



Appeal Decision

Site visit made on 9 March 2020 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) DipTP MRTPI

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

Decision date: 30 March 2020

Appeal Ref: APP/U5930/D/19/3242758

40 The Crescent, Walthamstow, E17 8AB

- 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 Mohammad Yasin against the decision of London Borough of Waltham Forest Council.
 - The application Ref 192630, dated 6 August 2019, was refused by notice dated 10 October 2019.
 - The development is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 40 The Crescent, Walthamstow, E17 8AB, in accordance with the terms of application Ref 192630, dated 6 August 2019 and the plans numbered 020A, 021A, 022, 023 and 024.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The application was submitted retrospectively and during the site visit I observed that the works have been carried out. Accordingly, I have considered the proposal on this basis.

Main Issue

4. The main issues are:
 - The effect of the development on the character and appearance of the area; and
 - the effect of the development on the living conditions of the occupiers of 38 The Crescent, with regard to outlook.

Reasons for the Recommendation

Character and appearance

5. The appeal site accommodates a two-storey, mid-terrace property on the southern side of The Crescent within an established residential area characterised by terraced housing. The extension which is proposed to be

retained is attached to a wrap-around single-storey extension. The area to the rear of the appeal dwelling is typical of areas to the rear of properties in urban areas, with various rear extensions, outbuildings, sheds and domestic paraphernalia. The paved rear amenity space is small and abuts the rear gardens of the terraced properties to the south on Markhouse Avenue. Both direct neighbours at 38 and 42 The Crescent have single storey rear extensions.

6. The development to be retained extends by around 2.4 metres from the rear of the previous single storey extension. Although it adds to the total depth of extensions at the site, I find it does not appear incongruous in this location due to the number of rear extensions and outbuildings visible in the immediate vicinity. Indeed, it ties in with the varied built form and jagged building line to the rear of properties along The Crescent and Markhouse Avenue. The modest scale of the extension also limits its visual impact. It thus does not appear dominant and is not out of keeping with the character and urban grain of the surrounding area.
7. Given the above, the development complies with Policy CS15 of the Waltham Forest Local Plan- Core Strategy (the 'Core Strategy') as well as Policies DM4 and DM29 of the Waltham Forest Local Plan- Development Management Policies (the 'Local Plan') which together seek to ensure proposals are well-designed and respond positively to local context and character.

Living conditions

8. The rear extension abuts the common boundary with No.38. It is single storey and flat-roofed and therefore of modest height. It is considered that the development has not markedly changed the outlook from the rear of No.38. Indeed, the height and depth of the development does not appear excessive and does not have an intrusive visual impact. I find the development has not created an adverse and dominant "tunnel" effect due to the presence of the single storey rear infill extension at No. 38. Due to its modest scale the development would thus not appear overbearing or obtrusive from the rear elevation and garden of No.38 such that it would unacceptably disrupt the outlook or living conditions of the occupiers.
9. Overall, I conclude there is no unreasonable impact on the living conditions of the occupiers of 38 The Crescent with regards to outlook. The development therefore accords with Policy CS15 of the Core Strategy and Policy DM32 of the Local Plan which together aim to ensure new development is of good design, well related to context, and respectful of the amenity of occupiers of neighbouring buildings. This is consistent with the National Planning Policy Framework (the Framework) which aims to ensure a high standard of amenity for residents.

Other Matters

10. The single storey rear extension has reduced the amount of outside amenity space available. However, there is still enough sitting-out space and functional space available for private outdoor activities. Therefore, I do not find the development has reduced the amount of outside amenity space available to such an extent that it has adversely affected the living conditions of the residents of the appeal property.

Conditions

11. The Council has suggested a number of conditions that it would wish to see imposed in the event that the appeal was successful. I have considered the suggested conditions against the advice on conditions set out in the Framework and the Planning Practice Guidance.
12. I have not included the suggested condition relating to the commencement of the development, as the development has clearly already been completed. For the same reason, I have also not included the condition requiring the external finishing materials match the main house. The relevant plans are included within the terms of the decision.

Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR