
Appeal Decision

Site visit made on 5 April 2022 by N Unwin BSc (Hons) MSc

Decision by J Hunter BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 May 2022

Appeal Ref: APP/E5900/D/22/3292423

25 Francis Close, London E14 3DE

- 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 Bevan against the decision of London Borough of Tower Hamlets.
 - The application, Ref. PA/21/02129, dated 24 September 2021, was refused by notice dated 19 November 2021.
 - The development proposed is a two storey rear extension under the existing roof overhang.
-

Decision

1. The appeal is allowed and planning permission is granted for a two storey rear extension at 25 Francis Close, London E14 3DE in accordance with the terms of the application, Ref. PA/21/02129, dated 24 September 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location and Site Plans ref. 115.101; Proposed Elevation ref. 115.124; Proposed Elevation ref. 115.125; Proposed Roof Plan ref. 115.123; Proposed Ground Floor Plan ref. 115.121; and Proposed First Floor Plan ref. 115.122.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing host dwelling.

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.

Preliminary Matters

3. The Local Planning Authority have cited Policy HC1 of the London Plan (2021) within their decision notice. However, based on the evidence before me this policy is not considered applicable to this appeal.
4. The description in the banner heading above is taken from the planning application form and matches the description given in the appeal form and the

Local Planning Authority's decision notice. However, in the interests of conciseness, for the purposes of the Decision I have removed the superfluous information relating to the existing roof overhang.

Main Issue

5. The main issue to be considered is the effect of the proposed development on the character and appearance of the host building and the surrounding area.

Reasons for the Recommendation

6. The street scene is characterised by distinct groups of uniform dwellings, with each group varying greatly in character and appearance. The juxtaposition of these individually uniform groups is considered to make a positive contribution to the street scene. The appeal property is a two storey terrace dwelling located at the end of a block of similar properties. The corner of the host dwelling is recessed, forming a covered external area that overlooks the garden area and the public highway beyond, albeit behind a relatively tall boundary wall. The terrace forms a principally consistent development with respect to its scale, design, and materials.
7. The proposed development would maintain the existing building line, infilling the recessed corner of the host dwelling using matching materials. The proposed development would therefore preserve the homogeneity of the existing terrace, which forms its principal character and contribution to the street scene.
8. For the reasons set out above I conclude that the proposed development would not harm the character and appearance of the host building and the wider area. Accordingly, I find that the proposal would comply with the objectives of Policy S.DH1 of the Tower Hamlets Local Plan 2031 (2020) and Policy D4 of the London Plan (2021) which among other things require the delivery of good design.

Other Matters

9. The Local Planning Authority raised concerns that the proposal would set a precedent for the infilling of other recessed corners within the Francis Close development. I have found that the proposal would not cause harm to the character and appearance of the host building and the wider area, therefore it would not create a precedent for other developments that would cause harmful effects in these regards.
10. A representation raised concerns regarding the proposed development's impact on the living conditions of the occupants of no. 4 Sextant Avenue with particular reference to privacy, natural light, and outlook. The proposal would not extend beyond the existing building line of the host property and would therefore not materially impact the existing outlook or natural light of no. 4.
11. The ground and first floor windows within the rear elevation of the host dwelling result in a degree of reciprocal overlooking with no. 4. The outlook of the proposed windows would not differ from that of the existing windows and therefore there would be no material intensification of the existing level of overlooking. As such, I am in agreement with the Local Planning Authority that the proposed development would not result in an unacceptable impact on the living conditions of the occupants of no. 4.

Conditions

12. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans and a condition requiring the external materials used match that of the existing dwelling. These conditions are required to protect the character and appearance of the host building and wider area.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

J Hunter

INSPECTOR