The Planning Inspectorate

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: 24 October 2022

Appeal Ref: APP/E5900/D/22/3298621
64 Lichfield Road, London E3 5AL

- 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 Miss Sally Pearce against the decision of the Council of the London Borough of Tower Hamlets.
- The application Ref PA/22/00079, dated 14 January 2022, was refused by notice dated 16 March 2022.
- The development proposed is the partial demolition of existing rear and erection of ground and first floor rear extension.

Decision

1. The appeal is dismissed.

Procedural Matter

2. In the reason for refusal set out in the decision notice, the Conservation Area within which the appeal site sits is wrongly identified as the Fairfield Road Conservation Area. However, it is evident from the other material submitted by the parties to this appeal that it is fully recognised the appeal site is actually within the boundary of the Tredegar Square Conservation Area (the CA). My considerations in determining this appeal have been on that basis

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property, local area, and the CA

Reasons

4. Lichfield Road is characterised by its decorative two storey brick built Victorian palisaded terraced housing, of which the appeal property forms part. It is located in the middle of the terrace on the northernmost part of the CA contributing to its significance. The CA was designated in 1971 and 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 appeal property has a butterfly roof form, set behind a parapet that runs as a continuous feature along the terrace of which the appeal property forms part. The appellant has drawn to my attention the Management Guidelines

Addendum to the CA Character Appraisal approved in 2016 (the MGA), which sets out the significance of the roof form of this terrace. This also sets out that roof extensions to these roof forms are unlikely to protect the significance of the CA and that there is often greater scope for rear extensions, where rear elevations are considered to have less significance.

6. The appellant has indicated that they have developed the design of the proposal for a full width ground floor rear extension to replace the existing, and an extension to the two existing two storey outrigger on this basis. From my site visit it was apparent that there are no similar scale of extensions to the rear of houses in the immediate locale of the appeal property.

7. However, the appellant has brought to my attention other approved extensions to similar properties in the local area at 19, 30, 42, 43, 53,54 and 63 Lichfield Road. Both my site visit and these exemplars confirm that the rear of the properties have been the subject of a variety of extensions and alterations. However, whilst these reflect some aspects of the proposal, none of these exemplars appears to be of directly similar design and scale to that of the proposal and would have been considered in their own merits. I have, therefore, given only moderate weight to these exemplars in my considerations, as it is necessary for me to assess the appeal proposal based on its own individual merits.

8. The proposed first floor extension to the outrigger would extend this element of the appeal property approximately 3m rearward, not just beyond the extent of the existing outrigger but also of the first floor rear building line of the terrace. This is a consistent feature of the rear architectural expression of the terrace, where the symmetry of the adjoining pairs of outriggers is a distinct part of the local townscape, which would be interrupted by the scale and projection of the proposal.

9. Whilst the rear of the appeal property and the terrace are not as architecturally decorative and visible as the front elevation, they are recognised as playing a role in establishing the significance of the CA. The MGA sets out that, when developing proposals for rear extensions, it is important to consider the consistency and rhythm of neighbouring properties, the existing rear building line and the character of the host property. I find, however, that due to the extent of the proposed projection of the first floor extension from the existing outrigger and its resulting scale, the design of the proposed first floor extension fails to do this.

10. The first floor rear building line of the terrace would, therefore, be disrupted by the bulk of this proposed addition, which would be visually intrusive and appear as incongruous in relation to the appeal property and the terrace of which it forms part. Further, the rear window in the proposed first floor extension does not appear to reflect the proportion and detailing of the existing window in the appeal property and neighbouring properties, which would further add to the visual discordance.

11. The ground floor element of the proposal reflects the design approach and scale of other ground floor extensions to houses in the terrace. However, the combined effect of the proposed ground floor extension with the outrigger element of the proposal, would result in the scale of the proposed extensions appearing to be significantly out of proportion to the scale of the existing house. The proposal would, therefore, appear as an unduly prominent

alteration and addition to the appeal property, which would not appear as a subservient addition and would, for these reasons, also be visually discordant in the context of the terrace as a whole.

12. I acknowledge the appellant's view that, as the rear of the appeal property and the terrace as a whole back on to an elevated stretch of railway, this results in limited views of the rear of these properties from the public realm. However, the first floor rear parts of these properties are readily visible from the rear gardens of properties in the terrace, and, as a whole, from the passing trains. Further, the rear of the properties in the terrace are also recognised as contributing to the significance of the CA in the MGA.

13. For these reasons, I find that the proposal would cause harm to the character and appearance of the appeal property 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 scale of the proposal and its excessive bulk and poor massing at the first floor level, would fail to preserve the character or appearance of the CA. I find, therefore, that the proposed development would not accord with the Tredegar Square Conservation Area Character appraisal (2008) and MGA and would be contrary to policy S.DH3 of the Local Plan and policy HC1 of the London Plan and section 16 of the Framework. These 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