



Appeal Decision

Site visit made on 15 February 2021

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 March 2021

Appeal Ref: APP/U5930/D/20/3262748

19 Pretoria Road, London, E11 4BB

- 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 Seyi Ojo against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 202606, dated 26 August 2020, was refused by notice dated 21 October 2020.
 - The development proposed is described as a 'single storey side/rear extension. Garage conversion'.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The Council's decision describes the proposal as 'construction of a ground and first floor side extension and single storey rear extension including conversion of the existing domestic side garage into a habitable room (play room). Installation of UPVC framed window in place of the existing garage door.' From the submitted documents it is clear that this generally describes the proposal more accurately although I have noted the appellant's statement that timber windows are proposed and I have considered the appeal on this basis.
3. The appeal site's planning history includes a Certificate of Lawful Development (LDC) for a hip to gable roof extension, dormer roof extension to the rear roof and installation of two roof-lights to the front roof which was granted on 14 October 2020, some seven days prior to the refusal of the current proposal.
4. The Council has not objected to the proposed single storey rear extension and I have therefore considered only the proposed ground and first floor side extension and conversion of the garage in this appeal.

Reasons

5. The main issue in the appeal is the effect of the proposed development on the character and appearance of the dwelling and the area.
6. The development plan includes policies CS2 and CS15 in the Waltham Forest Local Plan Core Strategy 2012 (CS) and DM4 and DM29 in the Council's Development Management Policies Local Plan (LP) 2013. Those policies seek to ensure that development is of a high quality, responds to local context and character, relates well to the host building and any traditional features and is of

an appropriate scale. The other policies referred to in the Council's decision are not relevant because CS policy CS13 relates to health and well-being and LP policy DM32 relates to the impact on neighbours and those matters did not form part of the Council's refusal.

7. The appeal site comprises an end of terrace Edwardian two storey house in a residential street of similar properties. It has a main hipped roof. Despite an attached garage with a flat roof on its principal, front elevation, it retains its original character in which the projecting square bay with a gable above remains dominant. This, together with the tall, narrow window proportions and roof canopy over the front door are important traditional features which contribute positively to its character and appearance and that of the area.
8. The proposed development includes a ground and first floor side extension. The first floor element would be set back from the main front wall of the dwelling and would have a much lower ridge height than that of the main roof. As such it would be subservient to the host dwelling in terms of its overall size and scale and would not interrupt the rhythm of the terrace or the street scene, despite the unaltered end of terrace dwelling on the opposite corner.
9. Whilst the pitched roof form would be at odds with the currently unaltered hipped roof, it is clear from the appellant's submissions that the intention is to implement both this proposal and the LDC roof alterations even though the plans do not show those roof alterations. The Council's officer's report referred to the LDC which was in progress at the time but for reasons which are unclear to me did not assess the two proposals together or consider whether a condition to ensure that both developments are carried out simultaneously would overcome its objections. I agree with the appellant that the fallback position of the LDC roof alterations is therefore a realistic possibility and I see no reason why such a condition would not overcome the Council's objections in terms of the roof form. The size, scale and form of the first floor part of the proposal would therefore be acceptable.
10. However, my concerns relate to the siting, form and detail of the ground floor element of that extension. Whilst this would be in the same position as the existing garage, its siting together with its pitched roof form would result in it being unduly dominant on the front elevation, distracting from the projecting bay and front canopy. Furthermore, the size, scale and proportions of the proposed front windows and their openings do not match those of the existing front windows and a condition for further details would not overcome my objections regarding siting and form. The proposal does not, therefore, relate well to the scale of the host building and its traditional features and as such is not of sufficiently high quality with respect to the local context and character of the area.
11. Although no 79-81 Pretoria Road has a similar extension approved by the Council in 2016, its projection appears shallower than that in this proposal and it has an eaves height and ground floor window that relate better to the host dwelling. With regard to the other appeal decisions referred to by the appellant, APP/U5930/D/20/3248279 relates to rear dormers and I have insufficient detail regarding the schemes in APP/U5930/D/18/3194827 and APP/U5930/D/17/3171567. I am unable to conclude then that those schemes are directly comparable to this proposal and therefore they do not set a precedent for it.

12. I have noted the appellant's wish for additional living and bedroom space and have taken into account national and local policies which relate to the efficient use of land and the need for larger homes in the borough. I have also noted the appellant's documents relating to the impact of the Covid-19 pandemic but these matters do not outweigh the harm that would be caused by this proposal. In any case, my objections relate only to the design of this proposal and not to the principle of an extension at the appeal property. I have also noted the design policy referred to by the appellant which now forms part of the development plan in the recently adopted Published London Plan 2021 but this does not add weight in favour of the proposal.

Conclusion

13. For the reasons stated above, I conclude that the proposed development would result in significant harm to the character and appearance of the dwelling and the area, contrary to development plan policies CS2 and CS15 and DM4 and DM29. There are no material considerations that are sufficient to outweigh that harm and the appeal is dismissed.

Sarah Colebourne

Inspector