



Appeal Decision

Site visit made on 11 July 2023

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd August 2023

Appeal Ref: APP/U5360/W/23/3316341

82 Green Lanes, Hackney, London N16 9EJ

- 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 Chris Jaehme of CRE No.2 Ltd against the decision of the Council of the London Borough of Hackney.
- The application Ref 2022/2306, dated 22 September 2022, was refused by notice dated 16 November 2022.
- The development proposed is a retrospective planning application for amendments to the residential ground floor facade.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development for which planning permission is sought has already been completed. At my visit the details I observed appeared to accord with those shown on the submitted plans. However, the word 'retrospective' as referred to in the application form and the decision notice does not constitute an act of development. Therefore, for the avoidance of doubt, I have determined the appeal in accordance with the details submitted, on the basis that planning permission is being sought for the installation of a window, fascia and gas meter boxes on the front elevation of the premises.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host property and the area.

Reasons

4. The appeal property lies within an established urban commercial street and forms part of section of a three-storey terrace on Green Lanes. The area contains a mix of uses including commercial and residential premises and the building has previously been converted to several residential flats. Building frontages in the area differ in style and appearance along this part of Green Lanes and a number of properties close by appear to have been converted from commercial to residential use.
5. The ground floor façade of the building is clad in green glazed tiles with a black metal Critall style window and black painted timber door. Three separate gas meter boxes and associated pipework are centrally located within the stallriser below the window. The fascia above the door and window has been rendered and painted black and the right-hand corbel has been removed. The appeal property does not have the traditional appearance of a residential property.

6. The ground floor front elevation as installed differs considerably from that previously approved as part of the residential conversion scheme. Whilst I understand that gas meter boxes may be required to be accessible by emergency services there appears to have been little effort to locate them discreetly or integrate them into façade of the building, Furthermore, their colour and exposed pipework exacerbates their appearance not hide them as the appellant claims. The result is an unsightly and unsympathetic addition to the host building at odds with the wider terrace and the street scene.
7. The high tiled stall riser is visually prominent in the street scene and does not relate sympathetically to its neighbours or the host building. The appellant claims that the stall riser is no higher than that shown on the approved plan, however, this shows a larger window opening with its lower panes infilled with timber panels, maintaining the appearance of low stall riser. The loss of the corbel further exacerbates the incongruous appearance of the frontage within the street scene. The modern design timber door, however, has a neutral impact on the appearance of the building and the wider street scene.
8. Overall, as presented, the development is harmful to the character and appearance of the appeal building and the area in conflict with Policy LP1 of the Hackney Local Plan 2020 and Policy D4 of the London Plan 2021. These policies seek, amongst other things, to secure high quality design in development which responds to the local character of an area. The development also fails to follow the advice in the Hackney's Supplementary Planning Guidance Shopfront Design Guide relating to design considerations for shop front alterations.

Other Matters

9. The appeal site is not listed or located in a Conservation Area nor is it located within the setting of other listed buildings. These are not factors which weigh in favour of allowing the appeal and do not diminish the harm that I have found on the main issue.
10. My attention has been drawn to other properties within Green Lanes and other nearby streets which have high stallrisers, gas meter boxes in their front elevations or tiled façades. None has all three or are directly comparable to the case before me. I do not know how any of the examples cited came into being and their existence is not so widespread as to have become a prevailing characteristic of the area nor do they justify the harm that results from the scheme before me.
11. The appellant has raised concerns regarding the handling of the planning application including the refusal of the application with no prior warning. However, this is not a matter that I can consider under a Section 78 planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.

Conclusion

12. For the reasons given above, having considered the development plan as a whole and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

KL Robbie

INSPECTOR