
Appeal Decision

Site Visit made on 19 October 2021

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2021

Appeal Ref: APP/E5900/W/21/3272255

Flat 4, 1-4 Hollybush Place, London E2 9QX

- 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 Mr Tommy Jefferies against the decision of London Borough of Tower Hamlets.
 - The application Ref PA/20/02387, dated 7 November 2020, was refused by notice dated 12 January 2021.
 - The development proposed is third floor extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application, in part, was refused for non-compliance with Policies 7.4 and 7.6 of the London Plan (2016) which have since been replaced by Policies D3, D4 and D5 of the new London Plan (2021) (LP) with broadly the same aims. I have therefore based my decision on the latter.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the host property and the area.

Reasons

4. The appeal property comprises a three storey building with a utilitarian appearance located on a narrow road leading to a builders yard. The property sits between buildings on Hollybush Gardens and an elevated railway line. Hollybush Place is located off Bethnal Green Road which includes a mix of commercial and residential uses.
5. I acknowledge that the proposed development would not result in overlooking and overshadowing and details of the construction and materials could be secured by condition. However, it would be disproportionately and uncharacteristically large on account of its height, scale and form. Its bulk would be overly dominant, resulting in a top heavy building unacceptably harming the appearance of the host property.
6. Whilst Hollybush Place is a narrow road the proposed development would result in a building that would be visible from within the surrounding area appearing as an overly prominent and dominant feature. This sense of visual obtrusion would be compounded by the height of the proposed development which offers

no relationship to neighbouring buildings. Its height and bulk would render it an incongruous feature in the area.

7. The appellant has referred to planning permissions for taller buildings in the area. However, the circumstances in each case is likely to be different and there is no evidence to indicate these permissions will be constructed. In any event every appeal must be considered on its own merits, as I have done. These permissions are not reasons to allow unacceptable development and do not lead me to reach a different conclusion on this matter.
8. I conclude that the proposed development would adversely affect the character and appearance of the host building and the area contrary to Policies S.DH1, D.DH2 and D.DH4 of the Tower Hamlets Local Plan (2020) which, amongst other things, require development to respect and positively respond to its context, townscape, landscape and public realm; have an appropriate scale, height mass, bulk and form and preserve or enhance townscape.
9. It would be contrary to Policies D3, D4 and D5 of the LP which, amongst other things, requires development to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness and be of high quality. It would also be contrary to the National Planning Policy Framework which, amongst other things, seeks to ensure that developments will function well and add to the overall quality of the area.

Other Matters

10. I acknowledge that the appeal property is located within an accessible location close to services and facilities and public transport links. However, this would not overcome the harm that I have identified.
11. The appellant has suggested that the proposal would improve the internal living accommodation of the flat and result in a unit capable of being occupied by a family. Whilst this is a benefit of the proposal, it is insufficient to overcome the harm I have identified in relation to the main issue. The lack of opposition from nearby properties counts neither for nor against the proposal and does not overcome the harm I have identified in relation to the main issue.
12. I appreciate that the appellant has attempted to overcome concerns previously raised, but the proposal would still be harmful to the character and appearance of the area.

Conclusion

13. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR