
Appeal Decisions

Site visit made on 11 September 2025

by **L J O'Brien BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 October 2025

Appeal A Ref: APP/E5900/W/25/3367436

7 Flamborough Street, LONDON, E14 7LS

- 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 Max Mitchell against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref is PA/25/00316.
 - The development proposed is extending the height of the attic to provide a bedroom and bathroom. Including a pair of dormer windows with traditional lead capping and side cheeks. Extending the stair to provide access, replicating the existing.
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Appeal B Ref: APP/E5900/Y/25/3367443

7 Flamborough Street, LONDON, E14 7LS

- 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 Max Mitchell against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref is PA/25/00317.
The works proposed are extending the height of the attic to provide a bedroom and bathroom. Including a pair of dormer windows with traditional lead capping and side cheeks. Extending the stair to provide access, replicating the existing.
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Appeal A Decision

1. The appeal is dismissed.

Appeal B Decision

2. The appeal is dismissed.

Preliminary Matters

3. Both appeals relate to 7 Flamborough Street which is part of a Grade II listed building¹ located within a conservation area. The descriptions of development and works are the same for both proposals and the issues within the appeals are similar. As such I have dealt with them within the same Decision Letter. I have, however, set out two separate formal Decisions.
4. The descriptions of proposed development and works in the headings above are taken from the application form and are consistent with the submitted plans and evidence. These are different to those stated in the Council's decision notices. However, there is nothing before me which confirms that the appellant agreed to

¹ National Heritage List for England Entry Number: 1065191.

this change and I note they do not include the internal alterations. For the avoidance of doubt, I have determined the appeals using the description as set out in the application form.

5. As required by sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Main Issue

6. The main issue in these appeals is whether the proposals would preserve the listed building or any features of special architectural or historic interest which it possesses and, linked to that, whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

Special interest and significance

7. 7 Flamborough Street forms part of a Grade II listed terrace, Nos 3 – 7 Flamborough Street, dating from the late 18th Century/early 19th Century. The appeal property occupies a prominent end of terrace corner plot at the junction of Chaseley Street and Flamborough Street. As a consequence the property, including the rear elevation, is highly visible from a number of vantage points in the area.
8. The terrace is constructed of stock brick. The roofs of the properties are largely screened from view behind a coped parapet and are not visible in close views, particularly those from the front of the terrace. The roofscape is punctuated by regularly spaced chimney stacks. In views from Chaseley Street the rear roof slope of the appeal property appears as a modest, shallow, hipped roof.
9. Each property within the terrace has two sash windows at first floor level with a further sash window and the front door below. Following previous permissions², the fenestration and surrounds at the appeal property are coloured black and consequently differ in colour from others within the terrace which are white. Nevertheless, the terrace has a strong sense of symmetry and uniformity between the individual properties within it and the special interest and significance of the listed building stems, in part, from its well balanced and attractive architectural detailing. This includes the modest scale and polite architectural style and the uniform composition of the terrace. Given the amount of stated change within the building, the building's surviving historic fabric is also important. The evidence before me indicates that internally, the little historic fabric that remains principally comprises the original staircase (albeit with the loss of several balusters).
10. The site also possesses group value as it forms part of a group surrounding York Square comprising Nos 3 - 8 Flamborough Street, Nos 17 - 31 Barnes Street and Nos 1 - 16 York Square. Though the terraces have slightly different designs and two have mansard roofs each terrace has a strong sense of consistency across the

² Reference PA/22/01890 and PA/22/01891

properties which sit within it and, together, these terraces sit comfortably with one another and create an attractive cohesive group surrounding the central square.

11. Aligning with this, the appeal site is situated within the York Square Conservation Area (CA). The York Square Conservation Area Appraisal (CAA) sets out that the CA is largely composed of a series of earlier 19th Century residential terraces which are elegantly proportioned, although modestly scaled. The CAA states that streets are characterised by their homogenous layouts and uniform terraces.
12. As such, the CA can be said to derive its special interest and significance, in part, from its architectural and historic interest, including from the listed buildings which are included within the CA. The appeal property possesses positive qualities, including in respect of its roof form and uniformity, which contribute to the character and appearance of the CA as a whole and thus to its significance as a designated heritage asset.

Effects of the proposals

13. The proposals are for a mansard roof extension to increase the height of the attic to provide a bedroom and bathroom along with other alterations which would facilitate this. Though the property already has a hipped roof attic space this is modest and is not prominent in views from the surrounding area. The proposed 'flat top' mansard roof, however, would be a large addition which would significantly increase the bulk of the roof at No 7 and would appear as an obvious feature in many views of the property. The proposed alterations would notably change the discreet roof form in views from the front, rear and side of the appeal site. The proposed addition would add an unprecedented degree of verticality to the host dwelling and would alter the modest appearance of the building substantially.
14. The mansard would include two central dormer windows, one to the front and one to the rear. These windows would not reflect the alignment of the fenestration below and would add visual clutter, detracting from the clean and simple lines of the existing roof. The proposed roof would also partially obscure and visually compete with the prominent chimney stack and would reduce its visual impact and diminish its ascendancy as a key feature of the roofscape.
15. Moreover, the increased height and visual prominence of the roof would interrupt the homogenous roofscape of the listed terrace when considered as a whole and would appear as a conspicuous and jarring addition which would diminish the important symmetry and cohesion of the building and would not assimilate well with the host terrace.
16. I accept that mansard roofs are not an uncommon feature within the wider area. Indeed, several of the terraces fronting York Square have mansard roofs themselves and the CAA itself sets out that within this area there is more overall variety in terms of roof form, than is the case in many other CAs in the Borough. However, the CAA also states that it is notable that in general each terrace has a consistent appearance with a single type of roof. The terraces surrounding York Square are typical of this and have a consistent roof form across all of the properties within them and do not comprise odd deviations from the pattern of development as would be the case in this instance.
17. Furthermore, the CAA sets out that the terraces within York Square which were built with a mansard storey were so built to give these properties greater

prominence and to indicate their relative importance within the hierarchy of roads. Accordingly, the proposal would not respect the host terrace's position within the hierarchy. Moreover, the existence of other examples is not sufficient reason to justify the grant of planning permission or listed building consent; each case must be determined on its own merits based on the specific circumstances at each site. These circumstances will rarely, if ever, be identical.

18. For the reasons set out above, the proposal would diminish the attractive, unified dignity and architectural interest of the listed building overall, thereby undermining an important contributor to the significance of this designated heritage asset. The proposal would therefore fail to preserve the special architectural and historic interest of the Grade II listed building. The terrace, as proposed, would no longer possess the same unity as the other terraces which surround the square, and the group value of the assets would also be eroded.
19. The proposal would cause noticeable harm to an asset and undermine its value as part of a group which adds positively to the character and appearance and thus the significance of the CA. The proposal would be highly prominent from a number of viewpoints within the CA and would appear as an incongruous feature. It follows that it would not preserve the character and appearance of the CA.
20. In finding harm to the significance of a designated heritage asset the Framework requires the category of harm to be identified. The Planning Practice Guidance (PPG) expands upon this by requiring the extent of harm within that category to be clearly articulated. In this instance, given the limited extent and nature of the proposed development and works, the harm to the significance of the designated heritage assets would, individually and cumulatively, be at the lower end of less than substantial. Nevertheless, this harm is of considerable importance and weight.
21. The approach set out in paragraph 215 of the Framework is that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, as in this case, that harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Public benefits and heritage balance

22. It is not unreasonable to conclude that the proposal would lead to economic, social and environmental benefits. Amongst other things, these would stem from engaging local professionals, trades and suppliers and improvement to the local housing stock. I also acknowledge that the appellant desires the proposed alterations in order to further enhance the property and provide an additional bedroom to ensure that the house would become suitable for use as a family home. Notwithstanding this, there is no substantive evidence before me which demonstrates that the proposal is necessary to secure the ongoing residential use of the heritage asset.
23. Whilst a number of these benefits would be private to any occupier of the property, they would also be such that they could be considered to be of broader benefit to the public. These benefits are, however, limited by the small scale of the proposal and must be considered in that context.
24. Conversely, on the other side of the balance, I have found that the proposal would fail to preserve the special architectural and historic interest of the Grade II listed

building and would not preserve or enhance the character or appearance of the CA. The Framework indicates that great weight should be given to the conservation of these heritage assets. Thus, the public benefits of the scheme do not outweigh the harm identified.

25. The proposals would, therefore, conflict with the statutory presumptions of s.16(2), s.66(1) and s.72(1) of the Act. Consequently, the proposals would not comply with Policies S.DH1 of the Tower Hamlets Local Plan 2031, adopted January 2020 (LP). Amongst other things, this policy requires development to meet the highest standards of design by, for example, providing coherent building lines and roof lines, complementing streetscape rhythm and ensuring the scale, composition and articulation of building form complements and enhances their immediate and wider settings. The proposals would also fail to accord with LP Policy S.DH3 which is clear that proposals must preserve or, where appropriate, enhance the borough's heritage assets in a manner appropriate to their significance.
26. The proposals would also conflict with Policy HC1 of The London Plan, 2021 (The London Plan) which, in part, states that development proposals affecting heritage assets and their settings should conserve their significance.

Other Matters

27. The proposals also involve internal works, which the Council has not commented on, namely, the installation of a new staircase to access the mansard extension. Very limited details have been provided, with the only reference being to a facsimile stair and the 're-positioning' of the original newel post and handrail.
28. Given that the existing staircase is stated to be one of the few elements of surviving historic fabric within the building, it is highly likely that this aspect of the proposals would also not preserve the special interest and harm the significance of the listed building. Nonetheless, given my conclusions on the proposed mansard roof and dormer windows, I have not pursued this matter with the parties.

Conclusion

29. For the reasons set out above I conclude that the appeals should be dismissed.

L J O'Brien

INSPECTOR