

Appeal Decision

Site visit made on 2 July 2020

by Jameson Bridgwater DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2020

Appeal Ref: APP/U5360/W/20/3245968

2-4 Albion Parade, Hackney, London N16 9LD

- 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 Ali Gurgur against the decision of the London Borough of Hackney.
 - The application Ref 2019/2606, dated 8 July 2019, was refused by notice dated 13 December 2019.
 - The development is described as 'shutter box and awning for display of the front shed/grocery space'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The address of the proposed development was amended by the Council at the application stage to refer to '2-4 Albion Parade'. I agree that this is more accurate and I have therefore used this address in my decision.
3. At the time of my site visit, the shutter box and awning/canopy were in place.

Main issue

4. The main issue in the appeal is:
 - the effect of the proposal on the character and appearance of the host building and the area.

Reasons

5. Albion Parade is located on a busy thoroughfare which is urban in character. The appeal site comprises of three units within the parade that have been amalgamated to create a larger ground floor shop. The appeal proposal relates to a canopy/awning that projects approximately 1.65m from the front elevation of 2-4 Albion Parade and is approximately 2.5m above ground level at its lowest point and approximately 3m above ground level where it meets the building façade.
6. Whilst there have been changes to the design and appearance of many of the shopfronts in the parade, on the whole they have retained their original separation, even when taking into account the fabric canopies/awnings that are in place. Consequently, Albion Parade retains a well-defined vertical emphasis, which reinforces a strong architectural rhythm in the street scene reflecting its

Edwardian character. Therefore, whilst the appeal property is not listed and is not in a conservation area, the appeal site as a component part of Albion Parade does have significance as a non-designated heritage asset.

7. I have carefully considered the appellant's representations, in particular that behind the proposed canopy/awning the original shopfront proportions and pilasters would be retained. Furthermore, I have had regard to the potential benefits the proposal could provide in relation to the operation and profitability of business. However, even taking these factors into account the forward projection and horizontal emphasis of the shutter box and awning/canopy extension would result in an incongruous and unsympathetic feature in the street scene. This is due to the design and form of the extension spanning 3 shopfronts at ground level which would disrupt the well-defined vertical emphasis and architectural rhythm that characterises Albion Parade. Consequently, the proposed shutter box and awning/canopy would result in material harm to the character and appearance of the area and the host buildings. Moreover, the harm that I have found is not outweighed by the operational advantages advanced and the potential profitability that could be derived from the implementation of the scheme.
8. Having reached the conclusion above, the proposed shutter box and awning for display of the front shed/grocery space would conflict with Policies 24 and 25 of the Hackney Core Strategy, Policies DM1 and DM28 of the Hackney Development Local Plan and Policies 7.4, 7.6 and 7.8 of the London Plan. These policies amongst other things seek to ensure that new buildings and extensions relate to their setting to protect and enhance local character. In reaching my conclusions I have also taken into account the guidance contained within the Hackney Shopfront Design Guide and Paragraph 197 of the National Planning Policy Framework.

Other considerations

9. The appellant within their appeal statement (Appendix G) has referred to a number of other similar awning/canopies in the Stoke Newington area and cite these as setting a precedent for their case. However, I have limited information about their histories, but inevitably their contexts would differ to that of the scheme before me, and so they do not lead me to a different view in this case.

Conclusion

10. For the above reasons and having regard to all other matters I conclude that the appeal should be dismissed.

Jameson Bridgwater

INSPECTOR