

Appeal Decision

Site visit made on 6 March 2017

by Les Greenwood MRTPI

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

Decision date: 20 March 2017

Appeal Ref: APP/U5930/D/16/3168171

10 Campbell Road, Walthamstow, London E17 6RR

- 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 Damian Murray against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 162779 was refused by notice dated 13 October 2016.
 - The development proposed is a loft conversion.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effects of the proposal on:
 - i) the character and appearance of the house and the local area; and
 - ii) living conditions at the next door property, 12 Campbell Road, in terms of the impact on outlook and natural light.

Reasons

Character and appearance

3. 10 Campbell Road is typical of this urban residential street, a modest but handsome, well-proportioned 2 storey mid-terrace period house with a 2 storey rear outrigger. The proposal is to provide second floor accommodation within an L-shaped dormer structure in place of almost all of the existing rear roof. Although described as a loft conversion, the proposal also involves a first and second floor extension at the back of the outrigger, on top of an existing ground floor section.
 4. The Council's Supplementary Planning Document (SPD) *Residential Extensions and Alterations* advises that proposed dormer window or roof extensions should be placed well away from the eaves and flank or party walls and that permission will not normally be granted for dormer extensions that turn the corner of the L-shape, because this would have too great a visual impact on the character of the original building.
 5. In this case, the proposed dormer structure would take up more or less the entire roof structure plus that of the (extended) rear wing, creating what would
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effectively be a large L-shaped, flat roofed second floor. Despite the advice in the SPD, this is not an unusual type of extension in the local area. I did not, however, see any other extensions of the scale proposed, which would overwhelm the form and scale of the existing outrigger. It would therefore be an unsympathetically designed, bulky extension which would fail to respect the architectural form and character of the building. Although the dormer structure would not be seen in public views, it would be seen from a large number of surrounding houses.

6. I conclude that the proposal would unacceptably harm the character and appearance of the house and the local area. It therefore conflicts with Waltham Forest Local Plan Core Strategy (CS) Policy CS15, Development Management Policies Local Plan (DMP) Policies DM4 and DM29 and the SPD, to ensure that extensions are of a high standard of design that relates to the original 'host' building and respects the character of the area. These aims are in line with the National Planning Policy Framework's emphasis on high quality design that reinforces local distinctiveness. The Council also refers to CS Policies CS2 and CS13 and DMP Policy DM32, but these do not appear to be directly relevant to this issue.

Neighbours' living conditions

7. The proposal would create a new wall at first and second floor level on the boundary with 12 Campbell Road. This would not materially affect any ground floor windows at No 12, but would be very close to a first floor rear window at the back of the outrigger, which I understand serves a bedroom. The proposal would cut across a 45 degree line drawn from that window. Although not determinative, this guideline in the SPD indicates that there would be significant impact on neighbours' living conditions. I find that the comparative height, bulk and very close proximity of the extension to this window would make it an intrusive and overbearing feature. Due to the proposed extension's position to the south of No 12 it would also heavily overshadow that window.
8. I conclude that the proposal would unacceptably harm living conditions at the next door property, 12 Campbell Road, through loss of outlook and sunlight. It therefore conflicts with the aims of CS Policy CS13, DMP Policies DM4, DM29 and DM32 and the SPD, to protect the occupiers of nearby properties from suffering any excessive loss of residential amenity, including through loss of outlook. It also conflicts with the Framework's aim to secure a good standard of amenity for all existing and future occupants of land and buildings. Again, I find that the Council quotes policies here which are not directly relevant, in this case CS2 and CS15.

Conclusion

9. I recognise the appellant's reasonable wish to improve his home. Nevertheless, for the reasons set out above and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR