

Appeal Decision

Site visit made on 6 October 2022 by S Wilson LLB MSc LRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 December 2022

Appeal Ref: APP/U5360/D/22/3302135

79 Hassett Road, London E9 5SL

- 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 Henrik Kubel against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2022/0888, dated 4 April 2022, was refused by notice dated 31 May 2022.
 - The development proposed is for a ground floor rear extension, loft, and outrigger 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.

Main Issue

3. The effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

4. Properties in this terrace have two-storey rear outriggers, generally arranged in pairs. These create a clear rhythm, pattern and symmetry with their matching heights and sloping roofs, which are still very apparent despite some rear outriggers having been extended or modified. There are a number of mansard roof extensions in the terrace of similar heights and design, which reinforce the uniformity, rhythm and symmetry of the terrace where they exist together.
5. Some properties also have rear outrigger roof extensions of various designs. Where these exist above both of a pair of outriggers, they are symmetrical and respect the fenestration of the host dwelling. This reflects the paired character of dwellings along this terrace and contributes positively to the character and appearance of the area. There are also a number that exist in isolation and consequently are not symmetrical across the pair of outriggers. These stand out as anomalous in the rhythm of the terrace. I have very little detail before me of the planning status of those extensions and under what circumstances or under what policy or legal framework they came into existence.
6. Although there are other box-style outrigger extensions elsewhere in the terrace, they are generally seen in isolation or as a matched pair. In contrast,

the box design of the proposal would be markedly different to the mansard style outrigger roof extension of No 77, which the outrigger of the appeal property is paired with. In particular, the angle of the side wall, the height, and the fenestration would be quite different, with the fenestration proposed making little attempt to respect that of the host dwelling.

7. Consequently, the proposal would unbalance the rear elevation of the host dwelling and detrimentally alter its visual relationship with No 77. This would be clearly visible from Oriel Road behind the site. Therefore, the proposal would not respond positively to its context and would not be of the highest architectural quality as required by Policy LP1 of the Hackney Local Plan 2033 (adopted 2020). Therefore, it would harm the character and appearance of the terrace as a whole and the local area.
8. The Council has not raised any concerns regarding the proposed extension on the main part of the roof, which would match the height of the adjoining extension at No 77, balancing the pair and respecting the architectural detail of the host property in both fenestration and materials. Likewise, the ground floor extension has not raised concern for the Council. Having considered the evidence, including the existing permission for similar extensions, I have no reason to disagree. The acceptability of these elements does not however overcome the harm from the outrigger extension proposed.
9. The proposal would improve the living conditions of the occupants, however it has not been demonstrated that this proposal would result in materially greater benefits than the permitted scheme, therefore I give this very little weight. The proposal would not harm living conditions of neighbours or compromise amenity space for the occupants of No 79, however these are neutral matters. These considerations do not outweigh the harm I have identified.
10. In conclusion, the proposed rear outrigger roof extension would harm the character and appearance of the area. Accordingly, the proposal fails to comply with Policy D3 of the London Plan (adopted 2021) and Local Plan Policy LP1, insofar as they require development to respond to local character. Similarly, the proposal fails to comply with the Hackney Residential Extensions and Alterations SPD (adopted 2009) insofar as it relates to design.

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.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and agree with the recommendation and reasons. On that basis the appeal is dismissed.

L McKay

INSPECTOR