



Appeal Decision

Site visit made on 10 September 2019

by P Mileham BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th November 2019

Appeal Ref: APP/E5900/W/19/3227540
106 Carr Street, London E14 7SU

- 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 Simon Baker against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/18/01615, dated 27 June 2018, was refused by notice dated 2 November 2018.
 - The development proposed is the construction of 2 additional floors to the existing 3 storey building to create an additional 2 residential dwellings.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Regents Canal Conservation Area (CA).

Reasons

3. The appeal site is a three-storey block of flats largely faced with brick with a hipped roof and balconies dating from the latter part of the 20th Century. The site is part of a small complex of flats built at the same time and the building directly adjoining the site is a similarly designed two storey building. An additional two storey building of similar design lies between the appeal site and the nearby canal, albeit that it is set lower than the appeal site as the land falls towards the waterside. Directly opposite the site in Carr Street is Bookmakers Court, a recently constructed block of flats of approximately 10 storeys, and further along Carr Street is Waterview House which is an older tower block of approximately 17 storeys high. The appeal site is located within the CA, while the aforementioned blocks of flats stand beyond its boundary.
4. This part of the CA is characterised by, amongst other things, the canal and towpath, the nearby iron bridge and the historic docklands buildings found in close proximity to the site at Copperfield Road. The site and complex are visible when viewed from Rhodeswell Road across the grassed area of open space over the towpath and canal. The complex provides a subtle stepped transition between the open space, the canal and the taller buildings beyond the site outside the CA. Apart from the existing blocks of flats outside the CA, the buildings in this immediate part of Carr Street are all approximately three storeys high.

5. The host building has a slightly bulky appearance with limited detailing, and the proposed development would project the building's footprint directly upwards by a further two floors to match the existing. However, the increase in height by a further two storeys and the projected design would result in a building that would have a significantly bulkier appearance than the rest of the complex. Furthermore, I consider the proposal would not read as being visually subservient to the host building, as its design does not include any step in or other detailing.
6. The proposed development would also be significantly higher than the other buildings in the complex, and whilst there are two significantly taller buildings in proximity to the appeal site, these are both outside the CA. Waterview House was clearly built some time before the CA was designated in 2008. With the exception of Waterview House the other taller buildings are more modern and all set back further from the CA boundary thereby reducing their impact on the canal. The bulky appearance, combined with the significant increase in the height would remove the pleasant gradual step effect of this complex of buildings, particularly when viewed from Rhodeswell Road. As a consequence, the extension would be over dominant in the context of the neighbouring properties in the complex such that it would adversely alter the sense of transition from the built form to the canal.
7. Whilst the setting of the CA contains more modern larger buildings, the immediate edge of the waterside is generally comprised of buildings of around 3 storeys high. As a modern addition, the proposed development would therefore be an incongruous feature in the CA in a prominent location close to the canal edge. As a result, it would neither preserve or enhance the CA.
8. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area, to which I attached considerable importance and weight.
9. The proposal would result in the addition of two further dwellings to the local housing stock which would be beneficial, and there would be associated benefits to the economy in terms of construction. The site's accessibility to services and facilities and financial considerations in the form of Community Infrastructure Levy (CIL) payments are also capable of being benefits. However, the contribution to overall dwelling stock from two dwellings would be limited and the economic benefits associated with the construction would only be temporary. Whilst the site is well located in terms of its access to public transport, services and facilities and would be capable of contributing to CIL payments, these benefits are also very modest as the proposal would only create two dwellings. As such, these benefits carry limited weight, insufficient to outweigh the harm I have identified to the CA.
10. In the context of paragraph 196 of the National Planning Policy Framework (the Framework) the aforementioned harm to the CA would be less than substantial. However, for the reasons outlined above, there are no identified public benefits that would outweigh such harm.
11. For the reasons given above, I conclude that the proposal would not preserve or enhance the character or appearance of the CA. Therefore, it would not accord with Policies DM24 and DM27 of the Tower Hamlets Local Plan Managing Development Document (2013) which requires development to enhance local

character taking into account scale, height and bulk and protect and enhance heritage assets within the Borough. Furthermore, it would not accord with the conservation requirements of the Framework.

Conclusion

12. For the reasons outlined above, I conclude that the appeal should be dismissed.

P Mileham

INSPECTOR