
Appeal Decision

Site visit made on 18 April 2017

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 4 May 2017

Appeal Ref: APP/U5930/W/16/3159299

59 Blenheim Road, Walthamstow, Waltham Forest, E17 6HS

- 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 Mrs L Pathmanathan against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 160629, dated 1 March 2016, was refused by notice dated 18 May 2016.
 - The development is the installation of a door and external staircase for fire escape.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At my visit, the appellant's representative did not have the correct keys to the property so I was unable to gain access to the rear of the site where the staircase is located. Another Inspector was also unable to gain access at an earlier visit. As a result of the 2 failed attempts at gaining access, I am determining this appeal upon the written evidence provided, which includes a photograph of the external staircase. The staircase has been erected so I am considering this appeal retrospectively.

Main Issues

3. The main issues are the effect of the staircase upon the (i) character and appearance of the area; and (ii) the living conditions of the occupiers of No 57 Blenheim Road, with particular regard to outlook.

Reasons

4. The staircase has been erected for the use of the first floor flat. This has necessitated the replacement of a window with a door. The staircase is utilitarian in appearance and is a tall, long, metal structure that extends for over half the length of the rear amenity space. It is, therefore, a prominent feature at the back of the house. The visual impact of the staircase is exacerbated by the railings that have been placed across the flat roof of the rear addition, between the top step and the back door.
 5. Overall, the staircase looks dominant, incongruous and unattractive on the rear of the modest terraced property. Although it is on the back of the building, it can be seen by other residents of the terrace.
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6. I note the appellant's comments that the staircase is only to be used in emergencies and therefore, in her view, it does not cause overlooking. Nonetheless, even if it is only to be used in emergencies, due to its height, length and proximity to the boundary with No 57 Blenheim Road, it is obtrusive and overbearing within the outlook from the habitable rooms and the garden of this dwelling.
7. I therefore conclude that the staircase harms both the living conditions of the occupiers of No 57 in respect of outlook, and it also harms the character and appearance of the area. Consequently, I find conflict with Policies CS13 and CS15 of the Waltham Forest Local Plan Core Strategy (2012), and Policies DM29 and DM32 of the Waltham Forest Local Plan Development Management Policies Local Plan (2013). In combination, these policies seek to protect the amenity of neighbours; promote high quality design; protect local character; and ensure development is visually attractive. I also find conflict with the Council's Residential Extensions and Alterations Supplementary Planning Document (SPD) (2010) and its Urban Design Guide SPD (2010) which also have similar objectives.

Other Matters

8. I note the appellant's point that the staircase is a fire escape but I have nothing before me to explain why the internal staircase cannot be used as such. Therefore, I attach little weight to the proposed use of the staircase. I have taken into account all other matters raised but none outweigh the conclusions I have reached.

Conclusion

9. The appeal is dismissed.

Siobhan Watson

INSPECTOR