
Appeal Decision

Site visit made on 25 June 2019

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd September 2019

Appeal Ref: APP/E5900/D/19/3224697
159 St Leonards Road, London E14 0RS

- 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 J Hussain against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/19/00028, dated 20 December 2018, was refused by notice dated 26 February 2019.
 - The development proposed is two storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. The first is the effect of the proposal on the appearance of the appeal property and the implications for the character and appearance of the Conservation Area and the locally listed terrace. The second is the effect on the living conditions of neighbouring residents at 161 St Leonards Road with particular regard to overshadowing and sense of enclosure.

Reasons

Character and Appearance

3. The appeal site sits within Langdon Park Conservation Area. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
4. The south east of the Conservation Area in which the appeal site sits comprises mainly of residential property of varying form and age and The *Langdon Park Conservation Area Character Appraisal* (LPCACA) notes that this area lacks period buildings. Those that remain are therefore important features of the character and appearance of the Conservation Area.
5. Reflective of its heritage significance, the appeal property forms part of a non-designated locally listed terrace which spans from Nos 159 to 167 St Leonards Road. While other properties in the terrace are modern dwellings which replicate their frontages, the appeal property and its immediate neighbour to the north west (No 161) are period dwellings. The LPCACA states that they are built in the late Georgian style of the 1850s.
6. Whilst it is not explicitly acknowledged in the LPCACA, Nos 159 and 161 have a strong sense of symmetry both to their front and rear elevations including two

- storey rear outriggers of matching length. Consequently, partly due to their symmetry they are of aesthetic value and make a positive contribution to the character and appearance of the Conservation Area.
7. The development proposed would elongate the existing rear two storey outrigger, to provide an additional bedroom. Even though the design and roof slope would match that existing, the outrigger would add considerable bulk to the property, extending much further out than that on No 161. This would subsequently cause a significant visual imbalance to the rear elevations of the properties which are visible from public vantage points on Bright Street, which appears to be a well-used route into the Conservation Area from the nearby Langdon Park Station.
 8. Consequently, the two storey rear extension would detract from the appearance of the properties thereby harming the heritage significance of the Conservation Area.
 9. The harm to the significance of the Conservation Area would be less than substantial but nonetheless this is harm to which I am required to afford significant weight. Paragraph 196 of the National Planning Policy Framework requires that this harm should be weighed against any public benefits of the proposal.
 10. The development would be modest in scale and kind hence any benefits in the form of the provision of additional or improved accommodation would be commensurately modest and primarily private rather than public. Given the degree of harm I have found that would arise from the appeal scheme and the statutory protection afforded to conservation areas, the benefits identified are therefore not sufficient to outweigh this harm. I also identify harm to the significance of the locally listed terrace for the reasons outlined above and this further weighs against the proposals.
 11. While No 159a immediately to the north is of differing design it cannot be used as a justification for the harm that would be associated with this proposal and in itself it has a neutral impact on the character and appearance of the conservation area. The LPCACA does acknowledge the asymmetrical composition of buildings as a feature of the character and appearance of the Conservation Area. However, I read this passage as being a description of the building positioning and street scene when travelling along St Leonards Road due to development of varying type and age rather than as a broad justification for asymmetrical development within the conservation area.
 12. Therefore, the development would harm the heritage significance of the Conservation Area and the locally listed terrace and would subsequently fail to preserve the character and appearance of the conservation area contrary to Policies DM24 and DM27 of the Tower Hamlets Managing Development Document Local Plan (2013), Policies 7.4, 7.6 and 7.8 of The London Plan (2016) and Policy SP10 of the Core Strategy Development Plan Document (2010) which seek to protect heritage assets and promote good quality design and architecture that is appropriate to local character.

Procedural Matter

13. I was unable to gain access to the application site in order to be able to make a full assessment in relation to the second main issue. However, as I have found the first issue to be determinative, I have dealt with the appeal solely on this basis.

Conclusion

14. For the reasons above, the appeal is dismissed.

T J Burnham

INSPECTOR