



Appeal Decision

Site visit made on 12 October 2020

by Alison Scott BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 24 November 2020

Appeal Ref: APP/E5900/W/20/3253446
59-61 Roman Road, London E2 0QN

- 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 Magri (Magri Developments Ltd) against the decision of the London Borough of Tower Hamlets Council.
 - The application Ref PA/19/01897, dated 2 September 2019, was refused by notice dated 4 December 2019.
 - The development proposed was described as 'Construct a new flat to the existing flat roof.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Two appeals against non-validation associated with the appellant at the adjoining site of 57 Roman Road are the subject of a separate Decision.¹ It follows from this that proposals to extend above Number 57 Roman Road by either a two storey or three storey development have been shown on the plans submitted with this appeal. The appellant has also explained the relationship of the adjoining scheme with the appeal proposal in their Statement of Case. However, whilst I am aware of these other proposals, I have considered this appeal before me on its individual merits.
3. Since the time the application was determined by the Council, Tower Hamlets Council have adopted a new plan for the area in July 2020, entitled the Tower Hamlets Local Plan 2031. Policies DM24, DM27 and SP10 of the Managing Development Document 2013, and the Core Strategy 2010 have now been replaced. The appellant was made aware of the change in local policy and given the opportunity to comment. Therefore, I am satisfied that neither party has been prejudiced as a result of this change.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the Globe Road Conservation Area (CA); and
 - Whether or not the proposal would provide acceptable internal living conditions for future occupiers.

¹ Appeal references APP/E5900/W/20/3252533 & APP/E5900/W/20/3252534

Reasons

5. The appeal site is positioned on the north side of Roman Road in the Bethnal Green area that is both commercial and residential in character, and is also part of the Globe Road CA, characterised by late Victorian buildings. The neighbouring narrow cobbled mews pedestrian street of Peary Place retains a strong connection with the traditional warehouses and industries associated with the area, and contributes to the significance of the CA.

Character and Appearance

6. This part of Roman Road consists of a contrast of varying heights of buildings interspersed along the terrace. As Roman Road turns the corner with Globe Road, the scale of development reduces to lower-rise buildings before it rises again to three storey buildings with more modern and taller flatted development further along Globe Road. However, there is no one notable consistent building height within the immediate locality, although parapet roofs are a unifying theme.
7. The contrasting roof heights together with some variation of materials and finishes adds variety and contributes to the visual interest within the street scene. The modern tower block of Number 50 Roman Road opposite the site is however a large mass of building that significantly jars with the context of the neighbouring finer Victorian buildings.
8. Given the adjacent 57 Roman Road is low-rise in nature, the appeal site already appears as a visually prominent corner turning building that bears a closer relationship to the properties on Roman Road than those along Globe Road as it is read alongside the block to which it is positioned.
9. Despite the proposed use of modern and traditional materials, and that the building line would be set back from the existing building line, the proposed development would add significant bulk and mass to the roof. The extra storey would not be a sympathetic addition to the roof form of the terrace. It would be uncharacteristically conspicuous when viewed from the west, especially when viewed against the much lower-rise building of No 57 Roman Road. There may also be taller buildings to the west of the London Buddhist Centre, however these are not directly comparable to the appeal site and do not read alongside it. The proposal would appear as the most dominant building within the context of the terrace. It would thus be an incongruous feature on this corner. Harm to the character and appearance of the area would arise as a consequence.
10. In the parlance of the National Planning Policy Framework (Framework), the harm to the CA, a designated heritage asset, is less than substantial. However, any harm requires clear and convincing justification. The provision of one additional flat would not amount to public benefits which convincingly outweigh the harm to the heritage asset.
11. Based on my assessment of the proposal, it would not preserve or enhance the CA and would lead to less than substantial harm to the heritage asset, taking into account paragraph 196 of the Framework, with no identified public benefits that would outweigh such harm I have identified.
12. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the CA. This would be contrary to the Tower Hamlets Local Plan 2031 (2020) Policies S.DH1 and S.DH3 in their aims to

achieve good design and to preserve or enhance the historic environment and would not comply with the Framework in its objectives to conserve and enhance the historic environment.

Living Conditions

13. The bedroom area contains no entrance door, however, due to the wall arrangement that surrounds the majority of this space and the small opening that would remain, it would create a physically separate space from the remainder of the living quarters, more akin to an independent bedroom. As it would be a small gap within the wall, a door could be easily inserted to close the space off. Furthermore, the submitted plans show a double bed within the bedroom. I am of the view therefore that the proposed development could not be described as a 1 person studio flat but rather a 2 person 1 bedroom flat.
14. The space standards in Table 3.3 of London Plan Policy 3.5 and referenced in Local Plan Policy D.H3 set out the minimum required in order to achieve a good quality and design in housing developments. The appeal scheme would fail to meet that minimum. Whilst there would be fairly generous external space on the roof terrace, this would not compensate for sub-standard internal space.
15. The example of a studio flat provided by the appellant may have a partial wall to the bed space area, but it is otherwise embodied within the overall studio space and does not appear as a separate space. I do not consider the two developments are comparable.
16. I therefore conclude that the proposal would not provide acceptable internal living conditions for future occupiers. This would be contrary to the Tower Hamlets Local Plan 2031 (2020) Policy D.H3 which seeks to achieve good housing standards and quality as well as the London Plan 3.5 that seeks development to be of highest quality both internally and externally.

Conclusion

17. Bringing all matters together, for the foregoing reason I conclude that the appeal should be dismissed.

Alison Scott

INSPECTOR