



Appeal Decision

Site Visit made on 15 June 2021

an Inspector appointed by the Secretary of State

Decision date: 17 September 2021

Appeal Ref: APP/U5930/C/20/3258651

Land at 48 Hoe Street, Walthamstow, London, E17 4PG

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended. The appeal is made by Mr Peter Tobin of Mountgrove Properties (No.2) Limited against an enforcement notice issued by the Council of the London Borough of Waltham Forest.
 - The enforcement notice, numbered 088575, was issued on 27 July 2020.
 - The breach of planning control as alleged in the notice is failure to comply with conditions Nos. 2 and 3 imposed on a planning permission ref 163726 granted on 7 August 2017.
 - The development to which the permission relates is demolition of existing building. Construction of replacement three storey building to provide a commercial unit (Class A1) at part of ground floor level and four residential units (Class C3) in ground, first, and second floors (3 x 1 bedroom), and (1 x 2 bedrooms). Provision of bin store and community amenity space.
 - The conditions in question are:
 - Condition 2 which states that the development shall be carried out in accordance with plan numbers 1419- SK001, 1419-000 Rev A, 1419-001 Rev C, 1419-002 Rev C, 1419-003 Rev D, 1419- 004 Rev D, 1419-005 Rev C, 1419-006 Rev C, 1419-007 Rev A, 1419-008 Rev A, 1419-009 Rev A, PL7730-01, PL7730-02, PL7730-03, Daylight and Sunlight Assessment, received on 14th November 2016.
 - Condition 3 which states that the exterior of the site shall be built using Ibstock Beamish Blend 2601 unless otherwise agreed by the Local Planning Authority.
 - The breach of planning control as alleged in the notice is set out in Annex A.
 - The requirements of the notice are set out in Annex B.
 - The period for compliance with the requirements is 8 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (e), and (f) of the Town and Country Planning Act 1990 as amended. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Application for costs

2. An application for costs was made by Mountgrove Properties (No.2) Limited against the Council of the London Borough of Waltham Forest. This application is the subject of a separate Decision.

Procedural matters

3. Since the appeal was lodged The London Plan (2021) (the new London Plan) has been published by the Mayor of London and it is now part of the development plan. The policies within the London Plan (2016), which are

referenced in the enforcement notice are therefore no longer extant and some of the policies contained in the Draft New London Plan have changed. The parties have had an opportunity to comment on the new London Plan in relation to the case during the appeal process.

4. The appellants do not think that the new London Plan has a material impact on the appeal, but they refer me to Policy D3 and parts of their previous submissions.
5. The Council has provided Policy D4 of the new London Plan to me and to the appellants and it has highlighted subsection F of this policy.
6. I am satisfied that both parties have had the opportunity to consider the relevance of the new London Plan to the appeals and neither party would be prejudiced if I take the new London Plan into account in my decision.
7. On 20 July 2021 the Government published its revised National Planning Policy Framework (the revised Framework). The revised Framework replaces the previous version published in February 2019. Policies within the revised Framework are material considerations which should be taken into account for decision-making from the day of its publication. Consequently, I have given the main parties the opportunity to make comments on the relevance of the revised Framework to the matters which have been raised by the appeal.
8. I have not received any comments from the Council in respect to the revised Framework, but the appellants make reference to paragraphs relating to design in the revised Framework. Neither party would be prejudiced if I take the revised Framework into account in making my decision.
9. In their response to the Council's statement the appellants have raised issues regarding the fees which they have paid to the Council. This is a matter between the appellants and the Council and notwithstanding their request for me to do so, it is not appropriate for me to reach a view on whether or not any of the fees which have been paid should be refunded.

Ground (e)

10. An appeal on ground (e) is that copies of the notice were not served as required by s172 of the Act. The onus is on the appellants to provide evidence that the copies of the notice were not served correctly. Their evidence must be sufficiently precise and unambiguous and the standard of proof is the balance of probabilities.
11. The Council says that it served the notice on a number of parties including Mountgrove Properties (No. 2) Limited (the company) at two addresses. The appellants state that the company no longer occupies one of the properties, that it is vacant, and that post is forwarded to the other address which was used by the Council. The Council argues that it sent the notice, by recorded delivery, to the two company addresses referred to by the appellants following the carrying out of a Companies House search. Confirmation of receipt was obtained in one case but not until almost two months after the date the notice was sent, which the appellants confirmed in their response to the Council's statement.
12. There is no evidence to suggest that the Council did not send out the notices as required by the Act, the issue is whether or not they were received. However

even if the appellants did not receive the notice, they say in their statement that it was brought to their attention on 28 July 2020 which is the day after it was issued. Whether or not this was by chance, the appellants have been able to make their appeal and present their evidence.

13. Section 176(5) provides that the Secretary of State may disregard any failure to serve in accordance with s172 if the failure to serve has not caused substantial prejudice to the appellant or that person who should have been served. In this case I do not consider that the appellants have been prejudiced by any failure on the part of the Council in its attempt to serve the notice on them.
14. For the reasons set out above the appeal on ground (e) fails.

Ground (a) and the Deemed Planning Application (DPA)

15. An appeal under ground (a) is on the basis that in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to have been granted or, as the case may be, the condition or limitation concerned ought to be discharged.

Preliminary matters

16. When, as is the case here, the notice is issued under s171A(1)(b) to allege that there has been a breach of one or more conditions imposed on a planning permission, the DPA is to carry out the development subject to the planning permission without complying with the conditions being enforced against. It is not open to me to review any of the other conditions imposed on the original planning permission as doing so would widen the scope of the notice. The appellants have submitted a proposed conditions document however it includes changes to condition 4 and the omission of conditions 5, 6 and 7 which are not the subject of the notice, so I have not had regard to them in my determination of the appeal.

Background

17. Planning permission was granted in 2017 for the construction of a three storey building following the demolition of an existing building (Council Ref. 163726). From the information available to me and my observations during my site visit, that development has been carried out and is complete, albeit not in accordance with the approved plans and details. The ground floor commercial unit was unoccupied/unopen at the time of my site visit but some of the flats on the first and second floors appeared to be in residential occupation.
18. The dispute between the parties relates to the differences between what is shown on the approved plans and the building that now occupies the site and the external materials of it, specifically the facing brick. Condition 2 of the planning permission requires the development to be carried out in accordance with the approved plans and the reason for the condition is set out on the decision notice as for the avoidance of doubt and in the interests of proper planning. Condition 3 requires the exterior of the site to be built using a particular brick type unless otherwise agreed by the Council. The reason for condition 3 is given as to safeguard the visual amenities of the area and planning policies are referenced.

19. The appellants are seeking to vary condition 2 so that it refers to the plans which they have submitted as replacement plans which show the development as it has been carried out. The appellants are also seeking to vary condition 3 so that it relates to the facing brick which has been used for the building as now constructed. If I allow the appeal the replacement plans would become approved plans and the matters which the Council have listed in the notice as breaches of planning control would become lawful.

Main Issues

20. Whilst the main issue often stems from the reasons given for the imposition of the condition, the Council may argue that the condition is necessary for different or additional reasons. That is the case here, and it is clear from the notice that the Council is concerned about the breaches of both condition 2 and condition 3 in relation to the effects on the character and appearance of the site and the surrounding area.
21. The main issue is, therefore, the effect that varying conditions 2 and 3 would have on the character and appearance of the site and the surrounding area, with particular reference to the second floor window on the front elevation, the parapet wall on the western flank elevation, the installation of roller shutters on the shopfront façade and the use of Ibstock Cheshire Weathered facing brick.

Reasons

Planning policies

22. The enforcement notice refers to policies in the London Borough of Waltham Forest Local Plan Core Strategy 2012 (the Core Strategy) and Development Management Policies Local Plan 2013 (the DMP) and to policies in the London Plan 2016 and the London Plan – Intend to Publish version 2019. I have established above that the references to the London Plan have been superseded by the publication of the new London Plan.
23. Policies CS15 of the Core Strategy and DM29 of the DMP, amongst other things, require new development to ensure the highest quality architecture and urban design and to respond positively to the local context and character and to reinforce and/or enhance local distinctiveness. These policies are consistent with Policy D3 of the new London Plan which requires a design-led approach to be adopted to new development and that it responds to the existing character of a place and that architecture pays attention to detail.
24. As the Council argues Policy D4 of the new London Plan is also of relevance to the appeal as it deals with the concept of maintaining design quality through to the completion of a new development.

The site and the surrounding area

25. The row of buildings of which the appeal building forms part is in commercial use on the ground floor with residential and/or storage uses above. The buildings in the central part of the terrace are two storey in height and the three storey building on the appeal site forms a prominent 'bookend' as it turns the corner into Hawthorne Road.
26. The appeal building is of a traditional appearance having a pitched roof, which forms a hip to the frontage of Hoe Street, over the majority of the building with

a flat roofed element to the rear which does not contribute significantly to the street scene of the shopping street. The shopfront incorporates console brackets and fascia boards which mimic the appearance of other shops in the wider area and the style of the fenestration reflects that of the other buildings in the terrace.

27. A three storey building at the other end of the terrace, which also appears to have been constructed recently, forms a similar function to the appeal building on the corner of Gaywood Road. However, with a flat roof, curved wall facing the junction, chequered brickwork, full height windows with Juliet balconies and almost entirely glazed shopfronts, it presents a strong contrast to the other buildings in the terrace.

Second Floor window front elevation

28. As approved the windows on the first and second floor front elevation of the building are shown on the plans to be of the same style and a fairly similar size. They have a vertical alignment which reflects the style of windows elsewhere along the terrace. Whilst the second floor window is shown as close to the eaves there is a gap between the top frame of the window and the soffit.
29. As constructed the second floor window is of a different style and shape compared with the approved scheme and the upper frame abuts the soffit. The window has a horizontal alignment at odds with the rest of the terrace and the lack of brickwork between the window and the soffit gives the front elevation a cramped appearance at second floor level. This is harmful to the appearance of the building and the contribution which it makes to the street scene.
30. The appellants argue that in the context of the development as a whole a reduction in the height of the window by 0.5 m should be regarded as de-minimis. However, in this case whilst the dimension involved is not great it fundamentally affects the proportions of the window and has a significant impact on the appearance of the building. As such it goes beyond what could reasonably be regarded as de-minimis.
31. The suggestion by the appellants that were a window having a three by two design to have been installed it would have resulted in the window appearing shallower is sound. However even if such an approach were to have an even more harmful effect on the appearance of the building it does not make the impact of the window which has been installed any less harmful. I am also not persuaded that the rectangular panes in the window compensate for the lack of vertical alignment which I have identified as an important component of the approved scheme.
32. I agree with the appellants that the front elevation of the new building does not need to replicate the neighbouring properties. A contrasting approach has been taken at the other end of the terrace which has been successful. However, the more traditional design approach which has been adopted for the appeal building requires a greater degree of compatibility with adjacent buildings and this has not been achieved by the front elevation as constructed.
33. The appellants explain that had the consented window been installed it would have created a privacy issue for the occupiers of the flat and required a guard rail to be fitted for safety reasons. However, there is no evidence before me to demonstrate that the installation of the window which is the subject of the

notice is the only way that any privacy or safety issues arising from the installation of the approved window could have been resolved.

34. I conclude that the retention of the second floor window in the front elevation as constructed and installed is harmful to the character and appearance of the site and the surrounding area.

Parapet wall

35. There is no parapet wall shown built up between the appeal site and the adjacent building (No.s 50-52 Hoe Street) on the approved plans but a parapet wall has been constructed in this position.
36. The front elevation of the approved building stands forward of the building line of the other buildings in the terrace as did the earlier building which occupied the site, but which has been demolished. As a result part of the side wall of the approved building next to No.s 50-52 would be visible in the street. As the new building on the site is also one storey higher, the approved scheme results in a further area of brickwork being constructed to achieve an eaves height which matches the ridge height of No.s 50-52. This expanse of brickwork would also be visible in the street.
37. The parapet wall which has been built increases the area of brickwork on the side wall such that it has become a dominant feature in the terrace of buildings. Furthermore, it does not provide the harmonious relationship of visible eaves and roof slope off the side elevation, reminiscent of other buildings in the area, which is an intrinsic part of the approved scheme.
38. The appellants say that a parapet wall or extended visible Party Wall is not uncharacteristic in the area and they refer me to the building at the opposite end for the terrace. In the case of that building, the relationship between it and its neighbour is not directly comparable with the appeal scheme. This is because the design detailing, which wraps brickwork around the corner of the building and the use of contrasting sheeting on the side elevation successfully resolves the junction with the neighbouring building despite the differing eaves heights.
39. There are examples of buildings of differing heights being adjacent to each other in the vicinity of the site and the appellants have provided photographs of party walls in the local area. In the case of 80 Hoe Street which is in an adjacent terrace of buildings, the parapet wall follows the pitch of the roof and the neighbouring building is single storey, consequently the side wall is highly visible in the street scene, but as a result of its design it does not have the dominant impact of the appeal scheme. The other examples provided by the appellants are not in the immediate vicinity of the site nor are they so prolific as to provide evidence that parapet walls generally are a common feature of the area.
40. The appellants argue that the parapet wall is not readily visible in the street as a result of the presence of a street tree and the alignment of Hoe Street. Whilst that is the case when viewing the site along Hoe Street along its full extent, the parapet wall is very visible in close proximity to the site and this impact would be over a more extensive area when the street tree is not in leaf. This is clear from the appellants photograph which was submitted as part of their response to the Council's statement.

41. There are a range of roof forms in the area and generally parapet walls are a feature of the urban environment. However, in this case the harm resulting from the scale and form of the parapet wall in the context of the terrace of buildings is significant. The fact that it is not readily visible from Hawthorne Road also does not ameliorate its adverse impact on the street scene of Hoe Street.
42. The appellants have suggested that there may be scope for the parapet wall to be reduced in height by 10 centimetres. However, they do not consider that such a change would materially alter the appearance of the building. I agree with the appellants, and it follows that such a change would not overcome the adverse impact which I have identified.
43. I conclude that the retention of the parapet wall as constructed is harmful to the character and appearance of the site and the surrounding area.

Roller shutters on the shopfront facade

44. The approved plans do not show roller shutters to the shopfront, but these features have been added to the two shop windows and the shop doorway. The Council has included the roller shutters in the alleged breach of planning control and the appellants have provided an additional plan (drawing number CPL/16236/A/118) which depicts the roller shutters as they have been installed. As such I can consider the introduction of the roller shutters as part of my determination of the appeal, notwithstanding that they require planning permission in their own right.
45. Policy DM25 of the DMP includes criteria relating to the design of shopfronts. In respect of shutters Policy DM25 requires them to be appropriately designed and solid roller shutters of the type which have been installed are only permitted in exceptional circumstances.
46. There were roller shutters on the shopfront which formed part of the previous building on the site. The evidence indicates that they took the form of external shutter boxes below the fascia, that the shutters covered the whole of the window and the stallriser and that most of the shutter was solid with some lattice elements revealing goods on display. Whilst these circumstances weigh in favour of the principle of having roller shutters on the new shopfront, I am also mindful that redevelopment of any site should be taken as an opportunity to improve the environment.
47. Most of the other shops in the terrace have solid roller shutters but those in the adjacent terrace do not and the visual benefit to be gained by resisting this form of shutter is very evident in the wider street scene. Whilst the roller shutters which have been installed on the building retain the visibility of the stallriser and are not as extensive on the elevation facing Hoe Street as those on the previous building when they are closed, they create a dead frontage. This is exacerbated by their solid nature which allows no view of the shop display.
48. There is no evidence before me to show that the shop has any special security needs or that there are any other exceptional circumstances which justify the installation of solid shutters. The appellants are concerned about break-ins which they say have occurred while the shop has been empty, but this does not necessarily justify a long term need for solid shutters.

49. Drawing all of these strands together I find that the solid roller shutters which have been installed have a harmful effect on the character and appearance of the site and the surrounding area. It follows that they are not of an appropriate design and in the absence of any exceptional circumstances they do not accord with Policy DM25 of the Local Plan DMP.

The use of Ibstock Cheshire Weathered facing brick

50. Planning permission was granted contingent on the use of Ibstock Beamish Blend facing bricks or another brick approved by the Council. The building has been finished in Ibstock Cheshire Weathered brick (the CW brick). Although the appellants have provided evidence that a Council officer confirmed that the CW brick was considered appropriate for the site, the officer also says that the materials condition would have to be varied for this to be formally approved. The Council subsequently did not support the use of the CW brick, when the application for variation of condition 3 was determined.
51. There is a wide spectrum of facing brick colours in the vicinity of the site, including brown, buff and red and a number of buildings are finished in painted render in a variety of colours. The building at the opposite end of the terrace stands out with its checkerboard brickwork finish but given its contrasting design it does not appear as an anomaly. Generally, the character and appearance of the area benefits from the variety of materials and it is a vibrant urban environment.
52. The appellants have provided a photograph of the sample boards for the approved brick and the CW brick. The approved brick is a warm red brick with darker brown and grey tones which would have been in harmony with the mix of brick colours in the area. The CW brick is a brighter red brick and incorporates black and white weathered bricks, which give the building a speckled appearance at odds with the other buildings which are generally each of a single colour with tonal variations. This strange appearance is particularly prominent on the Hawthorne Road elevation of the building where the proportion of white bricks increases along the extent of the wall.
53. In their response to the Council's statement the appellants argue that the 'patchwork completion' referred to by the Council would have been present had the consented brick been used. However, on the basis of the evidence provided in the form of photos of the brick sample panels, the consented brick had tonal differences which are not the same as the random black and white bricks in the CW brick sample. Thus, I am not persuaded by this argument.
54. In their response to the Council's statement the appellants also suggest that the building could be painted to address the Council's objections regarding their choice of facing brick, notwithstanding that they do not consider this to be necessary. There are however no details of for example what the building would look like if painted, what colour would be appropriate or how the paintwork finish would be maintained. On this basis I cannot be sure that the imposition of a condition to secure the submission, approval, and implementation of a scheme for the painting of the brickwork would overcome the harm that I have found.
55. Furthermore, even if it was appropriate for me to consider the painting of the brickwork as a remedy to the harm which I have found, as the Council has not

had the chance to comment on this action, it would be prejudiced were I to consider it as part of my determination of the appeal.

56. As a result of the use of the CW brick, notwithstanding the variety of materials in the area, the building appears as an incongruous element of the street scene and has a harmful effect on the character and appearance of the site and the surrounding area.

Other Matters

57. The appellants have suggested that a condition to secure the removal and replacement of the roller shutters with a style of shutters incorporating a lattice or tube and link design could resolve the Council's concerns with regard to the harmful effect of the existing roller shutters. The Council has confirmed that such a proposal is acceptable in principle.
58. Taking into account the site context and the presence of other shutters on shopfronts I agree that a suitable replacement could be made which would be an acceptable addition to the street scene. However, there is insufficient detail on the plan submitted by the appellants to ascertain whether their particular alternative suggestion would be an appropriate design for the site and in the site context. Furthermore, as I am dismissing the appeal for other reasons, I am not able to add a condition to secure further details of the replacement shutters.
59. A copy of a legal agreement has been provided to me which relates to car free housing. As I am dismissing the appeal on matters unrelated to car parking, it is not necessary for me to have regard to this document.
60. As part of their appeal under ground (f) the appellants highlight what they regard as the adverse impacts of not allowing the variation of conditions 2 and 3. These amount to material considerations in respect of the ground (a) appeal, and I shall consider them accordingly.
61. In order to remove the parapet wall and implement the approved scheme, the appellants say that the residents of the second floor flats would have to be relocated during the duration of the works. One of the same residents would be affected by changes to the second floor window. However, there is no evidence to suggest that works to the parapet and the window could not be carried out simultaneously and the residents could not be temporarily rehoused. As such I do not find that this argument outweighs the harm which I have identified in relation to the works to the parapet wall and the second floor front window.
62. The appellants say that the approved roof design cannot be implemented because it would result in trespass on the neighbouring land and that it would prejudice the future development potential of 50 Hoe Street. However, matters relating to the Party Wall Act 1996 and trespass are not material to my decision and there are no proposals before me relating to 50 Hoe Street.
63. The appellants argue that in order to alter the facing brick the entire building above ground would have to be demolished and re-built. In their view such action would result in significant disruption to residents and neighbours, would be very costly for them and would be a waste of resources. The Council dispute the necessity to remove the entire building and cast doubt on the requirement for such an approach given the way in which the building has been constructed.

Nevertheless, if the whole building is required to be removed that would have the effects which the appellants describe.

64. However, there is no evidence before me to suggest that the particular harm which I have found resulting from the use of CW brick could not be resolved by action which would enable the building to be retained whilst alterations are made. To this end I am not convinced that the demolition of the building in its entirety would be the inevitable outcome of my decision therefore it is not reasonable to balance the consequences of this action against the harm which I have found to the character and appearance of the site and the surrounding area.

Conclusion on ground (a)

65. For the reasons set out above I conclude that varying conditions 2 and 3 would have a harmful effect on the character and appearance of the site and the surrounding area, with particular reference to the second floor window on the front elevation, the parapet wall on the western flank elevation, the installation of roller shutters on the shopfront façade and the use of Ibstock Cheshire Weathered facing brick. The variation of conditions 2 and 3 would therefore be contrary to Policies D3 and D4 of the new London Plan, Policy CS15 of the Core Strategy and Policies DM25 and DM29 of the DMP.
66. Therefore, I conclude that the appeal on ground (a) should fail and the deemed planning application should be refused.

Ground (f)

67. An appeal under ground (f) is on the basis that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach.
68. The appellants consider that the requirements of the notice exceed what is necessary and reasonable because the building which has been constructed is acceptable and conditions 2 and 3 should be varied to allow for it to be retained as built. It will be seen from my consideration of the ground (a) appeal that I do not find the existing building on the site to be an acceptable addition to the site or the street scene and that consequently it does not accord with the development plan.
69. Suggestions have been made by the appellants in terms of replacing the shutters and/or painting the brickwork and I have addressed these above. In the absence of sufficient detail, I am unwilling to amend the requirements to secure compliance with the submitted plan for the replacement shutters as I cannot be sure that this would remedy the breach. The painting of the brickwork is an alternative not a lesser step, consequently it does not demonstrate that the requirement to replace the brickwork is excessive.
70. In relation to the parapet wall the appellants consider, notwithstanding that they raise the possibility of minor changes being made, that changes to the wall cannot be made because such action would amount to trespass. This is not an argument that the requirement to remove the parapet wall etc. is excessive but rather that it is not possible. Such an argument has been established as not being a relevant consideration under ground (f).

71. I have addressed the other arguments put forward by the appellants under ground (a).
72. Drawing all of these points together, it has not been shown that there is a viable alternative to full compliance with the requirements of the notice or that these requirements exceed what is necessary. For these reasons the appeal fails on ground (f).

Conclusion

73. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Sarah Dyer

Inspector

Annex A

The matters which are alleged to constitute the breach of planning control:

- (1) In contravention of condition 2 of planning permission (ref: 163726) granted on 7 August 2017, the failure to carry out the external detailing in accordance with drawing 1419-007 REV A (dated 11.11.2014) namely:
 - Failure to construct the window fenestration details on the second floor, front elevation;
 - The inclusion of an unauthorised parapet wall on the western flank elevation
 - The inclusion of obscured roller shutters in the shopfront façade
- (2) In contravention of condition 3 of planning permission (ref: 163726) granted on 7th August 2017;
 - Failure to finish/clad the exterior using Istock Beamish Blend 2601.

Annex B

The requirements of the notice are to:

- 1) Remove the parapet wall on the western flank elevation and implement roof eaves as outlined in drawing numbered 1419-007 REV A (dated 11.11.2014 and attached to this Notice) to comply with condition 2 of planning permission (ref: 163726) granted on 7th August 2017; and,
- 2) Remove the window on the second floor, front elevation and replace it with a window of size and location as outlined in drawing numbered 1419-007 REV A (dated 11.11.2014 and attached to this Notice) to comply with condition 2 of planning permission (ref: 163726) granted on 7th August 2017,
- 3) Remove the unauthorised brickwork 'Cheshire Weathered 3541' and replace with the approved Istock Beamish Blend (2601) to comply with condition 3 of planning permission (ref: 163726) granted on 7th August 2017 and,
- 4) Remove the unauthorised roller shutters from the shopfront and finish the shopfront detailing in accordance with drawing numbered 1419-007 REV A (dated 11.11.2014 and attached to this Notice) to comply with condition 2 of planning permission (ref: 163726) granted on 7th August 2017.
- 5) Remove all resulting materials, rubble and general detritus from the Land following compliance with steps 1 – 4 above.