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## Appeal Decision

Site visit made on 11 November 2025

**by F Harrison BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 27<sup>th</sup> November 2025**

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**Appeal Ref: APP/U5360/W/25/3371844**

**Second Floor Flat, 259 Kingsland Road, Hackney, London E2 8AS**

- 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 Hopkins of AMAROK LONDON LIMITED against the decision of the Council of the London Borough of Hackney.
  - The application Ref is 2025/1473.
  - The development proposed is mansard roof extension to existing flat.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, bearing in mind it would be within the Kingsland Conservation Area (KCA)<sup>1</sup>.

### Reasons

3. Kingsland Road is a busy thoroughfare with a mix of uses and buildings of varying height, age, design and materials. The appeal site is a three-storey property with a butterfly roof behind a parapet which is part of a row of terraces. Despite some differences in appearance, the terraces are in general harmony with each other in terms of their overall character and appearance and there is uniformity in the roofscape, owing to the regularity in the butterfly roofs behind an unbroken consistent height parapet which creates a clear sense of balance.
4. The site falls within the KCA and mindful of the statutory duty set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have had special regard to the desirability of preserving or enhancing the character or appearance of the conservation area. From my observations and the Kingsland Road Conservation Area Appraisal (1998) the KCAs significance, insofar as is relevant to this case, is primarily derived from its 'spinal' form which has a cohesive tight urban grain, and the range of uses and buildings of different periods, styles and scales, which reflects the historic development of the area. Fronting Kingsland Road and part of a generally uniform row of terraces the appeal site contributes positively to the KCA as part of the fabric of how the area has evolved over time.

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<sup>1</sup> Also referred to as the Kingsland Road Conservation Area.

5. While some buildings along Kingsland Road have been extended upwards with mansard roofs, and so are a feature of the area, the appeal site forms part of a row of terraces that have not been extended in this way. The addition of a mansard roof as proposed would harmfully change the rooftop form and would be an incongruous addition compared to the existing uniform roofline of the terraces. In coming to this view, I have taken account of the guidance within the Supplementary Planning Document Residential Extensions and Alterations (2009) (the SPD) that advises that roof conversion will only be acceptable where it does not depart from or disrupt the existing roof form. Given that the proposal relates to the extension of a residential flat I see no clear reason why the guidance in the SPD is not applicable to the appeal scheme.
6. The appeal site falls within the city fringe zone character area, where strong parapet fronted buildings should be respected. That would not be the case with the appeal scheme. While the continuity of the parapet would remain unbroken, the proposal would visually compete with the parapet by introducing development above it. In doing so the proposal would have an awkward presence and would be inconsistent with the rest of the terrace. Although the mansard extension would be behind the parapet, by very clearly projecting above it, the proposal's visual incongruity would be readily apparent from numerous vantage points on approach to the site in either direction along Kingsland Road.
7. The proposal seeks to make the best use of land by optimising the site's capacity. However, it would not enhance the local context or relate positively to local distinctiveness in this sensitive location that serves as a gateway from the city to the historic environment of the conservation area. The proposal would have an appropriate materials palette, would have the typical front and rear elevation of a mansard roof as advised in the SPD and despite the existing roof profile being retained at the rear it would, nevertheless, be a jarring feature, unbalancing the otherwise harmonious built form of the wider terrace.
8. Mansard roofs are prevalent in the area, including examples that are a fragmented addition breaking up an original roofline, however this does not indicate that the proposal would sit comfortably within its immediate context. The appellant has drawn my attention to other appeal decisions<sup>2</sup> where permission was granted for a mansard roof. However, the other appeals are on different streets within the borough and not within a conservation area and as such their contexts differ and so are not directly comparable. In any event, I have considered this appeal scheme on its own planning merits.
9. Overall, the proposal would fail to preserve or enhance the character or appearance of the KCA and would harm its significance as a whole. Bearing in mind the scale and nature of the proposal relative to the designated heritage asset, the degree of harm would be less than substantial and towards the lower end of the spectrum. The National Planning Policy Framework (the Framework) requires that great weight should be given to the conservation of heritage assets, irrespective of the level of harm. The Framework also requires such harm to be weighed against any public benefits.
10. The proposal would improve the quality of housing in the area which weighs moderately in favour of the proposal. There are also likely to be modest, time-

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<sup>2</sup> Appeal Refs: APP/U5360/W/22/3313065; APP/U5360/D/21/3276951 and APP/U5360/D/25/3366806.

limited economic benefits from the construction stage. However, even cumulatively, the sum of the public benefits of the proposal would not outweigh the harm to the significance of the designated heritage asset that I have identified. Therefore, the proposal would not meet the requirements of the Act or the provisions in the Framework regarding the conservation and enhancement of the historic environment.

11. For the reasons given, the proposal would harm the character and appearance of the area, failing to preserve the KCA and harming its significance. Consequently, the scheme would be in conflict with policies D3, D4 and HC1 of the London Plan (2021) and policies LP1 and LP3 of the Hackney Local Plan (2020). Amongst other things, these policies require proposals to optimise site capacity and deliver good design, responding to local character and context. Development proposals that lead to less than substantial harm to a designated heritage asset will not be permitted unless the public benefits outweigh that harm.

### **Conclusion**

12. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations, including the Framework, that indicate that I should take a decision otherwise than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

*F Harrison*

INSPECTOR