
Appeal Decision

Site visit made on 18 October 2016

by J Flack BA Solicitor

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 October 2016

Appeal Ref: APP/U5360/W/16/3153823

London College of Fashion, 100 - 102 Curtain Road, London EC2A 3AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by University of the Arts London against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2015/3661, dated 8 October 2015, was refused by notice dated 6 January 2016.
 - The development proposed is replacement windows – third floor north and east elevations from timber to u-PVC.
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Decision

1. The appeal is allowed and planning permission is granted for replacement windows – third floor north and east elevations from timber to u-PVC at London College of Fashion, 100 - 102 Curtain Road, London EC2A 3AE in accordance with the terms of the application, Ref 2015/3661, dated 8 October 2015, and the plans submitted with it.

Preliminary matters

2. The windows for which planning permission is sought (the appeal windows) have already been installed and I was able to view them from inside and outside the building during my visit. I also viewed other windows within the building at third floor level whose pattern and design are representative of the windows which the appeal windows replaced.

Main Issue

3. The main issue is whether the appeal proposal would preserve or enhance the character or appearance of the South Shoreditch Conservation Area.

Reasons

4. The South Shoreditch Conservation Area (the conservation area) covers a large area. The appeal building is located within the Central Shoreditch Character zone identified in the Council's Appraisal¹. This is defined by the persistence of significant elements of the historic street pattern and the survival of brick buildings constructed as warehouses, showrooms and workshops for the purposes of the C19 and C20 furniture and printing trades. The largest of these have a four or five storey height, and the appeal building matches them in

¹ South Shoreditch Conservation Area Appraisal, January 2009

scale. Its origins are very different, however, for it was built as a Board School in the late C19. It has remained in a variety of educational uses ever since, and now forms the premises of the London School of Fashion.

5. The building is not listed, and has a current Certificate of Immunity. Nor is it a locally listed building, and although the Appraisal does identify it as a building of townscape merit, the Council has not provided any view as to the aspects of the building from which this merit derives, nor explained its assertion that the building has significant architectural merit. I saw on my visit that whilst the origins of the building remain clear, not least due to surviving plaques in the boundary wall, the form and architecture of the building have been diluted. The third floor appears to be a later addition, and reads as a somewhat utilitarian element. The fenestration and composition of its north and east elevation are not well integrated with the carefully composed facades below them. Moreover, whilst the principal elevation of the building would have been that facing Curtain Road, the wide principal thoroughfare in the vicinity, a three storey block dating from the C20 inter-war period has been erected here. Whilst this has some appeal in its own right due to the survival of steel framed windows and faience panels typical of the period, it serves to obscure the principal elements of the building, and the main entrance to the building is now placed obscurely to one side of the inter-war block, further diminishing any sense of a clear hierarchy within the building's elements.
6. In my view, the townscape merit of the building on its north and east side lies primarily in the robust scale and bulk of the building and the way this continues to provide a strong and historic sense of enclosure, despite the presence of some unsympathetic modern buildings, along narrow Batemans Row and New Inn Street. A positive contribution is also made by the apparently original and attractive wooden windows in the lower stories. However, the evidence before me is that the windows which the appeal windows have replaced were of contrasting design and lower quality, their design being utilitarian and their construction somewhat crude and basic. In my view the replaced windows would thus have made very little contribution to the qualities of the conservation area.
7. The Council's decision notice refers to the materials and detailed design of the appeal windows, but the sole focus of its officers' report is the u-pvc material from which they are constructed. However, its use is in my view neither conspicuous nor jarring. In part this is due to the windows' considerable height above the height of the adjacent streets from which public views would be obtained, these being in any case limited by the narrowness of the streets. It is also due to the design and construction of the appeal windows. The profiles and sections do not precisely replicate those of the replaced windows, and the hinges and trickle vents are contemporary features. However, these are minor elements, and the use of double glazing is not apparent from the street. The construction and appearance of the windows are generally thoughtful and respectful to the building, displaying some attributes of traditional joinery, and the opening parts are flush fitting, with their sections of equal dimensions to the non-opening elements, giving the windows an overall coherence and quality which is notably greater than might be typically be expected of u-PVC windows.
8. The desirability of preserving the character and appearance of the conservation area is a matter to which considerable importance and weight are to be given. However, for the reasons I have given above, I consider that the appeal

windows do not diminish the townscape merit of the appeal building, and their qualities and circumstances are such, overall, that they preserve the character and appearance of the conservation area. The appeal proposal would therefore conform with Policy 25 of the Core Strategy (CS)², Policy DM28 of the Development Management Local Plan (DMLP)³ and Policy 7.8 of the London Plan (LP), whose overall objective is the protection of the historic environment, and it would not conflict with the design objectives of CS Policy 24, DMLP Policy DM1 and LP policies 7.4 and 7.6.

9. As the appeal windows have already been installed, there is no need to attach the usual time limit condition. Neither the Council nor the appellant have suggested any other conditions, and I concur that none are necessary.
10. For the above reasons, the appeal is allowed and planning permission is granted.

J Flack

INSPECTOR

² Core Strategy, Hackney's strategic planning policies for 2010 – 2025, adopted November 2010

³ Development Management Local Plan, adopted July 2015