



Appeal Decision

Site visit made on 12 October 2022

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 6 December 2022

Appeal Ref: APP/U5360/W/22/3300089

12c Alkham Road, London, N16 7AA

- 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 Rebecca Lee against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2021/3699, dated 20 December 2021, was refused by notice dated 16 March 2022.
 - The development proposed is a formation of a rear balcony to existing rear dormer. Replace existing windows to existing dormer and create doorway to provide access onto balcony.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the appeal scheme upon the character and appearance on the appeal site and the area generally.

Reasons

3. The appeal site is a flat which comprises the first and second floor of the property, which is situated in a row of Victorian terraced houses. The appeal scheme includes works to create a balcony to the rear dormer on the second floor, extending onto an area of the building which is currently part of the roof slope.
4. The terraced properties along Alkham Road and the surrounding area are similar in age and overall design, albeit several of these properties have also been enlarged through dormer extensions and a range of other additions. Whilst terraces appear to be present at a first floor level, dormer balconies such as that proposed are not a common feature of Victorian terraces of this area.
5. The roof level balcony proposed would therefore be at odds with the prevailing pattern of built form. Specifically, the balcony would extend forward close to the edge of the roof and in this sense, would become a more visible presence in views from surrounding properties and a section of the public highway on Kyverdale Road itself. There would be some limited screening in some angles from the chimney, parapet wall and nearby trees. However, given the high degree of visibility of the roofscape in the local area, this would not sufficiently address fundamental concerns regarding the failure of the appeal scheme to harmonise with local character.

6. In reaching this view, I have considered the fact that the depth of the balcony would be relatively modest, and that it would be of reasonable design quality. It would replace the existing multi-paned dormer window with a more limited number of openings. Nonetheless, noting particularly the greater extent of glazing proposed, it would appear as a prominent and discordant feature which would be out of keeping with, and harmful to, the appearance of the property and the wider terrace.
7. No 24 Alkham Road and 18b Kyverdale Road have been altered to introduce some form of balcony at roof level. The Appellant points out that planning permission has been granted for similar extensions. However, I am not aware of the particular circumstances of those cases. In any event, I must consider the appeal scheme on its own merits, and in the context of the current policy regime which requires such additions to respond to local distinctiveness. Whilst the appeal site is not located within a conservation area, this does not undermine the requirement for the appeal scheme to respect local character.
8. In conclusion, the appeal scheme would harm the character and appearance of the host building and the surrounding area and would therefore not comply with the requirement for development to be of the highest urban design quality, contrary to Policy LP1 (Design Quality and Local Character) of the Hackney Local Plan 2033. The appeal scheme would not positively respond to local distinctiveness and deliver good design, contrary to the Policies D3 (Optimising site capacity through the design-led approach) and D4 (Delivering good design) of The London Plan 2021. It would also not relate to the architectural conventions of the existing building, contrary to the Hackney Supplementary Planning Document Residential Extensions and Alterations Local Development Framework (April 2009).

Other Matters

9. I have considered representations regarding the benefits of private amenity/open space, the opportunity to carry out repairs to the existing roof and the creation of an alternative fire escape, but these are matters which do not affect my findings on the main issue.

Conclusion

10. I have found that the appeal scheme conflicts with development plan policy and thus find that it would be contrary to the development plan as a whole. No material considerations have been demonstrated which would outweigh the planning development conflict. Therefore, for the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

S Lo

INSPECTOR