



Appeal Decision

Site visit made on 27 July 2017

by Elaine Gray MA(Hons) MSc IHBC

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

Decision date: 04 August 2017

Appeal Ref: APP/E5900/D/17/3175325

14 Matlock Street, London E14 7NN

- 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 Rob Elias against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/17/00063, dated 5 January 2017, was refused by notice dated 16 March 2017.
 - The development proposed is a two storey brick outrigger with a glass infill extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the York Square Conservation Area.

Reasons

3. The appeal site at 14 Matlock Street is a two storey dwelling within a terrace of similar buildings which is located in the York Square Conservation Area (CA). The Council's document entitled 'York Square Conservation Area' (November 2009) states that the CA was constructed to a consistent Regency design which was typical of the area. Streets are characterised by the homogenous layout of small scale streets and uniform modest terraces of narrow, flat fronted houses, and the grid street pattern focuses upon York Square. No 14, which is a locally listed building, is typical of the traditional dwellings in the area, and thus it makes a positive contribution to the character and appearance of the CA.
4. The proposed development would create a new two storey outrigger and a single storey extension at the rear of No 14. The Council considers the new two storey outrigger to be acceptable as it replicates the form and materials of the historic outriggers which are evident at 15-18 Matlock Terrace. From my observations on the site visit, I have no basis on which to take a different view on this element of the scheme.
5. The new single storey element would infill the space between the existing outrigger at No 15 and the proposed new outrigger. It would project so as to run in line with the rear elevation of the outriggers. At approximately 4.2m at its highest point, the mono-pitched glazed roof would rise to just below the cill of the rear first floor window. Due to the lack of a set back from the rear building line, and the significant height in proportion to that of the existing

- building, the infill extension would dominate the rear elevation, and would fail to be subservient to it. In addition, much of the original rear elevation of the building would be obscured, which would harm its significance.
6. As a result, I conclude that the proposal would unacceptably harm the appearance of the appeal building, thus failing to preserve the character and appearance of the wider conservation area. It would thus conflict with Policy DM24 of the Tower Hamlets Managing Development – Development Plan Document (MDDPD, January 2012), which requires design of the highest quality standards, and MDDPD Policy DM27, which seeks to protect the borough’s heritage assets. It would further conflict with Policy SP10 of the Tower Hamlets Core Strategy (September 2010), insofar as it seeks to protect and enhance conservation areas. I therefore find that the duty to preserve the character and appearance of the conservation area would not be satisfied.
 7. The development would also be at odds with Policy 7.4 of the London Plan (LP, March 2016), insofar as it requires that development should have regard to the form and structure of an area, place or street, and LP Policy 7.6, which amongst other things states that architecture should make a positive contribution.
 8. Whilst the harm to the significance of the conservation area would be less than substantial (in terms of the phraseology used in the National Planning Policy Framework), this does not mean that the harm would not be significant. The appellant sets out a number of benefits in support of the scheme, stating that it offers the opportunity to preserve and enhance a prominent historical feature. However, as I have found that the development would harm the property and its contribution to the CA, I do not agree that such a benefit would arise.
 9. I accept that the development would preserve the amenity of neighbours, and would make efficient use of the site. However, these matters would not outweigh the harm I have identified. I acknowledge that the internal space at No 14 is impractical, but this matter could be addressed independently of the appeal scheme. There is little evidence before me to suggest that the appeal scheme would ensure the continued use of the property. The appellant contends that the glazed element would reduce energy consumption. However, they have offered little substantive evidence to demonstrate that this would be the case. Consequently, I find that insufficient evidence has been provided in relation to public benefits that would outweigh the harm identified above.
 10. My attention had been drawn to glazed extensions at 23 Salmon Lane (Ref PA/98/00482), 13 Salmon Lane (Ref PA/13/01536/NC) and 11 Salmon Lane. These developments are significantly different in design to the scheme before me, and I do not have the full details of the circumstances that led to these proposals being accepted. I therefore cannot be sure that they represent a direct parallel to the appeal proposal. I have also been referred to infill extensions at 15-17 Matlock Road and a number of other examples in the wider area, but few details of these schemes have been provided. In any event, each case is to be considered on its own merits.
 11. I agree that the development would not be visible from the street, and that elements such as the existing rooflines would be preserved. However, this does not lessen the need for development to preserve or enhance the character or appearance of the CA.

12. For the reasons above, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Elaine Gray

INSPECTOR