
Appeal Decision

Site visit made on 13 December 2016

by R W Allen B.Sc PGDip MRTPI

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

Decision date: 22 December 2016

Appeal Ref: APP/U5930/D/16/3162571
30 Spruce Hills Road, Walthamstow E17 4LD

- 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 A Coquillat Colombas against the decision of the London Borough of Waltham Forest.
 - The application Ref 161477, dated 9 May 2016, was refused by notice dated 16 August 2016.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the living conditions of the occupiers of No 32 Spruce Hills Road (No 32) having specific regard to outlook; and
 - The effect of the proposed development on the character and appearance of the property and the area.

Reasons

Living conditions

3. The appeal property is a two-storey semi-detached dwelling with rear outrigger, not untypical of a property of this age, and a single-storey extension. The property and its neighbour No 32 are positioned roughly equidistant from the common boundary, which is reinforced with a low level fence on the section where the proposed extension would be built. Both properties feature side facing bay windows. I observed that the ground level of No 32 is slightly lower than the appeal property.
4. I acknowledge that the outlook from the rear of No 32 will already be somewhat compromised by the proximity of the flank wall of the appeal property to it. Nevertheless, the proposed development would introduce a sizeable structure close, but not tight to the boundary, which I find would considerably worsen this effect, and would cause a significant erosion of the living conditions of the occupiers of this property.

5. I note that two recent planning approvals for the appeal site exist. The first is for a 6m deep extension along the side of the property adjacent to the boundary with No 32, (*Council Ref 160327 approved 10 March 2016*). The second is for, amongst other things, a single-storey extension along the back of the dwelling to replace the existing single-storey extension (*Council Ref 161762 approved 16 August 2016*). In essence the appellant seeks to conjoin the two schemes by infilling the space between them. I have no reason to doubt that that the appellant would implement the approved schemes, and the occupiers of No 32 would inevitably experience a worsening of their living conditions as a result. Nevertheless, while the infill element of the scheme would itself not be considerable in size, overall it would have a significantly harmful effect, considerably more so than the extant scheme. This I find is sufficient for me to dismiss the appeal on this basis.
6. I therefore find that the proposed development would not accord with the relevant parts of policy DM4 of the Waltham Forest Local Plan Development Management Policies 2013 (DMP) and its supplementary planning document entitled 'Residential Extensions and Alterations', which state that the Council will expect development to protect the occupiers of properties nearby from suffering any excessive loss of residential amenity.

Character and appearance

7. I acknowledge that the proposed development would be sizeable in depth as it seeks to infill the majority of the gap between the outrigger and the boundary with No 32. However, it would not be significantly so large such that I am not persuaded that the proposed development would subsequently appear as a disproportionate or insubordinate extension to the dwelling, and I am satisfied the remaining form and features of the dwelling would be readily identifiable and appreciable. The Council has not indicated any vantage points, and I observed none at my site visit, where the proposed development would be visible from surrounding streets, such that I find the proposed development would have no bearing on the character and appearance of the area.
8. I therefore find that the proposed development would accord with Policy CS15 of the Waltham Forest Local Plan Core Strategy 2012 and DMP policy DM29. These state that the Council will facilitate sustainable housing growth by requiring high quality architecture and urban design to ensure it makes a positive contribution to improving the urban environment in the borough, and give strong recognition to local distinctiveness. It would also accord with the relevant parts of DMP policy DM4 and its supplementary planning document entitled 'Residential Extensions and Alterations', which state that the Council will expect extensions to residential buildings to relate to the original host building and respect the street scene and character of the area.

Conclusion

9. For the reasons given above I conclude that the appeal should be dismissed.

R Allen

INSPECTOR