



Appeal Decisions

Site visit made on 22 March 2023

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th May 2023

Appeal Ref: APP/U5360/W/22/3297797

35 Heathland Road, London N16 5PG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant prior approval required under Article 3 and Schedule 2, Part 1, Class AC of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Rubinfeld against the decision of London Borough of Hackney.
 - The application Ref 2021/3562, dated 8 December 2021, was refused by notice dated 29 April 2022.
 - The development proposed is Prior approval for the erection of one additional storey to the existing dwellinghouse to provide one self-contained residential unit (Use Class C3).
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs has been made by the appellant and is determined under separate cover.

Main Issue

3. The main issue is the effect of the proposal on the external appearance of the dwellinghouse.

Reasons

External Appearance of the dwelling

4. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 20, Class AC permits upwards extensions to a dwellinghouse provided it meets specific criteria. The external appearance of the dwellinghouse is one such criteria and therefore given the reason for refusal, is where I will concentrate my assessment.
5. The appeal property is a two storey dwelling located within a residential area of predominantly semi-detached houses. Whilst there is some variation to the residential dwellings within the street scene and types of properties, there is a consistency to many houses as they are the same house type that shares the same design characteristics.
6. The appeal site is attached to Number 33 Heathland Road and turns the corner with Grangecourt Road. It is a later addition to its adjoining property that was originally built as a pair with symmetry. The appeal dwelling does appear as an

individual house type to its neighbour. However, as it is a smaller scale and characteristics to the dwelling, it does not compete with the more grand proportions of it.

7. The proposed materials and roof cover would correspond with the host dwelling. The fenestration pattern would also align with the existing fenestration. Whilst overall, the architectural detailing would match that of the existing dwelling, the additional storey would significantly add to the height of the building.
8. By adding another level to the house would appear significantly out of character with No 33, even though they are of different characteristics. It would rise above both the eaves level and the ridgeline of the neighbouring dwelling. The fact that the appeal dwelling is of a different style, age and design would only serve to highlight how incongruous it would look within the street context.
9. Therefore, the proposal would be harmful to the external appearance of the dwelling, and to the street scene as a consequence.

Conclusion

10. The appeal is dismissed.

Alison Scott

INSPECTOR

