
Appeal Decision

Site visit made on 21 March 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th April 2023

Appeal Ref: APP/U5360/D/22/3311810

58 Englefield Road, Hackney, London N1 4HA

- 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 and Mrs Al and Kate Greenlees and Drulia against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2022/1106, dated 4 May 2022, was refused by notice dated 2 September 2022.
 - The development proposed is a loft conversion and dormer extension to rear of property; two in line conservation area roof lights to the front roof slope; extending chimneys upwards but below neighbouring chimney heights.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion and dormer extension to rear of property; two in line conservation area roof lights to the front roof slope; extending chimneys upwards but below neighbouring chimney heights at 58 Englefield Road, Hackney, London N1 4HA in accordance with the terms of the application Ref 2022/1106, dated 4 May 2022, subject to the conditions set out in the schedule to this decision.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

3. The appeal property is a mainly 3-storey dwelling of traditional style in a short terrace of similar properties that also includes a smaller dwelling of individual design at one end. Like most other properties in the same terrace, No 58 has been externally altered and extended at the rear. Although these changes have introduced some variety to the existing built form, a strong characteristic feature of No 58 and others in the same terrace is the front parapet concealing the roof behind and a butterfly roof with its characteristic V shape at the rear.
4. The site falls within the De Beauvoir Conservation Area (CA), which is predominantly residential in character. From what I saw, the CA derives its significance as a designated heritage asset largely from the high architectural quality of the buildings within it, many of which date from the early to mid-19th Century and often front spacious tree-lined streets.
5. A new mansard style roof extension is proposed that would partly infill the valley roof of No 58 using external materials to match those of the host building. The new addition would be inconspicuous when seen from Englefield

Road given its position set back from the front parapet. It would be modest in scale and height and its sloping front roof slope would ensure that the new built form would be hidden from public view behind the front parapet. As a result, the front parapet, which gives a strong horizontal emphasis to the top of the dwelling and it unifies the wider terrace, would remain visually unbroken. In other words, the group of buildings to which No 58 belongs would continue to appear from street level to be unaltered at roof level.

6. The upper part of the proposal may be evident from a more elevated position such as glimpses from the top deck of a passing bus or the upper windows of other properties close to the site. Nevertheless, it would not draw the eye from these selected vantage points given the low profile of the extension and the use of matching materials that would also visually subdue its presence. As such, there is no conflict with the guidance within the Council's Supplementary Planning Document, *Residential Extensions and Alterations* (SPD), which recognises that the continuity of the parapet line is an important townscape feature of early/mid Victorian streets.
7. At the rear, the proposal would be set well back from the end of the roof. This arrangement would ensure that the butterfly roof would remain intact as a distinctive and visible feature of the roofscape. That impression would be evident in views from the rear of the site and the back gardens of nearby properties. By retaining the original butterfly roof profile in this way, the proposal would accord with the advice within the Council's SPD.
8. The Council appears to raise no objection to the raised height of the existing chimneystacks, as proposed, or to the new roof lights on the front roof slope of the proposed extension. I, too, find these elements of the appeal scheme acceptable in scale and design with no significant effect on the appearance of the host building or the wider terrace.
9. For all these reasons, the proposed development would successfully integrate into the form and architectural design of the appeal property and be in keeping with the character and appearance of the host building and the local area. The character and appearance of the CA would therefore be preserved. As such, there is no conflict with Policies D3 and HC1 of The London Plan, Policies LP1, LP3 and LP4 of the Hackney Local Plan 2033 or the guidance in the Council's SPD. These policies and guidance aim to make sure that all new development achieves high quality design; responds to local character, context, and distinctiveness; is compatible with the existing townscape; optimises the site's capacity; and safeguards heritage assets.
10. The appeal scheme also complies with the National Planning Policy Framework insofar as it aims to protect heritage assets and with the statutory duty. This duty requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of the CA, which I have done.

Other matters

11. Reference is made to roof level extensions involving other properties within the CA with some background details and photographs provided. None of these properties form part of the same terrace as No 58 nor its local street scene. While there are some common features between each of these cases and the proposal, I have assessed the appeal scheme on its own merits and find it to be acceptable for the reasons given.

12. The elevated position of the new extension would lead to a greater level of overlooking of the adjoining rear gardens than would be possible from the existing upper rear windows of No 58. However, in my experience, overlooking of this type is a common characteristic of the relationship between properties that stand side-by-side in main built-up areas. To my mind, the additional overlooking possible from the new addition would not have a significant effect on the living conditions of the occupiers of neighbouring properties.

Conditions

13. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, a condition is imposed to require that the external materials match those of the existing building. A condition is also imposed to require that a nesting box or bricks suitable for swifts are installed to enhance biodiversity. These conditions reflect those suggested by the Council.

Conclusion

14. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be allowed subject to the conditions set out below.

Gary Deane

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Refs P-2216-01, P-2216-03, P-2216-04, P-2216-05, P-2216-06, P-2216-07, P-2216-08, P-2216-09, P-2216-10, P-2216-13, P-2216-14, P-2216-15, P-2216-16, P-2216-17, P-2216-18, P-2216-19 and P-2216-20.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) Before the development hereby permitted is first occupied, a box and/or bricks suitable for swifts nesting shall be installed at or close to the eaves of the building and these bricks and/or boxes shall be permanently retained as such thereafter.