
Appeal Decision

Site visit made on 16 September 2016

by F Rafiq BSc (Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 September 2016

Appeal Ref: APP/U5930/D/16/3154933

20 Grange Park Road, Leyton, E10

- 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 Zahid Ali against the decision of The Council of the London Borough of Waltham Forest.
 - The application Ref 160782 dated 25 February 2016 was refused by notice dated 27 April 2016.
 - The development proposed is a basement conversion with front lightwell.
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Decision

1. The appeal is allowed and planning permission is granted for a basement conversion with front lightwell at 20 Grange Park Road, Leyton, E10 in accordance with the terms of the application Ref 160782 dated 25 February 2016 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 approved plans: Location Plan (Scale 1:1250), Existing Plans (Drg No: 4623/1) and Proposed Plans (Drg No: 4623/3).
 - 3) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

Main Issue

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

Reasons

3. The appeal site is a mid-terrace property situated on the south-western side of Grange Park Road. The immediate surrounding area is predominately residential and formed mainly of two storey properties set in modest curtilages. A range of front boundary treatment's can be seen and some front walls have been removed. However, the consistent use of bay windows and materials such
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as London stock brick on properties, gives the area a cohesive, residential character.

4. The appeal development proposes to lower the floor level and convert the existing basement, which would feature a lightwell to the front, together with a new bay window and a metal guardrail. Whilst I was able to see the small size of the front garden on my visit, the proposed lightwell would be around the same width as the existing bay window, and would still retain areas of garden around it. Given the proposed changes to the front elevation would be seen as continuation of the existing bay structure, I do not consider that this element of the proposal would appear as an incongruous feature on the host property. A range of different boundary treatments were evident on the appeal terrace, including railings as well as metal handrails and a guardrail enclosing a basement lightwell on another property. Given this context, and the limited height and the open design of the metal railings that are proposed to be utilised, the development would not adversely harm the character of the host property or the area.
5. I therefore conclude that the proposal would not cause unacceptable adverse harm to the character and appearance of the host property or the area. Of the policies quoted within the refusal notice, I consider Policy CS15 of the Waltham Forest Local Plan – Core Strategy and Policy DM29 of the Waltham Forest Local Plan – Development Management Policies to be of most relevance to the appeal development. The proposal would not conflict with these policies, with Section 7 of the National Planning Policy Framework, or the Supplementary Planning Document *Urban Design*, which seek, amongst other matters, high standards of design.
6. I note the references by the appellant and the Council to the setting of precedence. I am however determining this appeal on its own merits and any future application or appeal would also be considered on its own circumstances.

Conclusion

7. For the reasons given above and having taken into account all other matters raised, I conclude the appeal should be allowed.

Conditions

8. In addition to the standard time condition, a condition is needed to secure compliance with the approved plans, for the avoidance of doubt and in the interests of proper planning. I also consider a condition relating to materials to be necessary in the interests of the appearance of the host property and the area. This will require the submission and approval of details / samples to the local planning authority to ensure all elements of the development, including the guardrail have an acceptable appearance.

F Rafiq

INSPECTOR