

Appeal Decision

Site visit made on 26 September 2017

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 5 October 2017

Appeal Ref: APP/U5930/D/17/3180734

3 Chester Mews, 135A Chingford Road, Walthamstow E17 4PN

- 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 Smith against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 172009, dated 3 February 2017, was refused by notice dated 21 July 2017.
 - The development proposed is a two storey front extension to form new entrance porch.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey front extension to form new entrance porch at 3 Chester Mews, 135A Chingford Road, Walthamstow E17 4PN in accordance with the terms of the application, Ref 172009, dated 3 February 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 025-02.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. The appellant has submitted another appeal in respect of the property. This is the subject of a separate decision (*Appeal Ref: APP/D/17/3178516*).
3. I note that the Council adopted a slightly different development description to that set out on the appellant's planning application form. However, the appellant's description adequately describes the proposal and I have referred to the proposal in those terms. I am satisfied that neither the Council nor the appellant would be disadvantaged in me doing so, and I have therefore determined the appeal on that basis.

Main Issues

4. The main issues are the effect of the proposed extension on:
 - The character and appearance of the host building; and
 - The living conditions of current and future occupiers of the appeal property with particular regard to outlook and light.

Reasons

Character and Appearance

5. The appeal property is a two storey dwelling situated in a mews development off Chingford Road. Chester Mews is essentially a 'landlocked' site, access to it taken via a narrow lane and gated driveway between terraced properties on Chingford Road. Consequently the appeal property is not visible from the public realm on Chingford Road or surrounding streets, although the rear and side elevations form the site boundaries with adjacent properties on Bedford Road and Omnibus Way, from where it is visible.
6. The front elevation of the appeal property already features a two storey build-out on its front (northern) corner. There is not, as a consequence, a single or defining building line at the front of the property. The proposed extension would adjoin the existing build-out and would be broadly centred on the front elevation. It would project forward of the existing build-out, but not significantly so, and to my mind the Council have over-stated the significance of the building line of the host property.
7. Given the property's location at the head of the mews, I see no harm in the positioning of the extension on the front of the property, or the depth of the extension. The pitched roof and first floor fenestration would appropriately reflect the style and character of the existing property and the proposal would, I find, be a harmonious and well-proportioned addition to the front elevation of No. 3. In this respect, I do not consider that the proposal would be harmful to the character or appearance of either the host property or the surrounding area.
8. Thus, for the reasons I have set out, I am satisfied that the proposal would result in an extension of a good design that would respond positively to the character and appearance of the host building. The proposal would be in accordance with the aims and provisions of policies DM4 and DM29 of the Waltham Forest Local Plan Development Management Policies (DMP) and policy CS15 of the Waltham Forest Core Strategy (CS) and would secure high quality design as sought as one of the National Planning Policy Framework's (the Framework) core planning principles.

Living Conditions

9. The Council's concern is that the forward projection of the extension would have an overbearing impact on outlook from, and light to, the adjacent ground floor bedroom window. However, the extension would be positioned to the north of the bedroom windows. As a consequence, I am satisfied that the additional massing of the extension's forward projection would be offset by reflected light from its south facing flank wall. The bedroom is served by two windows and, although the two storey extension would be positioned immediately adjacent to the window reveal of that ground floor room, I do not consider a projection of 3 metres to be excessive or harmful in this instance.
10. Thus, I am satisfied that the proposal would not materially or harmfully affect the living conditions of existing and future occupiers of the appeal property in terms of outlook or light. There would be no conflict with DMP policies DM4, DM29 or DM32 or CS policy CS15 and the proposal would secure a good

standard of amenity for existing and future occupants of land and buildings, in line with one of the Framework's core planning principles.

Conditions

11. I have considered the Council's list of suggested conditions in light of the Framework and Planning Practice Guidance. In addition to the time limit condition, a condition specifying the approved plans is necessary in order to provide certainty, whilst a materials condition is necessary in the interests of character and appearance.

Conclusion

12. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be allowed.

Graeme Robbie

INSPECTOR