



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/22/3296185
54 Wallwood Road, Leytonstone, E11 1AZ

- 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 Amtal Rana against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 211437, dated 11 May 2021, was refused by notice dated 13 January 2022.
 - The development proposed is a single storey rear extension extending 6m beyond the rear wall of the original dwelling-house no more than 3 metres in height at eaves and 3.5 meters at highest point.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development proposed is taken from the application form. The decision notice describes the development proposed as "Demolition of existing single storey rear projection. Construction of a single storey rear extension including roof lantern at ground floor level. Replacement of existing door and three windows to ground floor side elevation with one window."
3. Prior approval was previously sought for a single storey extension¹ and was not given.
4. An application for a single storey rear extension² was previously refused.

Main Issues

5. 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 52 Wallwood Road, with regards to outlook, daylight and sunlight.

¹ Reference: 202640.

² Reference: 201873.

Reasons

Character and appearance

6. The appeal property is a semi-detached two storey dwelling. It is set back from the road behind a parking area and has a long narrow garden to the rear. The dwelling has a single storey rear extension.
7. It is located in a residential area characterised by the presence of a range of house types, including semi-detached two storey dwellings and two and three storey blocks of flats.
8. During my site visit, I observed there to be small gardens and/or parking areas to the front of dwellings along Wallwood Road and long gardens to the rear. I also noted that many houses in the area have been altered and/or extended and that such changes largely appear in keeping with their surroundings.
9. It is proposed to demolish a ground floor rear extension and replace it with a much larger – wider, longer and taller – single storey extension. Notwithstanding the description of development set out above, the appellant states that the proposed eaves height would be 2.7 metres and this, combined with the long rear projection of the proposal would result in an insubordinate extension, out of balance with the appearance of the host property.
10. The harmful impact of the above would be exacerbated as a result of the width of the proposed extension, whereby it would project considerably beyond the width of the existing outrigger. This would result in the proposal appearing unduly bulky, leading it to appear as an awkward and incongruous addition.
11. Taking the above 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 Policy CS15 of the Core Strategy³; to Policies DM4 and DM29 of the Local Plan DMP⁴; and to the Council's Supplementary Planning Document "Residential Extensions. Alterations" (2010), which together amongst other things, seek to protect local character.

Living conditions

12. The proposed rear extension would project to the rear along the boundary with Number 52 Wallwood Road, beyond the rear elevation of that dwelling.
13. During my site visit, I noted that patio doors look out to towards a sitting area in No 52's rear garden alongside this boundary. The orientation of No 52, to the south west of the appeal property, is such that the proposal would not result in any significant harm in respect of sunlight or daylight. However, I find that a combination of the height and rearward projection of the proposal would result in an extension that would draw the eye and appear as a dominant feature when seen from the rear of No 52.
14. The overall scale of the proposal means that the proposal would appear to "loom" along the rear boundary to an overbearing extent when seen from

³ Reference: Waltham Forest Local Plan Core Strategy (2013).

⁴ Reference: Waltham Forest Local Plan Development Management Policies (2013).

No 52. The harmful impact of this would only be mitigated to a very small degree by the presence of a hedgerow along the boundary.

15. Taking this into account, I find that the proposed development would harm the living conditions of the occupiers of No 52 Wallwood Road, with regards to outlook, contrary to the National Planning Policy Framework; to Policies CS2, CS13 and CS15 of the Core Strategy; to Policies DM4, DM29 and 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.

Other Matters

16. In support of the proposal, the appellant refers to other developments nearby. However, there is nothing to demonstrate that the circumstances relating to these other developments are so similar to those relating to this appeal as to provide for direct comparison. Notwithstanding this, I have found that the proposal would result in harm to local character and to the living conditions of neighbours and this harm is not something that is mitigated by the presence of other developments elsewhere.

17. I note that the proposal would provide additional space and that the appellant considers that this would provide for "more enhanced and flexible use." This is a factor in favour of the proposal but it does not outweigh the harm identified.

Conclusion

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

N McGurk

INSPECTOR