



Appeal Decision

Site visit made on 26 November 2025

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd December 2025

Appeal Ref: APP/U5360/W/25/3372841

49 St. Kilda's Road, Hackney, London, N16 5BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Belz Synagogue against the Council of the London Borough of Hackney.
 - The application Ref is 2025/1540.
 - The development proposed is demolition of existing rear unauthorised temporary extension and erection of a new permanent extension.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing rear unauthorised temporary extension and erection of a new permanent extension, at 49 St. Kilda's Road, Hackney, London, N16 5BS, in accordance with the terms of the application, Ref 2025/1540, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing numbers 00_001 (Site Location Plan), 00_010 (Site Layout Plan), 01_110 P3 (Proposed Ground Floor), 02_110 P2 (Proposed South East and South West Elevations), 02_111 Proposed North East and North West Elevations) and 03_110 (Proposed Sections).
 - 3) The external brick walls of the extension hereby permitted shall match those used in the existing building.
 - 4) The extension hereby permitted shall be constructed with a living roof, with a substrate depth of 80-150mm excluding the vegetative mat and shall be retained as such thereafter.

Preliminary Matters

2. The Council's case confirms that had it determined the application, it would have refused to grant planning permission, due to the scale, materials and appearance of the proposed extension.

Main Issue

3. The main issue is the effect of the proposed extension on the character and appearance of the property, the terrace it forms part of, and the wider neighbourhood.

Reasons

4. The appeal site comprises an end of terrace property, formerly a dwelling, which I am advised was converted to a synagogue in the early 2000's. The planning history indicates that various other extensions and alterations were granted planning permission between 2002 and 2013. The existing unauthorised extension was subject to an enforcement appeal¹ that was dismissed earlier this year. In that decision, the Inspector did not consider the modest scale of the extension to be harmful given the much larger size of the existing rear extension, but concluded that its rudimentary form of construction, consisting of poor quality materials, including a lean-to timber frame, plywood panels and a plastic covered roof, did not represent high quality design, and would appear as a significantly discordant feature when viewed from the upper floors of surrounding properties. I concur with the views of the previous Inspector.
5. The current proposal would entail the complete removal of the existing unauthorised timber structure and its replacement with a new extension, of roughly the same scale, which would better reflect the construction form, design and materials of the existing building and previously approved extensions on the site.
6. The new extension would be constructed in brick to match the praying hall that it would be attached to, which is predominantly brick built, with render and high-level windows above, as shown on the submitted plans. I noted that the ground level of the site is much lower than neighbouring gardens, which prevents the previous extensions from appearing excessive in height or over dominant when viewed from neighbouring properties. The new extension would be lower in height than the one it would be attached to, with a flat roof, that aligns with the top of the brickwork of the praying hall. The subtle projections of the window section of wall and the canopies above the doors would add detail and break up the massing of brickwork across the rear wall. Whilst not proposed on the initial plans and documents, the appellant is agreeable to a condition for a living roof. For all of these reasons I am satisfied that the proposed new extension would have an attractive end appearance, when seen from the limited upper floor views of nearby properties.
7. I therefore conclude that the proposal would not result in harm to the character and appearance of the host property, the terrace it forms part of or the wider surrounding area. Consequently, it would accord with policy LP1 of the Hackney Local Plan 2033 (July 2020) and policies D3 and D4 of The London Plan (December 2020), which amongst other things, require new development to incorporate good design, including features that enhance biodiversity, maximise opportunities for greening, and use attractive, durable high-quality materials, which respond to and complement local character.

Other Matters

8. I have not been provided with a copy of the Residential Extensions and Alterations Supplementary Planning Document referred to in the Council's case, which is unlikely in any event to be relevant to this non-residential extension to a synagogue. In the absence of any harm or conflict with the most relevant development plan policies, other material considerations to justify a decision other than in accordance with the plan, such as the support of the community, public

¹ APP/U5360/C/23/3324900

benefits, the need for the additional storage space or whether it could be provided by other means, are not required to be demonstrated.

Conditions

9. I have imposed the standard time limit for the commencement of the development and listed the drawing numbers that the development must be carried out in accordance with, to provide certainty on these matters. A condition to ensure that the external materials of the extension walls match those of the existing building is necessary to ensure a satisfactory end appearance.
10. The whole of the site is already hard surfaced and drained and consequently the proposal would not increase surface water run-off and would not result in the loss of any soft landscaping or natural habitats. Based on the information available this permission is one which would not require the approval of a biodiversity gain plan before development is begun, because a statutory exemption applies where no priority or non-priority onsite habitats or hedgerows would be lost.
11. The appellant is agreeable to a condition requiring that the extension would have a living roof, which I consider would be reasonable to assist in reducing surface water runoff rates, as well as softening the appearance of the site and enhancing its bio-diversity value, in accordance with local and national planning policies.

Conclusion

12. For the reasons given above, I conclude that the appeal should be allowed and planning permission is granted.

R Bartlett

INSPECTOR