
Appeal Decision

Site visit made on 8 December 2020

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 January 2021

Appeal Ref: APP/U5930/D/20/3256474

35B Heaton Close, Chingford, London, E4 6UF

- 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 Ms Louise Wollaston and Mr John Chapman against the decision of London Borough of Waltham Forest Council.
 - The application Ref 200845, dated 5 March 2020, was refused by notice dated 29 April 2020.
 - The development proposed is a dormer loft conversion.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site comprises a modern, brick-built, two storey house, located within a terrace of four. It backs onto the head of the cul-de-sac known as Oakley Close, from which the rear of the dwelling is highly visible. The visual prominence is increased by the fact that the appeal site sits higher than the surrounding dwellings.
4. Although the surrounding dwellings are not uniformly designed, they are similar in form and character. It is evident from the council's report that permitted development rights for roof extensions have been removed from the properties in this area to enable the local planning authority (LPA) to retain control over the form of development in the area in the interests of visual amenity. It was clear from my site visit that to date, the LPA has been successful in preserving the immediate surrounding area from large and inappropriate roof structures that would detract from the cohesive appearance of the area.
5. It is proposed to construct a substantial flat roof dormer in the rear roof slope. Whilst I acknowledge that the dormer was slightly reduced in scale during the application process, the large box-like structure still proposed would result in a top heavy and unbalanced appearance, which would not respect the scale and design of the existing dwelling or the surrounding properties. The resultant development, by reason of its scale and design, would be an incongruous feature in the roofscape, which would be harmful to the appearance of the

wider area. This harm would be exacerbated by the views of the rear elevation of the property from Oakley Close and beyond.

6. The appellant has drawn my attention to numerous other dormers in the area. These examples are some distance away from the appeal site on older housing estates that benefit from permitted development rights. I can therefore give these examples very limited weight.
7. I also acknowledge the appellants personal circumstances and their urgent need for additional bedroom space for their growing children. However, notwithstanding the technical and financial constraints, loft conversions can be undertaken in a more sympathetic manner using rooflights and/or smaller dormers. I appreciate that these alternatives would not create the same level of space, perhaps only one bedroom rather than the two desired, but the appellants need for space does not outweigh the harm that would result from the proposal.
8. Although LPA's are required to ensure that there is an adequate supply of local homes to meet local housing needs, and altering existing homes is one such way of meeting this need, this is only acceptable where it can be done without causing other harm.
9. The arguments before me do not provide any compelling reasons why planning permission should be granted contrary to planning policies aimed at securing high quality design, which respects the appearance of the area. The appellant claims that in other LPA areas, where permitted development rights have been removed, planning permission is generally granted for proposals that would comply with permitted development criteria. Following this approach would somewhat defeat the object of removing those rights in the first place and I have not been made aware of any appeal or application to remove the restrictive condition on the grounds that it is unreasonable or unnecessary. Moreover, I have determined this case on its own merits and unfortunately the matters raised do not outweigh the harm that would result from the proposal.
10. I therefore conclude that the proposal would be harmful to the character and appearance of the host dwelling and the surrounding area. As such it would be contrary to policies CS15 of the Waltham Forest Core Strategy (2012), policies DM4 and DM29 of the Waltham Forest Development Management Policies (2013) and Supplementary Planning Document' Residential Extensions and Alterations'(2010).

Conclusion

11. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Rachael Bartlett

INSPECTOR