



Appeal Decision

Site visit made on 23 July 2019

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 August 2019

Appeal Ref: APP/U5930/D/19/3231117

14 Rectory Road, Walthamstow, London E17 3BQ

- 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 Toby Kress against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 190926, dated 15 March 2019, was refused by notice dated 10 May 2019.
 - The development proposed is erection of rear roof extension, two front rooflights and insertion of one window in front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of rear roof extension, two front rooflights and insertion of one window in front elevation at 14 Rectory Road, Walthamstow, London E17 3BQ in accordance with the terms of the application, Ref 190926, dated 15 March 2019, and the plans submitted with it, 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: Site Location Plan 1:1250, Block Plan 1:200, Existing and Proposed Layouts (CR20).
 - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the building and surrounding area.

Reasons

3. The appeal site comprises a mid-terrace property arranged over two floors which is similar to other properties within the vicinity and is located within a residential area. The proposal seeks to erect a dormer extension on the main roof and a further dormer on the two-storey extension to create an additional

two bedrooms and bathroom. In addition two rooflights and a window are to be constructed on the front elevation.

4. The Local Planning Authority and the appellant have both given details in their evidence of a Lawful Development Certificate (LDC) (Reference 190080 – dated 13 February 2019) for a very similar proposal. This fallback position is a material consideration, to which I have given considerable weight in my decision.
5. The Waltham Forest Residential Extensions and Alterations Supplementary Planning Document (Adopted February 2010) states that “Where there is an L-shaped footprint to the building, permission will not normally be granted for dormer extensions that turn the corner of the L-shape to create one large extension. This is because it will have too great a visual impact on the character of the original building.” Nevertheless, given the existence of the LDC, this form of development can be carried out anyway.
6. The dormer would be partly screened by the existing two storey extension, and will then extend across at right angles along the roof of the extension. It would not be visible from the street.
7. Whilst it would be larger than that approved under the LDC, its increased depth would not be readily perceived within the street-scene. The dormer would be visible from other rear gardens within the terrace, however there are already a variety of roof forms and rear extensions nearby and therefore, the proposal would not look out of character with its surroundings.
8. Having regard to the fallback position already established I conclude that the development would not harm the character and appearance of the dwelling or the wider area. It would not conflict with policies DM4 and DM29 of the London Borough of Waltham Forest Development Management Policies Local Plan policy CS15 of the Waltham Forest Local Plan Core Strategy (2012) which set out the design principles for the area and require development to be well designed and appropriate within its context.

Conditions and Conclusion

9. For the reasons given above I conclude that the appeal should be allowed.
10. The Council has suggested conditions which I have considered against the advice in the Framework and Planning Practice Guidance. I have imposed a condition to ensure that the proposal is built in accordance with the approved plans to provide certainty. Given the lack of detail provided on the submitted plans I have also applied a materials condition to preserve the character of the area. Whilst the Council suggested matching materials, it is unlikely that dormer materials could exactly match those of the main dwelling and therefore it is necessary to require the submission of details instead.

G. Pannell

INSPECTOR