



Appeal Decision

Site visit made on 21 September 2022

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th October 2022

Appeal Ref: APP/E5900/W/22/3297159
207-209 East Ferry Road, London E14 3BB

- 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 Anthony Milbourne against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/21/02517, dated 18 November 2021, was refused by notice dated 11 March 2022.
 - The development proposed is a single storey side and rear extension to 207 East Ferry Road; Insertion of roof lights to 207 East Ferry Road; Removal of existing window to flank wall of 209 East Ferry Road; insertion of rooflights to roof of 209 East Ferry Road.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the host property, local area and the Chapel House Conservation Area (the CA).

Reasons

3. The appeal site comprises a two storey palisaded semi-detached house at 207 East Ferry Road (No.207) and a two storey end of terrace house at 209 East Ferry Road (No.209). No.209 sits forward of No.207 and its semi-detached pair at 205 East Ferry Road (No.205) and has a front entrance that opens directly onto the footway. The area is predominantly residential with a variety of housing types, with some retail and other commercial properties nearby.
4. The CA within which the appeal site sits is recognised for its housing. No.207 is characteristic of the 'Garden City' model of development used for the Manchester Grove Estate, whilst No.209 is typical of the flat fronted Victorian terraced housing that lined the pavements of the dock area housing districts, thereby, both houses on the appeal site contribute to the significance of the CA. The CA is a heritage asset to which I have a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I must pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

5. The main element of the proposal is for a single storey rear and side extension to No.207. The proposed rear extension would be of a scale and with architectural details that would complement those of the existing house. The proposed side extension would match the height, finish and architectural details of the of the existing single storey wrap around extension at No.205.
6. The proposed side extension would, however, infill the gap between the semi-detached property at No.207 and the end of terrace property. This element of the proposal would also provide for a new front entrance to No.207, the main access to which is currently through a side entrance in its flank wall facing No.209.
7. As the proposed side extension would adjoin with No.209 at ground and first floor levels, this part of the proposal would require the blocking up of a flank window at first floor level at No.209. Rooflights to the valley roof of No.209 would provide compensatory light to the affected part of the interior to this property. Further rooflights are also proposed for the front roof slope of No.207. Both sets of rooflights compliment the roof slopes within which they would be set.
8. The design typology used for the wrap around extension at No.205 is complimentary to its particular circumstances and context. However, replicating this for the proposed side extension at No.207 would result in a bulky insertion infilling the existing separating gap between the two distinctly differing properties at No.207 and No.209. The massing of this bulk, through the use of a steep mono-pitched roof, would match neither that of the hipped roof at No.207 or the hidden butterfly roof at No.209. The proposal would, therefore, result in an incongruous, dominating and visually intrusive addition to the appeal properties.
9. Further, the proposed infilling of the separating gap between No.207 and 209 would fail to reflect the spatial characteristics of the area and the differing and separate housing typologies that define the significance of the CA. The proposal would therefore detract from the distinct and separate character and appearance of both housing typologies as exemplified by the appeal properties and the streetscene of the local area.
10. The appellant has brought to my attention side extensions in the local area that they feel provide exemplars for the proposal. Whilst these extensions do extend properties in the local area and the CA to one side, I do not find that they reflect the form or context of the proposal, especially in that they do not infill a separating gap between two separate properties. These extensions would have been considered on their own merits at the time they were approved, and I have done likewise with the proposal. I have therefore given only little weight to these existing developments in my considerations.
11. The appellant has also set out how they have sought to overcome the reasons for refusal for a previous planning application¹ for a similar extension. I must however consider the proposal on its own merits, which is a fundamental aspect of the planning system.
12. Whilst I acknowledge the appellant's view that the proposal would improve the family use of the appeal property, this would represent a predominantly

¹ Planning Ref: PA/21/00728

private rather than public benefit, to which I can only give moderate weight in my considerations.

13. For these reasons, I find that the proposal would cause harm to the character and appearance of the appeal properties and that of the local area. This would be contrary to policy S.DH1 of the Tower Hamlets Local Plan (2020) (the Local Plan), policy D3 of the London Plan (2021) (the London Plan) and section 12 of the National Planning Policy Framework (2021) (the Framework), which collectively seek to ensure that developments are of a high standard of design and integrate with the local area.
14. Furthermore, the proposals excessive bulk, height and massing, and the resulting infilling of the separating gap between the appeal properties, would fail to preserve the character or appearance of the CA. I find, therefore, that the proposed development would be contrary to policy S.DH3 of the Local Plan and policy HC1 of the London Plan and section 16 of the Framework, which collectively seek to ensure that development has due regard to the importance of preserving or enhancing heritage assets and conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Conclusion

15. As no public benefits have been identified that would outweigh the harm that I have identified above, I conclude that the appeal should be dismissed.

Victor Callister

INSPECTOR