



Appeal Decision

Site visit made on 17 May 2023

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 20 June 2023

Appeal Ref: APP/U5360/D/23/3315934
163 Brooke Road Hackney London E5 8AG

- 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 M. Akius Gorman against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2022/2620, dated 29 October 2022, was refused by notice dated 21 December 2022.
 - The development proposed is an erection of a ground floor rear extension together with installation of external wall insulation and rendering to the rear elevation.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the development in the banner heading above is based on that used in the decision notice. I note too that this description was used by the appellant within the appeal documentation. For clarity I have used that in preference to the description on the original application form as it is more precise.
3. The Council's concern relates to the proposed external wall insulation and rendering. I shall accordingly direct my assessment to these elements of the appeal proposal.
4. At the time of my visit, building works in connection with the renovation of the property were ongoing. I was able to gain access to the rear of the site. For the avoidance of doubt I have determined this appeal on the basis of the application as submitted.

Main Issue

5. The main issue in this appeal is the effect of the development of the character and appearance of the host dwelling and the area, having regard to its conservation area status.

Reasons

6. The appeal property, No 163 Brooke Road (No 163) is a two storey mid terrace property with accommodation in the roof space sited on a residential street within the Northwood and Cazenove Conservation Area (NCCA) where there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of the area. In addition, the National Planning Policy Framework (the Framework) states that great weight should be attached to the preservation of designated heritage assets, in this case the NCCA.
7. The NCCA appraisal describes Brooke Road as characterised by traditional attractive Victorian residential terraced dwellings principally three storey in height with some variety in the design and detailing. Whilst No 163 may not be listed, nor have specific architectural details or characteristics mentioned within the NCCA appraisal it nonetheless is an attractive dwelling whose size and form makes a positive contribution to the NCCA. Due to the incorporation of the second floor roof space accommodation, it stands higher than its neighbouring two storey properties. As such, it is prominent within the immediate streetscene. In particular, the upper part of its rear elevation is conspicuous in longer views obtained from Ickburgh Road, an adjacent side road.
8. The introduction of silicone wall insulation and rendering would result in a rear elevation that would be unduly prominent in the streetscene. In particular, the extent of the render across the whole of what is a highly visible rear elevation would appear incongruous and at odds when viewed alongside the other properties within the terrace. It would detract from the coherence found in this part of the NCCA and would fail to be sympathetic to its surroundings causing harm to the character and appearance of the host dwelling and the NCCA.
9. I do not agree with the appellant that rendered/painted brickwork elevations form part of the character of the NCCA. Whilst there are dwellings with render/painted brickwork elevations they do not represent the positive characteristics of the area and the original appearance of housing remains largely intact. Nor is it clear when these works were undertaken and whether they pre date the designation of the NCCA. As such I give limited weight to these examples which in any event do not provide justification for the proposed development.
10. The appellant draws my attention to a similar scheme for external insulation and cladding, approved on appeal, in a different London borough. On the information before me, I am not convinced that this development is directly comparable to the proposal before me given the setting of each development within their own immediate context. In any event I have determined this appeal on its own merits based on the site-specific circumstances of the case.
11. I acknowledge the points made by the appellant that where properties need further insulation there is a clear case for additional insulation to be added and that there is support in both the Framework and the Hackney Local Plan (Local Plan) for sustainable technological improvements to new development. However external wall insulation is not the only option available and alternatives such as internal insulation and energy saving measures which do not significantly affect the character and appearance of properties which form part of a heritage asset are potentially available. The appellant indicates that the cost and installation constraints of internal wall insulation is not feasible

- and favours external wall insulation due to, amongst other things, its thermal performance.
12. Be that as it may, there is little evidence before me as to the extent, if any, of what easier and cost effective energy saving measures other than wall insulation have been considered or are being incorporated into the dwelling currently being renovated. Nor is there any quantifiable evidence before me to the benefit of reduced energy consumption.
13. For the reasons above I conclude that the proposal would harm the character and appearance of the host dwelling and consequently the character and appearance of the NCCA. However in the context of the NCCA as a whole the proposal would be relatively localised, and as such would cause less than significant harm to the significance of the NCCA as a designated heritage asset. Under such circumstances the Framework advises that this harm should be weigh against the public benefits of the proposal. Whilst I accept that the scheme would deliver reduced energy consumption this is not quantifiable and as such I only attach moderate weight to this benefit. Further, these benefits may also be obtained with a less harmful scheme. As such they do not overcome the less than substantial harm to the NCCA that I have identified. Accordingly the appeal proposal would fail to comply with national policy.
14. I conclude that the proposal would cause unacceptable harm to the character and appearance of the host dwelling and the area. It would also not preserve or enhance the character of the NCCA. The proposal would therefore conflict with Policies D4 and HC1 of the London Plan 2021 and Policies LP1 and LP3 within the Hackney Local Plan (2033). Taken together these policies seek, amongst other things, development which respects local character, derives high quality design and preserves or enhances the significance of the conservation area. It would also conflict with guidance contained in the Council's Sustainable Design and Construction Supplementary Planning Document which details that in conservation areas external treatments will be unacceptable.

Conclusion

15. For the reasons given and having regard to all matters raised, I hereby dismiss the appeal.

K Winnard

INSPECTOR