
Appeal Decision

Site visit made on 9 December 2024

by **C Livingstone MA(SocSci) (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 February 2025

Appeal Ref: APP/U5360/D/24/3346593

1 Danesdale Road, Hackney, London E9 5DB

- 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 and Mrs John and Anna Sullivan against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2024/0509.
 - The development proposed is for enlargement of existing side extension to part first, second and roof levels.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised on 12 December 2024. As the changes do not materially affect the main issues in this case, the parties have not been invited to comment further. Where references are made to paragraph numbers of the Framework, these are references to the most recent version.

Main Issue

3. The main issue is the impact of the proposed development on the character and appearance of the host property, including whether it would preserve or enhance the character or appearance of the Victoria Park Conservation Area (VPCA).

Reasons

4. The appeal relates to 1 Danesdale Road (No 1) a three storey, end of terrace property at the junction of Danesdale Road and Victoria Park Road, within the VPCA. The appeal site occupies a prominent position, and the side elevation faces Victoria Road and Victoria Park which is an integral part of the VPCA. The open public park allows for clear views of the host property from both the park and neighbouring streets. The terrace that the appeal property forms part of, extends along the majority of Danesdale Road and has been subject to very few external alterations. The simple design and fenestration pattern gives the terrace a contemporary and uniform appearance that contrasts with the elaborate and finer detailing of earlier housing in the area.
5. The significance of the VPCA is, in part, derived from the architectural and historic interest of the area's buildings, which include planned residential streets that are centred around the park. The majority of the properties in the area are part of housing developments dating from the late Victorian period. However, later housing, such as No 1, provide a clear representation of the evolution of the locality and adds contrast and visual interest. The uniformity of each residential development ensures that the properties in the area appear distinct and visually pleasing. These factors all contribute positively to the architectural and historical significance of the VPCA as a whole.

6. The appeal property is not within a green belt, listed or noted specifically within the Victoria Park Conservation Area Appraisal (VPCAA). There is an existing two storey extension on the side elevation which, based on the evidence before me, was constructed several years ago. The prominence of this extension detracts from the uniformity present in the remaining terrace. However, it is significantly lower than No 1 and was constructed using external materials that reflect the original building. In light of this the appeal property is a neutral element within the VPCA.
7. The proposed development would increase the height of the existing extension to three storeys. In order to address the Council's concerns, the ridge height of the extension was amended to be slightly lower than the host property and external materials and design features would be reflected within the design. Nevertheless, the proposed scheme would not entirely replicate the established fenestration pattern of No 1 and the terrace that it forms a part of; the larger sections of facing brick proposed lack visual interest and would not reflect the balance of the host property. Despite being slightly lower, the resultant extension would be overly large in terms of scale and massing and would dominate the host property, further eroding the uniformity of the terrace.
8. Consequently, the proposal would result in an overly dominant and incongruous element within both the established street scene and in views from Victoria Park. In light of this, the appeal scheme would fail to preserve the character and appearance of the VPCA.
9. As such, the development would harm the character, appearance and significance of the VPCA as a whole. Paragraph 215 of the Framework explains that where, as I find in this case, the harm to the significance of the VPCA would be less than substantial, that harm should be weighed against the public benefits. The proposed development would provide improved living conditions for the appellants. There may also be economic benefits associated with carrying out the development. However, any specific public benefits there may be in this case, would be insufficient to outweigh the great weight I must attach to the harm I have identified to the designated heritage asset.
10. I conclude that the proposed development would harm the character and appearance of the host property and would fail to preserve or enhance the character, appearance and significance of the VPCA. Therefore, it would conflict with s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies D3 and D4 of the London Plan 2021 and Policies LP1, LP3 and LP17 of the Hackney A Place for Everyone Hackney Local Plan 2033 Strategic Planning Adopted July 2020. When read together these policies seek high quality design in accordance with the Residential Extensions and Alterations SPD, which enhances local context; requiring development to preserve or enhance the significance of the historic environment; and where less than substantial harm to a heritage asset is identified it should not be permitted unless the public benefit of the proposal outweighs the harm. As a result, the proposal would be contrary to the development plan taken as a whole and the heritage protection aims of the Framework.

Other Matters

11. The appeal scheme before me is a resubmission of a preceding application refused by the Council¹. I appreciate that the appellant has attempted to overcome the concerns previously raised but the amendments would still result in a proposal that would be contrary to the development plan for the reasons I have already outlined.
12. The Council raised no concerns regarding the principle of the development, impact on pedestrian or vehicular access and the amenity standards of the occupants of both No 1 and neighbouring properties. Based on the evidence before me I have no reason to disagree with the Council on these matters. However, the absence of harm in these

¹ 2023/2831

respects form neutral factors in my assessment of the appeal, weighing neither for nor against the development.

Conclusion

13. For the reasons given above the appeal should be dismissed.

C Livingstone

INSPECTOR