

Appeal Decision

Site visit made on 15 December 2016

by Terry G Phillimore MA MCD MRTPI

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

Decision date: 6 January 2017

Appeal Ref: APP/U5360/W/16/3158292

219 Stoke Newington High Street, London N16 0LH

- 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 Mr H K against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/0254, dated 22 January 2016, was refused by notice dated 19 May 2016.
 - The development proposed is erection of two-storey roof extension to provide office accommodation at first and second floor levels.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The original application as submitted included a further mansard floor addition above the proposed two-storey extension, but this was subsequently omitted. The Council reached its decision based on the amended scheme and I take the same approach.

Main Issue

3. The main issue is the effect the proposal would have on the character and appearance of the Stoke Newington Conservation Area and the special interest of the designated heritage assets of the Abney Park Cemetery.

Reasons

4. Distinctive elements of the Stoke Newington Conservation Area include 19th century three and four storey terraced blocks onto the wide High Street, and the Abney Park Cemetery which is a Grade II Registered Park and Garden. The latter originated as a privately developed cemetery opened in 1840. It was heavily landscaped on a radial plan, and now has a strongly wooded character. The entrance to the Cemetery onto the High Street provides a visual opening in the street frontage.
5. The entrance lodges, gates and railings to the Cemetery are a Grade II listed building. They date from the early to mid 19th century. The north and south lodges are 1-storey, 1-bay ashlar buildings in Egyptian style with flat roofs and cornicing. There are projecting central pilaster supports to the ends of the tall double wrought-iron railings with lower lotus finials. 4 tall square stone piers

with lotus and palm leaf carving to double cornices hold the central double and side single matching wrought iron gates. The south lodge has a stuccoed west extension in a similar style. The structures and the entrance opening are key features in this part of the Conservation Area, and provide a strong focal point in views. These features are important to the inter-related significance of the designated heritage assets.

6. No. 219 is a single-storey structure attached to the north flank wall of the three-storey no. 217 which is at the end of the terrace extending to the south. It is made of stone blocks and mimics the height, mass, design and style of the south lodge at its rear to which it is also attached, although the finish of the ashlar is less crisp. The building was not part of the original development of the Cemetery entrance and is likely to date from the late 1930s, possibly erected as an ancillary structure. It is not included in the listing description but is listed at least by attachment and is a complementary element. No listed building application has been submitted for the proposal.
7. The building is in retail use, in common with the retail/commercial ground floor uses of the terrace to the south which it abuts. The proposed two-storey addition would raise the height of the building to that of the terrace, and would match this in terms of number of storeys and pattern of fenestration.
8. However, the existing single-storey form of the building is consistent with its style and that of the neighbouring listed structures. The addition would be out of character with that style in terms of height and massing, notwithstanding the suggested use of matching materials. Furthermore, the extension would harm the integrity of the important open space by intruding on this, making the space harder to read by way of partial enclosure, especially when approaching from the south. In these respects the proposal would detract from the significance of the designated heritage assets.
9. The degree of heritage harm would be less than substantial. In these circumstances national guidance is that the harm should be weighed against the public benefits of the proposal. The Council points to the absence of a marketing strategy which is required under policy DM15 of the Hackney Development Management Local Plan 2015 in conjunction with new business floorspace proposals. While the appellant contends that the development would be of high quality, providing flexible space with natural light and readily adaptable to the modern needs of business, there is no evidence to establish that the accommodation would be of such benefit as to outweigh the heritage harm. This harm is also not justified by the criticisms made by the appellant of the qualities of a new development at the rear of the site.
10. The proposal conflicts with the built and historic environment requirements in terms of respect for context and heritage as set out in policies 24 and 25 of the Hackney Core Strategy 2010 and policy DM28 of the Development Management Local Plan and similar objectives of the London Plan.
11. For the reasons given above and having regard to all other matters raised I conclude that the appeal should be dismissed.

T G Phillimore

INSPECTOR