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# 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**

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**Appeal Ref: APP/U5360/D/22/3301095**

**77 Forburg Road, Hackney, London N16 6HR**

- 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 Shahed Patel against the decision of London Borough of Hackney.
  - The application Ref 2022/0177, dated 25 January 2022, was refused by notice dated 22 March 2022.
  - The development proposed is for the erection of a rear roof extension.
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## Decision

1. The appeal is dismissed.

## 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.

## Preliminary Matter

3. The proposed development is for a rear roof extension, however the plans show a bonnet cap roof above the bay window to the front of the property. The application form and decision notice refer to the rear roof extension only and this is how the proposal was advertised to the public during the application stage. As neither party have referred to the re-instatement of the bonnet cap roof in their statements, I have not considered this as part of the proposed scheme.

## Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host dwelling, and the Northwold and Cazenove Conservation Area.

## Reasons for the Recommendation

5. Forburg Road is a tree lined residential street situated in the northern part of the Northwold and Cazenove Conservation Area. The significance of the CA is derived from the high quality and variety of Victorian homes, which can be seen through varying decorations on the exterior of buildings. The significance of Forburg Road itself is derived through the narrow 's' shaped street which forms a gentle curve.

6. The properties surrounding No 77 have a high variation of design, despite being of the same period, with No 77 being notably different, owing to the lack of bonnet cap roof above the bay window. There are no public views of the rear of the property, however private views can be achieved.
7. The proposed roof extension would significantly alter the roof form of No 77. The original outriggers are integral to the character of the properties within Forburg Road and their strong and dominant form creates a sense of rhythm to the rear. The proposal would significantly disrupt the original roof form and the box-like proportions and flat roof profile would be at odds with the existing hipped roof of the outrigger which ties in sensitively to the main roof of the house. The substantial roof extension would neither be subservient nor modest and would be an incongruous addition that would cause harm to the character and appearance of the dwelling and the CA. I recognise that public views are limited but the outriggers form an integral part of the character of the block and contribute to the wider character of the CA, as seen from numerous private vantage points. Thus, the fact that the alteration would be to the rear does not lead me to alter my assessment on the harm that would be caused.
8. No 75 has a similar roof extension to that proposed, and is within the CA. However, there is no evidence before me of how this came to be built, and it also disrupts the otherwise unified roof form of the terrace. The information before me indicates that it may have been constructed before the area was designated as a CA and it is not an example of a type of development that would be encouraged and does not justify the harm I have identified. The appellant has also identified another example of roof alteration, however I have not been provided with any other details of when this was constructed or whether planning permission was granted. In any event, the examples referred to are few in number and the original character of the outriggers to the rear of the block remains largely intact. That character is integral to the appearance of the row and unsympathetic examples elsewhere do not set a precedent for further harm.
9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Given my findings above, the proposed roof extension would neither preserve nor enhance the character or appearance of the CA. Given its modest scale in relation to the wider CA, it would result in less than substantial harm to the significance of the CA as a whole. Nevertheless, this is a matter to which I give considerable importance and weight. The National Planning Policy Framework requires that this harm should be weighed against any public benefits of the proposal. No such benefits have been put forward in this instance.
10. Accordingly, the proposed roof extension would harm the character and appearance of the host property and the wider Northwold and Cazenove Conservation Area. It would therefore be contrary to Policies D3, D6 and HC1 of The London Plan (2021), Policies LP1, LP3 and LP17 of the Hackney Local Plan 2033 (2020) and the Hackney Supplementary Planning Document Residential Extensions and Alterations (2009), which collectively require roof extensions to complement the individual house and existing streetscape, and that conversions should not disrupt the existing roof form.

### **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 dismissed.

*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 dismissed.

*Chris Preston*

INSPECTOR