



Appeal Decision

Site visit made on 16 September 2019

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 September 2019

Appeal Ref: APP/U5930/W/19/3226522
45 Manor Road, Walthamstow E17 5RY

- 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 Ujeyah against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 184145, dated 10 December 2018, was refused by notice dated 18 February 2019.
 - The development proposed is the erection of an extension of D1 nursery building to include first floor rear extension, rear dormer with partial outrigger dormer and 2 x roof lights in front elevation.
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Decision

1. The appeal is dismissed.

Procedural matter

2. At the site visit, I saw that the appeal property had been extended and externally altered in a similar way to the proposal before me but with some notable differences. Specifically, the new dormer extension in place was confined to the main rear roof slope and the size and number of first floor rear windows and the position of the front roof lights differed to the details shown on the plans. For the avoidance of doubt, I have assessed the proposed development as shown on the drawings that were considered by the Council because it was on that basis that planning permission was refused.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

4. The appeal property is a 2-storey building, which the appellant states is in use as a day nursery, crèche and after school club. It is located within a tightly knit built up area that is predominantly residential in character. In the vicinity of the site, I saw that buildings varied in design, size and roof form with some that had been extended at a high level including those to which the appellant has referred and provided photographs.
5. The proposal is to enlarge the appeal property by erecting a split-level 'L' shaped dormer extension on the rear roof slopes of the existing building. In addition, a single storey extension would infill the rear recess at first floor level

- and 2 new roof lights would be placed onto the front roof slope. According to the appellant, the Council has recently approved a similar scheme to that proposed without the dormer extension over the existing 2-storey rear projection. For brevity, I shall refer to this as the approved scheme.
6. The new dormer before me would be noticeably set back from the existing rear elevation and the boundary of the site with the adjacent property to one side of the site. The existing party wall and the rear chimneystack would also be retained that would partly screen the new dormer in some views beyond the rear of the site. Even though the new dormer would be set in from the eaves and stepped down over the rear projection, it would still be a flat-roofed structure of considerable scale, bulk and rearward projection. That the new addition would have a 'box-like shape' and overlap the existing rear roof slopes would visually accentuate its size and bulk.
 7. From the rears of several properties that face Carlton Road just beyond the rear of the site, the new dormer, due to its size, mass and elevated position, would be a conspicuous feature of the host building. Similarly, it would be evident from the rears of the properties on either side of the site, as the appellant's photomontages show. From each of these locations, the new dormer would draw the eye as a visually dominant addition that would give the completed building an awkward top-heavy appearance. The main outcome would be significant harm to the character and appearance of the host building and the local area notwithstanding the use of matching external materials and the partial screening provided by retained features of the existing building.
 8. The appellant places some reliance on roof level extensions to other properties notably along Carlton Road, some of which the appellant states may be larger than the proposal. Few background details have been provided of these examples and so I cannot be sure that their circumstances are similar to those of the appeal scheme. These cases serve to demonstrate that high-level additions on buildings can have a significant impact on the character and appearance of that property and the area to which it belongs. In any event, a central planning principle is that each development should be assessed on its own merits, as I have done in this instance.
 9. Compared to the approved scheme, the proposed increase in floor area would be modest. However, the visual impact of the new dormer would be disproportionately greater given the size and bulky shape of the proposal. I note that the proposal was revised in the light of advice given by Officers at the pre-application stage and that in the appellant's opinion its size is compliant with the Council's recommendations. I also acknowledge that the proposed design, position and scale of the new development would minimise its effect on the living conditions of others.
 10. Nevertheless, I conclude on the main issue that the proposed development would cause significant harm the character and appearance of the host building and the local area. As such, it conflicts with Policy CS15 of the Waltham Forest Local Plan Core Strategy and Policies DM4 and DM29 of the Waltham Forest Development Management Policies Local Plan. Together, these policies seek high standards of design in new development and aim to ensure that extensions respect the host building and the character of the area. It is also at odds with the National Planning Policy Framework, which requires new

development to be sympathetic to local character and to add to the overall quality of the area.

11. In the reason for refusal, the Council has also referred to its Supplementary Planning Document, *Residential Extensions and Alterations* (SPD). However, as the main parties appear to agree that the appeal property is in non-residential use, the advice within the SPD is of less direct relevance to the proposal.
12. Once complete, the proposal would provide additional internal space within the building, which would benefit its users. However, this consideration does not outweigh the significant harm that I have identified.
13. The Council does not object to the proposed first floor rear extension or to the roof lights on the front roof slope, which I also find acceptable in design, size and general appearance. However, from my inspection of the plans, I cannot be certain that these elements of the appeal scheme are clearly severable from the new dormer, which is objectionable. Consequently, I am unable to issue a split decision that grants planning permission solely for them.

Conclusion

14. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR