
Appeal Decision

Site visit made on 11 December 2017

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 20 December 2017

Appeal Ref: APP/E5900/Y/17/3179542
23 Tomlins Grove, London E3 4NX

- 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 Mr Mohammed Towazid against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/16/03175, dated 1 November 2016, was refused by notice dated 30 March 2017.
 - The works proposed are to strip paint from the front elevation face brickwork.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effects of the proposal on the significance of the listed building and conservation area.

Reasons

3. The appeal relates to this grade II listed house which is located within the Tomlins Grove Conservation Area. The property is part of a listed terrace of similar properties of brickwork with stucco bays and other features. The property is a handsome building and its original form and detailing makes a positive contribution to the character and appearance of the conservation area.
4. The entire front elevation has been painted white, without the benefit of Listed Building Consent. The appellant proposes to strip the paint from the brickwork and has submitted some details of the proposed method and I observed a test area at my site visit (photographs have also been provided).
5. At the time of the Council's consideration of the application, the appellant was requested to consider alternative methods of paint removal by the Council with details of the composition of the proposed cleaning chemicals. The Council expressed concerns in relation to the method/chemicals proposed in the application. This was on the basis that the proposed procedure could damage the brickwork. The Council's documents indicate that the appellant refused to consider alternatives.
6. The Council indicates that the use of a certain chemical and method of paint removal could cause damage to the original brickwork. I can see from the submitted photographs that the original appearance of No 23 complemented

its overall design. I share the Council's concerns that it is possible that the removal of the unauthorised paint would have a harmful effect on the original brickwork which would compromise the appearance of the building and its contribution to the conservation area.

7. It seems highly likely to me that alternative and less harmful methods of paint removal would be possible (assuming for this purpose that the Council's fears are correct). The absence of any submitted details of the composition of the chemical and refusal to consider alternative means of removal leaves me with the possibility that harm could arise from the proposal. Although I am not in a position to have absolute certainty, given that there is a presumption to conserve the significance of historic assets, I shall take a precautionary approach. Therefore, taking account of the evidence submitted by the Council and the absence of any substantive response from the appellant, I conclude that it is likely that the proposal would cause damage to the original brickwork and, whilst it is desirable to remove the unauthorised paint, harm could arise from the method suggested by the appellant.
8. As a consequence, I conclude that the proposal would be likely to fail to preserve the special architectural and historic interest of the listed building and would neither preserve nor enhance the character and appearance of the conservation area. I find that this harm is not outweighed by any public benefits. Therefore, the proposal is contrary to Policy DM27 of the Council's Managing Development Document and the advice in the National Planning Policy Framework.

Conclusions

9. Taking account of my findings, the appeal is dismissed.

S T Wood

INSPECTOR