

Appeal Decision

Site visit made on 23 July 2019

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 28 August 2019

Appeal Reference: APP/U5930/W/19/3226902

48 & 50 Matcham Road, Leytonstone, London E11 3LF

- 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 G Cumberland against the decision of Waltham Forest Council.
 - The application (reference 180886, dated 19 March 2018) was refused by notice dated 6 February 2019.
 - The development proposed is described in the application form as a "joint application" for single storey side and first floor rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side and first floor rear extensions, at 48 and 50 Matcham Road, Leytonstone, London E11 3LF, in accordance with the terms of the application (reference 180886, dated 19 March 2018), subject to the following conditions.
 1. The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - drawing number 509/01 (Extension & Alterations Existing Layout);
 - drawing number 509/02A (Extension & Alterations Proposed Layout).
 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.
 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings of any kind shall be inserted in the side elevations of the extensions hereby permitted without the express written approval of the local planning authority.

Main issue

2. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host buildings and their surroundings.

Reasons

3. The appeal site is located in a closely built up area of Leytonstone, in an area of streets of terraced houses in a grid pattern. The locality has good local transport connections, including a railway station at Leytonstone High Road nearby, and good access to local services, for example along the High Road itself, which lies at the end of Matcham Road. There is an extensive area of open space close to the appeal site, at Wanstead Flats.
4. The appeal site comprises two terraced houses, within the terrace of properties on the north-east frontage of Matcham Road. The houses are pleasant residential properties with modest back gardens, laid out in a conventional way, with rear outshots beyond the main line of the terrace (but lower than the main ridge line). However, whereas number 50 is in a good state, number 48 was undergoing a thorough renovation at the time of the site visit.
5. It is now proposed that both properties should be extended by the addition of single storey extensions alongside the rear outshots, together with first floor rear extensions projecting beyond the existing two-storey outshots.
6. The 'National Planning Policy Framework' (which was revised in February 2019) emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, which includes protecting existing residential amenities and providing good standards of accommodation.
7. Those aims are underpinned by Policies in the Development Plan. Various Policies stress the importance of high quality design, including, in particular, Policy CS15 of the 'Waltham Forest Local Plan Core Strategy' (adopted in March 2012) which encourages the creation of "well designed buildings, places and spaces". Likewise, Policy DM29 of the Waltham Forest Local Plan 'Development Management Policies' (dated 2013) seeks to achieve a high standard of architectural design, generally. Policy DM4 of the 'Development Management Policies' deals specifically with residential extensions and alterations, requiring them to "relate to the original 'host' building, respect the street scene and character of the area". It is also intended to protect neighbours from "any excessive loss of residential amenity", while Policy DM32 also focusses on the need to manage the impact of development on neighbours and occupiers.
8. The Council's 'Residential Extensions and Alterations Supplementary Planning Document' (adopted in February 2010) does not have the same force as Policies in the Development Plan but it is a material consideration in this appeal, nonetheless.
9. The proposed extensions would be located at the rear of the existing terrace of houses and would not have an impact on the street scene, though they would be visible from the rear of nearby properties. Evidently, significant change to the rear of the original terrace has already occurred at various points.
10. The second storey extension would increase the depth of the two-storey part of the existing rear outshot by 1.3 metres, though the ground floor already incorporates a small rear addition at this point. In the vicinity of the appeal site, the rear of the terrace has a considerable degree of consistency in this

- respect but it has otherwise been subject to change, most obviously where box dormers have been added to rear roofs. In this case, the proposed first floor extension would maintain the form of the original building and, if matching materials were to be used, would have only a limited effect on the appearance of the terrace. The single storey extensions would have a minimal effect on the architectural qualities of the building.
11. In short, the extensions would not harm the character or appearance of the host building and would not conflict in this respect with planning policies in the Development Plan or with national planning policy.
 12. The single storey extensions would, however, impinge on the outlook from neighbouring properties. Rearward facing windows, serving habitable rooms in the main part of the adjoining buildings, would have an outlook that would be constrained by the single storey extensions. Nevertheless, the outlook would not be so restricted that the scheme could be considered to be unacceptable in an urban context and, again, the proposed extensions would not conflict with the Development Plan. The first floor extension would not materially increase the impact on neighbours' amenities.
 13. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed extensions would be a useful addition to the accommodation at 48 and 50 Matcham Road. The contribution that the appeal scheme would make to the provision of residential accommodation in the locality, even though it would be limited, weighs in favour of the appeal and clearly outweighs the objections that have been raised. I have concluded that the project would not be in conflict with the Development Plan and, specifically, there would be no formal conflict with Policy DM4 of the 'Development Management Policies'.
 14. In reaching my conclusions, I have taken account of the permitted development rights that allow the construction of single storey extensions in certain circumstances, without the need for planning permission.
 15. In short, I am persuaded that the scheme before me can properly be permitted, subject to conditions, and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
 16. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal), subject to modifications necessary, in my opinion, in the interests of clarity and simplicity. I have concluded that conditions are necessary, to define the planning permission and to ensure that quality is maintained. These include a condition to ensure that the materials to be used for the new extensions match the host building and another to prevent the insertion of additional windows (or other openings) that might intrude on neighbours' privacy.

Roger C Shrimplin

INSPECTOR