



Appeal Decision

Site visit made on 18 August 2022

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th August 2022

Appeal Ref: APP/U5360/D/22/3293503

83 Glenarm Road, Hackney, London, E5 0LY

- 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 W Smith against the decision of the London Borough of Hackney Council.
- The application Ref 2021/3089 dated 14 October 2021, was refused by notice dated 10 December 2021.
- The development proposed is erection of a double-pitched mansard roof extension with front and rear dormer windows.

Decision

1. The appeal is allowed and planning permission is granted for erection of a double-pitched mansard roof extension with front and rear dormer windows at 83 Glenarm Road, Hackney, London, E5 0LY in accordance with the terms of the application ref: 2021/3089 dated 14 October 2021, subject to the following conditions:
 - 1) The development to which this permission relates must be begun not later than the expiration of three years, beginning with the date of this decision;
 - 2) The development hereby permitted shall be undertaken in complete accordance with the following approved plans: unreferenced location plan (supplied by Stanfords 23 Aug 2021), CF-191-DR-1100 – A (proposed plans), CF-191-DR-1200-A (proposed sections), CF-191-DR-1201-A (proposed section) and CF-191-DR-1300-A (proposed elevations);
 - 3) The materials used in development hereby permitted shall match those of the existing dwelling unless details are submitted to, and approved in writing by, the Local Authority;
 - 4) Prior to first use of the roof extension hereby approved details, including location and specification, of swift boxes shall be submitted to, and approved in writing by, the Local Authority. The boxes shall be provided in accordance with the approved details and maintained for the lifetime of the development.

Procedural Matters

2. The appellant has submitted amended plans with this appeal which remove the pitched roof element of the mansard roof and provide for a flat roof. The revised plans seek to evolve the scheme from that upon which the Council based their decision and given that this is a householder appeal the Council have not had opportunity to make representations on the revised proposals. The appeal process should not be used as a means to progress alternatives to a

scheme that has been refused. As a result of this I have determined the appeal before me based upon the original proposals only as these are what were considered by the Council and any relevant consultees.

Main Issue

3. The main issue is the impact of the proposal upon the application dwelling and the wider street scene.

Reasons

4. The appeal site is a two storey, with lower ground floor, mid terrace residential dwelling. The proposal seeks to erect a mansard roof extension with two front and two rear facing windows. The butterfly roof would be retained to the rear. The appeal site is one of two properties within the terrace row which differ in architectural form to the properties either side. The appeal site and neighbouring number 85 are essentially already visually at odds within the terraced row on that side of Glenarm Road.
5. To the eastern side (number 81) are similar butterfly roof forms to that of the appeal site but they are notably taller. As a result of the notable height difference I do not find that the appeal site presents as part of the uninterrupted roof form to the East of the terrace. The taller parapet line of numbers 75 – 81, as noted by the Council, affects the cohesiveness of the wider terrace. To the western side of the appeal site (number 87) is a completely differing pitched roof form with further changes to architectural form and detailed design, including a varied parapet line to that of the appeal site. Based upon these factors I find that the uniformity of the wider terrace has already been affected. I do not find that there is continuity or an unbroken nature of the roofline that is an important feature of the streetscape.
6. I do not find that the introduction of the proposed roof extension would be particularly notable from pedestrian level within the street scene or in longer views along this road wider streetscape. Within the street scene the proposal would only be visible immediately outside the appeal site with oblique views partly screened by two well established street trees (one outside the appeal site, and outside number 87) as well as the neighbouring built form which is of greater height. As a result of these factors I find that the visual impacts of the proposal upon the appearance of the area and street scene would be limited.
7. The side of the street within which the appeal site stands in noted to have no evidence of roof extensions, however, the appellant's submissions evidence a number of roof extensions within the surrounding area including a number on the opposite side of the road to the appeal site. I find that this supports that extensions of this nature are characteristic of the surrounding area and with the varied characteristics of the terraced row and properties in the immediate area, as outlined above, I find that the proposal would be appropriate for the character of the street scene.
8. The proposal is set back from the front parapet which is consistent with the Hackney Council Supplementary Planning Document Residential Extensions and Alterations 2009 (SPD). A double pitched mansard has been proposed. The SPD guidance confirms that a mansard roof should normally be used. A traditional double pitched mansard roof may be more appropriate, depending on the circumstances, for larger houses. Whilst this guidance is noted, taking

into account the host dwelling and site characteristics, I find that the double pitched roof would be appropriate taking into account the submitted sections and given the shallow roof pitch proposed. As designed the proposal would allow for reference to the original butterfly roof form to the rear, incorporate an appropriate angle of roof slope and be set back behind the existing roof parapet from the front elevation. Whether flat roofed or pitched the limited views of the proposed extension would remain largely the same.

9. The fenestration design could be viewed as at odds with the existing on the floors below but I do not consider this warrants refusal due to it being largely screened behind the parapet wall. I do not find that the front mansard window is too big given that it mirrors the proportions of the windows below nor do I find it presents as top heavy. I do not find that the extension would add additional bulk at roof level above the strong parapet line, which will be viewed from street level. The proposed sections, elevational drawings and proposed plan roof (CF-191-DF-1100-A) do show retention of both chimney stacks as features. I find the proposal would be appropriate for the character and appearance of the application dwelling.
10. From street level views of the appeal proposal would be restricted, as outlined above, and not viewed head on from height as would be required to see what is demonstrated in the elevational drawings. I do not find that the proposal would present as an incongruous or discordant feature within the terraced row nor that would have a harmful impact on the surrounding streetscape. Overall, I do not find that the proposal would change the character and appearance of the terrace such that it would negatively impact the host property or the immediate area within Glenarm Road.
11. The proposal would be consistent with London Plan 2021 (LDN) Policy D3 which requires that development responds in a positive manner to the existing context and LDN Policy D4 which seeks to ensure that buildings and structures are of the highest architectural quality. The proposal would be consistent with Hackney Local Plan 2020 Policy LP1 which seeks to ensure developments provide good and optimum arrangement of the site in terms of form, mass and scale as well as identify with and respect the architectural quality and character of the surrounding environment. The proposal would be consistent with the overarching design objectives of the SPD as outlined within this decision letter.

Other Matters

12. An objection from Conservation, Urban Design and Sustainability (CUDS) is stated within the Council's delegated report, however, no further details are provided to enable me to take these into consideration. A lack of objection from neighbours is a neutral consideration.
13. I note comments about how the application was managed as well as references to attempts to engage with the Planning Officers, however, these are outside the scope of the appeal before me.

Conditions

14. A time condition is attached to comply with section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent. A materials condition is required to

ensure the proposal matches the host dwelling and that any deviations in materials from existing are approved by the Council to ensure an appropriate finish. Both the Council's delegated report and appellant's statement note conditions relating to swift boxes due to the proposal having a commencement height greater than 5m. I have applied this condition to provide urban biodiversity improvements as a result of the proposal.

Conclusion

15. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR