



Appeal Decision

Site visit made on 29 May 2024

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2024

Appeal Ref: APP/E5900/Y/23/3335106

Keeling House, Flat 64, Claredale Street, London E2 6PG

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Manohar Sharma against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref is PA/23/00686.
 - The works proposed are described as 'Installation of an en-suite bathroom and refurbishment of existing bathroom.'
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Decision

1. The appeal is allowed and listed building consent is granted for 'installation of an en-suite bathroom and refurbishment of existing bathroom' at Keeling House, Flat 64, Claredale Street, London E2 6PG, in accordance with the terms of the application Ref PA/23/00686 and the plans submitted with it (Location Plan, drawing 009.1040; Existing Plans, drawing 009.1050; Bathroom Installation, drawing 030 Rev C – sliding door) subject to the following conditions:
 - 1) The works hereby permitted shall begin not later than three years from the date of this decision.
 - 2) Prior to the making of holes for, and installation of, any internal ventilation or extraction equipment, and/or any internal pipework including for water supply, waste and soil pipes, full details, including plan and section drawings at a suitable scale, are to be submitted to and approved in writing by the local planning authority. The works are to be installed in accordance with the approved details.

Preliminary Matters

2. The Council's appeal statement of case references an amended plan¹ whereby a sliding door has replaced a standard hinged door. However, the drawing numbers of both plans are the same and are both given on the decision notice in the refused plans list. The sliding door is referenced in the delegated officer report, which would indicate that this element of the proposal was before the Council at the time of their decision and therefore would not evolve the scheme through the appeal.
3. The description of works in the banner heading above and in the formal decision is taken from the decision notice rather than the application form as this more concisely describes the proposal.

¹ Drawing: 030 Rev C

Main Issues

4. The decision notice gives one reason for refusal based on the harmful effects of the proposed en-suite bathroom on the special interest and significance of the listed building. The Council has confirmed that it does not consider the refurbishment of the existing main bathroom would harm the special interest or significance of the listed building as it would not involve alterations to historic fabric. I have no reason to disagree with the Council's view and find that the refurbishment of the existing bathroom would preserve the special interest of the listed building and would not harm its significance as a designated heritage asset. I have therefore focused my considerations of this appeal on the installation of the en-suite bathroom.
5. The appeal site is located within the Old Bethnal Green Road Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. Although not referenced in the decision notice, the Council has confirmed that it does not consider the proposal would harm the character or appearance of the CA due to the internal nature of the works. Given the location and extent of the works proposed, I agree with the Council on this matter and conclude that the character and appearance of the CA would be preserved and its significance as a designated heritage would not be harmed.
6. The main issue is therefore whether the works would preserve the Grade II* listed building or any features of special architectural or historic interest which it possesses.

Reasons

Special Interest and Significance

7. Section 16(2) of the Act requires special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
8. The listing description² for 'Keeling House Bethnal Green' advises that the tower block is Grade II* listed and was designed in 1955 by renowned architect Sir Denys Lasdun. It is of reinforced concrete construction with a central core including the lifts and stairs, and four connecting towers housing a mix of two-storey maisonettes and single storey studio flats.
9. There is little before me to describe the special interest and significance of the listed building from either of the main parties. From my own observations and detail in the listing description, this is largely derived from its historic and architectural interests. Historic interest is drawn from the building of the tower as a response to the changing housing needs of people in London in the post-war years. Particular emphasis is placed on the importance of the tower and the architects' theories on urban renewal and provides an understanding of living practices at the time. Architectural interest is drawn from the distinctive design of the building and its cluster shape, with the four towers of housing appearing to branch off from the central core section, as well as the method and materials of its construction.

² List Entry Number: 1242108

Effects of the Proposal

10. The proposal seeks to install an en-suite bathroom in a recessed section of one of the lower floor bedrooms of the flat. This would involve the erection of a wall and sliding door to enclose the shower unit, toilet and small sink. The Council advises that the recess was perhaps intended as space for a wardrobe and is part of the character of the room. However, from my observations on the site visit and inspecting the submitted plans, this recess appears to be incidental to the exterior shape of the building, which includes a projecting section running down the centre of that side of the block. Whether it was intended to create wardrobe or other storage space is unclear.
11. While it may well provide a convenient space for storage, it would also be useful for other purposes and there is nothing before me to indicate that any other use would be harmful in terms of the layout of the room. Interior spaces resulting from a building's exterior form are not unusual, and from my observations on the site visit the internal layout of the flat is not particularly distinctive or significant. The rooms were of typical appearance with modern plastered walls, doors and fixtures. Any alterations caused by the fixtures and fittings of the en-suite would not cause the loss of historic fabric and the sliding door would not jar with the other doors and fixtures of the flat, all of which were modern. There are no details regarding the position and location of pipework for the en-suite on the submitted plans. However, I note the appellant has detailed this would involve drilling through a partition wall to connect to existing provisions in the main bathroom. Further details of this can be agreed by condition attached to this grant of consent.
12. Based on the above, I conclude that the installation of the en-suite bathroom would preserve the special interest of the Grade II* listed building and would not result in harm to its significance. The proposal would therefore accord with section 16(2) of the Act. It would also accord with the aims of the Framework which advises in paragraph 205 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be.
13. Although listed building consent applications and subsequent appeals are not subject to section 38(6) of the Planning and Compulsory Purchase Act 2004, and therefore do not require to be determined in accordance with the development plan, relevant provisions of the development plan can be material considerations.
14. As such, insofar as they are relevant to the appeal, the works would also accord with policies S.DH1 and S.DH3 of the Tower Hamlets Local Plan 2031 (adopted January 2020) and HC1 of the London Plan (Adopted March 2021). These seek, among other things, to ensure proposals must preserve or, where appropriate, enhance the borough's designated and non-designated heritage assets in a manner appropriate to their significance.

Conditions

15. The standard time limit condition is attached for certainty. As details of pipework and locations are not included on the approved plans, a further condition to agree these details relating to internal pipework and runs is attached for to preserve the special interest and significance of the Grade II* listed building.

Conclusion

16. For the reasons given above the appeal should be allowed.

C McDonagh

INSPECTOR