



Appeal Decision

Site visit made on 11 April 2025

by D M Young JP BSc (Hons) MA MRTPI MIHE

an Inspector appointed by the Secretary of State

Decision date: 13 May 2025

Appeal Ref: APP/E5900/W/25/3359023 48 & 49 Falcon Way, London, E14 9UP

- 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 Benjamin David Ross Mowat against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref is PA/24/00832.
 - The development proposed is a loft conversion to provide one additional bedroom, one additional WC additional living space and additional external private amenity.
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Decision

1. The appeal is allowed, and planning permission is granted for a loft conversion to provide one additional bedroom, one additional WC additional living space and additional external private amenity at 48 and 49 Falcon Way, London, E14 9UP in accordance with the terms of the application, Ref PA/24/00832, 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 the following drawing nos. 0048-RUM-XX-XX-DR-A-1000 Rev P4 and 0048-RUM-XX-XX-DR-A-9010 Rev P2.
 - 3) Prior to commencement details of all external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Main Issues

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

Reasons

3. The appeal site comprises the top floor of a three-storey, mid-terraced residential building located within the Clippers Quay estate. The area comprises other similar properties built in the mid-1980s around a former dry dock which is now filled with water.
4. The appeal scheme seeks permission for identical dormer loft conversions to both top floor flats to provide each with one additional bedroom, one additional WC, additional living space and additional external private amenity space. Constructed from a black rubber membrane, the new dormers would sit just below the main ridgeline. The western elevation (facing the dock) would be set back to create the

external terraces. The eastern elevation (facing Falcon Way) would be set back by approximately 0.6m.

5. Among other things, paragraph 124 (e) of the National Planning Policy Framework (the Framework) states that support should be given to upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene. At the local level, Policy S.DH1 of the Tower Hamlets Local Plan 2031 (LP) seeks to ensure development meets the highest standards of design and layout with development responding to its context by providing coherent building lines, rooflines and setbacks.
6. The Council's Reason for Refusal alleges that the extension would be excessively bulky causing unacceptable harm to the character of the host building and the street scene more generally. Those concerns are supported by comments from its Design Officer who stated:

"The estate has a consistent approach to the form which forms a significant part of the character of the area. The building which the application site sits within is a double gable 3 storey building. The proposed extensions on either side of the gable would undermine the integrity of the gabled roof and therefore be incongruous to the rhythm of the existing roofscape and not be in keeping with the character of the area. Given the visibility of the roof from all angles it would not be possible to hide the extension, with views from the east and the west being considered important to the understanding and appreciation of the character of the area. This proposal would not be consistent with the prevailing height or form of neighbouring properties or the overall street scene".

7. As I saw when I visited the site, the surrounding area forms part of an attractive and carefully designed waterside development in central London with views towards the striking skyline of Canary Wharf to the north. The symmetry between development on opposing sides of the quay is clearly a deliberate design feature and a positive attribute of the estate. Nonetheless, the appeal building is not listed nor within a conservation area and there is thus no legal requirement here for development to 'preserve or enhance' its surroundings. Although qualified, Framework paragraph 124e) expressly supports upward extensions of the kind proposed here.
8. On any analysis the proposed extension would be fairly modest and would only be readily visible from the walkway on the western side of Clippers Quay. Even then rather than drawing the eye, one would need to know where to look given the extension would not rise above the existing ridge-line, would be set-back behind the front and side parapet walls and would be constructed from neutral materials.
9. Seen in its wider context, the extension would sit within a row of development on the eastern side of the quay that has as varied roofline including 4-storey buildings at the northern and southern ends of the quay (see Figure 3 to the Appellant's Appeal Statement). In views from the southern end of the quay the appeal property is seen against a backdrop of multi-storey skyscrapers at Canary Wharf. Based on my observations I am not persuaded this is a location which can reasonably be said to have a strong or consistent roofline.
10. Overall, there would be some minor dilution of the symmetry referred to above. However, I do not consider the degree of change would be at a level to bring the proposal into conflict with the Framework or Development Plan. The extension

would be a subservient addition and any change to the host building would be at worst, modest. I am therefore satisfied that the appeal scheme would not conflict with Framework paragraph 124e) or LP Policy S.DH1.

Conditions

11. No conditions have been suggested by the Council, I have therefore imposed a time limit and plans conditions to provide certainty. A materials condition is necessary to ensure the satisfactory appearance of the development.

Conclusion

12. For the reasons given above the appeal should be allowed.

D M Young

INSPECTOR