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## Appeal Decision

Site visit made on 19 April 2023

**by P D Sedgwick BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 May 2023**

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**Appeal Ref: APP/U5360/D/22/3313553**

**29 Meynell Crescent, Hackney, London, E9 7AS**

- 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 T Sprange against the decision of the Council of the London Borough of Hackney.
  - The application Ref 2021/3747, dated 23 December 2021, was refused by notice dated 12 October 2022.
  - The development proposed is basement extension and installation of two front garden lightwells.
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### Decision

1. The appeal is allowed and planning permission is granted for basement extension and installation of two front garden lightwells at 29 Meynell Crescent, Hackney, London, E9 7AS in accordance with the terms of the application, Ref 2021/3747, dated 23 December 2021, and the plans submitted with it.

### Procedural Matter

2. At the time of my visit, I saw that the development was substantially complete and therefore I am considering this appeal retrospectively.

### Main Issue

3. The main issue is whether the development preserves or enhances the character or appearance of the Victoria Park Conservation Area (CA).

### Reasons

4. The appeal site relates to an end property in a terrace of 2 storey Edwardian houses opposite Well Street Common. The houses are attractive, red brick, with two storey canted bays with pyramidal roofs. The appeal property and its neighbour are larger than other houses within the terrace and have 2 bays set either side of the front door. Windows and doors have decorative surrounds. Gardens have low boundary walls topped with railings, and decorative tiled paths lead to steps up to the front doors. Most gardens are landscaped with a mix of hedges, small trees and potted plants. The Victoria Park Conservation Area Appraisal (2012) (VCAA) identifies the whole terrace as Buildings with Townscape Merit. As such, they contribute significantly to the architectural special interest of the CA. Together with their gardens, which are also referred to in the VCAA as being important, they provide an attractive backdrop to the Common.

5. The lightwells have been constructed and, at the time of my visit, were covered with boards rather than the metal grill proposed. The garden was surfaced with gravel and planted with some small decorative trees, bushes, and potted plants, including immediately behind the boundary wall and railings.
6. The Council's Supplementary Planning Document Residential Extensions and Alterations (2009) (SPD) advises that where lightwells are not part of the established character of an area they will not normally be approved because of their visual impact, in terms of enlarging the front elevation and the loss of garden space and soft landscaping.
7. The lightwell covers screen views of the basement, as would the proposed metal grill from most views, so that the front elevation appears unaltered, and the architectural integrity of the house is unaffected. Approaching the site on foot in either direction the existing planting largely obscures views of the lightwells and maintains the green frontage that is important to the character and appearance of the area. Once the landscaping is established, I would expect that the grill coverings would only be partially visible when stood immediately in front of the house or from within the garden.
8. I also note that the extent of hard and soft landscaping within the terrace varies, and that the development retains 50% of the garden in compliance with the SPD in this regard. Overall, I am satisfied that enough of the garden remains that the amount of landscaping that can be accommodated is at least comparable with other properties nearby and would not compromise its importance as identified in the VCAA. I therefore conclude that the development does not harm the character or appearance of the house and wider area and thus preserves that of the CA and complies with Policies D3, D6 and HC1 of the London Plan (2021), Policies LP1, LP3 and LP17 of the Local Plan 2033 (2020) and the General Design Principles of the SPD which seek high quality development which preserves or enhances the significance of the historic environment.

## **Conclusion**

9. For the reasons given above I conclude that the appeal should be allowed. The Council has not requested that any planning conditions be imposed as the proposal is retrospective, and I have therefore allowed the appeal on the basis of the submitted plans.

*P D Sedgwick*

INSPECTOR