



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: 19 July 2021

Appeal Ref: APP/U5930/D/21/3267699
63 Park Road, Leyton E10 7BZ

- 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 Khoajah Ahmad Sedeqi against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 203295, dated 26 October 2020, was refused by notice dated 15 December 2020.
 - The development proposed is a single storey ground and first floor rear extension.
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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 effect of the proposal on the living conditions of adjacent occupiers, with particular regards to the outlook from 65 Park Road; and whether the occupants of the host property would experience satisfactory living conditions.

Reasons

Character and appearance

3. The host property ('No 63') forms part of a long terrace. Other than Nos 59 and 61, the terrace has a rhythmical front face, with regular two storey bays, and detailing typical of its era. To the rear, although there is less cohesion, most of the properties from No 63 to No 77 have similarly proportioned two storey outriggers, typically with a pitched roof, although No 67 has a short flat-roofed addition which extends slightly further into the garden.
4. The scheme includes a 3 metre deep two storey extension which would be attached to No 63's existing two storey, flat-roofed outrigger, with a 3 metre ground floor extension beyond. Whilst the proposal's form would reflect the style of No 63's existing outrigger, its rectilinear form, together with its significant bulk and depth, would serve to overwhelm the architectural integrity of the original building, and it would be at odds with the prevailing form of the other outriggers between here and No 77.

5. Additionally, its depth at ground and first floor levels would be much greater than the other outriggers in this terrace to the south-west, including the projection to the rear of No 67. Consequently, the scheme would disrupt these properties' fairly consistent rear building line, particularly at first floor level, and as evidenced by Picture 2 in the appellant's statement.
6. Whilst I observed that Nos 59 and 61 have deep, two storey hipped roof rear projections, the style and appearance of those properties is markedly different from No 63, which is more visually associated with the similar properties in the remainder of this terrace.
7. Amongst other things, Policy DM29 of the Waltham Forest Development Management Policies Local Plan 2013 ('WFDMP'), and Policy CS15 of the Waltham Forest Local Plan Core Strategy 2012 ('WFCS') require 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 the pattern of development and massing.
8. 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 ('SPD') expands on that approach, and states that extensions should generally appear subordinate to the host property, and that two storey rear extensions can have a greater impact and are not always appropriate on standard sized Victorian or Edwardian houses as they can be out of character.
9. For the above reasons, the scheme would conflict with those policies and with the SPD. However, as WFCS Policy CS2 primarily addresses new housing, it is of little, if any, relevance on either this issue, or the issue below.

Living conditions

10. The SPD 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 and two storey rear extensions should not normally breach 45 degree lines drawn from points on the neighbouring property's nearest rear habitable room window.
11. The outrigger at No 65 is flush with No 63's existing outrigger and contains rear facing ground and first floor windows. The proposed two storey and single storey extensions would result in a significant mass of development, which would extend around 6 metres beyond the rear face of No 65, along the boundary. This would be well in excess of the guidance in the SPD, and the 45 degree lines would be breached.
12. Although there is an existing wall and fence along this boundary, the proposal, whose flat roofs would be around 3.05 and 5.7 metres high, would have a much greater mass than those features.
13. From the limited available information, I am not persuaded that the scheme would result in a significant loss of light to No 65, but for the above reasons it would significantly impact the outlook from its closest ground floor window and from the patio beyond, resulting in a significantly increased sense of enclosure, to the harmful detriment of the living conditions within that property.

14. Turning to the impact on the host property itself, as a result of this scheme there would be a long, narrow open plan space at ground floor. However, as there would be a large window in its end face and a door with glazed panels in about its mid-point, I am satisfied it would receive adequate natural light and that it would have an appropriate outlook.
15. A ground floor window in the main part of No 63 would be removed, resulting in a room which would receive little natural light. However, given the additional space that would be provided within the property, the scheme's overall impact on the living conditions within it would be broadly neutral.
16. I note that the current occupants of No 65 did not object to the scheme. Nevertheless, for the reasons above, I consider that it would harmfully impact the living conditions within that property. Consequently, it would conflict with those parts of WFCS Policies CS13 and CS15, and WFDMP Policies DM4, DM29 and DM32, which collectively require satisfactory levels of amenity to ensure a good quality of life, with regard to matters including outlook; as well as with the stance in the SPD.

Conclusion

17. I have very few details of the approved schemes in the wider area which are referenced in Picture 1 of the appellant's statement. However, for the above reasons I have found that this scheme would significantly harm the character and appearance of the host property and this terrace, and that it would also impact the living conditions at 65 Park Road to a harmful degree. It would conflict with the development plan, and having regard to all other matters raised, the appeal is therefore dismissed.

Chris Couper

INSPECTOR