
Appeal Decision

Site visit made on 12 April 2017

by Sue Glover BA (Hons) MCD MRTPI

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

Decision date: 27th April 2017

Appeal Ref: APP/U5930/D/17/3170121

173 Wallwood Road, Leytonstone, E11 1AQ

- 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 Hussain Patel against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 163217 was refused by notice dated 20 January 2017.
 - The development proposed is the erection of a ground floor extension atop an existing raised lower ground floor extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the host dwelling and the area.

Reasons

3. This part of the street is characterised by townhouses set back from the street in a spacious setting. No. 173 has a lower ground floor with a flat roofed rear extension that is partially sunk into the ground. The proposal would add another storey with a flat roof above. The original facade of only the third storey below eaves level of the rear elevation would remain exposed.
 4. Whilst the rear of no. 173 and adjoining houses either side have been altered to a limited extent, the proposal together with the previous extension at no. 173 would obscure a large proportion of the original rear wall and brickwork. The extension in its entirety with a flat roof rear projection would appear disproportionate, and an unsympathetic and dominating addition on the rear elevation. A first floor window with a vertical alignment matching those on the second floor would be replaced with box-shaped windows with an unsympathetic alignment that would appear out of character with the original design.
 5. Taking these matters into account, there would not be a high quality of design, and there would be material harm to the character and appearance of the host building and to this short row of terraced houses with similar design characteristics. I noted the different design of the 2-storey outriggers at nos. 167 and 169 in the same terrace, but these dwellings are clearly distinct from
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no. 173, and the differing circumstances do not justify an unsympathetic design at the appeal dwelling.

6. There is conflict with Policy DM4 of the Development Management Policies Local Plan (DMLP), which expects development to relate to the original host building and to respect the character of the area. There is also conflict with DMLP DM29 that expects a high standard of urban and architectural design, and to reinforce and / or to enhance local character and distinctiveness.
7. The proposal is contrary to Core Strategy (CS) Policy CS15 that seeks to ensure the highest quality architecture and urban design, and to CS Policy CS2, which requires high quality design to ensure it makes a positive contribution to improving the urban environment and responds positively to local context and character.
8. The development plan policies are compatible with paragraphs 17 and 60 of the National Planning Policy Framework that seek to secure a high quality of design, and to reinforce local distinctiveness. The proposal does not meet the objectives of the Framework in these respects.
9. There are habitable room windows close to the common boundary on the lower ground floor of the attached building at no. 171, but not at ground floor level. The living conditions of the residents are affected to some extent on the lower ground floor by the side wall of the existing extension creating some sense of enclosure.
10. The proposed ground floor extension next to the boundary would exacerbate the sense of enclosure on the lower ground floor, and this matter adds weight to the harm that I have identified to character and appearance. As the rear gardens of the dwellings are south facing there would be no significant loss of sunlight.
11. Reference is made to 2-storey extensions on 3-storey buildings elsewhere, but I have judged this proposal on its own individual merits. Nearby residents have raised the potential effect on a party wall, but this is a matter relating to other legislation. I have taken into account all other matters, including all the policies in the Framework and other national planning policy and guidance. The appeal however does not succeed.

Sue Glover

INSPECTOR
