
Appeal Decision

Site visit made on 6 December 2016

by A A Phillips BA(Hons) DipTP MTP MRTPI

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

Decision date: 16 December 2016

Appeal Ref: APP/U5930/W/16/3157993

**36, 40 and 44 Grosvenor Rise East, Walthamstow, Waltham Forest
E17 9LA**

- 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 Maidenway Ltd against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 160112, dated 16 January 2016, was refused by notice dated 14 March 2016.
 - The development proposed is dormer loft conversions to the first floor flats.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I note that the address shown on the planning application form is 36 Grosvenor Rise East. However, it is clear from my site visit, the Council's decision notice and the appellant's appeal form that the address of the appeal site is 36, 40 and 44 Grosvenor Rise East, which I have used above.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupants of nearby residential properties with particular reference to outlook.

Reasons

4. The appeal site comprises the first floor flats within a two storey staggered terrace of three residential buildings. The flats share a communal rear garden, the rear of which forms the boundary with properties on Randolph Road. The rear boundary of the site is shared with Nos 2a and 3 Randolph Road. However, Nos 1, 1a and 2 are also situated close to the site and have angled views towards the roof where the proposed dormers would be built.
 5. The dormers would be set back from the eaves and below the ridges of the existing staggered buildings. They would also be seen against the backdrop of the existing roofs and would be finished to match the existing roofs. However, as a consequence of the very close proximity and direct relationship to properties to the rear on Randolph Road they would be highly prominent additions to the established roof scape from the rear windows and the rear gardens of those properties.
-

6. The high level location of the dormers together with their scale and massing on the roof would result in there being overbearing, dominant and visually intrusion features creating an undue sense of enclosure to neighbouring properties. Therefore, the living conditions of occupants would be harmed to an unacceptable degree.
7. I observed on site that the outlook from the rear windows and rear gardens of Nos 2a and 3 Randolph Road would be particularly badly affected as a result of their very close proximity and more direct outlook towards the roofs. The living conditions of the occupants of Nos 1, 1a and 2 would also be compromised, but to a lesser degree as a consequence of there being a more angled and distant relationship with the proposal.
8. In support of the appeal my attention has been drawn to another property in the area that has been extended in a similar way to that currently proposed. I am not aware of the specific circumstances that led to that extension being built. Furthermore, I do not consider that case represents a direct parallel with the appeal proposal including with respect to scale and location. In any case, I have determined the appeal on its own merits.
9. Therefore, I conclude that the proposal would have harmful effect on the living conditions of the occupants of nearby residential properties with particular reference to outlook. As such it would be contrary to the amenity requirements of Policies CS2 and CS13 of the Waltham Forest Local Plan Core Strategy March 2012, Policy DM32 of the Development Management Policies Local Plan October 2013, the Residential Extensions and Alterations Supplementary Planning Document February 2010 and the National Planning Policy Framework.

Conclusion

10. For the above reasons and taking account of other matters raised I conclude that the appeal should be dismissed.

Alastair Phillips

INSPECTOR