



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: 04 December 2020

Appeal Ref: APP/U5930/D/20/3256763

6A Burchell Road, Leyton, London, E10 5AZ

- 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 Miss Audrey Gordon against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 201400, dated 11 May 2020, was refused by notice dated 6 July 2020.
 - The development proposed is rebuild rear single storey extension, add first floor rear extension and convert loft with rear flat roof dormer.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposed development is taken from the application form. The decision notice describes the development proposed as "Construction of dormer roof extension to main rear roof (with French doors and safety railings). Construction of ground and first floor rear extensions."

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 and daylight.

Reasons

Character and appearance

4. The appeal property is a two storey, brick-built, mid-terrace dwelling. The dwelling 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 characterised by the presence of two storey terraced and semi-detached 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 and openness.
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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 properties and the surrounding area.
7. The appeal property, like its neighbours to either side, has been extended to the rear. This rear extension does not fill the width of the plot but provides for a gap between the appeal property and its boundary with No 6 Burchill Road. Similarly, there is a gap between the extension projecting from the main rear elevation of No 6 and its boundary with the appeal property.
8. I also noted during my site visit, that the extension to the rear of No 8 does not fill the width of the plot but provides for a similar gap. These gaps make a contribution to the identified sense of spaciousness and also ensure that the extensions appear subservient to their host properties.
9. The proposed development would involve the construction of a large single storey rear extension, with a small first floor extension above and a large rear dormer extension at roof level.
10. The proposed ground floor rear extension would extend across the full width of the plot. In so doing, I find that it would appear as an incongruous feature and that it would detract from the area's spacious qualities.
11. In addition, when considered together, the projection, height and width of the proposed ground floor extension, combined with the presence of two protruding sky lanterns, would, I find, result in it appearing as a large and bulky addition that would appear dominant, rather than subservient in scale to the host property.
12. The harm arising from this would be exacerbated as a result of the totality of the proposed development, such that the proposed first floor and dormer extensions would add such further built volume as to result in the proposed development as a whole appearing out of scale with the host property.
13. The effect of this would be emphasised as a result of the proposed dormer drawing attention to itself as a large and bulky addition at roof-level. Further, the unsympathetic design of the proposed dormer, with its "boxy" appearance and prominent French windows and Juliet balcony, would lead it to appear as an unduly dominant feature.
14. In support of the proposal, the appellant considers that the dormer comprises permitted development. In this regard, there is nothing before me to demonstrate that the Council has provided a certificate of permitted development for the development proposed, or that a certificate of permitted development has been applied for in this regard. In its officer's report, the Council stated that the proposed dormer would be "unsympathetic and dominant."
15. Notwithstanding this, I have found that the proposed development as a whole would fail to appear in keeping with the host property and that it would harm the character and appearance of the area. This is contrary to the National Planning Policy Framework; to Local Plan¹ policies DM4, DM29 and DM32; to

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

Core Strategy² policies CS13 and 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

16. During my site visit I observed that a glazed rear door opens out onto the gap between No 6's rear extension and its boundary with the appeal property and that No 6's kitchen window looks across this gap towards the side of the appeal property.
17. As noted above, the proposed ground floor extension would fill the width of the appeal property's plot. In so doing, it would result in a tall blank side wall projecting along the appeal property's boundary with No 6 for some considerable distance.
18. Due to its height, projection and immediate proximity, the proposed ground floor extension would, to some considerable extent, appear to "loom" over the gap between No 6's rear extension and the appeal property and as a result, it would dominate the outlook from this neighbouring property's glazed rear door and kitchen window.
19. The harm arising from this would be exacerbated as a result of the proposed development reducing the amount of daylight received by No 6 in this area.
20. Taking all of the above into account, I find that the proposed development would harm the living conditions of neighbouring occupiers, with regards to outlook and daylight. This is contrary to the National Planning Policy Framework; to Local Plan policies DM4, DM29 and DM32; to Core Strategy policies CS13 and CS15; and to Waltham Forest Supplementary Planning Document – Residential Extensions and Alterations (2010), which together amongst other things, seek to protect residential amenity.

Conclusion

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

N McGurk

INSPECTOR

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