



Appeal Decision

Site visit made on 15 February 2021

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 February 2021

Appeal Ref: APP/U5930/W/20/3261533

1 Lyttelton Road, Leyton E10 5NQ

- 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 D Andrew against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 193244, dated 30 September 2019, was refused by notice dated 7 September 2020.
 - The development proposed is described as 'alterations to front façade of No. 1A Lyttelton Road (the converted garage), rear additions to 1A including new roof lanterns and windows'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council states that the submitted plans failed to provide an accurate representation of those extensions at 1A Lyttelton Road ('No 1A') which have been carried out and which are not immune from enforcement action. It therefore maintains that it was unable to fully assess the impact on surrounding occupiers.
3. In response, the appellant states that the scope of the planning application was agreed with the Council, and that it did not raise any concerns over the accuracy of the drawings at that stage. Nevertheless, he acknowledges some discrepancies, and as part of the appeal, has therefore submitted amended drawings to 'allow the impact of the proposal on the amenity of neighbouring properties to be assessed'.
4. The Planning Inspectorate Procedural Guide: Planning Appeals – England 2020 states that the appeal process should not be used to evolve a scheme, and that what is considered by the Inspector should be essentially what was considered by the Council, and on which interested people's views were sought.
5. In comparison with refused drawing no. 07, amended drawing no. 07a shows additional 'floor area gain' to the rear of the property. The amended drawings therefore increase the scope of the works for which permission is sought compared to the scheme refused by the Council. That includes additional bulk at first floor level close to the flats at Minus One House.
6. Those additional areas, whilst already present, represent material changes to the scheme that was considered by the Council and upon which consultation

with interested parties was undertaken. I have therefore not accepted those amended drawings as to do so could be prejudicial to them.

7. Nevertheless, as the amended drawings did not change the alterations that have been carried out to the front façade of the property, I have dealt with this matter in my decision.

Main Issue

8. The main issue is the effect of the front porch and glass blocks on the character and appearance of the host property and the area.

Reasons

Character and appearance

9. No 1A is a Victorian dwelling attached to a terrace of two storey properties to one side, and Minus One House to the other. The front faces of these buildings are finished in materials including London brick and light render, and they display various attractive architectural features and detailing typical of their era. In the terrace that includes ornate features around their regularly spaced and dimensioned windows, and around their usually recessed front doors.
10. In a report to Cabinet, the Council acknowledges that some properties in Lyttelton Road have lost original features or have had unsympathetic alterations, and that the road is not therefore appropriate for inclusion within the Leyton Town Centre Conservation Area ('LTCCA'). Nevertheless, in my view, this terrace still exhibits an attractive and cohesive rhythm as a result of its generally consistent form, style and appearance.
11. No 1A and 1 Lyttelton Road ('No 1') are slightly taller than the rest of the terrace, and together they have a wider frontage. Nevertheless, other than the current façade at No 1A, they reflect its general form, style and detailing.
12. The appellant's photograph shows that No 1A's previous façade was not original as it had white render, and a uPVC window and door. However, although that flat façade was simpler in style and contrasted with others in the terrace, its render reflected their detailing, and it had a fairly recessive appearance, which did not draw the eye. Consequently, these two properties were not an anomaly in the streetscene.
13. The Council's Residential Extensions and Alterations Supplementary Planning Document 2010 ('SPD') is supportive of high quality design. It sets out that extensions or alterations should retain a harmony with the original building, and should maintain their character and that of the local townscape. It notes the visual impact of porches on a building and a street, and states that on Victorian properties they may not be appropriate.
14. In contrast to the front façade's previous appearance, the porch projects forward of the host building. Whilst it is appropriately finished in matching masonry, and it abuts the tall flank wall of Minus One House, its form and projection are markedly at odds with almost all the other property entrances along this part of the road.
15. Additionally, whilst the rectangular panel of glass block wall may be of good quality, modern materials, it is larger than the window it replaced, and it jars conspicuously with the fenestration and design detailing on nearby properties.

16. Although the appellant has drawn my attention to similar glass blocks elsewhere, there are none in this part of this streetscene. Those at Minus One House are situated unobtrusively to the rear, and the examples at 21 and 23 Oliver Road mirror each other and are, in any event, on a building of a wholly different style and appearance to this one.
17. The site is outside the LTCCA, whose boundaries are Coronation Gardens, and immediately beyond Minus One House. Given the modest scale of this development, its siting on the other side of the road from those Gardens, and its set back behind the front face of Minus One House, the setting of that designated heritage asset has not been harmed. The scheme does not therefore conflict with Waltham Forest Development Management Policies Local Plan 2013 ('WFDMP') Policy DM28.
18. However, as the front porch and glass blocks are wholly at odds with the style, detailing and form of the host property and the terrace, they significantly harm the character and appearance of No 1A and the immediate area.
19. Consequently, the scheme conflicts with those parts of Policy CS15 of the Waltham Forest Local Plan Core Strategy 2012 ('WFCS') and WFDMP Policies DM4 and DM29 which require development to be of the highest quality architecture, which responds positively to local context and character, taking account of a building's detailing and materials; and which require extensions to relate to the original host property. As WFCS Policy CS2 primarily addresses new housing development it is of limited relevance on this issue.

Other matters

20. The scheme provides better natural light to the deep, north-west facing entry lobby, along with extra storage space, and improved ventilation and thermal properties. That would ensure slightly better living conditions for the future occupants, in accordance with various development plan policies.
21. If falling debris from Minus One House are a safety risk as alleged, there are mechanisms to deal with that, and I am not persuaded that moving No 1A's front door further forward has significantly addressed that concern.
22. Whilst the appellant cites other benefits to the occupants of No 1A and No 1 as a result of the development to the rear, for the reasons I have set out, I have not considered those alterations in my decision.

Planning Balance and Conclusion

23. I have found that the alterations to the front façade have significantly harmed the character and appearance of the host property and the immediate area. The very modest benefits of the scheme do not outweigh the harm that it has caused, and it conflicts with the development plan when considered as a whole.
24. I have had regard to all other matters, including representations by interested parties. However, given my findings on the main issue in this appeal the additional concerns raised have not been determinative. For the above reasons, the appeal is dismissed.

Chris Couper

INSPECTOR