



Appeal Decision

Site visit made on 19 July 2023

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th August 2023

Appeal Ref: APP/E5900/D/23/3319945

16 Kingfield Street, Tower Hamlets, London E14 3DD

- 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 Hiten Rajguru against the decision of the London Borough of Tower Hamlets Council.
 - The application Ref PA/22/02486, dated 23 November 2022, was refused by notice dated 18 January 2023.
 - The development proposed is a non-insulated structure with glass roof.
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Decision

1. The appeal is allowed and planning permission is granted for a non-insulated structure with glass roof at 16 Kingfield Street, Tower Hamlets, London E14 3DD in accordance with the terms of the application PA/22/02486, dated 23 November 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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: AL(00)01, AL(01)01, AL(01)02, AL(01)03 and AL(01)04.

Preliminary Matters

2. As the description of the proposed development varies between documents submitted, I have used the description from the Council's decision notice, as this is an accurate and concise description that has also been used by the appellant for their statement.

Main Issue

3. The main issue is the effect on the character and appearance of the appeal dwelling and that of the local area.

Reasons

4. The appeal dwelling is a palisaded two storey mid-terrace house with a small rear fully paved garden area. It has been the subject of a full width two storey rear extension. It is located on a street of similar terraced houses. To the rear, the property backs on to a parking area for a large purpose built block of flats.

5. The proposal is for a single storey glass and metal garden structure that would attach to an existing two storey rear extension to the appeal dwelling. To the sides it would be set in from the boundary between the rear garden of the appeal dwelling and the rear gardens of the adjoining terraced houses.
6. Even with the existing rear extension the appeal property is modest in size, the scale of the proposed single storey structure reflects this size and scale. As the rear garden to the appeal dwelling is small, the proposal would enclose the majority of the small paved rear garden area. However, its use as a weatherproof but openable structure would be directly related to the amenity provided by this paved rear garden space.
7. The glass and metal design of the proposal would appear light open. In combination with being set in from the boundaries with neighbouring properties, this would result in it appearing as a subsidiary garden related structure and subordinate addition to the appeal dwelling. As such, I find that although the proposal would be visible from the block of flats onto which it faces and from neighbouring gardens, it would not appear as excessively bulky, unduly prominent or out of scale with the appeal dwelling and its plot size.
8. For these reasons the proposal would not result in any significant harm to the character and appearance of the appeal dwelling, the terrace of which it forms part or that of the local area. The proposal would, therefore, accord with policy S.DH1 of the Tower Hamlets Local Plan 2031 (2020), policy D3 of the London Plan (2021) and paragraph 130 of the National Planning Policy Framework (2021). These seek to ensure that development is of a high standard of design and integrate with the local area.

Conditions

9. I have considered the Council's suggested condition requiring matching materials to the existing dwelling. However, materials to be used are detailed on the approved plans, as such the proposed condition would be unnecessary. I have, therefore, only included the standard condition relating to the timing of the implementation of development and to ensure design quality I have attached conditions requiring compliance with approved plans.

Conclusion

10. The appeal is allowed.

Victor Callister

INSPECTOR