



Appeal Decision

Site visit made on 18 July 2017

by Katie McDonald MSc MRTPI

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

Decision date: 3 August 2017

Appeal Ref: APP/U5930/W/17/3175294

Land adjoining 143 Sturge Avenue, Walthamstow, London E17 4LF

- 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 A Sritharan against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 161971, dated 16 June 2016, was refused by notice dated 25 January 2017.
 - The development proposed is construction of 1no two bedroom house.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be the effect of the proposal upon;
 - i) the character and appearance of the area; and
 - ii) the living conditions of the occupiers of adjoining properties.

Reasons

Character and appearance

3. Located on a residential road, the appeal site forms the side garden for a two storey end of terrace house. It is set within a short block of terraced houses, separated by gaps, a feature that is replicated within the street. Each block originally comprised 6 dwellings with 3 sets of chimneys and hipped roofs to either end. The gaps between the terraces form a distinctive, rhythmic and important feature within this street scene.
4. The proposal seeks consent for the construction of a 2 storey, 2 bedroom house that would be attached to the side of 143 Sturge Avenue. The resultant effect would be to create a terrace of dwellings as the appeal proposal would attach to the side elevation of No 141A.
5. By closing the gap, and projecting forward of No 141A, the proposal would fail to demonstrate an understanding of the local built context and character, and would not take account of the existing pattern of development. The resulting terrace row would be uncharacteristically long, appearing incongruous to the wider street scene. It would have an inappropriate and awkward stepped build line, being at odds with the dwellings to either side; and the loss of the hipped roof detail would also fail to respect the prevailing 'end terrace' character.

6. The gaps between the dwellings provide a visual relief in terms of built form, but they also evenly and rhythmically break up the dwellings into small blocks to create a sense of openness in this street scene. The retention of these gaps is important and consequently, I find that the effect of development would be harmful to the character and appearance of the area.
7. Therefore, the proposal would fail to comply with Policy DM29 of the London Borough of Waltham Forest Development Management Policies Local Plan (October 2013) (LP) and Policy CS15 of the Waltham Forest Local Plan Core Strategy (March 2012) (CS) which seek, amongst other things, positive, responsive and inclusive development that feature a high standard of design, enhancing local character and distinctiveness. I also find conflict with the Urban Design Supplementary Planning Document (February 2010).

Living conditions

8. The proposal would feature a two storey flat roof projection to the rear of No 143, and a two storey projection to the front of No 141A. No 143 features 2 ground floor and 2 first floor windows to the rear elevation, none of which appeared to be obscure glazed on my site visit and as such, there is presumption that they serve bedrooms or living areas. The appeal proposal would project a considerable distance to the rear, creating a significantly tall and imposing structure against the party boundary. This would result in a sense of dominance and enclosure towards the garden and rear rooms of No 143. This effect would be substantial, to the extent that there would be a severely harmful impact upon the living conditions of the occupiers of the property.
9. I note that a prior notification application for a single storey rear extension at No 143 has been recently approved; however, this has not been constructed. Besides, even if this were built, there would still be substantial resulting harm to living conditions at first floor.
10. The projection to the front would have no significant effect upon the living conditions of No 141A due to the position of their windows. Nonetheless, the proposal's impact upon No 143 would provide unacceptable living conditions for the occupiers, contrary to Policy DM32 of the LP and Policy CS13 of the CS, which seek to ensure that satisfactory amenity and outlook is maintained for neighbours in their homes and gardens.

Other Matters

11. The proposal would provide additional housing in the area; however, the harmful effects of the development identified would not be outweighed by the benefit of one dwelling to overall housing supply. Furthermore, whilst there may be minor economic benefits, the proposal would not provide social or environmental benefits for the reasons set out above and cannot be considered sustainable.

Conclusion

12. Having had regard to all other matters raised, and for the reasons above, I conclude that the appeal should be dismissed.

Katie McDonald

INSPECTOR