



Appeal Decision

Site visit made on 17 May 2021
by C Rafferty LLB (Hons), Solicitor

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2021

Appeal Ref: APP/E5900/D/21/3268103 **22 Senrab Street, London E1 0QE**

- 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 Volker Gulde against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/20/01980, dated 16 September 2020, was refused by notice dated 11 November 2020.
 - The development proposed is described as 'remodelling of rear roof areas to create 2 No additional bedrooms and new rooflights to front roof area'.
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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 character and appearance of the host dwelling and whether the proposal would preserve or enhance the character or appearance of the Albert Gardens Conservation Area.

Preliminary Matter

4. The Council's reason for refusal refers only to the proposed rear extension. Accordingly, this recommendation also relates only to that element of the proposal.
5. Since the Council issued its decision the London Plan (2021) has been adopted, superseding the 2016 London Plan. The appeal must be determined in accordance with the development plan as it now stands, having regard to section 38(6) of the Town and Country Planning Act 1990. The main parties have had the opportunity to provide comments on the updated policy position.
6. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in

respect of the publication. The comments received have been taken into account in this recommendation.

Reasons for the Recommendation

7. The site comprises a two storey mid-terrace Victorian dwelling on Senrab Street, which was added to the Albert Gardens Conservation Area (CA) in 2008. The special interest of the CA is derived from the distinctive 19th century built form reflected in modest Victorian terraces. Senrab Street is residential in nature, made up of consistent, traditional terraces noted in the CA Appraisal as being modest in style. Accordingly, the appeal site makes a positive contribution to the character and appearance of the CA.
8. The proposal would introduce a significant amount of built form to the rear of the dwelling. Although it would use a complementary colour palette and appropriate materials, the size would fail to harmonise with the current scale and form of property. While the appellant has altered the design to reduce the overall massing and incorporate slightly recessed dormer walls, the proposal would nonetheless remain an imposing feature on the roof, failing to respect the modest proportions of the dwelling which contribute to its historic interest. Accordingly, the proposal would appear out of place in the context of the host dwelling, significantly altering the traditional character of the site.
9. While the development would not be visible from Senrab Street, clear views would be possible from Head Street, looking into the CA. The appellant contends that this is not a well-used route, however it remains that it is a public footpath from which the proposal would be evident. From there it would be viewed in the context of the rear facades of the row of terraces. While there is some more modern development, the roofscape of the rear terraced row remains largely unaltered, creating a distinctive rhythm of traditional roofs, outriggers and parapet walls which contributes positively to the character of the CA. It is part of this more traditional development that the site belongs to and would be read in the context of.
10. The proposal would be situated alongside the significantly altered rear elevations of No. 24 and 26 and close to a smaller dormer at No. 16, which predate the inclusion of Senrab Street in the CA. However, while they now form part of the heritage asset, nevertheless there are very few roof extensions along this rear elevation of the terrace, and these examples are prominent and discordant additions to the roofscape of the terrace. Rather than providing balance alongside these extensions, or forming a transition of form and scale of development, the proposal would further erode the traditional, modest character of the roofscape from the rear. This would harm to the character and appearance of the area and this part of the CA compared to the existing situation.
11. As a result of the proposal the traditional appearance of the site and the modest character of the dwelling would not be respected. In addition, the additional bulk to the terraced roofscape, clearly visible when looking into the CA, would neither preserve or enhance the current character or appearance of the CA. Accordingly, the proposal would cause visual harm to the CA and its significance as a designated heritage asset. However, the proposal would only be visible from a limited area. As such, this would equate to 'less than substantial' harm to the CA as a whole, having regard to the Framework.

12. Paragraph 202 of the Framework specifies that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against public benefits of the proposal. The proposal would increase the quantity and quality of accommodation at the host dwelling, and the inclusion of green roofs and solar panels are supported by local and national policies.
13. The improved and increased size of accommodation would largely be a private benefit to the appellant's family but would also contribute to the mix of housing types in the area and make more intensive use of already developed land. Nevertheless, the contribution of only one larger dwelling carries only limited weight as a public benefit. The biodiversity and energy benefits would be small given the limited scale of these features. While it is suggested that a heat pump and/or hydrogen boiler could be installed in due course, these do not form part of the proposal before me, and I have very limited details of the environmental and efficiency improvements proposed. As such, these public benefits also carry limited weight. The use of a suitable materials palette is to be expected in a sensitive historic context and as such is not a public benefit of the proposal.
14. Having regard to the Framework, the harm to the CA is a matter to which I attach considerable weight and importance. I find that the public benefits in this case would not outweigh the harm that would be caused to the significance of the designated heritage asset.
15. For all of these reasons I find that the proposal would have a significantly adverse impact on the character and appearance of the host dwelling and would fail to preserve or enhance the character or appearance of the CA. Accordingly, it would fail to comply with Policies S.DH1 and S.DH3 of the Tower Hamlets Local Plan 2031 Managing Growth and Sharing the Benefits, adopted January 2020 and the Framework, which together seek to promote good design and preserve the character and appearance of the CA.

Conclusion and Recommendation

16. Having had regard to all matters raised, I find that there are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I recommend that the appeal should be dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be dismissed.

L McKay

INSPECTOR