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## 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: 27 August 2025

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### Appeal Ref: APP/U5360/W/25/3363398

### Flat B, 5 Brett Road, Hackney, London E8 1JP

- 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 Ms Hongi Lou against the decision of the Council of the London Borough of Hackney.
  - The application ref is 2024/2250.
  - The development proposed is described as: a loft dormer, internal alterations, floor plan redesign and all associated works.
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### Decision

1. The appeal is allowed and planning permission is granted for a loft dormer, internal alterations, floor plan redesign and all associated works at Flat B, 5 Brett Road, Hackney, London E8 1JP in accordance with the terms of the application, ref 2024/2250, 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: PP-13492449v1; B261604-3000 A; and B261604-3100 A.
  - 3) The external materials of the development hereby permitted shall match those used in the existing dwelling.

### Preliminary Matters

2. I have removed the word 'proposed' and the site address from the description of development as these do not constitute development.

### Main Issue

3. The main issue is whether the proposed rear dormer would preserve or enhance the character or appearance of the Clapton Square Conservation Area (CA).

### Reasons

4. The appeal site is within the Clapton Square Conservation Area wherein I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
5. The significance of the CA is derived from interesting residential streets of predominantly conventional terraced houses, generally of three storeys and two to

three windows wide. The materials of these buildings are primarily London stock brick with slate roofs. The Conservation Area Map identifies the buildings along this section of Brett Road as Buildings of Townscape Merit.

6. The buildings along the western side of Brett Road, including the appeal property, are reflective of the aforementioned style and materials, with these semi-detached and terraced properties displaying a homogeneity in their scale and design. There are examples of alterations to the roofs of these properties, most notably the dormer of 3 Brett Road (No 3), nevertheless these are of a minor scale, appearing subservient and allowing the original character of the host dwelling to be read. As such, these alterations preserve the positive contribution these properties make to the character and appearance of the CA.
7. The appeal property comprises the upper floors of an end of terrace building and would involve the construction of a rear dormer. Whilst the proposed rear dormer would extend across a large section of the rear roof slope, it would be discretely located to the rear, set back significantly from the eaves and set down from the ridge line of the host property. This would allow the proposal to remain subservient to the host property and permit the original form of the building to be read. Furthermore, the appeal property and No 3 form bookends to their respective adjoining buildings, with the side elevations separated by a narrow passageway. Whilst slightly larger, the proposal would be reflective of the rear dormer at No 3, creating a visual link between the two buildings and providing an element of symmetry. Therefore, in this instance the proposed dormer would preserve the character and appearance of the area.
8. The Residential Extension and Alterations Supplementary Planning Document (2009) (SPD) states that generally the width of a single dormer should not exceed half the width of the roof. Nevertheless, for the above reasons, in this instance a dormer greater than half the width of the roof is considered acceptable.
9. For the above reasons, I conclude the proposed development would preserve the character and appearance of the CA and accord with Policies D1, D3, D4 and HC1 of The Spatial Development Strategy for Greater London (2021) (London Plan), and Policies LP1 and LP3 of the Hackney Local Plan 2033 (2020). When read together these policies require new development to respond to existing character and conserve the significance of heritage assets.

### **Conditions**

10. In addition to the standard time limit condition, I have imposed a condition specifying the approved plans as this provides certainty. I have also imposed a condition relating to materials to safeguard the character and appearance of the building and area.

### **Conclusion**

11. For the above reasons, I conclude that the appeal should be allowed.

*N Unwin*

INSPECTOR