

Appeal Decision

Site visit made on 16 August 2023

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 14 September 2023.

Appeal Reference: APP/U5360/D/23/3319323
25-27 Linthorpe Road, London N16 5RE

- 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 Mrs G. Getter against the decision of the London Borough of Hackney Council.
 - The application (reference 2023/0089, dated 16 January 2023) was refused by notice dated 13 March 2023.
 - The development proposed is described in the application form as "*Extensions at lower ground and ground floor levels, and the installation of windows on the front elevation at basement level at both properties, and a first floor extension at No.25*".
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Decision

1. The appeal is allowed and planning permission is granted for "extensions at lower ground and ground floor levels, and the installation of windows on the front elevation at basement level at both properties, and a first floor extension at No.25", at numbers 25-27 Linthorpe Road, London N16 5RE, in accordance with the terms of the planning application (reference 2023/0089, dated 16 January 2023), subject to the conditions set out in the attached Schedule of Conditions.

Main issue

2. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host building and its surroundings.

Reasons

3. The appeal site is located in a closely built up area of North London, laid out in a roughly rectilinear street pattern and developed with terraces of mainly two- or three-storey houses. The houses have small front gardens with larger back gardens but the area is densely built up and it appears that many of the original houses have been altered and extended over the years. Linthorpe Road is not a major through route and there are trees set in the footpaths, in a pleasant residential environment.
4. The houses at numbers 25 and 27 Linthorpe Road are part of the same short terrace of similar properties, but number 25 is at the end of the block. Although the main part of number 25 is built up to its side boundary, the next

property at the end of the adjoining terrace (number 23) is not and there is a space between the upper floors of the two terraces, which affords a glimpse of the end elevations of the terraces.

5. Numbers 25 and 27 are two-storey houses above ground level, with lower ground floor (basement) levels in addition. They are of brickwork under slate roofs and each house has an impressive two-storey bay on the front elevation as well as some elaborate architectural detailing, including architraves around the front doors.
6. At the time of my site visit, major works were being undertaken to number 25 and the interior had been largely stripped out, although access to the back garden was available.
7. The current appeal relates to a proposal to construct extensions to both properties at the lower ground and ground floor levels, including the installation of windows on the front elevation at basement level at both properties. In addition, a first floor extension is proposed at No.25.
8. The 'National Planning Policy Framework' emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history, although it is also recognised that appropriate change may include increased densities. The achievement of good design includes protecting existing residential amenities and providing good standards of accommodation.
9. Policies in the Development Plan also share these basic principles. In particular, Policies D3 and D4 of 'The London Plan' (dated March 2021) promote a "design-led approach" to development and identify some important design criteria, to promote design quality. Similarly, Policy LP1 of the 'Hackney Local Plan 2033' (adopted in July 2020) is concerned with "Design Quality and Local Character" and includes the aims of responding to local character and context and of being compatible with the existing townscape.
10. The guidance contained in the 'Hackney Residential Extensions and Alterations Supplementary Planning Document (2009)' is also relevant but it does not have the force of the statutory Development Plan.
11. The proposed extensions and alterations at lower ground floor and ground floor levels would have only a very limited effect on the character and appearance of the houses. They would not have a material impact on the streetscene and would have little effect on views from nearby properties. Bearing in mind their context, they are not contentious in themselves.
12. Nonetheless, the proposed first floor rear extension at number 25 is the subject of a specific objection by the local planning authority. It is accepted that the scheme would not have an undue impact on the living conditions of neighbours and technical requirements for the new accommodation can evidently be met but it is pointed out that other houses in this short terrace do not have first floor rear extensions, as now proposed.

13. The proposed first floor extension would not have a significant effect on views along Linthorpe Road, although it would be clearly visible at the rear, from other nearby properties. It would not follow the pattern of the other houses in the same terrace but it would reflect the forms of other extensions in the wider area and I am not convinced that it would be out of place in this location. I am conscious, of course, that numbers 25 and 27 Linthorpe Road are not listed buildings and are not located in a conservation area.
14. The detailed design of the proposed extension would be in keeping with the remainder of the scheme, constructed of brickwork and using similar details, and it would be in harmony with the host building and the surroundings, in my view.
15. In short, I am not persuaded that the proposed first floor extension, would result in an incongruous and incompatible form of development in its context or that it would fail to respect the character and appearance of the subject property and terrace within which it is located, to an extent that would justify a refusal of planning permission.
16. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the scheme as a whole would add useful accommodation to the houses at numbers 25 and 27 Linthorpe Road. I have concluded that the project would not be in conflict with the Development Plan and I am persuaded that the scheme before me can properly be permitted. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
17. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of those suggested by the Council in the usual way (without prejudice to their main arguments in the appeal). In particular, I have concluded that conditions are necessary, to define the planning permission and to ensure that quality is maintained.
18. I have also imposed a condition to require the installation of a nesting or roosting box for birds or bats (as suggested by "Delegated Report" that was presented by the Council), to enhance biodiversity in accordance with local and national planning policies.
19. On the other hand, I am not persuaded that an additional condition is necessary to prevent the subdivision of the two houses (or either of them) to create separate dwellings, since such a change would require planning permission in any case.

Roger C. Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - drawing number LR.25-27.LP. (Location Plan);
 - drawing number LR.25&27.EX.01 (Existing Floor Plans);
 - drawing number LR.25&27.EX.02 (Existing Floor Plans);
 - drawing number LR.25&27.EX.03 (Existing Floor Plans);
 - drawing number LR.25&27.EX.04 (Existing Elevations);
 - drawing number LR.25&27.EX.05 (Existing Elevations);
 - drawing number LR.25&27.EX.06 (Existing Section A-A);
 - drawing number LR.25&27.PR.01 (Proposed Floor Plans);
 - drawing number LR.25&27.PR.02 (Proposed Floor Plans);
 - drawing number LR.25&27.PR.03 (Proposed Floor Plans);
 - drawing number LR.25&27.PR.04 (Proposed Elevations);
 - drawing number LR.25&27.PR.05 (Proposed Elevations);
 - drawing number LR.25&27.PR.06 (Proposed Section A-A).
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. Prior to first occupation of the extension hereby permitted at number 25 Linthorpe Road, a nesting or roosting box for birds or bats shall have been installed at that address in accordance with details previously submitted to and approved in writing by the local planning authority. The installation shall be retained in place and shall not be removed other than with the prior approval in writing of the local planning authority.