



Appeal Decision

Site visit made on 17 November 2020

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 December 2020

Appeal Ref: APP/U5930/D/20/3254993

51 Grove Road, Walthamstow, London, E17 9BL

- 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 Mrs Amy Rogers against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 200942, dated 14 March 2020, was refused by notice dated 11 May 2020.
 - The development proposed is construction of dormer roof extension to main rear roof (with French doors and safety railings) and extension above two storey outrigger together with installation of two roof lights to front roof.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposed development is taken from the decision notice. The application form describes the development proposed as "loft conversion."

Main Issues

3. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of neighbouring occupiers, with regards to outlook.

Reasons

Character and appearance

4. The appeal property is a two storey, brick-built, mid-terrace dwelling. The dwelling has a two storey rear outrigger and has been extended to the rear at ground floor level.
 5. The appeal property is located within a residential area which, in this location, is largely characterised by the presence of two storey terraced dwellings. Houses tend to be set back from the road behind short gardens, with longer gardens to the rear. The area is relatively densely developed and the rear garden area provides for a sense of greenery, space and openness.
 6. During my site visit I observed that, whilst many dwellings have been altered and/or extended, the changes tend to appear largely in keeping with host
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properties and the surrounding area. In contrast to this, I also observed that a dwelling adjoining the appeal property has a dormer extension which appears as an unduly bulky development, out of keeping with its surroundings.

7. The proposed development would comprise a large "L-shaped" rear dormer. This would cover the full width of the main rear roof slope and would project over part of the rear outrigger.
8. I find that together, the height, width, shape and projection of the development proposed would result in an unduly bulky and "boxy" extension. Its size and overall appearance would appear out of scale and proportion with the appeal property's rear elevation, leading it to appear top-heavy. When combined with the prominent location of the proposal, at first storey and roof level, it would result in a dominant and overbearing development.
9. Further to the above, the harm arising would be exacerbated as a result of the development appearing as an incongruous feature, out of character with an area where, generally, alterations and extensions appear sensitive to host properties and their surroundings.
10. In support of her case, the appellant refers to a fall-back position in respect of permitted development. However, whilst it may be that a different form of development to that proposed could comprise permitted development, there is nothing before me to demonstrate that the Council has provided a certificate of permitted development for the form of development proposed.
11. Notwithstanding this, the proposed development would harm the character and appearance of the area. This is contrary to the National Planning Policy Framework; to Local Plan¹ policies DM4 and DM29; to Core Strategy² policy CS15; and to Waltham Forest Supplementary Planning Document – Residential Extensions and Alterations (2010), which together amongst other things, seek to protect local character.

Living conditions

12. A habitable window to the rear of No 53 Grove Road faces towards the side of the appeal property. The scale and close proximity of the proposed dormer would result in the proposal appearing to "loom" over this window, such that it would appear dominant and overbearing in the outlook from No 53.
13. In support of her case, the appellant considers that No 53 already experiences a loss of daylight as a result of the existing dormer at No 49 Grove Road; and that, "any visual impact if there is one is already compromised" by this existing development.
14. However, as the appeal property is located between Nos 49 and 53, the proposed development would be located significantly closer to No 53 than the dormer at No 49 and as such, would result in a more significantly detrimental impact on the outlook from No 53 than the existing situation.
15. Taking this into account, I find that the proposed development would harm the living conditions of neighbouring occupiers, with regards to outlook and

¹ Waltham Forest Local Plan – Development Management Policies (2013).

² Waltham Forest Local Plan – Core Strategy (2012).

daylight. This is contrary to the National Planning Policy Framework; to Local Plan policies DM4 and DM32; and to Core Strategy policies CS2 and CS13, which together amongst other things, seek to protect residential amenity.

Conclusion

16. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR