



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: 6th April 2021

Appeal Ref: APP/U5930/D/20/3252245
36 Forest Drive West, London E11 1LA

- 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 Gary Huish against the decision of London Borough of Waltham Forest.
 - The application Ref 193984 dated 9 December 2019, was refused by notice dated 28 February 2020.
 - The development proposed is construction of single storey rear extension, installation of five roof lights to front roof, alteration to fenestration of two-storey rear outrigger and alteration of roof design from pitched roof to flat roof.
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Decision

1. The appeal is allowed and planning permission is granted for construction of single storey rear extension, installation of five roof lights to front roof, alteration to fenestration of two-storey rear outrigger and alteration of roof design from pitched roof to flat roof at 36 Forest Drive West, London E11 1LA in accordance with the terms of application Ref 193984, dated 9 December 2019 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. (90)AP002, (20)AS001 Rev A, (20)AE002 Rev A and (20)AP002 Rev A.
 - 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details.

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) impact of the proposal on the living conditions of occupiers of the adjoining property.

Reasons

Impact on character and appearance

3. The appeal property is a two-storey terraced dwelling on the south side of Forest Drive West where a number of properties have been extended to the rear. There is a variety of such development in terms of siting, size, height, design and materials. Properties on this side of the street back onto Forest Road and garaging can be found at the bottom of gardens. Taken with existing trees/vegetation and boundary fencing, views of the rear of the terrace and the appeal property are partially obscured.
4. It is proposed to alter/enlarge the existing rear outrigger and rear ground floor extension at ground level, and add five rooflight windows to the roof slope on the front elevation. The roof of the rear outrigger would be flattened.
5. The Council states that the size and siting of the rear extension is acceptable, as are the rooflights and changes to the outrigger. Having regard to the information before me, I see no reason to disagree. The Council, however, considers that the use of brick glazed in green is uncharacteristic/incongruous.
6. The rear of the appeal property is predominantly stock brick with a yellowy brown appearance. It is set in a plot with lawn, trees and shrubbery on its boundaries. I observed from my inspection that a number of neighbouring properties have been extended and finished/appear quite different.
7. The large rear extension at No.44, over three floors, carry red/orange roof tiling, visually prominent from Forest Road. The rear elevation of No.42 is white and clearly visible. I note that part of the rear elevation of the adjoining property (No.38) is also white. Therefore, there is an element of inconsistency in terms of finishing materials and colours.
8. Notwithstanding this, the proposed glazed brick is only to be used at ground floor level. I consider this acceptable and complementary as: green is a sylvan colour and not inharmonious with the host dwelling, having regard to its setting; and the ground floor is partially screened by trees, boundary fencing and garage buildings. Therefore, the use of bricks glazed in green is not harmful to the appeal property or the surrounding area.
9. Therefore, the proposal complies with policies CS2 and CS15 of the London Borough of Waltham Forest Local Plan, Core Strategy 2012 (CS Local Plan), and policies DM4 and DM29 of the London Borough of Waltham Forest Local Plan, Development Management Policies Local Plan 2013 (DM Local Plan). I have also had regard to the Residential Extensions and Alterations, Supplementary Planning Document 2010 (SPD). Among other things, these require residential extensions to complement the street scene, townscape, and existing buildings.

Impact on living conditions

10. There is a brick partition wall on part of the side boundary between the appeal property and No. 38, to the rear. There is a ground floor window at No.38 close to this wall.

11. At a minimum height exceeding 2m and a length of around 3m, the wall compromises both: the outlook from this window and the amount of light reaching it.
12. The proposed extension would be built on this boundary, replacing the wall. Although the resulting gable would have an overall depth of around 5.2m that would not result in increased loss of amenity to the detriment of the living conditions of occupiers of the adjoining property.
13. Therefore, the proposal complies with policies C2 and CS15 of the CS Local Plan, and policies DM4 and DM32 of the DM Local Plan. I have also had regard to the SPD. Among other things, these require residential extensions to avoid significant loss of amenity for occupiers of neighbouring properties.

Conditions

14. I have considered the need for conditions against the advice on conditions set out in the National Planning Policy Framework and the Planning Practise 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 be submitted to, and approved by the Council, to protect the character and appearance of the area.

Conclusion

15. 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