



Appeal Decision

Site visit made on 5 July 2021

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2021

Appeal Ref: APP/U5930/D/21/3270103

29 Greenleaf Road, Walthamstow E17 6QQ

- 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 Job Reineke and Ms Maiya Rose against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 210065, dated 9 January 2021, was refused by notice dated 25 February 2021.
 - The development proposed is a single storey ground floor rear extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the host property and the area; and
 - The living conditions at 27 Greenleaf Road, with particular regards to outlook and the availability of natural light.

Reasons

Character and appearance

3. Properties in the area are varied in terms of their style and form. However, there are some cohesive groups, including the short terrace from 23 to 29 Greenleaf Road, which has a broadly consistent design, with rhythmic two storey bays and architectural detailing on its front face, along with mainly hipped or gabled roofs and parapets. Notwithstanding some modest extensions, including a conservatory on the host property and a broadly similar depth single storey projection at No 23, its rear elevation also retains a fair degree of cohesion.
4. Waltham Forest Development Management Policies Local Plan 2013 ('WFDMP') Policy DM4 expects residential extensions to relate to the original host property, and to respect the area's character. The Waltham Forest Residential Extensions and Alterations Supplementary Planning Document 2010 ('RESPD') states that extensions should generally appear subordinate to the property, and that they should respect the streetscene and local character.

5. The Council's Urban Design Supplementary Planning Document 2010 ('UDSPD') describes the need to consider a site's context with regard to matters such as scale, height and massing.
6. The proposed extension would be longer and wider than the conservatory it would replace. At 8.3 metres it would project much deeper into the garden than the extension at No 23. Given its length, even though it would be single storey with a mainly flat roof, and notwithstanding the broadly similar length of the host's outrigger, it would not appear entirely subordinate to the property; and it would disrupt the visual cohesion of this short terrace. That said, views of the whole terrace's rear face, even from the properties' gardens, are typically interrupted by landscaping and fences.
7. The extension's visual impact would be greater from Boleyn Court/Boleyn Close, as it would be sited only just beyond, and would protrude well above, the boundary fence. Viewed from here, its side face would have a rather elongated and rectilinear mass, which would jar markedly with the host property's form and detailing. That harmful impact would be apparent looking down that cul-de-sac from the first section before the security gates, and from more private points beyond.
8. Whilst the appellants refer to a 12 metre long dwelling in the garden of 19 and 21 Greenleaf Road, I have few details of that development, and on the basis of my visit, it would appear to have less of a visual impact on the streetscene than this proposal.
9. WFDMP Policy DM29 and Policy CS15 of the Waltham Forest Local Plan Core Strategy 2012 ('WFCS') require, amongst other things, a high standard of urban and architectural design which reinforces or enhances local character and distinctiveness, and which responds to its context in terms of matters including massing. For the above reasons, the scheme would conflict with those policies, along with WFDMP Policy DM4, and with the RESPD and the UDSPD.

Living conditions

10. The RESPD sets out that, as a rule of thumb, and dependent upon the local circumstances, a rear extension which is over 3 metres deep is likely to be too overbearing for neighbours. It continues that, as a guide, single storey rear extensions should not normally breach a 45 degree line drawn from the centre of the neighbouring property's nearest rear habitable room window. The UDSPD recognises in general terms the need to protect residential amenity.
11. At 8.3 metres deep, this extension would extend well beyond the nearest rear ground floor bay window at 27 Greenleaf Road ('No 27'). However, the nearest part of the scheme would have a roof which would slope down to a height of 2.3 metres on the boundary. In the context the host's existing conservatory, which is taller at this point than the proposed replacement structure, and the height of the boundary fence, the scheme would not give rise to a harmful sense of enclosure or overbearance within No 27, or a harmful impact on the outlook down its long rear garden.
12. Additionally, whilst I have very little detailed evidence on this matter, for similar reasons, and having regard to the sun's trajectory, I am satisfied that the scheme would not have a harmful impact on sunlight to, or daylight within, that property.

13. The occupants of No 27 support the scheme. I agree that the living conditions within that property would not be harmfully affected. Consequently, on this issue the scheme would not conflict with those parts of WFCS Policy CS15, and WFDMP Policies DM4 and DM32, which collectively require satisfactory levels of amenity to ensure a good quality of life, with regard to matters including outlook; nor with the broad thrust of the RESPD or the UDSPD.

Other matters

14. In common with the other properties in this terrace, No 29 has a long rear garden, which the occupants state is difficult to upkeep, particularly due to the absence of an external access. As a result of this proposal, the garden space would be reduced.

Planning balance and conclusion

15. Whilst the scheme would ensure appropriate living conditions at 27 Greenleaf Road, at this depth it would significantly harm the character and appearance of the host property and the area.
16. The benefit to the occupants as a result of the reduction in the property's garden space would not outweigh the significant harm that I have found the extension would cause. The scheme would conflict with the development plan when considered as a whole, and having regard to all other matters raised, the appeal is therefore dismissed.

Chris Couper

INSPECTOR