



Appeal Decision

Site visit made on 4 October 2022

by S Harrington MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2022

Appeal Ref: APP/U5360/W/22/3299205

Flat C, 48 Gloucester Drive, Hackney, London N4 2LN

- 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 Mike Hart against the decision of London Borough of Hackney.
 - The application Ref 2022/0322, dated 10 February 2022, was refused by notice dated 8 April 2022.
 - The development proposed is widening of existing second floor dormer window to front elevation, raising of cill to flank elevation and minor internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted for widening of existing second floor dormer window to front elevation, raising of cill to flank elevation and minor internal alterations at Flat C, 48 Gloucester Drive, Hackney, London N4 2LN in accordance with the terms of the application, Ref 2022/0322, dated 10 February 2022, subject to the following conditions:
 - 1) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 48GD/PL/01; 48GD/PL/03.
 - 3) Full details, or photo samples, of the materials to be used on the external surfaces of the development hereby approved, shall be submitted to and approved by the Local Planning Authority, in writing, prior to installation. The development shall not be carried out otherwise than in accordance with the details thus approved and shall thereafter be retained as such.
 - 4) Detailed drawings of the proposed window frames to a scale of 1:20 shall be submitted to and approved by the Local Planning Authority, in writing, prior to their installation. The development shall not be carried out otherwise than in accordance with the details thus approved and shall thereafter be retained as such.

Application for costs

2. An application for costs was made by Mr Mike Hart against the London Borough of Hackney Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is located on the south side of Gloucester Drive, a tree lined street of period properties which have the appearance of pairs of semi-detached dwellings although the rear sections of the house are joined. The houses on the south side of Gloucester Drive have a rhythmical front bay detail and a number have a dormer window in the street facing roof slope aligning with the bay window below. However, I observed that there are numerous examples, particularly to the western end of Gloucester Drive and within Alexandra Grove, of widened or additional dormer windows, some with flat roofs and others with hipped roofs which contribute to a variety of appearance and the character of the area. While many dormers are smaller and the Council has no record of planning permissions granted for these since adoption of the Hackney Residential Extensions and Alterations Supplementary Planning Document 2009 (SPD), they are nevertheless part of the area's character.
5. The proposed development seeks to extend the width of the existing dormer window, as well as the insertion of a new rooflight to the rear elevation, and the raising of the cill to a first-floor window within the side elevation. The proposed dormer would be set back from each side of the roof and would retain the overall character and detailing of the existing dormer.
6. The SPD provides guidance in order to achieve high quality householder alterations including roof extensions. The SPD does allow for front roof extensions where the housing typology would allow roof extensions and where there is a precedence of roof extensions already and where the visual impact is acceptable. However, in all cases the guidance is that high quality design should be employed, the conversion should not depart from or disrupt the existing roof form, and that additions to the roof form should be in scale with and proportionate to the existing roof.
7. I acknowledge that 48 Gloucester Drive and its neighbour are largely unaltered to the frontage and read as an attractive pairing. However, whilst no detail has been provided of the proposed window frames, the widened dormer window would have materials and architectural details reflecting that of the existing dormer and those within the surrounding area. Furthermore, the proportions of the proposed dormer window result in sufficient roof plane remaining to each side of the dormer to retain the appearance of a subservient dormer window and avoid a top-heavy effect. Consequently, whilst roof level symmetry would be lost between the pair of dwellings, subject to planning conditions requiring details of materials and fenestration, the proposed dormer window would sit comfortably within the context and character of the host property.
8. The Council raises no concerns in terms of the proposed roof light or raised cill height and on the evidence before me, noting the location and minor scale of these elements of the proposed development, I have no reason to disagree. Furthermore, whilst the site is outside of the Stoke Newington Reservoirs, Filter Beds and New River Conservation Area (CA), the rear of the appeal site is adjacent to the CA. The Council has not raised concerns in terms of the nearby CA and on the evidence before me, noting the spatial relationship of the appeal

site and the CA resulting in no intervisibility with the proposed development, I see no reason to disagree.

9. Consequently, I conclude that for the above reasons the proposed development would not adversely affect the character and appearance of the area. As such, it would accord with Policies D3 and D4 of the London Plan 2021 which, amongst other things, requires development to respond to the existing character of a place and be of high quality, with architecture that pays attention to detail. The same is the case with Hackney Local Plan Policy LP1 which requires, amongst other things, that all development to be of the highest architectural and urban design quality and to respond to local character and context and be compatible with existing townscape. Furthermore, I find that the design of the proposed development is in accordance with guidance provided within the SPD.

Other Matters

10. Within the Council's Officer report, concern is raised in relation to the precedent that allowing the proposed development could have to the character of the area. This appeal has been dealt with on its own merits and has been found to be acceptable for the reasons given above. Likewise, any future proposals must be assessed on their own merits and the particular circumstances of the site.

Conditions

11. As well as the statutory time limit condition, a plans condition would be required to provide certainty. Further conditions would be necessary to ensure appropriate materials, and window detail in the interests of the appearance of the development. I have made some changes to the Council's suggested conditions in the interests of clarity and to ensure compliance with the Planning Practice Guidance.

Conclusion

12. For the reasons given above, I find that the proposal is in accordance with the development plan, considered as a whole. There are no considerations of sufficient materiality to indicate that the decision should be made other than in accordance therewith. Therefore, I conclude that the appeal should be allowed.

S Harrington

INSPECTOR