



Appeal Decision

Site visit made on 25 July 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2024

Appeal Ref: APP/E5900/D/24/3343009

5 Cartwright Street, Tower Hamlets, London E1 8LY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Rashid against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref is PA/23/02367
 - The development proposed is the creation of an additional floor with a new roof light to the existing 3 storey building.
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Decision

1. The appeal is allowed and planning permission is granted for the proposed creation of an additional floor with a new roof light to the existing 3 storey building at 5 Cartwright Street, Tower Hamlets, London E1 8LY in accordance with the terms of the application, Ref PA/23/02367, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing numbers: P-2309.1-000, P-2309.1-102, P-2309.1-104, P-2309.1-105, P-2309.1-106 and P-2309.1-103.
 - 3) The external materials of the extension hereby permitted shall match those used in the existing building/dwelling.

Applications for costs

2. An application for an award of costs was made by Mr Rashid against the Council of the London Borough of Tower Hamlets. This application will be the subject of a separate decision.

Preliminary Matters

3. The description of development was amended during the course of the application. I have therefore used the wording as provided on the appellant's appeal form and the Council's decision notice.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The estate that comprises No. 5 Cartwright Street and its neighbouring properties is of a relatively modern construction in comparison to the historic nature of many of the buildings in the wider vicinity. At present, No. 5 and the adjoining properties at No's 3 and 1 have a collective roofscape that slopes gently downwards to meet the roofline of No. 7. It is clear that the proposed development, which would add an additional storey to No. 5, would break up this existing arrangement.
6. However, the estate is already characterised by dwellings that have roofs at different heights and angles, including in the middle of a terrace. As such, the proposal would not appear to be incongruous or out of place in the context of its immediate surroundings. The extension would also be of a size that would complement the existing building, and I am satisfied that the appearance of No. 5 would not appear overly dominant or overbearing as a result.
7. The appeal site is adjacent to The Tower Conservation Area. However, No.5 is not visible from within the Conservation Area and I am satisfied that the proposal would not harm its setting or the contribution that this makes to its significance.
8. I therefore conclude that the proposal would conform with Policies S.DH1 and D.DH2 of the Tower Hamlets Local Plan 2020. Taken together, the relevant aspects of these policies seek to ensure that new development is well designed and that it preserves character and appearance.

Other Matters

9. I note that the Council's officer report states that, as presented within the approved plans, the development would not adhere to building regulations as the ceiling height above the proposed staircase would be below two metres. However, the design of the internal staircase is not dependent upon this planning permission, and I can see no reason why it could not be adjusted slightly to ensure that the requirements of buildings regulations are met, while also avoiding any change to the external appearance of the building.

Conditions

10. In the interests of certainty and good design, I have imposed conditions to identify the relevant timescales and plans, and a further condition to require matching materials.

Conclusion

11. The proposed development is in accordance with the development plan when considered as a whole. Having had regard to all matters raised, I conclude that the appeal should be allowed.

C Butcher

INSPECTOR