



Appeal Decision

Site visit made on 25 August 2022 by R Dickson BSc (hons) MSc

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2022

Appeal Ref: APP/U5360/D/22/3291604

10 Deacon Mews, Hackney, London N1 3HZ

- 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 Clive Briegel against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2021/2519, dated 16 August 2021, was refused by notice dated 4 November 2021.
 - The development proposed is for a small single storey rear extension, replacement of patio door and 1 x window with double doors and side window.
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Decision

1. The appeal is allowed and planning permission is granted for a small single storey rear extension, replacement of patio door and 1 x window with double doors and side window at 10 Deacon Mews, Hackney, London N1 3HZ in accordance with the terms of the application, Ref 2021/2519, dated 16 August 2021, 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: 10/DM/03 Rev B
 - 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, with the exception of the flat roof, which shall be a living roof in accordance with approved plan 10/DM/03 Rev B.
 - 4) The window to be created in the rear elevation at first floor level of the development hereby permitted shall be installed as obscure glass and be non-opening below a height of 1.7 metres measured from the internal finished floor level. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling, and the De Beauvoir Conservation Area.

Reasons for the Recommendation

4. Deacon Mews is a small mews development of 10 houses set to the rear of the properties on Southgate Road, Southgate Grove, Ufton Road and Northchurch Road. Deacon Mews is a more recent addition compared with the other properties in the area, however a few more modern developments do exist. Deacon Mews is set within the De Beauvoir Conservation Area. The parties have provided little information regarding the origins of the CA but its significance appears to lie in the well-planned and regulated layout, the quality of the individual housing and its historical significance in terms of the expansion of residential development in the area. Deacon Mews is an infill development set to the rear of a number of older terraced streets. Although some elements of the design reflect the surroundings, the outward elevations clearly have a modern character which does not add to the significance of the CA. Overall the Mews has a closed and private character which has a neutral impact within the CA.
5. The properties within Deacon Mews form a terrace and area all north facing, with the exception of No 10, which is situated perpendicular to the other properties. Despite the close proximity of the properties on Deacon Mews, No 10 has a highly private feeling which is due to the enclosed nature of the rear of the property, and the established shrubs and trees to the front. There are no views into either the rear garden or the 'side' garden (area accessed from gate adjacent to front door), and as such is not overlooked by any other property.
6. The proposed extension would be extremely modest in scale, would not significantly alter the form of the dwelling, and would not be seen from any public or private views. The design and materials would be in keeping with the existing property, maintaining the character and appearance of Deacon Mews.
7. The proposed window to the rear of the property is also modest in scale and would not be unduly prominent, nor would it unbalance the façade of the dwelling. Owing to its design and location, it would not have an overbearing impact. Despite the tall walls to the rear of the property, a condition is necessary requiring the window to be obscure glazed and fixed up to 1.7m in height, in order to maintain privacy for neighbouring occupiers.
8. To the front of the property the existing double doors and window are proposed to be replaced with Crittal style glazing with double doors. Given the use of grey aluminium doors to the rear of the property, I do not find that the materials used for the Crittal doors would appear out of character, given the private nature of the appeal site. While this is not strictly in keeping with the character of the conservation area as a whole, when weighed against the fact that there are no public or private views of this elevation, and the fact that the dwelling is a modern intervention which does not add to the historical significance of the designated asset, I do not find that this causes harm to the CA.
9. Accordingly, the proposed development would not harm the character and appearance of the host dwelling or the CA. It would therefore comply with

Policies LP1 and LP3 of the Hackney Local Plan 2033 Strategic Planning (2020), Policies D4 and HC1 of the London Plan 2021, Hackney Residential Extensions and Alterations Supplementary Planning Document (2009) and Paragraphs 130 and 134 of the Framework.

Conditions

10. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty. A condition requiring the use of materials detailed within the plans is also necessary to ensure an appropriate appearance of the development.

Conclusion and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to conditions.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed subject to the conditions set out above.

Chris Preston

INSPECTOR