
Appeal Decision

Site visit made on 15 July 2019 by Ifeanyi Chukwujekwu BSc (Hons) MSC PIEMA RTPI (Assoc)

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2019

Appeal Ref: APP/E5900/W/19/3226171

12-16 Turner Street, London, E1 2AS

- 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 MD Hassan Khan¹ against the decision of Council of London Borough of Tower Hamlets.
 - The application Ref PA/18/03360, dated 5 December 2018, was refused by notice dated 30 January 2019.
 - The development proposed construction of rear dormers, increase of roof height, insertion of 6 roof lights in front.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. Whether the proposed development would preserve or enhance the character and appearance of the surrounding Myrdle Street Conservation Area (the 'CA').

Reasons for the Recommendation

4. Nos. 12-16 are a block of three-storey dwelling houses which form a short terrace. It is located on the eastern side of Turner Street and is bounded by Varden Street to the north and Nelson Street to the south. The site falls just outside the boundary of the CA which lies to the north of the site on the opposite side of Turner Street and to the north side of Varden Street. The surrounding area is of high-density mixed land use with a variety of types and sizes of property ranging from terraced houses to mansion blocks. Despite the variety of building types and ages, the street retains some degree of homogeneity as a result of the terraced form and the hard-urban landscape. Rear dormer extensions are not a feature of the street scene.
5. The appellant argues that the proposed roof extension's size would be acceptable having regard to the already consented development (PA/18/01690). However, the appeal development, by virtue of the rear

¹ Taken from appeal form.

dormer's size and positioning on the roof, would introduce a bulky addition to the host property's roof. It would not be subordinate to the existing roof form. The development would be inconsistent with the external appearance of the host building and block.

6. Contrary to the appellant's contention, the dormers would be fully visible from Varden Street, and partially visible from junction of Varden Street and Turner Street looking south. It would detract from the character of the street's roofscape and it would significantly from the properties unaltered roof form and the townscape in general.
7. The appellant argues there is a variety of different roof forms that are visible within the wider locality. Furthermore, the appellant argues that views to the appeal property are dominated by larger commercial developments. Nonetheless, by virtue of the scale and size of the proposed addition, the development would have a visually harmful effect upon the CA. The existence of other roof forms is not a strong enough reason to justify visually harmful development.
8. The harm caused would be less than substantial nevertheless is of considerable importance and weight. Roof extensions can add valuable floorspace for residential purposes, but the appeal dormer would fail to complement local distinctiveness because of its top-heavy and over-dominant appearance. The development would detract from the block's style and it would have a detrimental effect on the townscape quality of the CA, given the roof extension's overall design and layout. Improvements to the property benefit the appellant but limited weight is given to the enhanced living environment argument.
9. The appellant refers to the existence of a fallback position having regard to permitted development (PD) rights. Dormer windows could be erected without express planning permission, but the appeal scheme would be plainly unacceptable given the bulk and scale of the proposed dormer. Even if there is a realistic prospect of PD rights being exercised, this matter attracts limited weight.
10. Consequently, I find that the proposed rear roof extensions and dormers would fail to preserve the character or appearance of the CA. Accordingly, the scheme would conflict with Policies 7.4 and 7.6 of the London Plan (2016), Policy SP10 of the Tower Hamlets Core Strategy (2010) and Tower Hamlets Development Management Documents (2013) (DM) 24 and 27.

Conclusion and Recommendation

11. For the reasons given above and having had regard to evidence before me, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

A U Ghafoor

INSPECTOR