

Appeal Decision

Site visit made on 6 June 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 15 June 2017

Appeal Ref: APP/U5930/W/16/3162672
330 Hoe Street, Walthamstow E17

- 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 Ms Patricia Lewis against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 161637, dated 18 April 2016, was refused by notice dated 29 July 2016.
 - The development proposed is ground floor live-work flat; 2nd floor mansard roof with rear 2nd floor back addition to form 2 bedroom flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on i) the character and appearance of the surrounding area and ii) the living conditions of future occupiers with particular regard to internal and external space.

Reasons

Character and Appearance

3. The appeal site is part of a terraced block consisting of mixed residential and commercial uses within a densely developed area. The property has a two storey addition to the rear, which is positioned back to back with a similar extension to the adjoining property. The rear addition is visible from the adjacent street, Albert Road, via a gap between built development.
 4. The proposed rear extension at second floor level would be constructed beneath a flat roof, which would be prominent in relation to Albert Road. From the street this tall, flat roofed extension would appear as a dominant and imposing feature that would be incongruous with the sloping roof of the shorter rear addition serving the adjoining property. Furthermore it would disrupt the sense of symmetry between the two buildings.
 5. The proposed mansard roof extension would add to the bulk of the existing main roof. However this feature would be set further back in relation to Albert Road, compared with the rear flat roofed extension. Furthermore it would be viewed in the context of the more prominent mansard roof serving the adjacent property at No 328. This would serve to visually assimilate the proposed
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mansard extension giving it a more recessive appearance. It would not however, outweigh the harm I have already identified above.

6. I therefore conclude that, although the site is not a listed building or within a Conservation Area, the proposed rear extension at second floor level would, nevertheless, result in harm to the character and appearance of the surrounding area. Accordingly the proposal would conflict with Policy CS15 of the London Borough of Waltham Forest Local Plan Core Strategy 2012 (CS) and Policies DM4 and DM29 of the London Borough of Waltham Forest Development Management Policies 2013 (DMP) insofar as they seek to secure a high standard of design which has regard to local context and character.

Living Conditions

7. The proposed ground floor flat conversion would result in a large and irregularly shaped main living room area. A substantial part of the L-shaped configuration of this room would be outside the direct line of sight of the window serving that room. It seems to me that this would result in a poor standard of natural lighting and outlook for occupiers of the room and therefore unacceptable living conditions.
8. The Council has raised concerns with regard to inadequate external amenity space, cycle parking provision and storage space for refuse and recycling to serve the development. From the information before me and my visit, it is apparent that a substantial amount of external space would remain available at the rear of the property. It seems to me that this space could be utilised as a garden area for the proposed ground floor flat whilst leaving sufficient room to provide storage facilities for cycles and refuse and recycling. Details of these elements could be secured through planning conditions. The availability of external space would not however overcome the concerns I have raised above in respect of the poor standard of internal accommodation.
9. It would appear from the application documents that there would be no intention to provide external amenity space for the extended second floor flat. Although it appears that this flat already functions without access to such space, this is not an ideal situation and the proposed enlargement and likely increased occupancy of the flat would only serve to exacerbate such unacceptable living conditions.
10. Overall I conclude the proposal would, therefore, result in unacceptable living conditions for future occupiers of the proposed ground floor flat with particular regard to the natural lighting of and outlook from the lounge area and for the second floor flat in terms of lack of access to external amenity space. Accordingly there would be conflict with Policy CS13 of the CS and Policies DM7, DM29, DM30 and DM32 of the DMP insofar as they seek to secure a good standard of amenity for all occupants of buildings including the provision of external amenity space. The proposal would, for the reasons set out above, not conflict with Policies CS6 and CS7 of the CS and Policies DM14 and DM32 of the DMP insofar as they seek to secure adequate provision for cycle parking and waste storage.

Other Matters

11. The appellant has made further points in support of the development including that the extension would utilise cohesive materials, and that the

accommodation would meet minimum internal floorspace standards. These considerations are, however, concerned with avoiding harm. Accordingly they are neutral factors in the overall planning balance. The proposal would incorporate provision for car parking. However the appeal site is within an area that has good access to services and public transport provision and also the Council would not require parking to serve the development in this case. Accordingly I attach very limited weight to this consideration.

12. In terms of a previous extension to the rear of No 342 Hoe Street, I have been provided with very little information regarding this development. In any event each proposal must be assessed on its own merits and the extension of another building would not justify the harm I have identified in this case.
13. The proposal would provide a small amount of additional and extended housing and I have no reason to doubt that the ground floor unit would be suitable for wheelchair access. The appeal site is in an area well related to everyday facilities and public transport provision.
14. However for the above reasons, I am firmly of the view that these considerations would not outweigh the design shortcomings of the scheme. Accordingly, the proposal in this case does not amount to sustainable development and the presumption in favour of such, as set out in the National Planning Policy Framework, does not apply.

Conclusion

15. For the above reasons and having had regard to all other matters raised, I conclude that the appeal should not succeed.

Roy Merrett

INSPECTOR