



Appeal Decision

Site visit made on 23 November 2020

by Euan FS Pearson BA(Hons) BTP FRGS MRICS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11/02/2021

Appeal Ref: APP/U5930/D/20/3255604

4 Forest Road, Leytonstone, London E11 1JT

- 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 Rae Hendrie against the decision of London Borough of Waltham Forest.
 - The application Ref 200721 dated 27 February 2020, was refused by notice dated 6 May 2020.
 - The development proposed is construction of single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for construction of a single storey rear extension at 4 Forest Road, Leytonstone, London E11 1JT, in accordance with the terms of application Ref 200721, dated 27 February 2020 and subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 037-EX-01 Rev A, 037-PL01 and 037-PL02 Rev A.
 - 3) 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.

Main Issues

2. The main issues are: i) the effect of the proposal on the character and appearance of the existing building and the surrounding area, and ii) the impact of the proposal on the living conditions of occupiers of the adjoining property with particular regard to overbearing and outlook.

Preliminary Matters

3. I note that the description in the application form has been changed by the Council in its decision notice. I have considered the appeal on the basis of the description shown in the Council's decision notice and on the appeal form.

4. I also note that there is an error in Drawing Nos 037-EX-01 Rev A and 037-PL02 Rev A. The plans and elevations show No. 6 Forest Road as having a ground-floor rear extension, not representative of the situation on the ground.

Reasons

Impact on character and appearance

5. The appeal property is a two-storey dwellinghouse, at the eastern end of a terrace of seven properties (Nos. 4 to 16) on Forest Road. The appeal property has been extended to the rear, at ground-floor level. With the exception of the appeal property and No. 12, dwellinghouses in the terrace have flat roofed, rear dormer extensions finished in dark tiles, to match existing.
6. It is proposed to replace the existing ground-floor extension with a larger single-storey extension, approximately 4.4m deep, across most of the width of the appeal property.
7. Although the depth of the extension exceeds the Council's 3m rule of thumb, the proposed extension would be subordinate to the host dwelling. That is around 8m deep and at least 8m to ridge height (higher when chimneys are taken into account). The proposed extension, at a depth of 4.4m, even across much of the width, and kept low at a height of 2.9m, would not be dominant nor of an excessive scale. The use of glass, timber and slates is appropriate having regard to materials used on the rear of the terrace. Therefore, the proposal would not be harmful to the appeal property or the surrounding area.
8. Therefore, the proposal complies with policies CS2 and CS15 of the Waltham Forest Local Plan, Core Strategy 2012 (Local Plan); policies DM4 and DM29 of the Waltham Forest Development Management Policies Local Plan 2013 (DM Policies), and sections 5.1.2 and 5.2.1 of Residential Extensions and Alterations, Supplementary Planning Document 2010 (SPD). Among other things, these require residential extensions to relate to the existing building, the street scene, and character of the area.

Impact on living conditions

9. At the time of my visit, the rear conservatory extension at No.6, referred to by the Council, had been removed, leaving a rear door opening adjacent to the boundary with the appeal property, and a window opening at the boundary with No. 8. There is not a rear ground floor extension to No. 8. Therefore, the outlook from the ground floor window at No. 6 would not be prejudiced by the proposal. Similarly, because of the absence of an extension at No. 8, the proposed development, would not result in a sense of enclosure for occupants of the adjoining property.
10. Therefore, the proposal complies with policies CS2 of the Local Plan; policies DM4 and DM32 of the DM Policies, and section 5.1.4 of Residential Extensions and Alterations SPD. Among other things, these require residential extensions to avoid unacceptable impact on amenity of occupants and neighbours.

Conditions

11. I have considered the need for conditions against the advice on conditions set out in the National Planning Policy Framework and the Planning Practice Guidance. I have imposed standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have also included a condition requiring the external materials to match the existing dwellinghouse, to protect the character and appearance of the area.

Conclusion

12. For the reasons given above and having regard to all other matters raised I conclude that the appeal should be allowed.

Euan FS Pearson

INSPECTOR