



DEVELOPMENT COMMITTEE

2nd March 2023

Report of the Corporate Director of Place

Classification: Unrestricted

Application for Planning Permission

[Click here for casefile](#)

Reference	PA/22/01910
Site	22 Senrab Street, London, E1 0QE
Ward	Stepney Green
Proposal	Proposed roof extension to create 2 additional bedrooms, 2 new rooflights to front elevation and a new biodiverse roof top to existing rear first floor roof and associated external alterations.
Summary Recommendation	Refuse planning permission
Applicant	Mr Volker Gulde
Agent/ architect	WorJKshop
Case Officer	Lauren Ford
Key dates	<ul style="list-style-type: none">- Application registered as valid on 21/09/2022- Public consultation finished on 04/11/2022

EXECUTIVE SUMMARY

The existing site contains a two storey mid-terrace Victorian single family dwelling house and the proposed development seeks a rear roof extension to create two additional bedrooms, with associated alterations including solar panels, biodiverse roofing and the Air Source Heat Pump unit.

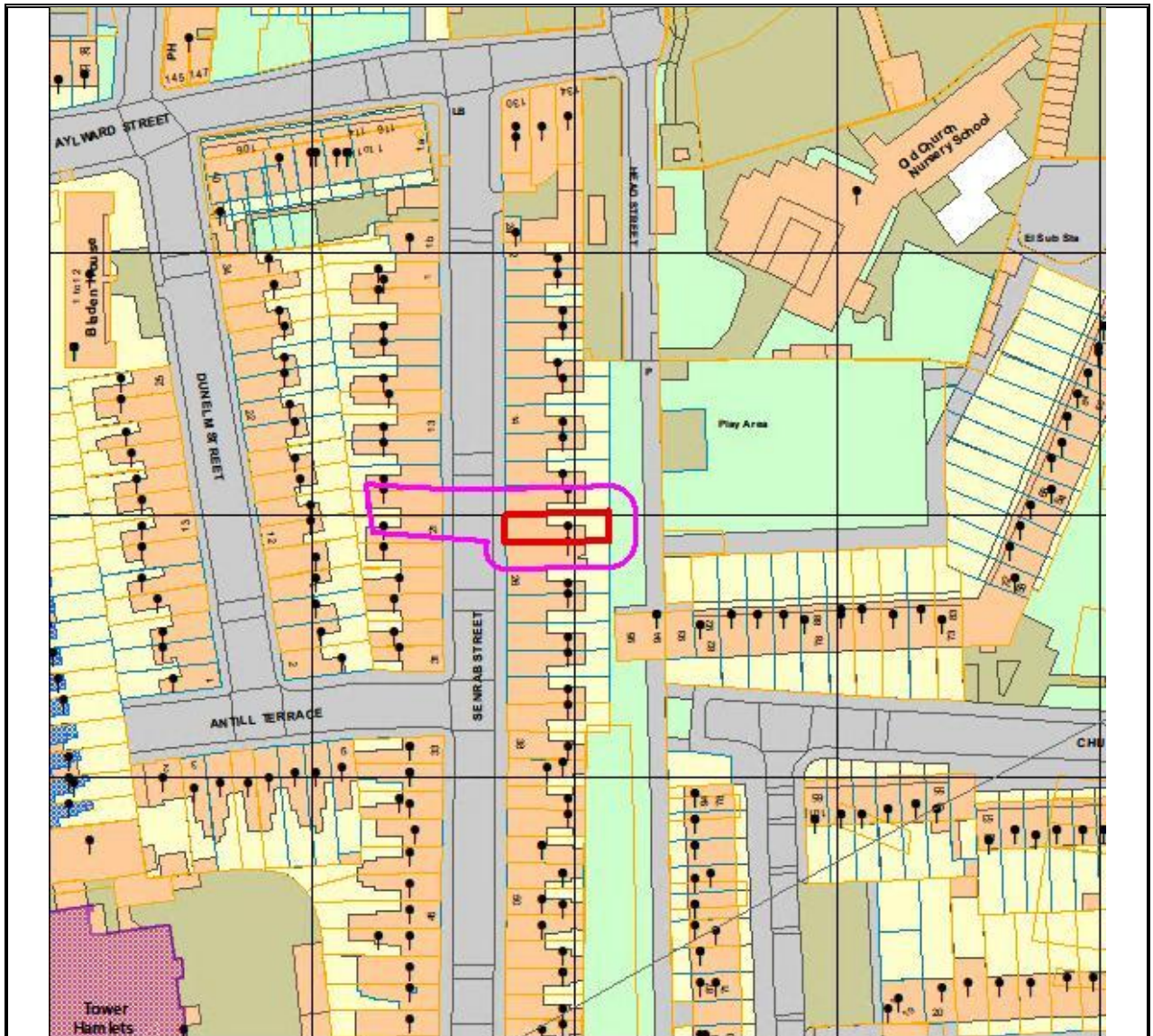
This application follows a previous application for rear roof extensions at the subject site (ref: PA/20/01980), which was refused on 11/11/2020 by reason of the excessive size and discordant design of the extensions, their visibility from public views and the subsequent harm to the significance of the conservation area, which was not outweighed by public benefits. An appeal was lodged and the appeal was dismissed on 11/08/2021.

The current application proposes changes to the previously refused scheme to seek to address the previous concerns. It is however considered that the proposed scheme does not satisfactorily address the reason for refusal and appeal decision.

While the proposal would not give rise to any unacceptable neighbour amenity related effects, the proposal would fail to preserve the special character and appearance of the Albert Gardens Conservation Area. While some public, biodiversity and energy benefits are proposed, the benefits are small in scale, and do not outweigh the harm to the conservation area.

It is considered that the application is contrary to the Development Plan, specifically Policies S.DH1 and S.DH3 of the Tower Hamlets Local Plan. Taking account of all other material considerations, officers recommend the proposed development be refused planning permission.

SITE PLAN



- Planning Application Site Boun
- Other Planning Applications
- Consultation Area
- Land Parcel Address Point
- Locally Listed Buildings
- Statutory Listed Buildings

Planning Applications Site Map PA/22/01910

This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process



London
Borough of
Tower Hamlets

Date: 22 February 2023

1. SITE AND SURROUNDINGS

- 1.1 The site (shown in Figure 1) contains a two storey mid-terrace Victorian single family dwelling house. The immediate environment surrounding the site is characterised by other residential properties which are generally 2 storeys in height.
- 1.2 The rear elevation of the terrace within which the application site sits, is visible in public views from Head Street, the southern portion of which is pedestrianised.
- 1.3 The site is located within the Albert Gardens Conservation Area. There are no listed or locally listed buildings within the immediate vicinity of the site. New City College and Marion Richardson School, which lie some 100m to the south, are Grade II listed. There is a residential terrace on East Arbour Street (to the west of the site) which is locally listed buildings.

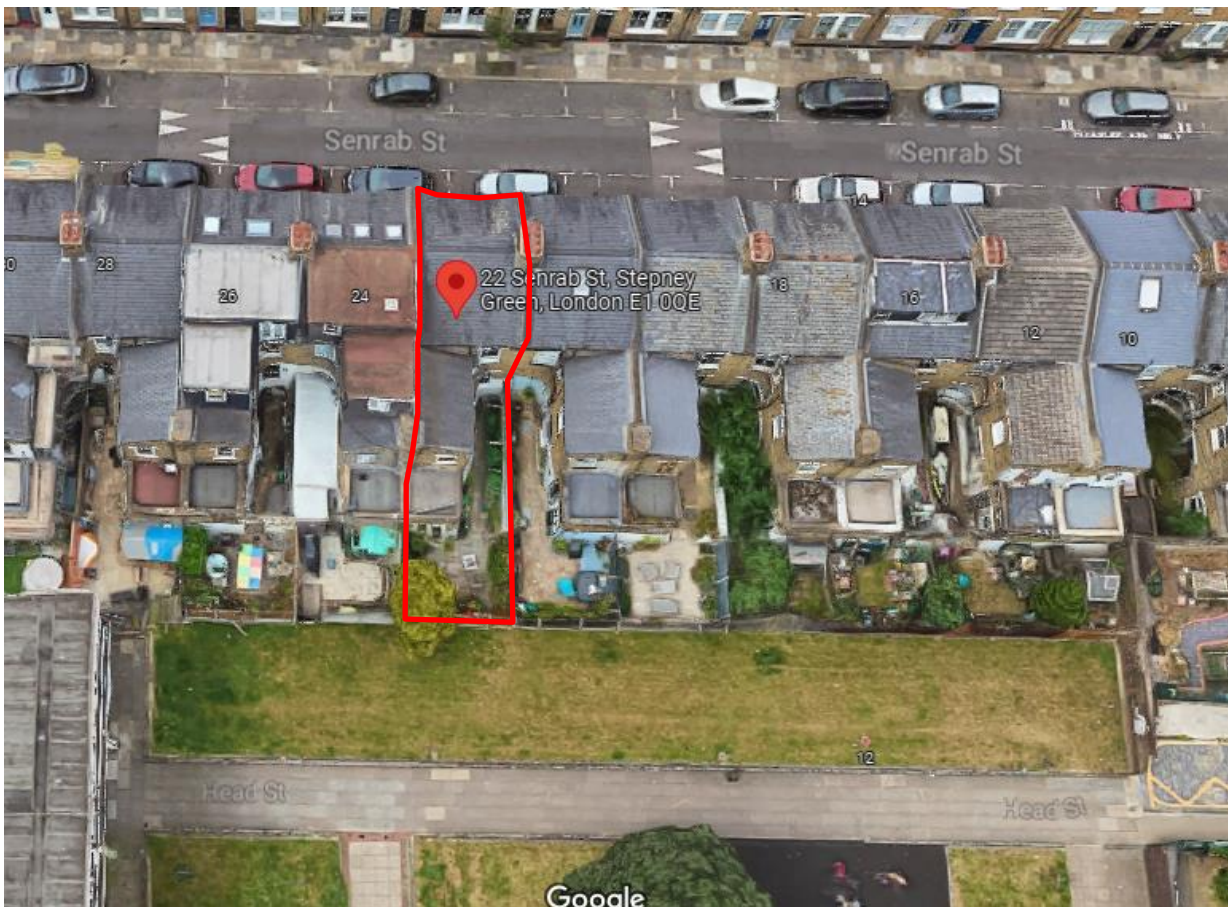


Figure 1: Aerial view of the site from the east

2. PROPOSAL

- 2.1 The proposal involves the erection of a rear roof extensions to create additional living space in the form of two bedrooms for the existing dwelling. Two front rooflights are also proposed.
- 2.2 The proposed rear roof extensions would comprise a dormer window to the main roofslope and an extension over the existing two storey rear outrigger. The rear dormer window to the main roof will hereafter be identified as the 'rear dormer'. The extension over the rear outrigger will hereafter be identified as the 'outrigger extension'.

- 2.3 The flat roof of the rear dormer would have two 'frame mounted' solar panels (PVs) and an element of biodiverse roofing. The remainder of the flat roof areas of the roof extensions would have a waterproof membrane finish, the walls to the roof extensions would be 'slate cladding' and the proposed windows would be anthracite PPC aluminium external finish.
- 2.4 An Air Source Heat Pump unit (hereafter ASHP) is proposed in the southeastern corner of the rear garden.
- 2.5 Other alterations include the replacement of the existing first floor rear bathroom window with a window equivalent to the other existing timber sash windows and the addition of a biodiverse roof to the existing ground floor rear flat roof.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The relevant planning history that relates to the application site is set out below:

Planning Applications

The site

- 3.2 PA/20/01980: Rear roof extensions to create two additional bedrooms and new rooflights to front roof area: Refused, 11/11/2020. This decision was appealed on 02/02/2021 and the appeal was dismissed on 11/08/2021 (ref: APP/E5900/D/21/3268103).
- Reason for refusal and dismissal at appeal : the proposal would introduce significant built form which would fail to respect the modest proportions of the property, and which would be publicly visible, harming the character of the conservation area, for which there are no outweighing benefits.

Neighbouring Sites

- 3.3 PA/19/01661 (3 Senrab Street): Proposed roof glazing on the approved side extension, construction of a roof dormer extension and a rear Juliet balcony. Permitted, 20/09/2019.
- 3.4 PA/19/01254 (11 Senrab Street): Proposed loft conversion with rear dormer and 2x velux windows on front slope. Permitted, 09/08/2019.

Pre Applications

- 3.5 PF/20/00146: Pre application advice sought on a proposal for a rear dormer window and an extension over the rear outrigger.

4. PUBLICITY AND ENGAGEMENT

- 4.1 Following the receipt of the application, the Council notified nearby owners/occupiers by post and a site notice. A press advert was also published in a local newspaper.
- 4.2 A total of 24 representations were received, all of which were in support of the proposal, and state the following:
- The existing terrace contains similar roof extensions and there are other, modern roof roofed blocks to the east, therefore negligible impact on the character of the conservation area.

- Clear public benefits are proposed, through eliminating carbon emissions, supporting biodiversity and adding to stock of properties with more bedrooms.

5. CONSULTATION RESPONSES

Internal consultees

- 5.1 LBTH Design and Conservation: Minor changes have been made to the scheme following the previous dismissal at appeal. These changes do not overcome our concerns about the scheme. The proposed development would have a detrimental impact on the character and appearance of the Albert Garden's Conservation Area.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

- 6.1 Decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.
- 6.2 The Development Plan comprises the London Plan (2021) and the Tower Hamlets Local Plan 2031 (2020).
- 6.3 The key Development Plan policies relevant to the proposal are:

Design and Heritage

- London Plan Policies: D4, HC1
- Local Plan Policies: S.DH1, D.DH2, S.DH3

Amenity

- London Plan Policies: D6
- Local Plan Policies: D.DH8

- 6.4 Other policy and guidance documents relevant to the proposal are:

- National Planning Policy Framework (2021)
- Planning Practice Guidance (updated, 2021)
- Planning (Listed Building and Conservation Area) Act 1990 (PLBCAA)
- Central Area Good Growth Guide (2021)
- Albert Gardens Conservation Area Character Appraisal and Management Guidelines (2009)

7. PLANNING ASSESSMENT

- 7.1 The key issues raised by the proposed development are:

- Design and heritage
- Neighbouring Residential amenity

DESIGN AND HERITAGE

- 7.2 Section 72 of the Planning (Listed Building and Conservation Area) Act 1990 (PLBCCA) states that special attention shall be paid to the desirability of preserving the character of conservation areas. This statutory obligation is reflected in paragraph 199 of the NPPF that states that great

weight should be given to the conservation of a designated heritage asset, irrespective of whether any harm amounts to substantial or less than substantial.

- 7.3 Local Plan Policy S.DH3 also states that proposals must preserve, or where appropriate enhance, designated heritage assets and that significant weight will be given to the protection of the boroughs conservation areas. S.DH1 seeks to ensure development is appropriate in terms of scale, mass, bulk, building and roof lines, design details and use of materials.
- 7.4 In this case the designated heritage asset is the Albert Gardens Conservation Area. Senrab Street was brought into the Conservation Area in 2008, and the Conservation Area Character Appraisal notes that the Senrab Street properties are modest in style. The Appraisal further states that the special interest of the Conservation Area is derived from the distinctive 19th Century built form, reflected in the modest Victorian terraces. Accordingly, the subject property makes a positive contribution to the character and appearance of the conservation area.
- 7.5 A similar proposal to this subject proposal was submitted to the LPA in 2020 (ref PA/20/01980 – see history section above). The application was refused in November 2020 and when that decision was appealed, the Planning Inspectorate dismissed the appeal in August 2021. The Inspector agreed with the LPA, that the roof extensions, by reason of their excessive size and discordant design, would harm the character of the property, the public realm and the conservation area, and that there were no benefits which outweighed the harm. The current proposal seeks to address these concerns through amendments. Each element of the proposal is assessed in turn below, with specific reference to the appeal scheme.

The Front Rooflights

- 7.6 Two rooflights are proposed on the front (western) elevation, shown in Figure 2 below.
- 7.7 The rooflights would be ‘conservation style’, flush to the roofslope. They appear as subordinate additions and would not be visually intrusive within the street scene. As such, they would preserve the special character of the Conservation Area.



Figure 2: Existing (left) and proposed (right) front elevations

The Rear Roof Extensions – The Scheme Dismissed at Appeal

7.8 The rear roof extensions, as dismissed at appeal, are shown through Figure 3 below.

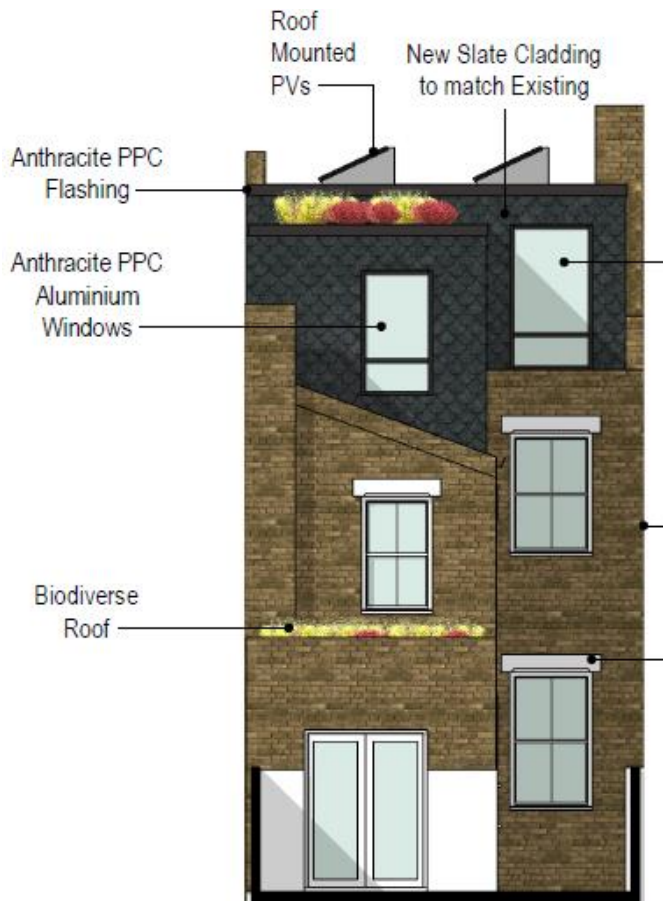


Figure 3: Scheme dismissed at appeal - Rear Elevation

- 7.9 The following is a summary of the Inspectors assessment of the appeal scheme, as outlined in the appeal Decision. The Inspector stated that the proposal would introduce a significant amount of built form to the rear of the dwelling and that its size and imposing form would fail to harmonise with the modest scale and proportions of the property. He noted that there would be clear views of the development from Head Street, looking into the conservation area, where the proposal would be viewed in the context of the rear façade of the wider terrace. There are three properties in the wider terrace that have existing rear roof extensions and the Inspector noted that these existing extensions are prominent and discordant; and all approved prior to the inclusion of Senrab Street in the Conservation Area. Apart from these limited examples, he notes that the roofscape remains largely unaltered, creating a distinctive rhythm of traditional roofs, outriggers and parapet walls, which all contribute positively to the character of the Conservation Area.
- 7.10 The Inspector states that the proposal would further erode the traditional, modest character of the roofscape from the rear, which would harm the character and appearance of the conservation area. The Inspector equated the level of harm with 'less than substantial'.

7.11 In weighing the harm against the public benefits of the scheme, the Inspector noted that the proposal would increase and improve the accommodation, which was largely a private benefit and which carried only limited weight as a public benefit. The biodiversity and energy benefits would be small and overall, these public benefits would not outweigh the harm caused to the significance of the designated heritage asset.

The Rear Roof Extensions – Proposed Scheme

7.12 Figure 4 below shows CGI's of the scheme dismissed at appeal (left) and the proposed scheme (right).



Figure 4: The scheme dismissed at appeal (left) and as proposed (right)

7.13 As can be seen from Figures 4 above, the proposed scheme has been modified from the scheme previously refused by the LPA and dismissed at appeal. The key changes between the proposed scheme and previously refused scheme are detailed as follows:

Rear dormer:

- Width reduced by approximately 375mm, by setting its northern flank wall in from the northern edge of the roof;
- Height decreased by 150mm, by bringing it off the eavesline of the roof;
- Corner window added; and
- Surface area of PV's reduced and their appearance more discrete.
- Addition of biodiverse roof.

Outrigger extension:

- Width reduced by approximately 140 mm;
- Roof form amended so that it would be flat then sloping down at the same pitch as the outrigger roof, biodiverse roof removed; and
- Window shape amended.

Other:

- ASHP introduced to the proposal, to be located in the south eastern corner of the garden, at ground floor level. The applicant is proposing an ASHP with a height of 1500mm, width of 1145mm and a depth of 452mm.

7.14 Figure 5 below shows the existing rear elevation (left) and the proposed rear elevation (right).



Figure 5 – Existing (left) and proposed (right) rear elevation

7.15 While the applicant has made changes to the scheme in a bid to address the previous reason for refusal and dismissal at appeal, the proposed scheme is not considered to be sufficiently different in size or design, to address the concerns. While the bulk of the extension has been reduced to some degree, the amount of built form remains materially similar to the appeal scheme, as can be seen in the comparison images above. The resulting proposed roof extension, by reason of its excessive size and bulk, would obscure the traditional lines of the roof and appear entirely out of scale with the modest host property. It would be a visually intrusive and discordant form of development, degrading the largely unaltered and traditional rear roof form of the terrace- which has been identified for its positive contribution to the significance of the conservation area.

7.16 The existing large rear roof extensions at numbers 24 and 26 Senrab Street are of a size similar to that of the current proposal. Building Control records demonstrate that these extensions were constructed when the properties benefited from permitted development rights, prior to the streets inclusion within the conservation area. For these reasons, these extensions are not afforded any significant weight in the assessment of this current application. The 'conservation area' designated afforded to the terrace in 2007 removed permitted development rights relating to roof extensions and consequently, proposals for dormer roof extensions now require planning permission. No rear roof extensions of a similar scale have been introduced to the terrace since

the street was included into the conservation area, which has served to preserve its historic character. As also noted by the Inspector, these isolated extensions do not comprise the 'character' of the rear elevation of the terrace, which is otherwise intact; and the proposal would only exacerbate the harm caused by these discordant additions.

- 7.17 The applicant was advised as part of pre-application advice (PF/20/146) that any proposals in this part of Senrab Street, must take account that these houses are now within the conservation area. That is to say, it is suggested that any roof extensions must be meaningfully smaller than those previously built out through the expression of permitted development rights and by modest in scale and sympathetic to the original roof form of the terrace to which they form a part of. However, it appears that this advice has not been followed.
- 7.18 The extension would be clearly visible from Head Street, looking into the conservation area and the proposal would neither preserve nor enhance the conservation area's special character. The visual harm to this part of the conservation area would equate to 'less than substantial' harm to the conservation area as a whole. Given the above, the proposal would fail to comply with Policies S.DH1 and S.DH3 of the Tower Hamlets Local Plan 2031.
- 7.19 The NPPF directs that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In terms of public benefits, the proposal would result in two additional bedrooms. As detailed by the planning inspector in the appeal decision, the improved and increased size of accommodation would largely be a private benefit to the applicants family, but would also contribute to the mix of housing types in the area and make more intensive use of already developed land. Nevertheless, the contribution of only one larger dwelling carried only limited weight as a public benefit.
- 7.20 In relation to biodiversity and energy benefits, the following are proposed:
- Renewable energy via two proposed frame mounted Pv's located on the roof of the proposed dormer
 - Biodiverse roof, with seeding benefiting bees. It is noted that no specifications of the biodiverse roof have been provided.
 - Replacement of the gas boiler with an ASHP system, with an aim to reduce carbon emissions by up to 80% by 2030
- 7.21 In weighing the harm against the public benefits, it is the case that while the inclusion of an ASHP would provide some additional benefit above that of the previously refused scheme, the benefits would remain small in scale. In addition, the public benefits associated with ASHP could also be achieved through a more modest scaled extension that does not incur harm to the conservation area. In line with the statutory tests set out in Section 72 of the PLBCAA and the NPPF and in line with Local Plan policy S.DH3, 'less than substantial' harm is not harm that is not significant; and great weight is given to the conservation of the designated heritage asset. It is concluded that the public benefits do not outweigh the harm to the conservation area.

RESIDENTIAL AMENITY

- 7.22 Development plan policies seek to protect and where possible enhance neighbour amenity by safeguarding privacy, avoiding unreasonable levels of overlooking, sense of enclosure, outlook, noise, light, odour, fumes, dust and ensuring acceptable daylight and sunlight conditions.
- 7.23 The proposal, by reason of its rooftop location, would not result in any undue impacts in respect of daylight, sunlight, outlook or privacy.

- 7.24 With respect to the potential for noise and vibration effects associated with the ASHP, the unit would be sited at the back of the rear garden, away from residential windows. In addition, the proposal is a small, domestic unit, and noise output would be limited. Should the application be resolved to be approved, a condition would be recommended, to ensure that noise and vibration emissions do not result in undue noise and disturbance impacts.
- 7.25 While a replacement bathroom window is proposed to the rear, it would remain the same in terms of size and location, therefore no new opportunities for overlooking would be created.
- 7.26 Should the application have been recommended for approval, a condition would have been imposed, requiring compliance with construction noise, dust and noise of work limitations, to ensure that construction impacts are mitigated.
- 7.27 The proposal is acceptable in neighbouring amenity terms, in accordance with policies D.DH8 and D.ES9 of the Tower Hamlets Local Plan 2031.

8. RECOMMENDATION

8.1 That **planning permission is REFUSED** For the following reason:

- 1 The proposed rear roof extension (including alterations to the scale and form of the back of the house and to the main roof) would be unduly bulky, overly obtrusive and visually incongruent addition to the host property and to the terrace in which the site sits. The proposal would neither preserve nor enhance the character and visual appearance of the Albert Gardens Conservation Area including public views of the rear of the site from Head Street. The public benefits identified fail to outweigh the identified harm to the Albert Gardens conservation area. As such the proposal is contrary to Section 72 of the Planning (Listed Building and Conservation Area) Act 1990, policies S.DH1 and S.DH3 of the Tower Hamlets Local Plan (2020) and the objectives of National Planning Policy Framework. (July 2021).

APPENDIX 1

Drawings and Documents List

Title	Drawing Number / Version / Date
Design and Heritage Statement	07/2022
Location Plan	STH-WJK-AR-05-00-3_2
General Street Views	STH-WJK-AR-99-11-3_1
General Rear Views	STH-WJK-AR-99-12-3_1
Perspective Views – Proposed	STH-WJK-AR-99-13-3_1
Elevations – Existing	STH-WJK-AR-30-00-3_1
Sections – Existing	STH-WJK-AR-20-00-3_1
Sections – Proposed	STH-WJK-AR-20-02-3_1
Axonometric Views – Existing	STH-WJK-AR-99-00-3_1
Axonometric Views – Proposed	STH-WJK-AR-99-10-3_1
Plans – Proposed	STH-WJK-AR-15-02-3_1
Elevations – Proposed	STH-WJK-AR-30-02-3_1

APPENDIX 2

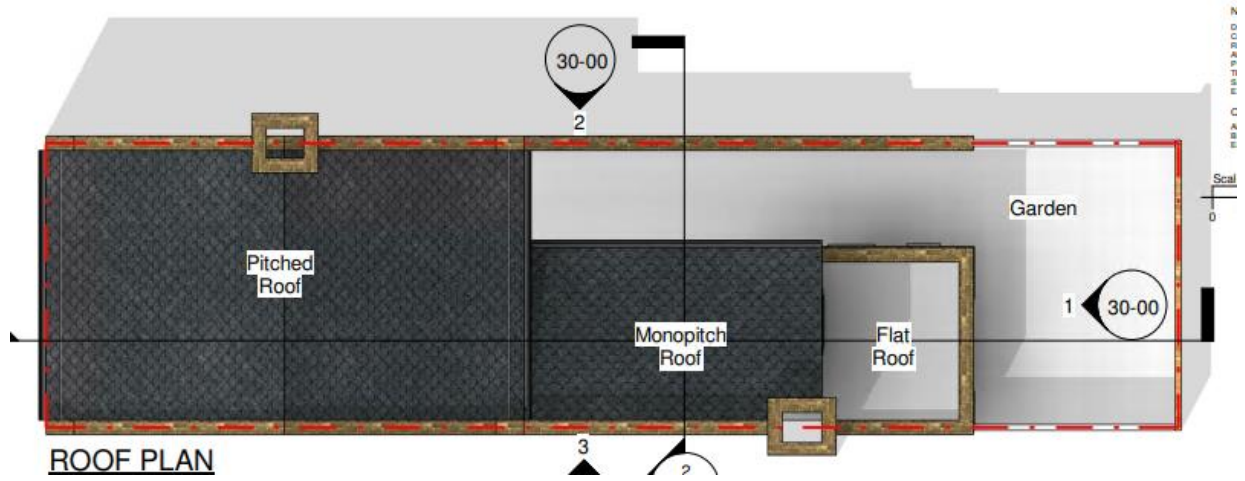
Existing and Proposed Drawings



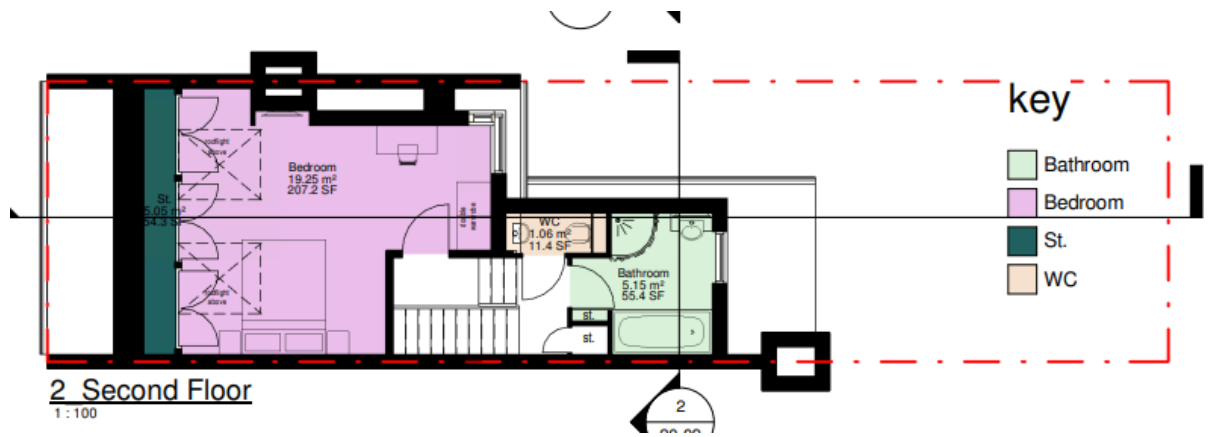
Appendix 2.1: Existing (left) and proposed (right) rear elevations



Appendix 2.2: Existing (left) and proposed (right) front elevations



Appendix 2.3: Existing (top) and proposed (bottom) roof plan



Appendix 2.4: Proposed second floor plan



Appendix 2.5: CGI's of the scheme dismissed at appeal (left) and the proposed scheme (right)