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## Appeal Decision

Site visit made on 7 February 2017

**by Nicholas Taylor BA(Hons) MRTPI**

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

**Decision date: 14<sup>th</sup> March 2017**

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**Appeal Ref: APP/U5930/D/16/3164438**

**50 Gascoigne Gardens, Woodford Green, London IG8 9NU**

- 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 Ben Wicks against the decision of the Council of the London Borough of Waltham Forest.
  - The application Ref 162372 was refused by notice dated 9 September 2016.
  - The development proposed is single storey rear/side extension.
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### Decision

1. The appeal is allowed and planning permission is granted for a single storey rear/side extension at 50 Gascoigne Gardens, Woodford Green, London IG8 9NU in accordance with the terms of the application, Ref 162372, dated 9 September 2016, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: drawing number 1642-101.

### Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the area.

### Reasons

3. The appeal property is a semi-detached, two storey house in a suburban location. At the rear of the house, an L-shaped conservatory currently extends across most of the width of the site, including across the back of the garage, which has a room built over it. The Council says that the conservatory does not benefit from planning permission, but I have been given no assessment of the permitted development implications or lawfulness of any previous alterations to the property.
  4. The proposed development would involve removal of the conservatory and its replacement with a single storey extension at the back of the garage. The extension, in brick with parapet walls and incorporating a glazed roof lantern, would be very slightly higher and more solid in construction and appearance than the conservatory but would not appear incongruous in this context. On plan, it would square-off where the conservatory has an indented corner but it would be significantly less wide across the back of the house. All in all, the
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proposed extension's depth and bulk would compare favourably with that of the conservatory and, regardless of whether the conservatory itself is lawful, it would provide a less cluttered appearance to the rear of the house.

5. The proposal would comply with the requirement of the Council's *Residential Extensions and Alterations Supplementary Planning Document* (SPD) that rear extensions should be subordinate to the host dwelling. The SPD also refers to a rule of thumb that such extensions should not exceed 3 metres in depth. In this case, the extension would only project just over 2 metres from the main rear wall of the house. The 5 metre distance referred to by the Council would be from the back of the garage, which is not as deep as the house. The open-angled alignment of the boundary with the adjacent property at No. 52 would mean that the extension would not dominate the visual relationship between the neighbouring houses, which both have quite large gardens. Nor, given that relationship and the thick woodland beyond the back gardens, would the proposal be visually dominant from the neighbouring dwellings or public areas.
6. Overall, therefore, I conclude that the proposal would not harm the character and appearance of the host property or the area. Accordingly, there would be no conflict with the relevant policies of the *Waltham Forest Local Plan Core Strategy*, in which policies CS2 and CS15 address the principles of good design. Nor would there be conflict with Policies DM4 or DM29 of the *Development Management Policies Local Plan*, which also address similar principles, with particular reference in DM4 to house extensions. I have not been referred to any evidence which leads me to conclude that the proposal would conflict with the development plan as a whole, with the Residential Extensions SPD or the *Urban Design* SPD. In addition, the scheme would comply with the relevant core planning principles and design policies of the *National Planning Policy Framework*.

### **Conditions**

7. I have considered the Council's suggested conditions in the light of national policy and guidance<sup>1</sup> and for succinctness and clarity. In addition to the usual commencement condition, it is necessary, in the interests of proper planning and for the avoidance of doubt, to specify the approved plans. A condition requiring external materials to match those of the existing property is unnecessary as this is specified on the application form.

### **Conclusion**

8. For the reasons set out above, the appeal should be allowed.

*Nicholas Taylor*

INSPECTOR

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<sup>1</sup> *National Planning Policy Framework* (paragraphs 203 and 206) and *Planning Practice Guidance* (Use of Conditions)