
Appeal Decision

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

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2020

Appeal Ref: APP/E5900/D/20/3257694

1 Spindrift Avenue, London E14 9US

- 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 David Maynard against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/20/00658, dated 24 March 2020, was refused by notice dated 22 May 2020.
 - The development proposed is a ground floor side and rear extension to a single end of terrace dwelling house.
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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.

Preliminary Matter

3. Notwithstanding the description of development, which is taken from the application form, a more precise description of the proposal is that provided in the appeal form and decision notice as 'Proposed ground floor side/rear extensions and an outbuilding at rear garden'. The Council considered the application on this basis and so shall I.

Main Issue

4. Whether the proposal preserves or enhances the character or appearance of the Chapel House Conservation Area.

Reasons

5. The appeal property is a two-storey end of terrace dwelling located within the Chapel House Conservation Area (the CHCA). The significance of the CHCA is partly derived from the layout of the properties, which are predominantly arranged as groups of symmetrically designed, short terraces with clear spacing between each block. The Chapel House Conservation Area Character Appraisals and Management Guidelines (March 2007, Addendum July 2016) indicates that the space around the blocks is fundamental to the legibility of the layout. The appeal dwelling and the wider terrace are prominent from the

- public realm and whilst the terrace has been altered over time, its form makes a positive contribution to the CHCA.
6. The proposed single storey side extension would project towards the shared boundary with No 160 East Ferry Road and its existing single storey side extension. As such, the characteristic gap between the blocks has already been narrowed at this point. There is an existing side fence and gate to the appeal site. However, the proposed extension would introduce solid built form of greater bulk and mass which would erode the already constrained space to the side, thus further reducing the clear distinction between the terraces. This was recognised by the Inspector for a previous appeal at this site¹.
 7. I acknowledge that the space to the side of the appeal dwelling may offer limited opportunities to include planting and, given the proposed extension's single storey scale, the trees and greenery to the rear would still be visible. Nevertheless, it remains that the proposal would reduce the spacing between the terraces, therefore detracting from one of the key characteristics of the CHCA.
 8. Reference is made to a side extension at No 19 Spindrift Avenue. I have been provided with limited details of this approval however, the officer report for the planning application states that 'given there would still be sufficient space left between the properties, the proposed extension would not compromise the suburb character of the Chapel House Conservation Area'. Due to their orientations, I observed that the spacing between No 19 and the adjacent property at No 34 Thermopylae Gate is considerably greater than the restricted space between the appeal dwelling and No 160. As such, this example is not directly comparable to the proposal before me and does not therefore justify it.
 9. Properties within the host terrace have undergone various alterations over time, not all of which respect the form or architectural detailing of the building. There is an existing single storey side extension at No 11 Spindrift Avenue, at the opposite end of the terrace. However, due to its limited scale it does not considerably undermine the balance of the terrace. The proposed extension seeks to reflect the scale and design of the extension at No 11 and would assist in restoring symmetry to a degree. I will further address this matter below.
 10. The proposed development also includes rooflights to the rear of the proposed extension and the original dwelling. It appears the Council is concerned with those proposed to the original dwelling. This roofslope is visible from neighbouring sites and glimpses of the wider, largely unaltered roofslope of the terrace can be seen between properties to the rear on Macquaire Way. The proposed rooflights to the main roof would create a displeasing imbalance to the symmetry along the roof of the host terrace. Irrespective of whether they would be of a conservation style, they would still be prominent and incongruous additions which would appear at odds with the uniform roofline.
 11. I acknowledge that the appellant is prepared to remove the rooflights from the appeal proposal. Even if I were to consider this amendment, this would not overcome the adverse effects of the side extension as described above.
 12. Therefore, taking all the above into consideration, this proposal would fail to reflect the characteristics of the CHCA. In terms of the approach set out in the

¹ Appeal Ref: APP/E5900/D/19/3234205

National Planning Policy Framework (the Framework), the proposal would cause less than substantial harm to the CHCA's significance as a designated heritage asset. 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.

13. The proposal would replicate the scale and design of the existing side extension at No 11, and as such would restore symmetry along the terrace to a degree, namely in terms of the total amount of massing that is visible from the public realm. I consider this to be a public benefit. However, as noted above, some properties along the terrace have undergone alterations including the introduction of bow windows, varied design of canopies above the doors and off-street parking. These alterations have introduced variety along the terrace which have collectively undermined its symmetry. On that basis I afford this matter limited weight.
14. This proposal also includes the replacement of existing uPVC guttering with cast aluminium. The removal of the uPVC and its replacement with a more sympathetic material, which would be visible from within the public realm, is also a public benefit of the proposal. However, given the scale of the proposal, this benefit would be limited.
15. It is also suggested that the existing dwelling provides substandard living accommodation and this proposal would ensure current standards are met. There is no compelling evidence before me to suggest that the existing property does not provide good quality accommodation and I have not been provided with details of the required space standards. Nevertheless, even if this were to be the case, I am not convinced that this proposal is the only option to adequately increase the amount of living space. I am not therefore convinced there is a public benefit in this regard.
16. Taking all of this into account, whilst there are some public benefits of the scheme, these are modest and would not individually or cumulatively outweigh the harm to the Conservation Area, which carries great weight.
17. Therefore, for the above reasons, this proposal would neither preserve or enhance the character or appearance of the CHCA. Furthermore, it would conflict with Policies S.DH1 and S.DH3 of the Tower Hamlets Local Plan 2031 (January 2020) which collectively seek to ensure that developments are of an appropriate scale, height, mass, bulk and form in its site and context and preserve or enhance the borough's designated heritage assets.

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.

Susan Ashworth
INSPECTOR