
Appeal Decision

Site visit made on 20 July 2021 by Ifeanyi Chukwujekwu BSc MSc MIEMA CEnv AssocRTPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 August 2021

Appeal Ref: APP/E5900/D/21/3274500

32 Alpha Grove, London E14 8LH

- 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 Ms Jane Meng against the decision of the Council of London Borough of Tower Hamlets.
 - The application Ref PA/20/02694, dated 17 December 2020, was refused by notice dated 11 February 2021.
 - The development proposed is first floor rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (the 'Framework'). Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further comments from the parties on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

4. The effect of the proposal upon the living conditions of the occupants of 30 Alpha Grove with regards to their privacy and outlook.

Reasons for the Recommendation

5. No. 32 is a two-storey dwelling with a single storey rear extension. It lies within a small residential estate laid out in a grid design with a comprehensive network of interconnecting pathways. Properties are grouped in blocks of four, with enclosed rear gardens.

6. No. 32 shares its rear boundary wall with No.30. The proposed first-floor rear extension would sit on top of the existing single storey rear extension. It would extend an existing first floor bedroom by 3 metres and would incorporate two large windows of a similar size as the existing window on the rear elevation. The increase in depth and number of windows would increase the opportunity for overlooking into the first-floor habitable room windows at No. 30 which directly face the appeal site. Consequently, the proposal would be harmful to the privacy of the occupants of 30 Alpha Grove.
7. I acknowledge that the prevailing pattern of development in the area provides a mutual sense of overlooking to a degree. However, the increased depth and two large windows would lead to a greater degree of overlooking than exists in the area generally.
8. Given that the proposal would not extend to the entire depth nor width of the existing single-storey extension, I do not consider it would be of a scale which would harm the outlook from, or increase the sense of enclosure at, No. 30.
9. Nevertheless, I find that by virtue of its size, location and design the proposed first floor rear extension would result in unacceptable living conditions for the occupants of 30 Alpha Grove with regards to their privacy. Consequently, it would conflict with objectives of policy D.DH8 of Tower Hamlets Local Plan 2031 (2020) which seeks, amongst other things, to ensure that new development maintains good levels of privacy and avoids an unreasonable level of overlooking.

Conclusion and Recommendation

10. The development does not accord with the development plan taken as a whole and there are no other material considerations to suggest the decision should be made other than in accordance with the development plan. Therefore for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree with the recommendation and shall dismiss the appeal.

Andrew Owen

INSPECTOR