
Appeal Decision

Site visit made on 27 June 2017

by R A Exton Dip URP MRTPI

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

Decision date: 20th July 2017

Appeal Ref: APP/U5930/D/17/3174643

2 Century Road, Walthamstow, London E17 6JB

- 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 M.S Pathmanathan against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 162876, dated 31 August 2016, was refused by notice dated 3 November 2016.
 - The development proposed is described as proposed double storey rear extension.
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Procedural Matters

1. The planning application was amended during its consideration, but before its determination by the Council. Drawing Nos SR/EXT/PP/2016/2CR.2 and 3 both Revision R1 and both dated 24 October 2016 are described by the Council as being amended to indicate the block plan and location plan annotated to the accurate site address. I have based my decision on these plans and my observations on site.
2. In the introduction to the appellant's grounds of appeal reference is made to the appeal being against application Ref 162872. The remainder of the statement, including Figures 1 and 2, specifically respond to the Council's reasons for refusal of application Ref 162876 and this is the reference used by the appellant on the Householder Planning Appeal Form. In light of this I have taken the difference in reference numbers as a typographical error.

Decision

3. The appeal is dismissed.

Main Issues

4. The main issues are the effect of the proposal on i) the living conditions of the occupants of neighbouring dwellings and ii) the character and appearance of the area.

Reasons

Living Conditions

5. The appeal site is the end property in a terraced row of two storey dwellings. To Century Road these present a relatively uniform appearance, with some variations in external materials and finish. The appeal site sits perpendicular to

a short terraced row facing Forest Road. This contains a number of dwellings whose rear gardens bound the appeal site.

6. Presently, the blank gable end of No 2 Century Road covers approximately half the width of the rear garden of the dwelling at No 199 Forest Road. The two storey element of the proposal would extend this wall facing No 199 out to cover the full width of its rear garden. Whilst the extension would not be as high as the gable end of the existing dwelling, it would nevertheless present a large area of solid wall to the occupants of No 199. This would dominate the outlook from both the rear facing rooms of the dwelling and its garden. In combination with the existing blank gable end, it would have an overbearing effect that would significantly diminish the outlook of occupants.
7. Due to the relative position of existing properties to the proposal it would be unlikely to diminish sunlight or daylight, and would not have an overbearing effect on residents of No 197 Forest road. However, the effects of the proposal on the living conditions of No 199 would be significant and harmful. The proposal would therefore be contrary to Policy DM32 of the adopted London Borough of Waltham Forest Development Management Policies 2013. This seeks to ensure that outlook is maintained for neighbours of new development. It would also conflict with the content of the Residential Extensions and Alterations Supplementary Planning Document 2010. This is broadly consistent with the aims of Policy DM32 and the policies of the National Planning Policy Framework in so far as they relate to securing good living standards for all residents.

Character and Appearance

8. The rear elevations of dwellings on Century Road and those of facing dwellings on King Edward Road display a degree of variation. This arises from extensions and alterations of varying sizes and styles. Next door to the appeal site the rear elevations of Nos 4 and 6 Century Road have been significantly altered, giving their eaves and rear facing roof a very different appearance to other dwellings in the area. Within this context, and given that these rear elevations are not highly visible from the public realm, I do not consider that the proposal would be out of character.
9. The proposal would project 2.4m from the rear elevation of the host dwelling. This is a similar projection to many single storey rear extensions on other dwellings in the area. Consequently, it would leave a similar amount of garden area remaining compared to other dwellings. The two storey element of the proposal would appear subservient to the host dwelling as it would cover approximately half the rear elevation and would have a lower ridge height. In light of these factors I do not consider that the proposal would be cramped within its plot or adversely affect the character of the host dwelling. The proposal would therefore comply with Policy CS15 of the Waltham Forest Core Strategy 2012 and Policies DM4 and DM29 of the London Borough of Waltham Forest Development Management Policies 2013. Together these seek to secure high standards of design for new development which recognise local distinctiveness and relate to the character of the area.

Other Matters

10. I note the appellant's comments relating to elements of the proposal being considered permitted development. This may be the case, but I have

considered the proposal on the basis it has been advanced, and found it to be in conflict with the development plan.

11. I also note the appellant's comments on the benefits of the scheme in the form of enhanced living accommodation capable of generating more revenue for the appellant, and its compliance with other policy considerations. However, these do not outweigh the harm to living conditions I have identified or lead me to a different conclusion.

Conclusion

12. Whilst I find no harm arising from the effect on character and appearance, the harm to the living conditions of occupants of No 199 Forest Road and the consequent conflict with the development plan provide sufficient reasons to justify a refusal of planning permission. In light of this, and taking all other matters raised into account I conclude that the appeal should be dismissed.

Richard Exton

INSPECTOR