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## Appeal Decision

Site visit made on 18 September 2024

**by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 03 October 2024**

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**Appeal Ref: APP/U5360/D/24/3345964**

**15 Rookwood Road, Hackney, London N16 6SP**

- 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 Lez Silver against the decision of The London Borough of Hackney Council.
  - The application Ref is 2024/0736.
  - The development proposed is the erection of a first floor infill extension and side and rear ground floor extension.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor infill extension and side and rear ground floor extension at 15 Rookwood Road, Hackney, London N16 6SP in accordance with the terms of the application, Ref 2024/0736, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P 01, P 02, P 03, P 04, P 05, P 06 and P 07.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.

### Preliminary Matters

2. I have used the description of development from the council's decision notice, as this is a full and accurate description that has also been used by the appellant in their statement.

### Main Issue

3. The main issue is the effect on the character and appearance of the appeal dwelling and the terrace of which it forms part, with reference to the first floor part of the proposal.

### Reasons

4. The appeal dwelling is a two storey house, located at the end of a short terrace that sits between a purpose built 6 storey residential block and a 4 storey school building that would originally have been a house. To the flank of the

appeal dwelling is an access passage to the rear of the appeal dwelling. The flank wall of the neighbouring school defines the other side of this passage and extends further rearward than the appeal dwelling and its outrigger.

5. The houses in the terrace are all similar in design to the appeal dwelling, with an expressed front gable and two storey rear outrigger. These all appear to have been the subject of ground floor extensions or additions, and the neighbouring house at 13 Rookwood Road has extensive dormer extensions to both the main rear roof slope and rear outrigger.
6. The proposal would extend the appeal dwelling at ground floor with an extension that would wraparound the side and rear of the outrigger. This would replace the existing rear ground floor conservatory extension and would extend further rearward and to the side of the outrigger. This would have sliding doors in its rear elevation. The first floor part of the proposal would be the same depth as the outrigger and would infill the space between the outrigger and the side passage. Both ground and first floor parts of the proposal would have flat roofs.
7. The ground floor part of the proposal would be similar in form and extent as a relatively recently approved side and rear extension<sup>1</sup> to the appeal dwelling. A certificate of Lawfulness was also granted for a single storey side extension and loft conversion with a dormer to the main house and outrigger<sup>2</sup>.
8. The first floor part of the appeal proposal would align with the side and rear elevations of the outrigger and be in matching brick. There would be a window in the rear elevation of the first floor part of the proposal that would also match the existing, as well as a small window to a bathroom in the side elevation. The first floor part of the proposal has a flat roof that aligns with the existing eaves and does not overlap with the existing roof slopes of the main house or outrigger, which remain intact.
9. The first floor part of the proposal would not overlap or obliterate the existing eaves and would be in materials and with details that match existing. As such, it would not significantly differ from the existing architectural expression of the appeal dwelling. The modest scale and flat roof massing of this part of the proposal would also result in it appearing as a secondary and subordinate first floor addition, visually separate from the proposed rear ground floor element of the proposal.
10. Consequently, the first floor part of the proposal would not appear to merge with the main house and outrigger, to the extent that it would appear as dominating to the appeal dwelling or result in any significant loss of original character and integrity. Rather, the proposal would match with existing high quality materials, respect existing solid to void ratios and would be of a scale that would not overwhelm the existing building. As such, I find that the proposal accords with the Section 3 of the Council's Residential Extensions and Alterations Supplementary Planning Document (2009).
11. Given its position adjacent to the significantly larger neighbouring school, and the existing extensions to the terrace of which it forms part, the proposed first floor part of the proposal would not appear prominently within rear views of the terrace. As such, I find that the proposal would appear as congruent with other

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<sup>1</sup> Planning Ref: 2021/2376

<sup>2</sup> Planning Ref: 2021/1959

properties in the terrace and would not, therefore, appear as a dominating feature or discordant addition to the terrace.

12. For these reasons, I do not find that the proposal would result in any significant harm to the character and appearance of the appeal dwelling or the terrace of which it forms part. As such it would accord with Policies LP1 and LP17 of the Hackney Local Plan (2020), Policy D3 of the London Plan (2021) and Paragraph 135 of the National Planning Policy Framework (2023). Collectively, these seek to ensure that development is of high design quality, responds to local character and context and is compatible with the existing townscape.

### **Conditions**

13. Along with the standard condition for the time limit on implementation of the development, in the interests of design quality, I have included conditions requiring compliance with approved plans and matching materials to existing.

### **Conclusion**

14. For the reasons given, I conclude that the appeal should be allowed.

*Victor Callister*

INSPECTOR