



Appeal Decision

Site visit made on 26 August 2025

by **N McGurk BSc (Hons) MCD MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 September 2025

Appeal Ref: APP/E5900/D/25/3368697

31 Birdsfield Lane, Tower Hamlets, London, E3 5BF

- 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 Mr Ben O'Berry against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref is PA/25/00373.
 - The development proposed is a rear facing dormer loft conversion with two rear roof slope skylight windows.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The name of the applicant on the application form is given as Mr Ben O'Berry, hence the reference above to the appeal being made by Mr Ben O'Berry. The name of the applicant on the appeal form is given as Mrs Anna Infanti. Mrs Anna Infanti is named as the agent on the application form.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the Victoria Park Conservation Area.

Reasons

4. The appeal property is a terraced dwelling, three storeys in height to the northern elevation, fronting a canal and two storeys in height to the southern elevation, facing Barge Lane. A small garden and a brick wall and gate separates the rear of the appeal dwelling from Barge Lane.
5. The appeal dwelling has an asymmetrical roof and forms part of a terrace of dwellings to the east, built in the same style as the appeal dwelling. The appeal dwelling adjoins a three storey block of flats to the west.
6. The appeal property is located in a residential area, largely characterised by the presence of terraced dwellings and blocks of flats. It is also located within the Victoria Park Conservation Area, where attractive rows of traditional mid-19th Century terraces of dwellings, together with pockets of modern residential development, combine with a large Grade II* park, a canal and the presence of

large period institutional buildings set within landscaped grounds, to provide for an attractive, distinctive and historic environment.

7. The appeal dwelling is notably similar to the other dwellings in the terrace within which it is situated and this provides for a significant sense of symmetry and consistency, resulting in a strong rhythm of development which makes a positive contribution to the Victoria Park Conservation Area.
8. The proposed development would introduce a large dormer window within a terrace where no such addition exists. I find that the bulk, scale and prominent roof-level siting of the proposed dormer, facing directly towards Barge Lane, would result in it drawing attention to itself as an intrusive and incongruous feature.
9. The bulky projection of the dormer would appear out of character with the otherwise largely unaltered roof form of the terrace and I find that this would disrupt the sense of symmetry and the strong sense of rhythm afforded to the area by the terrace in its current form.
10. Further to the above, I observed during my site visit that the block of flats adjacent to the appeal dwelling has an attractive mono-pitch butterfly style roof form. The proposed dormer would not correspond to this and I find that this would add to its incongruous appearance in its surroundings.
11. Taking the above into account, the proposal would detract from and would not conserve the appearance of the Victoria Park Conservation Area. Having regard to paragraph 215 of the National Planning Policy Framework (the Framework) and to Planning Practice Guidance, I consider that the harm to the character and appearance of the Victoria Park Conservation Area would be less than substantial.
12. This needs to be balanced against any public benefits the development may bring and in this regard, there is nothing before me that comprises or amounts to a public benefit that outweighs the harm identified.
13. Taking all of this into account, I find that the proposed development would harm the character and appearance of the Victoria Park Conservation Area, contrary to the National Planning Policy Framework; to London Plan (2021) Policies D4 and HC1; and to Tower Hamlets Local Plan (2020) Policies S.DH1 and S.DH3, which together amongst other things, seek to protect local character.

Other Matters

14. In support of the proposal, the appellant draws attention to other developments in the surrounding area. None of these represent development or circumstances so similar to the proposal before me as to provide for direct comparison. In any case, I have found that the proposal would result in significant harm and this is not something that is reduced or mitigated by the presence of other developments elsewhere.

Conclusion

15. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR