
Appeal Decision

Site visit made on 1 September 2020

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 September 2020

Appeal Ref: APP/U5930/D/20/3248279
286 Old Church Road, Chingford E4 8BN

- 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 Kandanli against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 192695, dated 13 August 2019, was refused by notice dated 22 October 2019.
 - The development proposed is described as "*hip to gable end roof conversion with two rear dormer windows and double storey side extension*".
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Decision

1. The appeal is allowed and planning permission is granted for development described as a hip to gable end roof conversion with two rear dormer windows and double storey side extension at 286 Old Church Road, Chingford E4 8BN, in accordance with the terms of application Ref 192695, dated 13 August 2019, subject to the following conditions:
 - a) The development hereby permitted shall begin no later than three years from the date of this decision.
 - b) The development hereby permitted shall be carried out in accordance with the following approved plans: SE 1468 – 06/P Revision C and SE 1468 – 07/P Revision C.
 - c) 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.

Preliminary Matters

2. I have taken the site address and description of proposed development from the planning application form although I note these are expressed differently on other documents. I have also taken the appellant's name from the planning application form but note that a Christian name has been included on the planning appeal form.

Main Issue

3. The main issue raised in respect of this appeal is the effect of the proposed development, and in particular the rear dormer additions, upon the character and appearance of the host property and wider surrounding area.

Reasons

4. The proposed rear dormers would be symmetrical in their design and position within the rear roof slope, although they would cover a large portion of the roof. I observed that other properties within close proximity to the appeal dwelling host large rear roof extensions. Most notably the roof dormers at 290-292 Old Church Road, a short distance from the appeal property, occupy most of the rear roof slope relating to these combined properties. In the context of the surrounding area I do not consider the proposed dormer roof additions would appear out of keeping. Whilst the proposed roof extensions would be large and have a top-heavy appearance upon the property, their appearance would not be appreciably different to that of roof additions at other properties in the area, including those at 290-292 Old Church Road. Consequently, within the immediate context of the appeal property the proposal would not appear as an incongruous addition to the host property.
5. For these reasons, I conclude that the proposed rear dormer additions would not be substantially harmful to the character and appearance of the host property and wider surrounding area. As such, the proposal would not materially conflict with Policy CS15 of the Waltham Forest Local Plan – Core Strategy 2012, Policies DM4 and DM29 of the Waltham Forest Local Plan – Development Management Policies 2013 and Supplementary Planning Document (SPD) 'Residential Extensions and Alterations' 2010. These policies and SPD seek, amongst other matters, residential alterations and/or extensions to relate to the original host building, respect the street scene and character of the area.

Other Matters

6. Concern is raised to potential overlooking. The windows in the rear elevation of the two-storey side extension would not directly face toward the rear elevation of 2 Lambourne Gardens. I do not consider that any significant additional overlooking would be created by the proposal over and above that which already exists. In addition, the flank elevation windows are shown on the plans to be fitted with obscured glass. A condition requiring the development to be carried out in accordance with the approved plans would require these windows to be fitted with obscured glass, thus reducing the potential of observation from the internal rooms these windows would serve. I consider that the angle and position of the existing dwelling this prevent the roof extensions from creating significantly harmful overlooking that would negatively impact upon the living conditions of adjoining occupiers. In addition, given the separation and relationship between 2 Lambourne Gardens and the appeal property together with its proposed extensions, the proposal would not significantly overshadow this neighbouring property.
7. Any noise and disruption from building works would be limited to that period when construction would take place and, therefore, this would be a relatively short timeframe in which such disturbance would be experienced by neighbouring occupiers. On the evidence before me I see no substantive reason why extending the kitchen at the appeal property bringing it nearer to adjoining properties would create unacceptable levels of cooking odours for adjoining occupiers. With regard to property value this not a material planning consideration.

Conditions

8. I have considered the conditions suggested by the Council in light of paragraph 55 of the National Planning Policy Framework and the advice in the Planning Practice Guidance. In addition to the standard time limit condition and in the interests of certainty it is appropriate that there is a condition requiring the development to be carried out in accordance with the approved plans. In the interests of the appearance of the host property and the area the external materials to be used in the construction of the development should match those of existing building.

Conclusion

9. Having regard to the above the appeal should be allowed.

Nicola Davies

INSPECTOR