
Appeal Decision

Site visit made on 25 November 2021

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th December 2021

Appeal Ref: APP/U5930/D/21/3280135

22 Holly Crescent, WOODFORD GREEN, IG8 9PD

- 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 Saika Khan against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 211062, dated 9 April 2021, was refused by notice dated 1 July 2021.
 - The development proposed is the construction of a two-storey side extension, a single/two-storey rear extension, and a dormer roof extension to the main rear roof, together with installation of a roof light in the front roof slope.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's Residential Extensions and Alterations Supplementary Planning Document (SPD) states that 'An extension should not exceed a line taken at 45 degrees from the edge of the nearest ground floor window of a habitable room in an adjoining property if the proposed extension is single storey. For extensions greater than one storey, the 45 degree line is taken from the centre of the nearest window of an adjoining property'. However, the accompanying drawing shows the measurement method of the 45 degree line reversed for single- and two-storey extensions. I have taken the drawing as being the accurate version, since a two-storey extension would be likely to have more impact on residential amenity and so might be required to be of a lesser depth.

Main Issues

3. The main issues in this case are the effect of the proposed extensions on:
 - The character and appearance of the area around Holly Crescent, and
 - The living conditions of the occupiers of neighbouring properties by way of light and outlook.

Reasons

4. The appeal property (No 22) is a semi-detached house situated on the northern side of Holly Crescent. Nos 22 – 32 have a similar front elevation, which is also repeated over a number of pairs of houses further east along the road. All of the houses on Holly Crescent face south towards Oak Hill over an open grassed area with mature trees, and all have long rear gardens.

5. The proposed development would involve the construction of a two-storey side extension up to the boundary with No 20. It would also involve the demolition of an existing rear conservatory and the construction of a full-width single-storey rear extension, with a large first-floor element above its central portion. The first-floor element would have a chamfered corner on its western side. Finally, the proposal would involve the sideways extension of an existing dormer in the rear roof slope.
6. Policy DM4 of the Council's Development Management Policies Local Plan (LP) indicates that the Council will expect development which involves the extension of a residential building to relate to the original 'host' building, respect the street scene and character of the area, and protect the occupiers of the existing properties nearby from suffering any excessive loss of residential amenity. Policy DM29 indicates that development proposals should reinforce and/or enhance local character and distinctiveness, and respond to their context in terms of scale, height, and massing. Policy DM32 indicates that extensions should ensure that daylight/sunlight, and outlook is maintained for their neighbours in their homes and gardens.
7. The Council's SPD indicates that the height of single-storey rear extensions should be kept as low as possible on the boundary with neighbours to avoid unacceptable impact and that particular care needs to be taken to ensure that two-storey extensions do not result in an unacceptable loss of daylight or sunlight to neighbouring properties, or the proposal being out of character with its neighbours. Due to their prominence in the street, side extensions must be sympathetically designed and their scale carefully considered while, as a general rule, a side extension should be subordinate to the main part of the house and set back from the main building line fronting the street by 1 metre.
8. The Council contends that the proposed development by reason of its design, overall bulk, depth and height, would result in an unsympathetic and dominant form of development that would substantially harm the form, proportion and appearance of the host property and the adjoining semi-detached property, to the visual detriment of the streetscene. Moreover, the proposed side and rear extensions by virtue of their position, height, bulk and form would have an overbearing impact resulting in loss of outlook and loss of light, creating a sense of enclosure, to the detriment of the amenities of the occupiers of neighbouring properties.
9. The appellant contends that, in terms of their overall scale and form the proposed extensions would appear as appropriate and subordinate to the host dwelling, and represent well-designed additions that relate well to the original host building and respect the wider character of the area. Moreover, he contends that the proposed development will not have the negative impact on neighbouring amenities as suggested by the Planning Officers, due to an inaccurate assessment resulting in an exaggerated conclusion on impact.

Character and appearance

10. In this case, the proposed side extension would be set down a very small amount from the main roof ridge and also set back a very small amount from the main front elevation at first-floor level. The appellant notes the existence of a two-storey side extension at the adjoining No 24. This, however, is set well down from the main roof ridge and is only half the depth of the main house. On this basis, it appears as subordinate to the host property, whereas

the proposal at No 22 would be much higher and deeper and would appear as an over-dominant feature. There would not appear to be any two-storey side extensions on this scale to properties in the vicinity along Holly Crescent, and I consider that the proposal at No 22 would be harmful to the streetscene.

11. With regard to the rear extension, the flat-roofed, ground-floor element would be proportionate to the host property. However, the large central first-floor element, together with the extended dormer, would dominate the rear elevation of the house. Again, No 24 has a two-storey rear extension, but this is lower and narrower than that proposed for the appeal property. Moreover, the design and scale of the proposed first-floor extension at No 22 would appear to necessitate a somewhat incongruous and unsympathetic chamfered corner in order to meet the Council's 45 degree rule.
12. On this issue, I find that the scale of the proposed extensions would result in them dominating the host property, to the detriment of the character and appearance of both that property and the surrounding area along Holly Crescent. They would not appear subordinate to the main house, and certain elements of the design would appear incongruous and unsympathetic.

Living conditions

13. The proposed side extension would be built up to the boundary with No 20. The Council contends that there are side elevation windows at No 20 which serve a hallway landing and a kitchen, and that the extension would result in overlooking and restricted light to this neighbouring property. From my site visit, it would appear that single-storey side extensions at both Nos 20 and 22 meet at the boundary, and it would not appear that there are any habitable room windows in the first-floor side elevation at No 20. I do not consider, therefore, that the side extension at the appeal property would have any significant harmful impact on the received light, outlook or privacy at No 20.
14. With regard to the rear north-facing extension, the somewhat incongruous design of the first-floor extension would appear to ensure that there would be no significant loss of light to the occupiers of No 24. However, as stated above this would have undesirable visual implications. The Council suggests that the height of the single-storey element at the boundaries with the adjacent properties would result in loss of outlook and restricted light to the rear conservatories of the neighbouring properties. However, I note that rear single-storey extensions of the height proposed at No 20 may well be possible under permitted development rights, and that this would be a reasonable fall-back position. On this basis, I do not consider that the proposals at the rear of No 22 would have any significant harmful impacts on the residential amenities of the occupiers of the neighbouring properties, particularly given the long, open nature of the rear gardens to all of these properties.

Conclusion

15. In conclusion, I find that the proposed extensions, by virtue of their bulk, height, design and position, would appear unsympathetic and over-dominant in the context of the host property and its surroundings, and would be detrimental to the character and appearance of the area along this part of Holly Crescent. I find that the extensions would not have any significant harmful impact to the living conditions of the occupiers of the neighbouring properties, by way of light, outlook or privacy.

16. On the basis of the above, I find that the proposal would be harmful to the character and appearance of the area around Holly Crescent, and that it would, therefore, conflict with Policies DM4, DM29 and DM32 of the LP. Accordingly, I dismiss this appeal.

J D Westbrook

INSPECTOR