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## Appeal Decision

Site visit made on 27 May 2025 by A Morrison

### Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19<sup>th</sup> September 2025

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### Appeal Ref: APP/E5900/D/24/3356798

#### 20 Shandy Street, London E1 4LX

- 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 Mrs Hashim and Raeesa Anjum against the decision of the Council of the London Borough of Tower Hamlets.
  - The application Ref is PA/24/01465.
  - The development proposed is First Floor Rear Extension.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Main Issues

3. The main issues are;
  - The effect of the development on the character and appearance of the host dwelling and area; and,
  - The effect of the development on the living conditions of the occupiers of No 27 Shandy Street with particular regard to privacy, No 19 Shandy Street having particular regard to light and outlook and No 22 Shandy Street having particular regard to outlook.

### Reasons for the Recommendation

#### *Character and appearance*

4. The appeal site is an end of terrace two storey dwelling, centrally located within a group of terraces all designed with mono-pitched roofs above rendered and buff brick walls. Its flank elevation, including that of the existing partial width flat roofed single storey rear extension, is visible from the adjacent main Shandy Street thoroughfare. Whilst first floor rear extensions have been added to either end of a neighbouring terrace, the prevailing retention of the original two storey depth of the terraces throughout the estate both provides a simplicity to their scale and preserves a positive sense of spaciousness.

5. The proposed first floor flat roof bedroom addition would be of a matching width to the current ground floor extension and at 4.5 metres in depth, it would extend along most of the existing projection's length. The use of matching materials would help to assimilate it with the existing house, however by virtue of a combination of its significant depth and siting above the existing ground floor element, the proposal would add a substantial additional mass onto the rear of the dwelling. This considerable massing, together with its contrasting roof form and design to the original house, would result in an unsympathetically large and conspicuous addition, to the detriment of the appearance and size of the host property.
6. Acknowledging the prominence of the side elevation to which it would adjoin, the extension's sizeable depth would appear as a pronounced feature within the street scene. The terrace's resulting flank elevation would be incongruously long with respect to the other such buildings in the area, including where there are first floor rear extensions of lesser length. By harmfully unbalancing the proportions of the terrace and reducing the spaciousness between the blocks, the proposal would detract from the character and appearance of the estate.
7. On this basis, I conclude that the proposal would have a harmful impact on the character and appearance of the dwelling and area. In doing so, it would conflict with Policy S.DH1 of the Tower Hamlets Local Plan 2031, which requires new development to respect and positively respond to its site and context, including by being of an appropriate scale, height, mass, bulk and form.

#### *Living conditions*

8. The proposed extension's design includes a rear facing bedroom window which would be of a matching size to that in the existing ground floor addition. This new window would face the rear of No 27 Shandy Street, the opposing end terrace property. As is a feature throughout this area, the dwelling's rear elevation and rear garden area are already overlooked to a degree by neighbouring properties, including from the existing first floor rear bedroom window at the appeal site. However, the proximity of the new bedroom window to the common rear boundary line and No 27's rear elevation beyond would provide its occupants with a significantly closer direct view of the rear of this neighbouring property. The inadequate resulting separation distance would give rise to an unacceptable degree of overlooking, and a consequent unacceptable loss of privacy.
9. No 19 Shandy Street is the adjoining mid-terrace property to the appeal site. Whilst the extension would be positioned to the south of this neighbouring dwelling, because of the development's spacing well away from the joint side boundary and its flat roof form, I am satisfied that it would not result in material harm to the sunlight, daylight and outlook conditions of its occupants.
10. The proposal would result in a double storey height wall immediately beyond and across the full width of No 22 Shandy Street's rear garden boundary. The resulting spatial relationship between the extension's flank elevation and the rear elevation of this neighbouring dwelling would be similar to that existing between No 21 Shandy Street and the larger, original massing of No 20. Due to this existing adjacent relationship between the terraces and with regard to the reasonable separation distance of the proposal from the rear elevation of No 22, I am satisfied that it would retain an acceptable outlook for its occupants.

11. For the reasons as set out, I conclude that the proposal would unacceptably harm the living conditions of neighbouring occupiers at No 27 Shandy Street, with particular regard to privacy. The development would therefore conflict with Policy D.DH8 of the Tower Hamlets Local Plan 2031, which requires new development to protect the extent of amenity of new and existing buildings and their occupants, including through maintaining good levels of privacy and avoiding an unreasonable level of overlooking.

### **Other Matters**

12. The appellant's evidence refers to a nearby section of Shandy Street which contains several two storey extensions. Whilst I note the presence of these developments, they are all of a lesser depth at first floor level than the proposal and are all located within a terrace which, due to its alignment, has a different spatial relationship to neighbouring properties and the street scene. As such, the presence of these shallower extensions does not provide a compelling justification for the proposed harmful development of the appeal site.
13. I have also had regard to the appellant's reference to a previous approval of planning permission (*LPA. Ref: PA/21/01547*) for a first-floor rear extension at the property, which being approved on 4 November 2021, would no longer be extant if a formal commencement had not been undertaken. Whilst I have not been advised of the status of this previous permission, as with the depth of the other two-storey extensions in the area, the previous permission was for a more modest extension which therefore would not carry any significant weight in support of the appeal proposal.
14. The appellant contends that the proposed development would not erode existing garden space and the additional living accommodation would improve the living conditions of occupiers. However, the limited weight that this benefit would attract would not be sufficient to outweigh the harm which I have identified to the character and appearance of the dwelling and area, and the living conditions of neighbouring occupiers.

### **Conclusion and Recommendation**

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

*A Morrison*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

16. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

*Martin Seaton*

INSPECTOR

