



Appeal Decision

Site visit made on 16 July 2025

by L Douglas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th July 2025

Appeal Ref: APP/E5900/C/24/3346855

Land at 130-150 Hackney Road, London E2 7QS

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Robobond Limited against an enforcement notice issued by the Council of the London Borough of Tower Hamlets.
 - The notice was issued on 16 May 2024.
 - The breach of planning control as alleged in the notice is Without planning permission, the addition of railings and gates to the front of the Premises.
 - The requirements of the notice are: 1. Remove the railings and gates installed to the front of the Premises, shown in the approximate location outlined in red on the attached plan in Appendix 1. Or 2. Reduce the height of the railings and gates installed to the front of the Premises, shown in the approximate location outlined in red on the attached plan in Appendix 1, to be no more than 1 metre in height above ground level. 3. Make good any damage arising from compliance with step 1 and remove all debris from the Premises.
 - The period for compliance with the requirements is two months from the date the notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(f) and (g) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. The appeal succeeds in part and the enforcement notice is upheld with a variation in the following terms: It is directed that the enforcement notice is varied by the deletion of the text 'two (2) months' at paragraph 6 of the enforcement notice titled 'time for compliance' and the substitution of the text 'six months'. Subject to the variation, the enforcement notice is upheld.

Ground (f)

2. To succeed under this ground of appeal the appellant needs to show that the steps required to be taken exceed what is necessary to remedy the breach of planning control or, as the case may be, to remedy any injury to amenity which has been caused.
3. The notice requires: 1) the removal of the railings; or 2) the alteration of the railings to ensure no part of them would be more than 1 metre in height. The second option would ensure the railings would be consistent with the appellant's fallback position authorised by Article 3(1) and Class A of Part 2, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The purpose of the notice is therefore to remedy the breach of planning control, rather than any injury to amenity which may have been caused by the railings. It is necessary for me to consider whether any lesser steps could achieve this purpose with less cost and disruption.
4. I note that the appellant has sought planning permission for an alternative boundary treatment arrangement, which is the subject of another appeal.

However, varying the steps required to be taken by the notice to ensure alternative amendments and/or development are carried out would not remedy the breach of planning control in the absence of planning permission for such development.

5. There are no obvious alternatives to achieve the purpose of the notice with less cost and disruption.
6. The appeal under ground (f) therefore fails.

Ground (g)

7. To succeed under this ground of appeal the appellant needs to show that two months falls short of what should reasonably be allowed for the notice to be complied with. The appellant has requested a period of twelve months.
8. I have been referred to the security benefits of the railings and how important they are to the ongoing use of the building as the largest collection of artist and maker spaces in the United Kingdom. They protect the safety of people who work at the site, secure bicycle parking spaces, and prevent offensive graffiti and other anti-social behaviour at the front of the site. Notwithstanding this, I am unconvinced that the only means to provide such benefits and address those concerns would be through the provision of railings.
9. Two months would be sufficient to remedy the breach. However, considering the appellant's fear of crime, a longer period would be reasonable for alternative solutions to be explored, in addition to those the subject of another appeal. I also appreciate that it may be some time before the other appeal is determined. Twelve months would be excessive, but six months would be reasonable for the notice to be complied with in these circumstances.
10. The appeal under ground (g) therefore succeeds to the extent outlined above.

Conclusion

11. For the reasons given above, I conclude that the requirements of the notice are not excessive to remedy the breach of planning control and that the period for compliance with the notice falls short of what is reasonable. I shall vary the enforcement notice prior to upholding it. The appeal on ground (g) succeeds to that extent, but the appeal on ground (f) fails.

L Douglas

INSPECTOR