



Appeal Decision

Site visit made on 11 July 2022

by C Harding BA(Hons) PGDipTRP PGCert MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th August 2022

Appeal Ref: APP/U5930/W/21/3282552

25-27 Harvey Road, Leytonstone, E11 3DB

- 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 Reid against the decision of the London Borough of Waltham Forest.
 - The application Ref 211813, dated 5 June 2021, was refused by notice dated 2 August 2021.
 - The development proposed is mansard roof conversion and addition of outrigger dormers.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

3. The appeal site comprises two neighbouring properties located broadly centrally within a terrace of similar properties on the southern side of Harvey Road. The character of this side of the street, in this location, is one of uniformity, with a terrace of 12 properties of similar, and in terms of the front elevations, largely unaltered design. The use of a butterfly roof design throughout this terrace in combination with a parapet wall and arched windows results in a distinctive character and rhythm which contributes positively to the wider streetscape.
4. The proposed development would introduce a mansard roof extension to the host properties, with flat-roofed dormers to front and rear. This structure would be set back from the front elevation. However, due to its height and design, it would nevertheless appear as a significant structure, be visually prominent within the street scene, and would interrupt the continuity and rhythm of this terrace of residential dwellings. As a result, it would erode the strength of positive character that currently exists.
5. There is a greater degree of variation in design and property configuration on the northern side of Harvey Road, where there is a range of terraced, semi-detached and detached properties, with more conventional roof designs being evident. However, this means that the northern side of the street has a less regular character and rhythm in contrast to the southern side, and in particular the terrace of properties within which the appeal site is located. Accordingly, I

consider that this variation in overall existing street character would not justify the harm that would occur as a result of the proposed development, which relates specifically to the character of the southern side of Harvey Road.

6. I recognise that the appellant has indicated that the materials that would be used for the proposed development would match those of the original property, and that the internal measurements of the appeal scheme are moderate in order to minimise external dimensions. However, these matters are neutral factors, and do not weigh in favour of the scheme.
7. Several examples of similar development have been brought to my attention, and I was able to view these on my site visit. However, all of these examples are located on different streets, and would not provide a visual context for the development, or contribute to the character of Harvey Road. Additionally, they generally differ, in varying ways, from the circumstances of the appeal site and proposal. The examples cited either sit within streets without comparable uniformity or number of similar adjacent properties, are located at the end of such terraces and adjacent to properties of differing roof design, or do not appear to be of the scale that is proposed here. None of the examples cited would justify the harm to the character and appearance of the area that I have identified.
8. As a result, the proposed development would result in harm to the character and appearance of the area. Accordingly, the proposed development would be in conflict with the London Borough of Waltham Forest Local Plan Core Strategy¹ (WFLPCS) Policies CS13, CS15, and Waltham Forest Local Plan Development Management² (WFLPDM) Policies DM4 and DM29. Taken together, these policies seek to ensure that new development is of a high standard of design, responds positively to the local context and character and reinforces distinctiveness.

Other Matters

9. I am mindful of the personal circumstances of the occupiers of the appeal site, the shift in working patterns towards working from home, and desire of the occupiers of these properties to remain in their homes. However, this does not outweigh the harm that I have identified above, as there may be other means of accommodating these circumstances through an alternative form of development.
10. The appellant has highlighted the age of the Residential Extensions and Alterations SPD³ ('the SPD') upon which the Council has relied, and the change that has occurred both in terms of the character of the area, as well as the change in planning policy context since 2010. Whilst I accept that the character and demographic of the area may have changed, to an extent, since 2010, this does not negate the design advice within the SPD. In any case, I have considered the appeal on the basis of the current local visual context when applying local plan policies and supplementary guidance.
11. The property is partially screened at street level by a mature cherry tree located within the street. However, this screening would be seasonal in nature,

¹ Waltham Forest Local Plan Core Strategy (2012)

² London Borough of Waltham Forest Development Management Policies Development Plan Document October (2013)

³ Waltham Forest Residential Extensions and Alteration Supplementary Planning Document (2010)

and would not wholly screen the development, even in summer months. As a result it would not significantly reduce the visual impact of the proposed development, and in any case, the tree appears to be located within the public highway and as a result its permanence cannot be guaranteed.

Conclusion

12. The proposed development conflicts with the development plan when considered as a whole, and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
13. Therefore, for the reasons given above, I conclude that the appeal is dismissed.

C Harding

INSPECTOR