



Appeal Decision

Site visit made on 31 October 2022

by A Hunter LLB (Hons) PG Dip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2023

Appeal Ref: APP/U5360/W/22/3300193

First Floor Flat, 2 Blurton Road, Hackney, London E5 0NL

- 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 Harry Hewat against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2022/0082, dated 14 January 2022, was refused by notice dated 10 March 2022.
 - The development proposed is the erection of a mansard-style roof extension to create additional storey at second floor level.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a mansard-style roof extension to create additional storey at second floor level at First Floor Flat, 2 Blurton Road, Hackney, London E5 0NL in accordance with the terms of the application, Ref 2022/0082, dated 14 January 2022, 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 submitted plans: site plan; drawing no. 190_04 rev. A - proposed plan; drawing no. 190_05 rev. A - proposed elevations; and drawing no. 190_06 rev. A - proposed sections.

Main Issue

2. The main issue is the effect of the proposed roof extension upon the character and appearance of the host property and the terrace, with particular regard to the design of the roof extension.

Reasons

3. No. 2 Blurton Road is an end terraced property and part of a long row of properties on one side of Blurton Road. Apart from roof alterations to one inner terraced property, the roofscape of the terrace is unaltered. The terrace comprises two-storey properties with basements featuring a cornice and parapet wall to disguise their shallow pitched roofs. This form of terraced properties is replicated on many of the nearby roads. There is also a mixture of other different styles of properties in the area, including a contemporary property on the opposite side of the road.
4. No. 2 has a blank side wall in brick with a band of white painted render below its side parapet wall that is already higher than its front parapet wall. It is

proposed to raise the side parapet higher in part to accommodate the new roof. The proposed mansard roof would be set back from the front edge of the parapet wall with a small outdoor amenity space between the front wall and the proposed new roof. The existing butterfly roof form would be retained to the rear side. Due to the proposal's set back from the front elevation only a very small amount of the roof structure would be visible from the footpath directly opposite the appeal site. It would mostly be visible from its side elevation.

5. The modest size of the proposed roof extension in relation to the host property, together with its high-quality design and materials, including the raised area of rendered wall would ensure a subservient relationship to the host building that would respect its character and appearance.
6. Whilst the proposal would introduce a roof extension into the terrace's largely unaltered roofscape, its setback from the front elevation of the building, its discrete location and high quality design would ensure that the proposed roof extension would not be prominent or dominant in the street scene. Moreover, the street trees would partially obscure views of the side of No. 2 and would serve to soften the visual impact of the scheme.
7. I note that the Council has referred to the design of the front amenity area being inconsistent with the Residential Extensions & Alterations SPD, 2009 (REA). The REA seeks to prevent amenity areas in such roof alterations to protect the amenity of surrounding occupiers, not necessarily for design reasons. I do not find that the provision of this small outdoor area would be harmful to the character of the area, as the use of this area would largely be hidden by the existing parapet wall.
8. In view of the above, I find the design of the roof extension to be compatible with the character and appearance of both the host property and the terrace. The proposal meets the requirements of Policy LP1 of the Hackney Local Plan 2033, adopted July 2020, which amongst other things, requires new development to be high quality and to respect the local character of the area. Although, there is a degree of conflict with the REA, in particular paragraph 3.85, which sets out that roof extensions will not normally be allowed where rooflines are unaltered, the wording of this guidance does not prevent high quality extensions such as that proposed in this case.
9. The Council has referred to the proposal being contrary to Policy D4 of the London Plan, adopted March 2021. This is a broad strategic design policy which is not directly relevant to the determination of this appeal.

Conditions

10. I have imposed a standard implementation condition, along with a condition listing the approved plans to provide certainty over what has been approved. The approved elevations detail the external materials to be used on the development, consequently a separate materials condition is not necessary in this case.

Conclusion

11. For the reasons given above, considering the development plan as a whole and all relevant material considerations, the appeal is allowed.

A Hunter

INSPECTOR