



Appeal Decision

Site visit made on 24 September 2024

by Siobhan Watson BA(Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2024

Appeal Ref: APP/E5900/W/24/3346003

1-2 Sclater Street, London, E1 6HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Zolger Developments Limited against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref is PA/23/01842.
 - The development proposed is the erection of a 4th and 5th floor roof extension to provide 2 flats together with change of use at ground floor to provide cycle store and ancillary plant.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extension on the host building and on designated heritage assets.

Reasons

3. The site is within the Redchurch Street Conservation Area and is close to the Knave of Clubs Public House which is Grade II listed.
4. The conservation area is characterised by a tightly packed grid of streets. Some of the streets are remnants from the mid-18th century. Land use is a mixture of industrial, retail and residential. The appeal site sits at the apex of Bethnal Green Road and Sclater Street. Bethnal Green Road survives on the same axis as when formed in 1746. This section of the conservation area is marked by Victorian development, most noticeably with the use of soft red brick. The buildings in this part of the conservation area tend to be 2-3 storeys in height. The significance of the conservation area is derived from its street pattern; old buildings; its historic industrial past, which includes silk weaving, the clothing trade, and furniture making; and a mix of land uses.
5. The appeal building is of a “flat iron” shape. It is late Victorian and thought to have been a small factory associated with the historic local furniture or textile industry. It is of a red brick construction with detailing in the form of storey bands, brick relief work and expressed lintels. It also has an attractive shopfront. A chimney rises up from the central panel of the apex elevation. There is a hierarchy of floor heights with the windows getting less tall as the building rises. The building is a prominent punctuation point at the end of a vista from Bethnal Green Road.

6. The proposed two storey extension would be on the roof and set back from the parapet edges. It would have a metal column structure with extensive glazing and it would form a very substantial structure. The proportions of the original building, which has a strong fenestration pattern and refined detailing, would not be reflected in the extension. The proposed extension would look alien on top of the existing building.
7. The prominent position of the building would mean that the incongruity of the extension would be visible and intrusive in long distance views along Bethnal Green Road. I appreciate that there are very tall buildings directly behind the site which would form a backdrop but this does not sufficiently mitigate the effect of the proposed extension.
8. Planning permission exists for a similar style of extension on the roof but this would be single storey rather than two storey. As the permitted scheme is smaller, it does not justify the further harm that a two-storey extension would cause.
9. I note the appellant's reference to a scheme in Camden as an example of a roof extension but that scheme looks nothing like the proposal before me.
10. The extension would be small in comparison to the overall size of the conservation area, but it would be prominent. I consider that the harm to the significance of the conservation area to be less than substantial and at the mid to lower end along the scale of less than substantial harm.
11. Paragraph 205 of the National Planning Policy Framework advises 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. The Framework advises that less than substantial harm must be weighed against the public benefits of the scheme.
12. The proposal would provide two flats and a cycle store. There would also be a financial contribution to affordable housing. There would also be some economic benefits during the construction phase. These are all public benefits, however, they do not outweigh the less than substantial harm to the conservation area.
13. The Knave of Clubs pub (latterly known as The Dirty Bones) is opposite the site on the corner of Bethnal Green Road and Club Row. It is Grade II listed and dates from 1880. It is constructed of a buff brick with a rounded corner. It has a wealth of architectural detailing, including end rusticated stucco bands, a bracketed eaves, a panelled frieze, stucco architraves, pilasters with composite capitals, and sash windows. Its significance derives from its age, its historic community use and its fine architectural details. However, its setting is that of a mixed dense townscape including modern tall buildings. The proposed extension would have a neutral affect this setting.
14. Although I find no harm to the setting of the listed building, I conclude that the proposed extension would harm the host building and it would fail to preserve or enhance the character or appearance of the Redchurch Street Conservation Area. Therefore, it would be contrary to Policies D3 and HC1 of the London Plan 2021 and S.DH1 and S.DH3 of the Tower Hamlets Plan 2031. In combination,

these policies seek to ensure that development is of high-quality design; respects existing character; and preserves the historic environment.

Other Matters

15. Reason for Refusal 2 of the Council's decision notice relates to the absence of a planning obligation to secure a financial contribution towards affordable housing. This obligation has been submitted as part of the appeal documentation. The Council has been given opportunities to comment on it and no comments have been received. As I am dismissing the appeal, I will not pursue this matter further.
16. The appellant suggests that Tower Hamlets underdelivers housing. However, the latest Housing Delivery Test (2022) shows a delivery of 103%.

Conclusion

17. The proposal conflicts with the development plan as a whole and therefore I dismiss the appeal.

Siobhan Watson

INSPECTOR