



Appeal Decision

Site visit made on 22 May 2023

by J Hills MRTPI

an Inspector appointed by the Secretary of State

Decision date: June 1, 2023

Appeal Ref: APP/U5360/W/22/3309608

65 Mare Street, Hackney, London E8 4RG

- 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 Cardtronics UK Ltd, trading as CASHZONE against the decision of the London Borough of Hackney.
 - The application Ref 2022/0149, dated 7 January 2022, was refused by notice dated 29 July 2022.
 - The development proposed was originally described as "the retention of an automated teller machine and associated signage."
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Decision

1. The appeal is allowed and planning permission is granted for an automated teller machine and associated signage at 65 Mare Street, Hackney, London, E8 4RG in accordance with the terms of the application, Ref 2022/0149, dated 7 January 2022, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: CSS 0001; E0239951; NW0014; E023951.

Preliminary Matters

2. The application form states that the development was started in May 2021 and at the time of my visit I saw that the works were complete. I note that the application has been dealt with retrospectively. I have dealt with the appeal on that basis.
3. Notwithstanding the Council's description of development in their decision notice, the application is for an automated teller machine (ATM) and associated signage, and I have dealt with it on that basis.
4. I have used a different description in the formal decision from that on the application form to leave out words which are not acts of development.

Main Issue

5. The main issue is whether the development preserves or enhances the character or appearance of the Beck Road Conservation Area (CA).

Reasons

6. The appeal site is within the CA where there is a statutory duty to pay special regard to the desirability of preserving or enhancing the character or

appearance of the conservation area; and where great weight should be given to the asset's conservation. The significance of the CA is derived from its historic attractive streets of modest, uniform and intact two-storey late 19th century houses, bookended by three-storey shops on Mare Street, where the appeal site is positioned. The part of the CA the appeal site lies within includes a chunky parapet to the roof, unsympathetic UPVC windows and modern shops that have retained historic corbels. The development fronts a busy main road where are range of shop fronts with their unsympathetic roller shutters form a prominent feature of this setting along Mare Street.

7. The Council's CA Appraisal and Management Plan July 2021 (CAAMP) identifies that there is potential for the future reinstatement of more appropriate shop fronts, and that their loss will not be considered acceptable. In this respect, the development covers a relatively small section of the wider glazed part of the overall shop frontage. Consequently, it does not stand proud or appear as an incongruous or disproportionate feature. Rather, the development appears somewhat unnoticeable given its relatively small scale. Additionally, it is sat amongst a significant amount of window signs, roller shutters and associated commercial paraphernalia within the heavily modified wider row of shop frontages on Mare Street. As such, the development is compatible with the existing townscape. Furthermore, as the development does not alter architectural features of the host building, there would remain the potential for the reinstatement of a fully glazed window which would be aligned with the CAAMP.
8. Also, although the ATM is not a traditional historic feature, I observed several ATMs along Mare Street which are a common feature of modern centres and the surrounding area. Therefore, the development is not an untypical element to the existing building or shop fronts in the area and consequently does not harmfully affect the wider street scene, including the attractive two-storey streets behind. This is consistent with the aims of the Council's Shop Front Design Guide Supplementary Planning Guidance. As such, the development has a neutral and therefore, preserving effect on the CA.
9. Therefore, I conclude on the main issue that the development preserves the character or appearance of the CA. As such, it does not conflict with policies LP1 or LP3 of the Hackney Local Plan July 2020, or policies D4 or HC1 of the London Plan March 2021 (LP) which, together in this respect promote developments that preserve and enhance heritage assets and that are compatible with the existing townscape.
10. As I have identified a neutral effect, it is not necessary for the development to demonstrate public benefits. Nevertheless, the appellant's evidence suggests high demand for this accessible ATM which makes a minor contribution towards the local economy, and consequently accords with Policy HC1 of the LP which in this respect promotes developments that contribute to economic viability.
11. Although the Council refer to conflict with its Hackney Residential Extensions and Alterations SPD 2009 (SPD), the development is commercial and I have no evidence to demonstrate the SPD is relevant to the scheme before me.

Conditions

12. As the development has already commenced it is not appropriate to include the standard time limit condition. For clarity, it is necessary to require compliance with the submitted plans.

Conclusion

13. For the reasons given I conclude the appeal should succeed.

J Hills

INSPECTOR