The Planning Inspectorate

Appeal Decision

Site visit made on 25 January 2017

by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 February 2017

Appeal Ref: APP/E5900/Y/16/3159841
10 Tredegar Square, London E3 5AD

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Ms Aimee-Shirin Daruwala against the decision of the Council of the London Borough of Tower Hamlets.
- The application Ref PA/15/01608, dated 1 June 2015, was refused by notice dated 15 August 2016.
- The works proposed are a wooden bin bag store and external double doors in the basement.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit the development has already been carried out. I have dealt with the appeal on that basis.

3. The appellant has queried whether consent is required for the bin bag store. However, this is not a matter for me to consider under the terms of a section 20 appeal. Consequently I have determined the appeal as presented to me.

Main Issue

4. The main issue is the effect of the proposal on the special architectural and historic interest of the listed building.

Reasons

5. 10 Tredegar Square forms part of a long terrace that is a Grade II listed building dating from the first half of the 19th century. The building is three storeys in height plus a basement. The significance of the listed building lies in the age and architectural detailing. The front elevation of the terrace as a whole has a formal and unified arrangement that reflects the status of the building at the time it was constructed. I understand a coal bunker was recently removed from the front of the property[1] but otherwise it seems to me that the front elevation of the property is largely unchanged. As such the building presently makes a positive contribution to the significance of the terrace.

[1] Application for Listed Building Consent granted 21 May 2014 - application ref: PA/13/02601

6. Consent is sought to replace a security grille at the lower ground floor of the property with a set of double doors. The doors, which provide access from the house to the external lower ground courtyard, are fully glazed with a painted timber frame. In addition to the doors, consent is sought for a tall wooden structure to store big bags. The structure is positioned at ground floor level adjacent to the entrance steps and railings. Like the doors, the bin bag store is coloured a muted shade of purple.

7. The starting point for the consideration of the proposals is Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires that special regard is had to the desirability of preserving the listed building, or its setting, or any features of special architectural or historic interest it possesses.

8. The doors are set in the side wall of the courtyard under the entrance staircase. Whilst they are not on the front facing elevation, they are clearly visible from the public footpath. The design of the doors which have large full-height glazed panels have an open, modern appearance which is at odds with the typical multi-pane windows on the front elevation of the building. Those details make a significant contribution to architectural interest of the building. The inappropriate design of the doors is compounded by their purple colouring such that they appear inappropriate and unauthentic.

9. I noted at my site visit that most other properties in the terrace had openings onto the lower ground courtyard, as in this case. The principle of doors in such a location is therefore established. Whilst the design of doors varies, in general openings are fitted with partially glazed doors and /or are of a multi-pane design, generally painted white to match the windows on the front elevation. I acknowledge that that the appellant had been advised by the Police to replace the grille with a more secure means of enclosure. However, I am unconvinced that this is the only design that would provide such a measure.

10. The bin bag store is a tall wooden structure, with a lead roof designed in a 'beehive' style. Positioned in a prominent position at the front of the property, the structure is an odd and incongruous feature that neither respects nor reflects the architectural or historic interest of the building. Furthermore, although it is positioned behind railings, it visually clutters the frontage of the building.

11. Numerous wheelie bins occupy the frontages of the properties around Tredegar Square and I noted that some are purple in colour. However, the bins are an accepted part of modern day living and moreover, do not constitute development or works which require consent. I understand that the appellant's wheelie bin was stolen and the store is a permanent replacement for it. Nevertheless, the loss of the bin is a matter for other authorities and does not justify the construction of a permanent structure at the front of the building.

12. For the reasons set out above both the doors and the store cause harm to the special interest and significance of the listed building. Given that the works relate to only a small part of the listed building, the harm to the significance of the asset is less than substantial.

13. The approach in the National Planning Policy Framework is that where a proposal causes less than substantial harm to a heritage asset, that harm should be weighed against the public benefits of the proposal. I accept that the

storage of bags of waste in a container is a public benefit. However, given that much the same benefit could be secured from the use of a bin, the benefits of the scheme before me are not sufficient to outweigh the harm it would cause; harm that must attract considerable importance and weight on the negative side of the balance.

14. Issues raised by the appellant regarding the level communication and advice from the Council have no bearing on my consideration of the appeal, which I have determined on its own merits in the light of the requirements of the Act.

Conclusion

15. For the reasons set out and taking into account all other matters raised, the appeal is dismissed.

S. Ashworth

INSPECTOR