



Appeal Decision

Site visit made on 24 September 2019

by Ian Harrison BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2019

Appeal Ref: APP/E5900/W/19/3232627

Flat D, 182 Jubilee Street, London E1 3BP

- 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 Adrian & Jana Straiton against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/19/00538, dated 8 March 2019, was refused by notice dated 9 May 2019.
 - The development proposed is a roof conversion to provide additional bedroom.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of heritage assets.

Reasons

3. The appeal site is located within an area of varied residential built form which includes two and three storey terraces and taller buildings that contain flats. The site is located within the Stepney Green Conservation Area which is focused on Mile End Road and Stepney Green Gardens, but also includes surrounding residential areas.
4. The building at the appeal site is attached to a grade II listed terrace of two storey buildings. Whilst there is a small amount of variety within the terrace, the consistent scale, the parapet height and the majority of the architectural detailing creates a strong sense of uniformity along the early 19th century terrace and from this the heritage asset derives its significance. Another listed terrace is located on the opposite side of Jubilee Street and these terraces contribute positively to the character and appearance of the Stepney Green Conservation Area on their own, but also as a pair. I have paid special attention to the desirability of preserving or enhancing the character and appearance of the conservation area and the setting of the listed building that is adjacent to the appeal site.
5. The appeal site contains a building with a 2 storey frontage, that also has additional accommodation in the form of a basement and a mansard roof extension that is set back from the front elevation. In comparison to the remainder of the terrace, the parapet to the front of the building is marginally taller and the width and materials of the building are markedly different. Views of the mansard roof extension from the adjacent parts of Jubilee Street and

Lindley Street are mostly masked by the parapet at the front of the building, but its side elevation can be viewed from several vantage points further along Jubilee Street and within Smithy Street.

6. The proposal would see the forward extension of the mansard, with the majority being brought in close proximity to the parapet. This would result in more of the mansard being visible above the parapet, particularly in views from Jubilee Street and Lindley Street. Therefore, rather than being a discrete feature of the roof, the mansard would become a prominent feature of the site and would emphasise the different height of the building at the appeal site. This would draw the visual emphasis away from the adjacent terrace and would therefore change the context in which the listed building would be viewed. As such, the proposal would heighten the contrast with the adjacent listed building and detract from the setting of the listed building. I consider the harm caused to the significance of the listed building would be less than substantial.
7. Given the importance of the terrace to the character and appearance of the conservation area, undermining the visual dominance of the listed building would detract from its ability to contribute to the character and appearance of the conservation area. The proposal would therefore detract from the setting of a visually important building in a manner which would not preserve or enhance the contribution of that building to the conservation area. This would detract from the significance of the heritage asset and I consider the arising harm would be less than substantial.
8. As less than substantial harm to heritage assets has been identified, it is necessary to weigh this harm against the public benefits of the proposal, in line with paragraph 196 of the National Planning Policy Framework. The appellant has identified that the proposal would provide an improved and modern living environment for occupiers of the property. However, this would primarily be to the benefit of the appellant and therefore would not represent a public benefit of sufficient weight to outweigh the harm caused to the setting of the adjacent listed building or the character and appearance of the conservation area.
9. The proposal would therefore have an unacceptable effect on the character and appearance of heritage assets, contrary to policy DM27 of the Tower Hamlets Development Plan Document entitled Managing Development (MDDPD), adopted 2013, and policy SP10 of the Core Strategy 2025 Development Plan Document, adopted 2010, which both require that heritage assets, their setting and their significance are protected and enhanced. The proposal also conflicts with policy 7.8 of The London Plan (LP), adopted 2016, which also requires that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.
10. Although policy DM24 of the MDDPD and policies 7.4 and 7.6 of the LP have not been mentioned in the Council's reason for the refusal of the application, the appellant has identified that these create a requirement, amongst other things, that development takes account of the scale, form and rooflines of surrounding development, is of high quality in terms of design and materials and allows existing, positively contributing buildings to influence the character of an area. For the reasons set out above, I consider that the visual effect of the development would also be contrary to these policies as the proposal would reduce the ability of the adjacent listed building to influence the character of

the area and would also disrupt the roofline that is an important feature of the appearance of the street and the locality.

11. The appellant has also drawn support from The Framework which states that local planning authorities should act in a positive and creative way and that development should be of good design and be approved if it meets the requirements contained within policies. However, paragraph 193 of The Framework requires that great weight is given to the conservation of designated heritage assets and as such I find that the harm identified outweighs all other considerations.

Conclusion

12. For the reasons given above, the appeal is dismissed.

Ian Harrison

INSPECTOR