The Planning Inspectorate

Appeal Decision

Site Visit made on 11 May 2021

by Samuel Watson BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th June 2021

Appeal Ref: APP/E5900/W/20/3261598
68 Lockesfield Place, London E14 3AJ

- 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 Steve Talbot (Ladzudu Ltd) against the decision of London Borough of Tower Hamlets.
- The application Ref PA/20/00248, dated 3 February 2020, was refused by notice dated 29 May 2020.
- The development proposed is the construction of two bedroom house on vacant land to rear of 68 Lockesfield Place.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the Chapel House Conservation Area (CHCA).

Reasons

3. Appendix D of the Conservation Area Appraisals and Management Guidelines (CAAMG) covers the appraisal of the CHCA. It sets out that the significance of the area stems from the garden city estate pattern of development, including the uniformity of scale and layout. Also contributing towards the significance of the area is the appearance of the houses within the Chapel House estate. These are based on 19th century London houses, rather than rural properties. The appeal site is a narrow, long and irregularly shaped plot between the rear gardens of the properties on East Ferry Road and a private footpath towards the Lockesfield Place development. While the space which forms the appeal site is not part of one of the regular gaps between properties, its location helps create a sense of separation between three distinct areas of development; East Ferry Road, Chapel House estate and Lockesfield Place.

4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. In this respect national planning policy on heritage assets is set out in the National Planning Policy Framework (Framework). At paragraph 192, it sets out matters which should be taken into account including sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

5. Although the appeal site is screened by tall boundary treatments, it is in an open position between the surrounding development where the proposed

dwelling would be a prominent and clearly visible feature from the surrounding area. By way of its prominence and positioning within the spacious gap, it would be an incongruous form of development in relation to the regular and formal pattern of development surrounding the appeal site. This would be exacerbated by the dwelling extending forward of the strong building line along Chapel House Street, which does not bend to meet the end of the terrace facing East Ferry Road. Whilst the proposal would be partially sunken, the height and boxy form of the dwelling, coupled with the flat roof results in an overly bulky form. This would be discordant with the traditional form and proportions of the surrounding dwellings, and therefore with the character and appearance of the CHCA as whole.

6. In light of the above, I conclude that, by way of its incongruous siting and bulky form, the proposal would neither preserve or enhance the character or appearance of the conservation area. Whilst the harm that would be caused to the significance of the heritage asset would be less than substantial, the Framework is clear that great weight should be given to an asset's conservation. In this case, the harm that I have identified needs to be weighed against the public benefits of the proposal.

7. The proposal would result in one new dwelling in a sustainable location, as such it would make a contribution to the Council's supply of housing and the Government's aims of significantly boosting the supply of homes. I find this to be a public benefit. However, given the small scale of the proposed development, I attach this only limited weight.

8. The appellant submits that the appeal site suffers from anti-social behaviour and that the proposed dwelling would prevent this. While they have included a letter from a Councillor to demonstrate such behaviour, it is dated 2006 and refers to anecdotal reports of anti-social behaviour. I have no evidence before me to show anti-social behaviour continues on the site. Therefore, while the proposed dwelling, by way of re-using the vacant site, would likely deter anti-social behaviour, I give this public benefit only very limited weight.

9. The appellant has also raised that the proposal would result in an improvement to the biodiversity on site by providing a garden, which would also improve the contribution of the site towards the verdant character of the street. However, the submitted evidence does not demonstrate that any soft or hard landscaping would be sufficient to improve the biodiversity of the site. Moreover, the front garden would be too small in relation to the surrounding examples to suitably replicate the open and verdant nature of the street scene. Likewise, whilst the design and appearance of the proposed dwelling is contemporary, I find it is not of any especial architectural merit or an exemplar design. These matters would not, therefore, result in a public benefit.

10. Against this background, having found less than substantial harm to the significance of the designated heritage asset, I consider that the benefits identified above would not be sufficient to outweigh the considerable importance and weight I give to preserving the character of the CHCA and conserving the heritage asset. Therefore, for the reasons given above, I conclude that the proposal would be contrary to Policies D4 and HC1 of the London Plan and Policies S.DH1 and S.DH3 of the Tower Hamlets Local Plan 2031 which require development to be of a high quality design that responds to its context and preserves or enhances any heritage assets. It would therefore

also be contrary to the guidance contained within the CAAMG as well as the overarching aims of the Framework.

Other Matters

11. An appeal[1] has been brought to my attention regarding the erection of a dwelling at the rear of Hesparus Crescent. Whilst I have not been provided with the full circumstances of this scheme, I note it is for a similar development near the appeal site. Nevertheless, I find its location to be substantially different to that before me, and moreover, all proposals must be considered on their own merit. It has therefore not materially affected my determination of this appeal.

Conclusion

12. The contribution that the proposal makes to the delivery of housing in this sustainable location, and to deterring anti-social behaviour, would be limited and does not outweigh the identified harm and the conflict with the development plan as a whole.

13. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR

[1] Reference: APP/E5900/W/18/3194663