C Kahan against the decision of London Borough of Hackney.
 - The application Ref 2021/3265, dated 5 November 2021, was refused by notice dated 17 January 2022.
 - The development proposed is an extension to flat 4 (by an additional floor of accommodation) providing enlarged 2-bed, 3 person flat.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposed development on the character and appearance of the host property and the surrounding area, including the adjacent Lea Bridge Conservation Area.

Reasons

3. The appeal property is a first floor flat located within an end of terrace building, located on a corner plot between Millfields Road and Chippendale Street. It is comprised of a three-storey main section facing Millfields Road and a two-storey rear projection facing Chippendale Street. The appeal property is located within this rear projection. It is also located just outside of the Lea Bridge Conservation Area.
4. The existing pitched roof of the two-storey rear projection matches the style of the roofs on the rear projections of neighbouring properties on Millfields Road. This creates a uniform appearance along the terrace with the rear element appearing subservient to the larger main building.
5. The proposed extension would be slightly lower in height than the main three-storey section of the building and would use similar materials. However the loss of the pitched roof, with a much larger flat roof addition that is not set back from the side elevation, would appear as an overly dominant feature in this prominent corner plot location. The resultant rear projection would not appear subservient to the main section of the building and would be out of keeping with other properties in the surrounding area to the detriment of the character and appearance of the host property and surrounding area.
6. The proposed windows are similar in size to the existing windows on the main building. However they would be much larger than the windows on the first

floor of the rear projection, directly below the proposed extension. These larger window would give this section of the building a top heavy appearance, which would be highly visible in the streetscene, adding to the dominant appearance of the extension. This would be further exacerbated by the proposed juliette balcony style railings which would be at odds with the host building and other properties in the streetscene, where juliette balconies are not a prevailing feature.

7. The building in which the appeal property is located is adjacent to the Lea Bridge Conservation Area and therefore any alterations would have an impact on the setting of this designated heritage asset. However, as the proposed extension is located to the rear of the main part of the building, it would have limited visibility from Millfields Road and the Conservation Area. Therefore, I find that the proposal would have a neutral impact, thereby preserving the character and appearance of the Conservation Area.
8. However, as the proposed development would harm the character and appearance of the host property and the surrounding area, it would conflict with Policy D3 of The London Plan (2021) and Policy LP1 of the Hackney Local Plan (2020). These policies collectively seek to ensure that new development is of the highest architectural and urban design quality and delivers buildings that positively respond to local distinctiveness with due regard to existing building types, forms and proportions.
9. The proposal would also be contrary to the Hackney Residential Extensions and Alterations Supplementary Planning Document (SPD) (2009) which states that roof conversions will only be acceptable where the conversion does not disrupt the existing roof form.
10. As I have found that the proposal would have a neutral impact on the Lea Bridge Conservation Area, it would not conflict with Policy HC1 of The London Plan (2021) and Policy LP3 of the Hackney Local Plan (2020). Furthermore, Policy D1 of The London Plan (2021) is not relevant to this main issue.

Other Matters

11. The existing flat may be below the minimum space standards for a 1 bedroom, 2 person property and in need of improvement, as suggested by the appellant. However, the improvements suggested would not outweigh the harm found to the character and appearance of the host building and surrounding area. It is also noted that the appeal property has no external amenity space, however the proposed development would not provide this.
12. The appellant has stated that a site visit was not undertaken by the Council. However, this would not alter the planning merits of the case or the conclusions I have reached.

Conclusion

13. For the reasons given above and having had regard to all other matters raised, the proposal would conflict with the development plan taken as a whole and I conclude that the appeal should be dismissed.

E Grierson

INSPECTOR