



Appeal Decision

Site visit made on 16 April 2024

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 May 2024

Appeal Ref: APP/U5360/W/23/3326643

73 Palatine Road, Ground Floor Flat, London N16 8SY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Arsalan Khalique against the decision of London Borough of Hackney.
 - The application Ref is 2023/0627.
 - The development proposed is proposed ground floor rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant's details have been replaced by an amended version on the appeal form. The appellant's agent has confirmed that the wording reflects the circumstances of the applicant and I have therefore used this wording in the heading above.
3. The description of the development provided on the planning application form has been replaced by an amended version on the decision notice and in subsequent appeal documents. I consider that subsequent description to accurately represent the proposal and I have therefore used it within this decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host building and the area.

Reasons

5. The appeal site is part of a terrace of properties which include semi-detached outriggers to the rear extending to approximately half the width of the rear elevation of each dwelling. The rhythm and arrangement of the half-width outriggers is a defining feature of the rear of the terrace.
6. The proposal consists of a wrap-around extension which would project to a side boundary of the property as well as projecting further to the rear than the existing outrigger. Although an open external amenity area would be provided between the extension and the main rear elevation, in effect the proposal would fill the gap between the outrigger and the side boundary when viewed from the rear. Due to its projection and width, the proposal would appear as an incongruous addition to the rear which would harm the character and

appearance of the host dwelling and would jar with the rhythm and layout of the terrace.

7. The single storey extension would be subservient to the host building. But this does not negate my conclusions in relation to the harm arising from the extent and layout of the proposal. The proposed extension would not be readily visible from the public realm, although it would be visible from neighbouring properties in views along the rear of the terrace.
8. Viewed objectively and in context, the proposal would harm the character and appearance of the host building and the area. It would therefore be contrary to the design, character and local evidence requirements of Policy D4 of the London Plan 2021 and Policy LP1 of the Hackney Local Plan 2022.
9. The proposal would also be contrary to the advice of the Council's Residential Extensions and Alterations Supplementary Planning Document 2009 which sets out that the form of the extension used should normally reflect the original building.

Other Matters

10. The proposal would provide improved accommodation at the dwelling. However, it has not been demonstrated that the existing accommodation is unsuitable.
11. The use of high quality materials would not be sufficient to mitigate for the harm arising from the design and layout of the proposal.
12. The appellant has referred to rear extensions elsewhere in the area. However, these extensions are located on a different terrace to the appeal site, and it has not been demonstrated that the circumstances of those extensions are a direct parallel to the appeal proposal in terms of projection to the rear as well as the context of the original building and other properties in that terrace.

Conclusion

13. The proposal would harm the character and appearance of the host building and the area and would conflict with the development plan. There are no material considerations of such weight that indicate the decision should be made other than in accordance with the development plan. For the reasons given the appeal should be dismissed.

David Cross

INSPECTOR