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## Appeal Decision

Site Visit made on 12 July 2021

by **Alexander O'Doherty LLB (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 05 August 2021**

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**Appeal Ref: APP/E5900/D/21/3275226**

**611 Manchester Road, London E14 3NU**

- 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 M Islam against the decision of the Council of the London Borough of Tower Hamlets.
  - The application Ref PA/21/00115, dated 18 January 2021, was refused by notice dated 24 March 2021.
  - The development proposed is described as, "Extension to property to create an additional bedroom and bathroom".
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The description of development shown above is taken from the planning application form. It differs from that shown on the appeal form and decision notice. The latter identifies the proposed development as the, "Proposed loft conversion to form a front and rear dormer, and extension at rear second floor level". I have used this description in my consideration of the appeal since it best describes the proposed development in precise and concise terms. It does not fundamentally alter the development which is the subject of this appeal.
3. It is clear from the Council's decision that it has no objection to the proposed front and rear dormer. I have no evidence before me to reach a contrary view to the Council in this regard and therefore the consideration of this appeal focuses on the effect of the proposed extension at rear second floor level.
4. During the course of the appeal the revised National Planning Policy Framework (the Framework) was published, which replaced the February 2019 version. The parties were provided with an opportunity to comment on its relevance to this appeal. Although no comments were received, as the Framework is a material consideration in planning decisions, I have had regard to it in the determination of this appeal.

### Main Issue

5. The main issue is whether the extension at rear second floor level would preserve or enhance the character or appearance of the Coldharbour Conservation Area.

## Reasons

6. The appeal site comprises a 2-storey mid-terrace property. The site, and the terrace of which it forms a part, is within the Coldharbour Conservation Area (conservation area). The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) provides at s72(1) that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
7. The significance of the conservation area, as a whole, as a designated heritage asset is derived predominantly from its numerous properties of notable architectural interest, many of which display high quality materials, detailing and finishes. The appeal property contributes to the significance of the conservation area primarily by its appropriate scale and fenestration arrangements, which complements the row of Victorian terraced properties of which it forms a part.
8. Although there is some variation in the designs of the properties along the terrace, and the appeal property is shorter at the rear than some of the properties close to it, the terrace has largely retained its fairly small-scale appearance. Many of the properties on the terrace have rear extensions, but these are mostly present at lower levels. No 603 Manchester Road is unusual amongst properties in the terrace in that its rear extension extends to the roof level.
9. The existing rear outrigger at the appeal property would be extended by an additional storey and Juliet balconies would be positioned on 3 floors, above basement level. The extended outrigger would extend beyond the existing eaves line of the property, thereby obscuring a significant proportion of the proposed new roof. As such, whilst appropriate materials would be used, the extended outrigger would be a very bulky feature, which would overpower its modestly-sized host property. As the terrace as a whole has largely retained its fairly small-scale appearance, the newly-extended property would not blend well with the rest of the terrace, with the extended outrigger appearing as an overly-dominant and incongruous feature in the terrace.
10. Furthermore, I observed that the appeal property, and much of the terrace, can be clearly seen from the pathway behind the site. Little evidence has been provided to substantiate the contention that this thoroughfare is not commonly-used. Hence, as the proposal would be visible in its local context, it would serve to undermine the presence of period architecture within the conservation area, meaning that it would harm the significance of the conservation area as a designated heritage asset.
11. As the harm would be localised, the proposal would (using the terminology found in the Framework) cause less than substantial harm to the significance of the conservation area as a designated heritage asset, but nevertheless this harm is of considerable importance and weight. The Framework advises that such harm should be weighed against the public benefits of the proposal.
12. In this regard, the proposal would provide enhanced and enlarged living accommodation in an accessible location, which would complement the existing housing stock in the local area. The Framework makes clear that great weight needs to be given to designated heritage assets' conservation. I give moderate

weight to the benefits of the proposal and find that they do not, either individually or cumulatively, amount to public benefits which outweigh the harm that would be caused to the significance of the conservation area.

13. I therefore find that the extension at rear second floor level would neither preserve nor enhance the character or appearance of the conservation area. Thus, the proposal would conflict with Policies S.DH1 and S.DH3 of the Tower Hamlets Local Plan 2031 (adopted 2020), which collectively provide that, amongst other things, proposals must preserve or, where appropriate, enhance the borough's designated and non-designated heritage assets in a manner appropriate to their significance, and with Policies D4 and HC1 of The London Plan (2021), which collectively provide that, amongst other things, development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
14. The proposal would also conflict with the guidance given in the Coldharbour Conservation Area Character Appraisal and Management Guidelines (adopted 2009) which seeks to preserve the positive contribution that the terrace makes to the conservation area as a whole.

### **Other Matters**

15. It is recognised that there have been no objections to the proposal from neighbours, and that the Council did not refuse the application on matters relating to the living conditions of the occupiers of neighbouring properties. However, these are all neutral matters, which do not weigh in favour of the proposal. Therefore, I find that the matters advanced in support of the proposal, do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan.

### **Conclusion**

16. For the reasons given above I conclude that the appeal should be dismissed.

*Alexander O'Doherty*

INSPECTOR