



Appeal Decision

Site visit made on 16 September 2025

by A Hunter LLB (Hons) PG Dip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2025

Appeal Ref: APP/U5360/W/25/3367694

Ground and First Floors, 54 Malvern Road, Hackney, London, E8 3LP

- 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 Sash Scott of THISS Studio against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2024/2245.
 - The development proposed is the installation of 3no. double glazed rooflights.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I saw on my site inspection that 3 no. rooflights had already been installed onto the roof of the appeal property, they are in the same positions and appear consistent with those shown on the proposed plans. I have therefore dealt with the appeal on the basis that the proposed development has already been undertaken.

Main Issue

3. The main issue is the effect of the new rooflights on the character and appearance of the host property and the Graham Road and Mapledene Conservation Area (the CA).

Reasons

4. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires when determining proposals in conservation areas that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Paragraph 203 of the National Planning Policy Framework (the Framework), sets out matters which should be considered, including sustaining, and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 212 of the Framework states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
5. Graham Road And Mapledene Conservation Area, Conservation Area Appraisal, dated November 1997 (CAA) says the CA has a grid pattern, with many roads said to run in a west – east alignment. The overriding feature of the area is said to be the uniformity of proportion, scale and style of its built fabric, which is said to contain much architectural variety. The CAA also says the predominant material

used for roof coverings is slate, and the most common building type are those with pitched roofs with overhanging eaves and that rooflights where they exist, are said to be much later additions. The immediate area nearest to the appeal property contains a well-planned arrangement of two and three storey properties plus basements, with distinctive hipped roofs that have shallow pitches together with generous overhangs at eaves level, which are largely unaltered. Due to the road alignment those properties occupying corner locations mostly have their front, side and rear roof planes visible from the adjoining roads. Collectively these aspects positively contribute to the significance of the CA.

6. The appeal property is a well-proportioned two storey (plus basement), semi-detached property located on a corner position, facing onto Malvern Road with its side elevation fronting onto Mapledene Road. Its front, side and rear slate clad roof slopes are visible from these adjoining roads, and from nearby properties. Both Malvern Road and Mapledene Road have street trees along the pavements on both sides of the road, nevertheless I saw on my site inspection that they did not fully obscure public views of all three new rooflights on the appeal property.
7. Hackney's Supplementary Planning Document, Residential Extensions and Alterations, dated April 2009 (REA), says the number and size of roof windows should not visually dominate the roof plane and encourages 'conservation style' roof lights with a central vertical bar that divides the glazing.
8. The position of the new roof lights would not align with any of the windows on the elevations below them. Furthermore, the new rooflights due to their lack of any glazing bars, such as with a conservation style design, along with their raised level above the existing tiles, and significant scale, particularly the proposed new rooflight on the side elevation, appear incongruous against the slate roof of the host property. This is further compounded by the reflective glazing, that harmfully contrast against the duller slate roof covering. The new rooflights due to their scale and design are dominant features on all the roof planes of this well-proportioned property, particularly the front and side roof planes, and their appearance, including views from adjoining roads, is discordant and harmful to the character and appearance of the CA.
9. The Council referred to a roof light at no. 41 Malvern Road, which they said does not have planning permission, and a rooflight at no.104 Mapledene Road, which they said was approved approximately 10 years ago but considered against a different development plan. I saw on my site inspection that there are other rooflights on properties in the immediate area, that had varying sizes and styles, although I am not aware of their respective planning history. Nevertheless, I did not see a rooflight in the immediate area that was comparable to the size and design to that on the side of the appeal property, and the presence of other nearby rooflights did not lead me to conclude differently regarding the harmful effects of the new rooflights in this case.
10. I therefore conclude that the new rooflights would be harmful to the character and appearance of the host property, and the area, and that they would neither preserve or enhance the character or appearance of the CA, contrary to the duty in the Act. For the same reasons, there would be conflict with Policies D3 and HC1 of The London Plan, The Spatial Development Strategy for Greater London, dated March 2021 (LP), and Policies LP1 and LP3 of the Hackney Local Plan 2033, adopted July 2020, which amongst other things, collectively require development to

be high quality that responds to, and preserves distinctive local character and context, and ensures the significance of heritage assets are preserved and not harmed. There would also be conflict with the REA, in terms of the requirements that are set out above.

11. The Council referred to conflict with LP Policy D4. However, as this policy is mainly focussed on strategic design review and analysis, I did not find it to be directly applicable to this main issue.

Other Matters

12. The comments made by an interested party refer to possible harmful effects from a dormer roof extension at the appeal property. However, those comments do not appear to be directly relevant to the proposed roof lights, the subject of this appeal.
13. The appellant's comments about delays with the handling of the planning application are noted, although they are not relevant to the planning merits of the proposed development. I also note the comment by the appellant that the new rooflights would meet building regulations, however, this would likely be a requirement of any such development and is a neutral factor that neither weighs in favour or against the appeal scheme.

Planning Balance and Conclusion

14. For the reasons outlined above, I find that the new rooflights fail to preserve or enhance the character or appearance of the CA. There would also be conflict with policies of the development plan, I give this harm significant weight in the planning balance of this appeal.
15. I find the harm to constitute less than substantial harm owing to its effect being localised. Although, I consider the harm to the CA would be less than substantial, it is nonetheless a level of harm to which significant weight should be attached. Paragraph 214 of the Framework requires public benefits to outweigh such harm.
16. The new rooflights would allow light into the appeal property's roof space. I also note the appellant's comments in support of the new rooflights, notably, that they are said to be part of a wider conservation-led enhancement of the appeal property, including new windows, and that they would improve the safety and living standards for occupiers of the appeal property. In this case, some of these benefits, as outlined above, would be private benefits for the occupiers of the host property, at most I can only attach minimal weight to these as public benefits.
17. Against this background, these collective public benefits are very limited, and they do not outweigh the harm identified above to the significance of the designated heritage asset. Accordingly, there is conflict with the heritage protection policies of the Framework.
18. The new rooflights conflict with the development plan taken as a whole. There are no material considerations, including the Framework which indicate that a decision should be made other than in accordance with the development plan. For the reasons given above the appeal should be dismissed.

A Hunter

INSPECTOR