



Appeal Decisions

Site visit made on 14 November 2022

By Peter Rose BA MRTPI DMS MCMi

an Inspector appointed by the Secretary of State

Decision date: 6 January 2023

Appeal A Ref: APP/E5900/W/22/3302891

28 Rhondda Grove, London, E3 5AP

- 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 Ms Lynde Marshall against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref: PA/22/00274, dated 16 February 2022, was refused by notice dated 19 April 2022.
 - The development proposed is two-storey side extension, installation of new rooflights to the front and rear, internal alteration and reconfiguration of layout including demolition works, removal of the vault over the coal hole, raising of the ground floor access and installation of new panelled door to create a new store and other minor associated works.
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Appeal B Ref: APP/E5900/Y/22/3303159

28 Rhondda Grove, London, E3 5AP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Ms Lynde Marshall against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref: PA/22/00275, dated 16 February 2022, was refused by notice dated 19 April 2022.
 - The works proposed are two-storey side extension, installation of new rooflights to the front and rear, internal alteration and reconfiguration of layout including demolition works, removal of the vault over the coal hole, raising of the ground floor access and installation of new panelled door to create a new store and other minor associated works.
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Decisions

1. **Appeal A** is allowed and planning permission is granted for two-storey side extension, installation of new rooflights to the front and rear, internal alteration and reconfiguration of layout including demolition works, removal of the vault over the coal hole, raising of the ground floor access and installation of new panelled door to create a new store and other minor associated works at 28 Rhondda Grove, London, E3 5AP in accordance with the terms of the application Ref: PA/22/00274, dated 16 February 2022, and subject to the conditions set out in the attached Schedule.
2. **Appeal B** is allowed and listed building consent is granted for two-storey side extension, installation of new rooflights to the front and rear, internal alteration and reconfiguration of layout including demolition works, removal of the vault over the coal hole, raising of the ground floor access and installation of new panelled door to create a new store and other minor associated works at 28 Rhondda Grove, London, E3 5AP in accordance with the terms of the

application Ref: PA/22/00275, dated 16 February 2022, and subject to the condition set out in the attached Schedule.

Application for costs

3. An application for costs has been submitted by the Appellant and is the subject of a separate Decision.

Preliminary matters

4. The description of the proposed development and works as set out above is as agreed by the parties prior to the Council's decisions.

Main issues

5. The main issues in relation to **Appeal A** are, and with particular regard to the proposed side extension, whether or not the development would preserve the Grade II listed building at Nos 28-31 (consecutive) Rhondda Grove or its setting or any features of special architectural or historic interest which it possesses; and whether or not the development would preserve or enhance the character or appearance of the Tredegar Square Conservation Area (the Conservation Area).
6. The main issue in relation to **Appeal B** is, and with particular regard to the proposed side extension, whether or not the proposed works would preserve the Grade II listed building at Nos 28-31 or its setting or any features of special architectural or historic interest which it possesses.

Reasons

The proposed side extension

7. The appeal site comprises a semi-detached dwelling set behind a front garden framed by two large trees. It is a Grade II listed building, and the listing covers two adjacent pairs of semi-detached, villa-style houses. The appeal site is the most northerly of the four. The listing also identifies the dwellings as a group with others at Nos 6-11 and Nos 19-25 Rhondda Grove, and with a visual focus to the Holy Trinity Church (the church) at the northern end of the street.
8. The site forms part of the Tredegar Square Conservation Area and which draws its significance as an early nineteenth century suburban London residential estate of particular character and appearance. The estate was formally laid out around a square surrounded by houses developed to a highly ordered pattern, and including classically designed, semi-detached villas such as the appeal site.
9. To the immediate north of the appeal site, the former original dwellings at Nos 26 and 27 have been replaced by a three-storey block of post-war flats (now known as No 26). Whilst there has also been redevelopment elsewhere within the Conservation Area, the original distinctive character and appearance prevail. Nevertheless, the immediate built character and appearance is notably mixed, and contains properties and sites variously extended and altered.
10. The frontage to No 28 displays an impressive two-bay, three-storey principal façade with a shallow pitched, hipped roof. This includes overhanging eaves with paired brackets. The façade is accompanied by a recessed side extension of complementary design. No 28's significance draws not only from its architectural and historic interest, but also from the original plan form of much

of the main house and its surviving fabric, and from its spatial relationship with the other listed houses in the street and with the church.

11. There are distinct upper level gaps in the elevations of the properties adjacent to the side elements of Nos 28-31. These lie behind and to the sides of the main façades and, whilst contributing as common features of the pairs, do not appear as necessarily characteristic of the wider Conservation Area.
12. Many of the corresponding spaces at other similar properties elsewhere are variously enclosed, both at ground level and above. Accompanying views through to the rear gardens are not a characteristic feature of Rhondda Grove, and nor of the Conservation Area generally. This contrasts with enclosed public views focused along the streets, and notably towards the church. There is also no reference to any particular significance of such gaps in the Council's relevant public guidance.¹
13. The significance and implications of extensions of the form proposed have also been addressed in the Council's own previous decisions at similar properties nearby. A comparable property at No 25 immediately north of the adjacent flats has been extended with a side infill development similar to that proposed and was granted permission by the Council in 2013. The accompanying Officer report expressly acknowledged following review of a submitted in-depth assessment that the development at No 25, and now similar to that proposed at No 28, would preserve the illusion of a detached villa in the street-scene and would not result in any detriment to the special architectural or historic interest of that host Grade II listed building, to its group value, and nor to the Conservation Area.
14. A similar extension to No 24 was approved in 1986, and a further similar approval was given in 2018 on the opposite side of the road at No 11.
15. As with those approved sites, the gaps at Nos 28-31 are similarly set back from the main elevation and read as part of the recessed side extensions. The setting-back of the existing side extensions and a built form stopping short of the eaves allows for the roofs and the main forward-projecting semi-detached façades to instead prevail as the dominating characteristic features.
16. The proposed side extension would be of the same classical style as the existing house and no issue is taken with its detailed design. Continuation of the setback façade and accompanying detailing would ensure that it would read as subservient to the main host building, would not unbalance or interrupt its overall façade, and would not detract from the wider unity of the combined villa elevation. Given its distinctly secondary relationship to the main façades, it would not appear over-dominant or otherwise discordant.
17. A detailed distinguishing feature of this case is the relationship of the extension to the adjacent abutting wall. The scheme would directly abut the large southern flank wall of No 26, a relatively modern block of flats of contrasting character and appearance to both the appeal site and the wider significance of the Conservation Area. Unlike other extensions, the proposal would not be seen as just abutting a building of similar classical form consistent with the appeal site's own heritage. Such proximity might potentially have implications for the

¹ Tredegar Square Conservation Area 1. Character Appraisal 2. Management Guidelines
Adopted by Cabinet: 5th March 2008 London Borough of Tower Hamlets (with link to and adoption of Addendum 26th July 2016)

integrity of an asset, and I note that the position of No 26 allows for a slight gap between the extension to No 25 and the corresponding flank wall of the block at that end.

18. That said, extensions abutting adjacent properties are evident elsewhere, and no formal objection was previously raised to the block's proximity to the extended No 25. The extension would be set against a wall which is plain in character and would provide a neutral, brick-faced backdrop. The proposal would form part of a recessed structure at the extreme northern end of Nos 28-31 and largely concealed in main street views from the north and south by the building lines of No 26 and by the host façade. It is only in the extension's head-on view that this relationship would be fully evident, and it would have no consequence for the significance of the asset's principal façade. Furthermore, the evidence shows the existing side extension to No 28, and to which the appeal scheme would attach on its other side, was previously single storey and not, as also the case with those at Nos 29-31, of its current form. For all these reasons, I consider no harm would arise in that respect.

Other aspects of the scheme

19. Detailed concerns are referenced by the Authority towards both removal of brickwork and roof slates to accommodate the works, and about the proposed rooflights, although these are not cited as reasons for refusal. The rooflights would be similar to those at other properties. Some, albeit minimal, displacement of existing fabric would be necessary to accommodate the works. The proposed extent would not in itself be harmful nor significant and instead seeks to facilitate a wider, overall preservation of the asset, and including some improvement to the rear elevation. The proposal includes various other works and to which the Authority raises no formal objection.

Other matters

20. I have had regard to a representation from an adjoining occupier in relation to aspects of living conditions and to other possible implications at No 26. The position of the proposed extension would have no discernible implications for daylight upon the adjacent stairs. Any need to carry out works to the flank wall of the adjacent property would be a Party Wall matter. The duration of any works would be temporary. In terms of noise insulation, the scheme would need to comply with any relevant Building Regulations requirements.

Planning balances

21. The National Planning Policy Framework makes clear that heritage assets are an irreplaceable resource, and requires them to be conserved in a manner appropriate to their significance. When considering the impact of a proposed development on the significance of a designated heritage asset, it requires great weight to be given to an asset's conservation, and irrespective of the scale of harm. This also reflects accompanying statutory duties.
22. Change to heritage assets is inevitable and is only harmful when significance is damaged. The nature and importance of the significance that is affected will dictate the proportionate response to assessing that change and its justification.² For the reasons set out, I consider the scheme would not be

² Historic England's Managing Significance in Decision-Taking in the Historic Environment, Historic Environment Good Practice Advice in Planning: 2

harmful to the appeal site, to Nos 28-31, and nor to the character nor appearance of the Conservation Area.

23. In relation to **Appeal A** and **Appeal B**, I conclude the proposal would preserve the Grade II listed building at Nos 28-31, its setting and features of special architectural and historic interest which the asset possesses. In further regard to **Appeal A**, the proposed development would preserve and enhance the character and appearance of the Conservation Area.
24. Accordingly, the proposed development would accord with Policies HC1 of the London Plan³, with Policies S.DH1 and S.DH3 of the Local Plan⁴, and with the Council's Conservation Area guidelines. These seek, amongst other things, for proposals to preserve or, where appropriate, enhance the Borough's designated heritage assets in a manner appropriate to their significance as key and distinctive elements of the Borough, and to deliver the highest standards of design. In relation to **Appeal A**, the scheme would accord with the development plan taken as a whole, and material considerations do not indicate a decision other than on those terms.

Conditions

25. For reasons of certainty, and in relation to the planning permission, it is necessary to identify the relevant drawings to which the scheme relates. No further conditions have been recommended by the Council and I consider none to be necessary.
26. It is not necessary to identify relevant drawings by way of a condition in relation to the listed building consent as there is no formal facility for subsequent minor amendments as may apply to a planning permission.

Conclusion

27. I therefore conclude that **Appeal A** and **Appeal B** should each be allowed.

Peter Rose
INSPECTOR

³ Mayor of London's The London Plan, The Spatial Development Strategy for Greater London March 2021

⁴ Tower Hamlets Local Plan 2031 Adopted January 2020

SCHEDULE OF CONDITIONS

APPEAL A

1. The development hereby authorised shall begin not later than 3 years from the date of this permission.
2. The development forming the subject of this permission shall not be carried out except in full accordance with the details as shown on the following drawings: ST741-01a; ST741-02b; ST741-03d; ST741-21a; ST741-22a; ST741-23a; ST741-24a; ST741-25; and ST741-26.

APPEAL B

1. The works hereby authorised shall begin not later than 3 years from the date of this consent.