



Appeal Decision

Site visit made on 3 April 2023

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th April 2023

Appeal Ref: APP/U5360/W/20/3261316

60 Englefield Road, 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 Dan Harvey against the decision of London Borough of Hackney.
 - The application Ref 2020/2014, dated 20 May 2020, was refused by notice dated 27 August 2020.
 - The development proposed is Front and rear mansard loft conversion.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council in their reason for refusal refer to a number of London Plan 2016 policies. This plan has since been replaced by the London Plan 2021. On this basis I have therefore used the relevant up to date policies in my decision.
3. Whilst not before me, I am aware of representations received to the original proposal which have been summarised by the Local Planning Authority within their delegated report. I have taken this into account as part of my assessment.

Main Issue

4. The main issue is whether or not the proposal would preserve or enhance the character or appearance of the De Beauvoir Conservation Area (CA).

Reasons

5. The appeal property is a two-storey dwelling over a basement situated mid row in a short run of houses of the same design characteristics. It forms part of the De Beauvoir CA, significant as a planned early to mid-nineteenth century speculative development, lying on land owned by the De Beauvoir family. The CA is notable for the excellent survival of high quality short terraces and houses dating from circa 1830-50.
6. Here, the blocks of four houses where the appeal site is located contain significant symmetry. From pavement level, there is an unbroken and continuous roofscape to the row that maintains the traditional characteristics of the terrace. This forms part of the intrinsic character of the CA. It is obvious from site inspection that in longer range views along Englefield Road, any alterations to the roofscape of this row are not clearly discernible, with chimney stacks and pots a traditional feature.

7. The proposal would be set back from the front parapet wall. There is nothing before me to disagree with the Council's view that it would not be visible from the street level immediately outside the site. However, in order to preserve the unbroken roofscape, without evidence to demonstrate the proposal would not be clearly visible from the wider street scene, I am not convinced from the evidence before me that the proposal would preserve or enhance the character and appearance of the CA.
8. Where the appellant points to other roof extensions, from my inspection, these are not clearly visible from longer range views of the street scene and broadly preserved the roof line. In other circumstances I could see that the roof behind the parapet to each end of the terrace shared the same design characteristics. Examples of such I noticed are seen elsewhere within the local area and leads me to conclude that this is a traditional characteristic. It does not suitably compare to the circumstances of the appeal proposal before me. Without precise details of the scheme that has been approved to the neighbouring dwelling, I cannot conclude that the two proposals are similar.
9. As the appeal property sits within a conservation area, any development must be considered within the context of Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that I pay particular attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
10. Paragraph 199 of the National Planning Policy Framework (the Framework) advises that when considering the impact of a proposed development on the significance of a designated heritage asset, such as a conservation area, great weight should be given to the asset's conservation. That is still so, irrespective of whether the potential harm is 'less than substantial'. This harm would be 'less than substantial' and in accordance with paragraph 202 of the Framework, the public benefits must be balanced against any harm found.
11. To this end, any increased space afforded by the proposal would be a private benefit to the appellant. There is nothing before me to agree with the them that it would 'optimise the potential of the site for future generations', or how this would lead to a public benefit.
12. To conclude, all things considered, the proposal would not preserve or enhance the character or appearance of the CA and would therefore not meet the design objectives of Policy LP1 and LP3 of Hackney's Local Plan 2033 as well as the broad character, design and historic environment aims of Policies D1, D3 and HC1 of the London Plan 2021. In addition, I find conflict with the Hackney's Residential Extensions and Alterations Supplementary Planning Document 2009.

Other Matters

13. Even though there is no dispute between the parties relating to the effect of the proposal upon the living conditions of local residents, this is a neutral matter that neither weighs for or against the proposal.

Conclusion

14. The proposal would thus lead to conflict with the development plan when taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan.

Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR

