

Appeal Decision

Site visit made on 6 September 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 October 2022.

Appeal Ref: APP/U5930/D/22/3297201

58 Albert Road, Walthamstow, E17 7PS

- 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 Mrs Rashida Jamil against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 220075, dated 12 January 2022, was refused by notice dated 9 March 2022.
 - The development proposed is a single storey infill/rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of the occupiers of Number 56 Albert Road, with regards to outlook.

Reasons

Character and appearance

3. The appeal property is a mid-terrace two storey dwelling. It is set back from the road behind a short garden area and has a long narrow garden to the rear. The dwelling has been extended to the rear at ground floor level.
 4. It is located in a residential area characterised by the presence of two storey terraced dwellings with short gardens to the front and long gardens to the rear.
 5. During my site visit, I observed that many houses in the area have been altered and/or extended, including many ground floor rear extensions. As noted above, the appeal property itself has a single storey extension to the rear.
 6. It is proposed to extend further to the rear at ground floor level and to “wrap” the proposed extension around the existing rear extension in an L-shape. Consequently, the proposal would project a long way to the rear of the host property whilst also filling a gap to the boundary with Number 56 Albert Road.
 7. The proposal would be wide and tall and would combine with the existing extension to result in a large and bulky extension of excessive length, projecting considerably further to the rear than neighbouring extensions.
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8. Consequently, the proposed development would fail to appear subordinate to the host dwelling but would instead appear as an unduly dominant addition, out of character with its surroundings.
9. Taking this into account, I find that the proposed development would harm the character and appearance of the area, contrary to the National Planning Policy Framework; to Policies CS2 and CS15 of the Core Strategy¹; to Policies DM4 and DM29 of the Local Plan DMP²; and to the Council's Supplementary Planning Document "Residential Extensions. Alterations" (2010), which together amongst other things, seek to protect local character.

Living conditions

10. The proposal would reach the shared boundary with No 56 and having regard to the information set out above, it would extend along that boundary for a considerable distance. The proposed height of the extension would result in the proposal appearing to "loom" over the rear of No 56, immediately adjacent to and well above the already tall boundary fence, for some distance.
11. I find that this would result in an undue sense of enclosure and lead to an oppressive outlook from No 56's ground floor rear windows. The immediacy and height of the proposal would, in combination with its excessive length, result in it appearing overbearing and unduly dominating the rear outlook from No 56.
12. Consequently, I find that the proposed development would harm the living conditions of the occupiers of No 56 Albert Road, with regards to outlook, contrary to the National Planning Policy Framework; to Policy CS13 of the Core Strategy; to Policy DM32 of the Local Plan DMP; and to the Council's Supplementary Planning Document "Residential Extensions. Alterations" (2010), which together amongst other things, seek to protect residential amenity.

Conclusion

13. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

¹ Reference: Waltham Forest Local Plan Core Strategy (2013).

² Reference: Waltham Forest Local Plan Development Management Policies (2013).