
Appeal Decision

Site visit made on 20 July 2021 by Ifeanyi Chukwujekwu BSc MSc MIEMA CEnv MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2021

Appeal Ref: APP/E5900/D/21/3271504

16 Bygrove Street, London, E14 6DN

- 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 L Rahman against the decision of the Council of London Borough of Tower Hamlets.
 - The application Ref PA/20/02449, dated 24 November 2020, was refused by notice dated 19 January 2021.
 - The development proposed is single storey rear extension.
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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.

Procedural Matters

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (Framework). Accordingly, the parties have been provided with a further opportunity to make submissions in respect of the publication. In this respect, I am mindful that neither the appellant nor the Council have made any further submissions regarding the revised Framework. However, in light of this re-consultation, I am satisfied that any references made to the revised Framework within this decision would not be unreasonable to the parties.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the host property, the terrace block, and whether it would preserve or enhance the character or appearance of the Lansbury Conservation Area (CA).

Reasons for the Recommendation

5. No. 16 is a ground and first floor flat located in the middle of a residential terrace block. This block consists of three-storeys at the front and a mixture of three and two storeys at the rear. It is constructed with yellow London stock

brick and has gardens to the front which are enclosed by low brick walls and mature hedges. There are small gardens to the rear which are enclosed by high brick walls at either end of the block. Rear gardens within the block are separated by low timber boundary fences. There are passageways at various points in the block which provide access to rear gardens as well as flats at the upper floors.

6. The appeal site is located within the Lansbury CA. The CA's significance derives from it being the first comprehensive post-war housing redevelopment in the east end of London, taking its name from the MP George Lansbury and containing permanent buildings from the 1951 Festival of Britain. A characteristic of the area is the unity of architecture and the use of traditional materials including London stock bricks.
7. Save for discreet light weight extensions at the rear of nos. 10 and 12 Bygrove Street which are constructed with uPVC and timber material respectively and a small extension to the front of no.10, there are no other extensions at either the front or rear of the block. The flat building line at the front and rear present a neat, unified block and are distinct features which contribute positively to the character and appearance of the CA.
8. The proposed extension would project beyond the rear elevation and would introduce a discordant feature which would erode the uniform appearance of the block and undermine the quality of the host property and the block of which it forms part. As a consequence, the proposal would diminish the contribution the property makes to the character and appearance of the CA and harm would be caused to its significance. Although not prominent in the streetscene the proposal would be visible from the rear of nearby properties and the shared passageway and would be likely to reduce the appreciation of the quality of the historic environment within which nearby occupiers reside.
9. The harm caused to the significance of the CA as a designated heritage asset would be less than substantial, nevertheless I attach great weight to this harm. In line with paragraph 202 of the Framework I am required to balance this harm against any public benefits of the proposal. The appellant has not provided any statement that alludes to any public benefits. The single storey rear extension would only benefit the appellant, as opposed to having wider public benefits. Consequently, there are no public benefits which outweigh the harm that would be caused the significance of the CA.
10. Consequently, I find that the proposed single storey rear extension would be harmful to the character or appearance of the host property and the terrace block of which it forms part. It would fail to preserve or enhance the character and appearance of the CA. The improved living accommodation for the appellant does not outweigh this harm. Accordingly, the scheme conflicts with Policies S.DH1 and S.DH3 of Tower Hamlets Local Plan 2031 (2020) which amongst other things seek to ensure that new developments are of good design and provide coherent building lines which complement streetscape rhythm and preserve, and where appropriate enhance the borough's designated and non-designated heritage assets. There would also be conflict with the statutory test set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion and Recommendation

11. For the reasons given above and having had regard to all other 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.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree with the recommendation and shall dismiss the appeal.

RC Kirby

INSPECTOR