



Appeal Decision

Site visit made on 20 February 2024

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2024

Appeal Ref: APP/U5360/W/23/3323342

66 Queen Elizabeths Walk, Hackney, London N16 5UQ

- 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 Richard Griffiths on behalf of Richard Griffiths Architects against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2023/0292.
 - The development proposed is a new three-bedroom dwelling house, infill between nos. 66 and 68 Queen Elizabeth's Walk
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework) on 19 December 2023 and updated it on 20 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is located between No.66 Queen Elizabeth's Walk (No.66), which is a substantial, two-storey dwelling and No.68 Queen Elizabeth's Walk (No.68), which is a two-storey, end terrace dwelling. The wider area is characterised by mostly two and three storey terraced dwellings, with some more recent buildings, such as a four-storey block of flats at the junction of Queen Elizabeth Walk and Allerton Road.
5. The area was comprehensively developed in the 19th century and was arranged according to the topography, which resulted in some gaps between buildings, such as this case for No.66. Although some later development has occurred it has maintained plot ratios and building heights, which are an important characteristic of the area.
6. No. 66 is constructed of brick, with a strong sense of symmetry to the fenestration pattern and has two decorative protruding gables to either side of the property. When originally constructed No.66, in contrast to the other

properties on the street, was built as a detached building that is of a much greater height and width than the houses in the adjoining terrace and surrounding area.

7. No.68 and the adjoining terrace, comprise a row of double fronted dwellings, each with a centrally located door. The opposite side of Queen Elizabeth's Walk is characterised by three storey, terraced dwellings, with steps leading up to the front doors. They are close knit with a very few narrow gaps located at a change of direction.
8. A single storey dwelling (No.66a) has been constructed to the side of No.66 occupying the corner gap between Nos.66 and 64 and is attached to the side wall of No.66. This building was designed as a single storey courtyard dwelling, replacing three garages that previously occupied the site. This new property is of a contrasting scale, character and appearance to the surrounding area being a single storey dwelling and constructed of modern materials. However, although this dwelling occupies a former gap, by virtue of it being single storey, flat roofed and located behind a tall fence, it is not unduly prominent within the street scene and therefore maintains the appearance of a large gap between Nos.66 and 64.
9. The proposed development would involve the erection of a three-storey dwelling. It would provide a three-bedrooms with a small rear garden, balconies, and a roof terrace. It would be constructed using brick to the ground floor and terne-coated stainless steel to the upper floors. A side passage would be provided to maintain access to the side and rear of No.68 and the upper floors of the proposed dwelling would be built over this.
10. It would result in the construction of a narrow building, using a palette of materials that would replicate those used in the construction of No.66a. However, whilst the proposed dwelling has been designed to be a contemporary addition to the area, it would include two large windows in the front elevation which would have a horizontal emphasis. This would be at odds with the vertical emphasis of the windows found in neighbouring properties.
11. Although the proposed dwelling would be set below the ridgelines of both adjoining properties, the eaves height would exceed that of No.68. As a result, the proposed development, would not appear subservient to adjoining dwellings. It would result in an awkward relationship to the established roofline of No.68.
12. Whilst I recognise that the appeal site would adjoin properties of a different scale, being a large Victorian villa on one side and a terrace of uniform designed dwellings on the other site, the proposed dwelling would nevertheless show little regard to the scale, form or appearance of the No.66 or the adjacent terrace. As such, the proposed dwelling would have an appearance that would be incongruous in the context of the surrounding area and would, therefore, not be sympathetic to local character or add to the overall quality of the area.
13. Furthermore, due to the narrow width of the plot, the proposed dwelling would have an awkward and contrived appearance that would not sit comfortably within its context. It would be highly visible within the street scene and would also occupy the only remaining gap between No.66 and adjoining properties, thereby eroding this important feature of the area. As a result, No.66 would cease to be read as a detached building and would be viewed as a continuation

of the adjoining terrace. It would therefore, by virtue of its design and siting, fail to respond to local character and the established urban grain.

14. Consequently, I therefore conclude that the proposed dwelling would cause unacceptable harm the character and appearance of the area. It would therefore conflict with Policies D3 and D4 of the London Plan and Policy LP1 of the Hackney Local Plan 2020, which require amongst other things, high-quality design that responds to local character and context and be compatible the existing townscape including urban grain and plot division.

Other Matters

15. Whilst the Framework supports the effective use of land, and increasing densities, Paragraph 128 also recognises the need to take account of the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed and beautiful places. I also acknowledge that the proposed dwelling would be of a sustainable design, including by using materials that would be long lasting, and low maintenance. It would also utilise low carbon construction techniques and an air-source heat pump.
16. However, the contribution of a single dwelling would be small, and by virtue of the quantum of development these benefits would be limited and not sufficient to outweigh the harm to the character and appearance of the area which I have identified.
17. The Council's statement of case states that had they found the application acceptable, then a Unilateral Undertaking would have been required to provide a financial contribution towards affordable housing and carbon offsetting, the provision of car free development and the payment of the Council's legal costs for reviewing and agreeing the agreement. There is no legal agreement or other mechanism before me to secure these contributions. However, as I am dismissing the appeal for other reasons, I am not pursuing this matter further because it could not lead me to a different decision.

Conclusion

18. For the reasons given, the proposal would therefore not accord with the development plan when taken as a whole. There are no material considerations of sufficient weight that indicate the appeal should be determined other than in accordance with the development plan. The appeal is therefore dismissed.

K Lancaster

INSPECTOR