



Appeal Decision

Site visit made on 12 August 2022

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2022

Appeal Ref: APP/U5360/D/22/3300921

8D Brookfield Road, Hackney, London E9 5AH

- 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 Ms Hardy against the decision of London Borough of Hackney.
 - The application Ref 2022/0611, dated 7 March 2022, was refused by notice dated 31 May 2022.
 - The development proposed is Internal alterations and refurbishment; extending rear lower ground floor extension by 800mm; renewal of rear doors to bifold doors, new skylight with increased pitch, new additional storey at first floor.
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Decision

1. The appeal is allowed and planning permission is granted for Internal alterations and refurbishment; extending rear lower ground floor extension by 800mm; renewal of rear doors to bifold doors, new skylight with increased pitch, new additional storey at first floor at 8D Brookfield Road, Hackney, London E9 5AH in accordance with the terms of the application, Ref 2022/0611, dated 7 March 2022, 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 plan: Proposed Drawings, Drawing Number – A001-2D.
 - 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.
 - 4) No windows or doors shall be installed in the development hereby approved until 1:20 drawings and 1:5 sections of the proposed windows and doors have been submitted and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and retained as such thereafter.

Main Issue

2. The main issue is whether or not the proposed development would preserve or enhance the character and appearance of the Victoria Park Conservation Area (VPCA).

Reasons

3. The appeal property is a two-storey dwelling that is attached to no. 8 Brookfield Road which is a locally listed building. The existing building sits subserviently to no.8 and is formed of similar brick and detail banding.
4. It is located in the Victoria Park Conservation Area (VPCA) that is characterised as predominantly comprising residential properties mainly on terraced streets with the Well Street Common providing one of the key features. The appeal property also sits in a street where the majority of properties are recognised as Buildings of Townscape Merit within the VPCA.
5. The street-scene contains a much varied pattern of built development including small infill properties in a similar manner to that of the appeal property. At the rear of this side of the street many properties have outrigger extensions and there is an ununiformed appearance to the rear.
6. The proposed development would result in the creation of an additional floor on the property. The development includes a small extension to the existing ground floor rear and an external staircase to which the Council have raised no objection. I have no reason to form a different view.
7. Despite having granted planning permission for the appeal property in 2008 the Council consider that it is uncharacteristic of the street-scene. The merits of the existing building are not however before me in this appeal. The proposed extension would increase its height and bulk, however it would sit back from, and behind the parapet which would visually absorb its lower part. It would also sit lower than the eaves level of no. 8. For these reasons, it would not appear overly dominant or detract from the street-scene.
8. The development would incorporate external bricks to match those of the existing dwelling. Fenestration to match is also proposed, further detail of which could be secured by condition. Due to its design, it would therefore not appear incongruous or cause harm for this reason.
9. The Council have referred to the harm that would be caused due to the disruption to the architectural symmetry and integrity of the host building. The host building is the appeal property, no 8D, and I find that through its design, there would not be harm in this regard. The Council may be referring to the perceived harm to the symmetry of no. 8. Given the position of the appeal building to the side of no. 8, I consider that the symmetry of no. 8 has, to a large extent, already been compromised. I do not find harm in this regard.
10. The Council consider that the proposal would be contrary to the guidance contained in the Residential Extensions and Alterations Supplementary Planning Document as the extension would extend to the eaves line so as not to appear subservient to the main building. As can be seen from my reasoning above, this is not applicable to the proposed development.
11. The proposed development would therefore not cause harm to, and thereby preserve, the character and appearance of the VPCA. It would also sustain the significance of the locally listed building.
12. The proposed development would therefore comply with the design and heritage requirements of Policies D3, D6 and HC1 of The London Plan (2021) and those of Policies LP1, LP3 and LP17 of the Hackney Local Plan (2020).

Conditions

13. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. In the interests of the character and appearance of the VPCA it is necessary to impose a planning condition requiring the submission of large-scale details of the proposed windows prior to their installation.
14. There is no substantive evidence that for a development of this scale, conditions relating to surface water drainage or biodiversity are necessary to make the development acceptable in planning terms.

Conclusion

15. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

A M Nilsson

INSPECTOR