

Appeal Decision

Site visit made on 29 November 2017

by Colin Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 December 2017

Appeal Ref: APP/E5900/W/17/3181435

Victoria Wharf, 2-20 Palmers Road, Bethnal Green, London E2 0SZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Goldbrown Limited against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/15/03211, dated 12 November 2015, was refused by notice dated 30 May 2017.
 - The development proposed is one storey roof top extension to 2-20 Palmers Road, to provide a one bedroom flat and a three bedroom flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - the effect of the proposal on the living conditions of surrounding occupiers having particular regard to privacy, outlook and daylight.
 - the effect of the proposal on the character and appearance of the area.

Reasons

Living conditions

3. The appeal relates to a business and apartment complex situated between Palmers Road and Regents Canal. The site contains individual buildings which are linked together to form an integrated development. This includes a two storey building which faces Palmers Road. It is proposed to add an additional storey to this building in order to accommodate two flats.
4. The plans indicate that the proposed flats would be accessed by doorways in the east elevation, which would also contain bedroom windows. Although these would be set back behind a balcony, they would nonetheless be in close quarters to existing flats in the adjacent six storey building. These also contain doorways and bedroom windows. Considering the limited separation distances (which the Council indicate would be as little as six metres) it seems to me that there is a very high potential for mutual overlooking to take place.
5. The proposed extension would also restrict the outlook from the bedroom windows in the adjacent flats. The impact of this would be exacerbated by the reduction in daylight that would result. Indeed, the appellant's technical report acknowledges that the bedroom windows in No's 6-10 Palmers Road would

experience a reduction in daylight below BRE standards. Whilst I recognise that these windows already experience low levels of light, the proposed development would only worsen the existing situation. Combined with the reduction in outlook, it would lead to a distinct sense of enclosure.

6. I therefore conclude on this issue that the proposal would harm the living conditions of surrounding occupiers. There would be conflict with Policy SP10 of the Tower Hamlets Core Strategy 2025 (the Core Strategy) and Policy DM25 of the Tower Hamlets Managing Development Document (the DPD). Both of these policies aim to achieve appropriate standards of amenity.

Character and appearance

7. This part of Palmers Road is characterised by large, contemporary buildings. This includes the appeal property, which is situated in a prominent position at the junction of Roman Road. Parts of the building are seen in longer distance views from the canal and surrounding area.
8. The proposed extension would reflect the appearance of the existing two-storey building insofar as it would feature extensive glazing along the Palmers Road frontage. Although it would be of a different architectural style than the host building, it would nonetheless maintain a contemporary appearance consistent with the street scene. As it would be set inwards from the sides of the host building, it would not appear unduly bulky when viewed at ground level within Palmers Road, which is already dominated by large buildings.
9. While the extension would clearly deviate from the original design of the appeal property, it would represent a relatively small element of the overall apartment complex. As such, the architectural integrity of the property would be largely maintained. Considering that the proposed extension would not be easily seen from the canal or longer distance vantage points, its visual impact would be mostly confined to Palmers Road, where it would appear in keeping with the local street scene.
10. I therefore conclude on this issue that the proposal would have an acceptable effect on the character and appearance of the area. There would be no conflict with Policies SP10 and SP12 of the Core Strategy or Policy DM24 of the DPD. These policies seek appropriate standards of design.

Conclusion

11. I am informed that the concept of a single storey extension was originally supported by the Council following the withdrawal of a previous application which had proposed a two-storey extension. I am also informed that the appellant has experienced delays during the application process.
12. However, I have based my decision on the planning merits of the proposal before me. While I have found that the development would have an acceptable effect on character and appearance, this does not outweigh the harm to living conditions I have identified. Hence, even though the proposal would contribute to housing supply, it is not sustainable development for which there is a presumption in favour. The appeal should therefore be dismissed.

Colin Cresswell

INSPECTOR