



Appeal Decision

Site visit made on 17 June 2025

by N Unwin BSc (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2025

Appeal Ref: APP/U5360/W/25/3362737

56 E Kenninghall Road, London E5 8BY

- 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 Stephen Bord (Stephen P Bord & Associates) against the decision of the Council of the London Borough of Hackney.
 - The application ref is 2024/2342.
 - The development proposed is described as: Full planning permission for additional floor to accommodate 1x bedroom, storage and ensuite bathroom.
-

Decision

1. The appeal is allowed and planning permission is granted for additional floor to accommodate 1x bedroom, storage and ensuite bathroom at 56 E Kenninghall Road, London E5 8BY in accordance with the terms of the application, ref 2024/2342, 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: 52/SPB/100 and 52/SPB/200.
 - 3) The external materials of the development hereby permitted shall match those used in the existing dwelling.

Preliminary Matters

2. The description of development in the banner heading is taken from the original application form. For clarity and concision, I have removed the words 'full planning permission for' in my decision above as they do not describe an act of development.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the existing building and surrounding area.

Reasons

4. The appeal property comprises a single-storey building to the rear of Kenninghall Road. The area surrounding the appeal site comprises three-storey terraced properties and taller blocks of flats that adjoin the highway. There is an architectural uniformity in these individual groups with their sizable form providing a good level of screening of views to the rear from the public realm. The imposing

nature of these uniform groups of buildings contributes positively to the character and appearance of the area.

5. The buildings to the rear including the appeal property, in contrast share little in the way of architectural uniformity and are of an understated design limiting their contribution to the character and appearance of the area. These buildings are however low level and thus appear subservient to those adjoining the highway, maintaining the prominence of these within the street scene, particularly the three-storey terrace.
6. The proposal would increase the height of the existing building through an additional floor, resulting in a larger form of development. Nevertheless, the use of a flat roof and dormers in addition to confining the additional storey to only part of the building would minimise the overall bulk of the proposal. This would allow the proposal to remain subservient to the much larger three-storey terraced properties and flatted developments and thus preserve their contribution to the character and appearance of the area.
7. The proposed roof form would be far more varied than that of the existing, adding an element of architectural interest to the existing understated design of the property. Further, the use of matching materials would provide a visual connection and cohesion with the host dwelling. Given the lack of architectural uniformity of the low-level buildings surrounding the appeal property and their limited contribution to the character of the area, the modest increase in height and varied roof form would not appear out of character.
8. For these reasons, I conclude the proposal would not be harmful to the character and appearance of the existing building and surrounding area. Accordingly, I find no conflict with the relevant provisions of Policy D4 of the London Plan (2021) and Policy LP1 of the Hackney Local Plan 2033 (2020). When read together these policies require development to respond to local character and context.
9. I also find no conflict with the Hackney Residential Extensions and Alterations Supplementary Planning Document (2009) which, when read as a whole requires development to respect the architectural character of the original building and its setting and for roof extension and alterations to have regard to the character of the area.
10. The proposal would additionally accord with the Framework where it requires development to be sympathetic to local character and history, including the surrounding built environment.

Other Matters

11. The modest increase in height of the proposal combined with the small number of upper floor windows and their minor size, would limit any effect on the daylight and privacy of neighbouring occupiers. I therefore agree with the Council that the proposal would cause no material detriment to the living conditions of neighbouring occupiers.
12. Third parties raise concerns regarding the proximity of the boiler flue to their window and balcony. Given this is the existing situation and the repositioning of the flue does not form part of the proposal, it is not something I can consider as part of this appeal.

13. There is little to substantiate the suggestion that the increased floor space would exacerbate any existing vermin issues. It is a well-founded principle that the planning system does not exist to protect private interests such as the value of land or property.
14. A previous scheme at the appeal site was refused by the Council with the appeal relating to an amended submission. I have not been made aware of the full details of this previous scheme and in any event, I have assessed this appeal on its own merits.
15. The particular circumstances relating to the appeal proposal would be unlikely to be repeated elsewhere, so concerns about precedent are not a significant consideration.

Conditions

16. In addition to the standard time limit condition, I have imposed a condition specifying the approved plans as this provides certainty. A condition relating to materials is necessary for the reason given above.

Conclusion

17. For the above reasons the proposal accords with the development plan, read as a whole. Material considerations, including the Framework, do not indicate that a decision should be taken otherwise than in accordance with it. I therefore conclude the appeal should be allowed.

N Unwin

INSPECTOR