



Appeal Decision

Site visit made on 19 June 2023

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 July 2023

Appeal Ref: APP/U5360/W/22/3309119

Basement Flat, 68 Elderfield Road, Hackney, London E5 0LF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Ewald Damen against the decision of London Borough of Hackney.
 - The application Ref 2022/1050, dated 27 April 2022, was refused by notice dated 23 June 2022.
 - The development proposed is described as, 'Single storey wrap-around side infill and full-width back extension with large format skylights'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the site and surrounding area.

Reasons

3. The appeal property is a three-storey mid-terrace dwelling with an outrigger and amenity area to the rear. It has a butterfly roof and forms part of a row of other similar terraced properties which all have similar outriggers and roof forms. The rear additions including the outriggers along this terrace do not significantly extend backwards from their host properties and do not cover the full width of the property. They generally project the same distance to one another meaning that their rear elevations read as subordinate to one another with gaps between.
4. The proposed development would infill the gap at ground floor level between the side elevation of the outrigger and side boundary wall. It would further extend the rear elevation of the outrigger resulting in a very lengthy extension in total projecting a considerable distance from the rear elevation including the outrigger. It would also cover the entire width of the rear elevation at ground floor level. As a result, it would be at odds with the established pattern of development along this row of properties and would represent a discordant addition to the back of the terrace and thus would have an adverse visual impact.
5. My attention has been drawn to other similar proposals in the locality and I have had regard to the previously approved schemes including those of greater volume and mass. I accept that some rear extensions project further back from their host properties and that there is some variation in terms of nearby

building lines. However, whilst located close by, they do not form part of the row of terraces along this part of Ederfield Road which the appeal site relates and more specifically the back of the terrace where there is a consistent pattern of development. In any event, I have determined the appeal based on its own merits and the existence of other similar developments does not alter my findings on the main issue nor outweigh the harm.

6. I also acknowledge that the proposed development would be located to the rear of the property and thus would not be visible from Elderfield Road. It would also not extend the full garden depth leaving areas for outdoor space. However, the development would be visible from Blurton Road to the south and from the rear and side windows of other properties in the area where it would appear overly dominant and out of scale with the host property and surrounding area. The use of a similar architectural design and materials in keeping with its surroundings would not overcome this harm as the proposed development would still lack cohesiveness with the form and layout of the building and wider terrace given the overall excessive projection from the rear of the host property.
7. I appreciate that the proposed development would significantly improve the internal living space as part of a full refurbishment and modernisation of the property. I have also had regard to the existing configuration and condition of the property. However, this would not outweigh the harm identified.
8. For the above reasons, I conclude that the proposed development would unacceptably harm the character and appearance of the site and surrounding area. It would therefore be contrary to Policy D3 and D4 of the London Plan, The Spatial Development Strategy for Greater London, 2021 and Policy LP1 of the Hackney Local Plan, 2020 which together, amongst other matters, requires development to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. For the same reasons, it would also be contrary to the Hackney Supplementary Planning Document Residential Extensions and Alterations, 2009.

Other Matters

9. The site does not lie in a Conservation Area and is not classified as a listed building. The proposed development would also not result in the loss of trees and would not result in adverse impacts on the residential amenity of neighbouring properties in terms of privacy. However, such factors are neutral in my overall decision and would not outweigh the harm identified.

Conclusion

10. The proposed development would conflict with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that outweighs the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR