
Appeal Decision

Site visit made on 16 January 2023

by J Hills MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 February 2023

Appeal Ref: APP/U5360/D/22/3304212
58 Lordship Road, Hackney, London N16 0QT

- 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 Jemimia Williams against the decision of the London Borough of Hackney.
 - The application Ref 2021/3313, dated 26 October 2021, was refused by notice dated 27 July 2022.
 - The development proposed is described in the application as proposed roof extension over the existing outrigger with a pitched roof.
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Decision

1. The appeal is allowed and planning permission is granted for construction of roof extension to existing two storey outrigger at 58 Lordship Road, London, N16 0QT in accordance with the terms of the application, Ref 2021/3313, dated 26 October 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be begun within three years of the date of the permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: AL(01)01; AL(01)02; AL(01)03; AL(01)04; AL(01)05; AL(01)06; AL(01)07; AL(01)08; AL(01)09; AL(01)10; AL(03)01; AL(03)02; AL(03)03; AL(03)04; AL(03)05; AL(10)01; AL(10)02; AL(10)03; AL(15)01; AL(10)02.

Preliminary Matters

2. The Council altered the description of the development from 'proposed roof extension over the existing outrigger with a pitched roof' to 'construction of roof extension to existing two storey outrigger.' This is also the description used by the appellant on the appeal form. I consider this to be a more accurate description of the appeal proposal and I have therefore used this in my decision above.

Main Issue

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

Reasons

4. The appeal site forms part of a Victorian era terrace of properties which are characterised by the architectural rhythm of their twin pitched rear outriggers.

Although not an overly common feature, flat and sloping roof extensions above these outriggers are nevertheless found within the terrace and are of multifarious design, scale and depth.

5. The Council's 'Residential Extensions and Alterations Supplementary Planning Document 2009' (SPD) supports extensions that reflect the design of the original building without disrupting the existing roof form, and that are of a scale proportionate to the existing roof. Although there are smaller outrigger extensions in the terrace, the proposal would maintain a sloping roof form and would not extend over the majority of the existing, historic roof plane. The proposal would be set well below the existing eaves, and would be of a modest height and depth, similar to that of the nearby extension at No 58. For these reasons, the extension would preserve the legibility of the outrigger and would not appear obtrusive or incompatible with the terrace which would accord with the SPD.
6. The proposed use of natural slate would soften the overall appearance of the extension and this durable high-quality material would complement the local Victorian architecture. Furthermore, the extension would be primarily seen from private rear gardens and within the context of other similar extensions. Consequently, the proposal would not appear overly prominent and as a result, would not harmfully affect the quality of the local street scene.
7. Therefore, I conclude on the main issue that the proposal would have an acceptable effect on the character and appearance of the area. As such, the proposed development would not conflict with Policy LP1 of the Hackney Local Plan 2020, Policies D4 and HC1 of the London Plan 2021 and the Council's SPD, which together in this respect seek to promote developments that respond to local character and that are compatible with the existing townscape.

Other Matters

8. Whilst other extensions may have been constructed through the exercising of permitted development rights, this has little bearing on the merits of the proposal before me.

Conditions

9. I am attaching the standard implementation condition, and in the interests of certainty a condition to define the plans with which the scheme should accord.

Conclusion

10. For the reasons given I conclude that the appeal should succeed.

J Hills

INSPECTOR