



Appeal Decision

Site visit made on 17 November 2020 by Hannah Ellison BSc (Hons) MSc MRTPI

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2020

Appeal Ref: APP/E5900/D/20/3255337

53 Barnes Street, London E14 7NW

- 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 James Parson against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/20/00435, dated 18 February 2020, was refused by notice dated 15 May 2020.
 - The development proposed is described as 'Removal of existing lower ground/upper ground floor extension (off half landing) and construction of new lower ground floor extension and upper ground floor bathroom annex including replacement of windows throughout'.
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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 Issue

3. The effect of the proposed development on the significance of the host building and, linked to that, whether or not it would preserve or enhance the character or appearance of the York Square Conservation Area.

Reasons

4. The appeal property is a 3 storey (to the rear) mid-terraced dwelling. The Council has identified the host terrace as a locally listed building (LLB). The site is also located within the York Square Conservation Area (the CA), whose significance is largely derived from the historic nineteenth century terraced houses, with butterfly roofs and front parapets, laid out in a uniform grid street pattern. The appeal dwelling and host terrace reflects the qualities of the predominant building type within the CA.
5. The terrace is an example of a flat backed terrace, which is more modest than others within the CA. Its rear elevation has a strong rhythm which is primarily expressed by the prominent roof profile and the uniform layout of the windows, which clearly indicate the various levels within the properties. The rear elevation is highly visible from the shared garden to the rear and the public

- realm beyond, including the publicly accessible graveyard on White Horse Road. As such, the appeal site makes a positive contribution to the wider CA.
6. The appeal proposal seeks to remove the existing single storey lower ground extension and replace it with a full width lower ground floor extension which would be set lower than the existing, and a part width upper ground floor extension above.
 7. The proposed lower ground extension would have a similar footprint to the existing extension however the ground would be excavated thus it would be set considerably lower. As such, this part of the proposal would appear less bulky than the existing and would subsequently expose more of the important rear elevation, including the full height of the rear upper ground floor window.
 8. Notwithstanding this however, the proposed part upper ground floor extension above would introduce built form at a level along the terrace which is currently devoid of development. It would cover an area of brick void and introduce a window to the west elevation which would significantly interrupt the rhythm of the rear elevation. It would therefore interfere with the characteristic window layout along the rear elevation.
 9. The roof of the upper ground floor extension has been designed to match the pitch of the main butterfly roof above, the external materials would match the host dwelling and it would have a modest projection. However, this would not overcome the harm the introduction of built form to the upper ground floor level would create. As such, this proposal would fail to preserve the special interest of the LLB, thus resulting in a moderate degree of harm to its significance.
 10. The extension would also be visually prominent from the wider public realm to the rear. Due to its scale and siting it would read as an intrusive and incongruous feature that would reduce the degree to which the significance of the terrace can be appreciated and understood by passers-by.
 11. The 1873 map suggests that the terrace had small half width annexes. The scale of the annexes cannot be determined from this information and I did not observe any remnants of these along the terrace. However, given the uniform window layout of the rear elevation, I consider they would have been minor annexes that did not detract from this characteristic.
 12. Photographs of rear upper ground floor extensions have been submitted in support of this appeal. The information is limited and thus I cannot determine whether the context of the examples and the significance of the terraces in each are directly comparable to the proposal before me.
 13. For the example at No 3 Aston Street I have however been provided with the officer report and a proposed plan for that approval. It is clear from this information that surrounding properties have extensions of varying design. However, the appeal terrace has only undergone minor lower ground floor alterations. Therefore, I consider that these examples only serve to confirm that each proposal should be determined on its own merits, taking into consideration the context of the site and the locality.
 14. Taking all the above into consideration, the proposed development would harm the significance of the CA. In terms of the approach set out in the Framework, the proposal would cause less than substantial harm to the significance of the

CA due to its scale and given that it would only affect a small part of the CA. The Framework is clear that irrespective of the level of harm, great weight should be given to the asset's conservation and, where a development proposal would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.

15. The proposed lower ground floor extension would expose more of the upper ground floor window. Additionally, the proposal also includes the repair and upgrade of the sash windows. These alterations would be visible from the public realm and I therefore individually afford these benefits moderate weight. However, collectively they would not significantly and demonstrably outweigh the identified harm caused by the introduction of additional massing at a higher level, harm which is afforded great weight.
16. Accordingly, this proposal would fail to preserve or enhance the character and appearance of the CA and it would also harm the character and appearance of the LLB. It would therefore conflict with Policies S.DH1 and S.DH3 of the Tower Hamlets Local Plan 2031 (January 2020), Policies D4 and HC1 of the draft London Plan (December 2019)¹ and the Framework which collectively seek, amongst other things, to ensure that development is designed to respect and positively respond to its context and preserve or enhance designated and non-designated heritage assets.

Other Matters

17. It has been highlighted that the proposal was initially recommended for approval. This is not a matter for me within the context of this appeal and I have considered the proposal strictly on its merits and have found it would cause harm as identified above.

Conclusion and Recommendation

18. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR

¹ The London Plan, Intend to Publish version, Spatial Development Strategy for Greater London, December 2019