



Appeal Decision

Site visit made on 21 May 2024

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 JUNE 2024

Appeal Ref: APP/U5360/D/24/3339097

88 Culford Road, Hackney, London, N1 4HN

- 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 Erica Sibree against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2023/2351.
 - The development proposed is the construction of a roof extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the De Beauvoir Conservation Area.

Reasons

The significance of the CA

3. The appeal building is a three-storey, mid-terrace dwelling which features a butterfly style roof hidden behind a front parapet. It lies on the eastern side of Culford Road within the De Beauvoir Conservation Area (CA) which covers a mostly residential area to the west of Kingsland Road and east of Southgate Road.
4. The CA is typified by a grid like street layout and built form dating from the mid-19th Century. It features wide roads, mature street trees and large front gardens which create a pleasant sylvan feel. Many buildings are Italianate in style featuring porches with columns, large sash windows and white stucco detailing. Culford Road is characterised by short terraces of four houses with side projections at the end of the terraces known as bookends. The dwellings are built with London brick and white stucco render, and feature butterfly roofs, small front gardens, steps leading up to the front entrances, as well as detailed brackets and moulded architraves to the windows and doors.
5. The significance of the CA is derived from its historical urban form and Italianate architecture. It is an attractive example of planned Victorian estate development. The appeal dwelling, and the terrace it forms part of, makes a direct and positive contribution to the significance of the CA as a result of its form and architectural detailing. In particular, the unbroken run of butterfly roofs is a defining characteristic of the street scene as well as the rear elevations of the buildings.

The effect of the development on the significance of the CA

6. As the proposal is located in a conservation area, the statutory duty at section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
7. The development would interrupt the terrace's unbroken line of butterfly roofs which is a distinctive feature of Culford Road. The 3d massing models and photo collage plans appear to show that the proposed mansard roof would not be visible within the street scene at ground level. However, whilst it would be set back from the building edge and would have a recessive roof pitch, it would be visible from the first-floor windows of neighbouring properties as well as from neighbouring dwellings to the rear. It would be read as a dominant and incongruous addition to the building that would erode the appearance of the terrace.
8. Furthermore, the increase in height of the chimneys would be conspicuous. Due to their proposed height and overall scale, they would appear bulky and would negatively impact the appearance of the building.
9. The appellant states that the proposal is similar to the roof extensions at 28¹ and 32 Englefield Road², which were allowed at appeal, and No 24 which was approved in 2014³. However, Englefield Road is more varied in character and building forms, featuring a mix of pitched roofs and butterfly roofs, whereas this section of Culford Road is more strongly defined by terraces with unbroken lines of butterfly roofs.
10. I have also had regard to the roof extension at 89 Culford Road which is similar to the appeal scheme. However, the street scene is still predominately characterised by unaltered rooflines as is the case on the side of the street where the appeal dwelling is located. Moreover, the development at No 89 was granted prior to the adoption of the 'Residential Extensions and Alterations' Supplementary Planning Document (SPD) (2009). Therefore, these particular references do not lend significant weight in favour of the appeal.
11. The mansard roof and extended chimneys would considerably alter the historical form of the roof and undermine its contribution to the significance of the CA. The development would thus fail to preserve the appearance of the CA, the desirability of the preservation or enhancement of which I am required to pay special attention. It would conflict with Policies D3 and H1 of the London Plan (2021), Policies LP1 and LP3 of the Hackney Local Plan (2020) and the guidance contained within the SPD. These seek to ensure proposals are well-designed, respond to local character, and preserve or enhance the significance of the historic environment.

Planning Balance

12. The National Planning Policy Framework ('the Framework') describes heritage assets as an irreplaceable resource, that should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their

¹ Appeal ref APP/U5360/D/18/3201923

² Appeal ref APP/U5360/D/18/3203544

³ Application Ref 2014/2760

contribution to the quality of life of existing and future generations. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets.

13. Given my findings above, I find the harm to the CA to be less than substantial, but nevertheless of considerable importance and weight. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
14. I acknowledge that the development would include the installation of PV solar panels which would produce green energy and improve the energy efficiency of the building. However, this would be mostly a private benefit. Due to the small scale of the development, it would not constitute a significant public benefit and therefore attracts very limited weight in favour of the appeal. It would not outweigh the harm to the significance of the CA, the conservation of which the Framework requires great weight to be given and should require clear and convincing justification.

Conclusion

15. I conclude therefore that the proposal would fail to satisfy the requirements of the Act, paragraph 203 of the Framework, and it would not be in accordance with the development plan, when read as a whole. The material considerations do not indicate that a decision should be made other than in accordance with the development plan.
16. For the reasons given above the appeal should be dismissed.

Thomas Courtney

INSPECTOR