

6.0 AMPLIFICATION OF REASONS FOR REFUSAL

- 6.1 The principle of the proposal to erect three two-storey (low energy) houses is acceptable, however, aspects of the development are considered unsatisfactory.
- 6.2 The site is enclosed on all sides by two- and three-storey residential properties and the effect of this proposal on light and outlook to the adjoining residential properties is of paramount concern.
- 6.3 On the eastern boundary of the site is a new two-storey residential development, No. 72a Lyn Mews. The distance between the proposed development and this scheme at 72a Lyn Mews is only 3 metres. The windows in the first floor elevation of 72a Lyn Mews overlooking this appeal site are in obscure glazing and therefore address the problem of loss of light. However, there are clear habitable room windows in the ground floor of 72a Lyn Mews (the adjoining property) and the proposed scheme, located at such a close distance, would lead to an unacceptable loss of light and outlook to 72a Lyn Mews.
- 6.4 The dimensions of the proposed development are 7.1 metres in height, 21.3 metres in width and 6.9 metres in depth. The height of the approved workshop in 1994 was lower than in this scheme. The height was 7 metres and it was 'L'-shaped rather than this rectangular shape of this proposal. The 1994 workshop proposal resulted in minimal loss of light and amenity than this proposal.
- 6.5 The distance between the proposed development and the rear of properties in Brighton Road is 13 metres, and the distance between the scheme and the rear of properties in Palatine Road is 10 metres. In terms of overlooking to the three properties, the scheme provides obscured glazing and clear glazing above eye-level to address the problem of overlooking to neighbours. There will still be loss of light to gardens of Palatine Road properties backing onto the site. The distance between the proposed development and the rears of 104 and 106 Palatine Road is 8 metres. These properties have habitable room windows overlooking this appeal site. This separation distance of 8 metres is considered unacceptable given the two-storey nature of the proposal. The gardens of these properties, 104 and 106 Palatine Road, are small, measuring approximately 20 cubic metres. The proposal would adversely affect light and outlook to the rear of these properties to an unacceptable degree, reducing the quality of life of these residents.
- 6.6 In conclusion, the two-storey proposal is considered unacceptable and is likely to cause adverse problems of overlooking, loss of light and amenity to neighbours. It is contrary to policies EQ1, HO3, HO11 and HO20 of the Hackney Unitary Development Plan. The Council's Unitary Development Policies has changed between 1994 (when approval was granted for the warehouse) and the present. The current Unitary Development Plan is the Hackney Unitary Development Plan, adopted in June 1995, therefore making this scheme unacceptable.
- 6.7 A current/new application for a similar scheme with modifications reducing the building height and width has been received by the Local Planning Authority and is due for consideration.