



Appeal Decision

Site visit made on 13 September 2022

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 31 October 2022

Appeal Ref: APP/U5930/W/22/3292789

59 Beresford Road, Chingford E4 6EE

- 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 T Has against the decision of the London Borough of Waltham Forest.
 - The application Ref 213525, dated 8 November 2021, was refused by notice dated 7 January 2022.
 - The development proposed is construction of rear first floor extension.
-

Decision

1. The appeal is allowed and planning permission is granted for the proposed construction of a first-floor rear extension together with installation of rear patio doors and alterations to the existing rear garden terrace at 59 Beresford Road, Chingford E4 6EE in accordance with the terms of the application, Ref 213525, dated 8 November 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 'Location plan';
 - 'Site plan';
 - Drawing 59BER/10 'Proposed ground floor plan';
 - Drawing 59BER/11 'Proposed first floor plan';
 - Drawing 59BER/12.01 'Proposed side elevation';
 - Drawing 59BER/13.01 'Proposed rear elevation';
 - Drawing 59BER/14.01 'Proposed section elevation';
 - Drawing 59BER/15.01 'Proposed roof elevation';
 - Drawing 59BER/16.01 'Proposed side elevation'.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwellinghouse.

Preliminary Matters

2. The description of development is set out above, which is taken from the application form. However, it is clear from the plans and accompanying details that the development comprises "construction of a first-floor rear extension together with installation of rear patio doors and alterations to the existing rear

garden terrace". The Council dealt with the proposal on this basis and so shall I.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the dwelling and the local area.

Reasons

4. The appeal site is a semi-detached, two-storey dwelling within a residential street. It has an existing two-storey rear extension, which the appellant states is original to the house. There are also single storey extensions and a dormer extension to the rear.
5. The proposed extension would be sited above an existing single storey projection, increasing the length of the existing two-storey side extension by 2.75 metres. It would be no wider or higher than the existing two-storey side extension and would not increase the footprint of the house.
6. The house has a large rear dormer extension. The existing two-storey side extension sits well below the height of this, and with a hipped roof, appears subservient within the context of the site. The proposed extension would not substantially change this situation, as it would involve a relatively small increase in area, would use matching materials, and have a hipped roof. Therefore, in form and materials it would match the existing character of the house and would not therefore appear as an unduly dominant and bulky addition.
7. The rear of many of the houses along Beresford Road that were visible from the appeal site, have been extended. Therefore, this limited extension would not appear overly dominant within the site or uncommon in the area. The proposal would retain a hierarchy of development stretching from the roof to the single storey extensions below, and this would ensure that it would not harm the character of the house.
8. From the front, the proposal would only be glimpsed between Nos 59 and 61 and so when viewed from Beresford Road, it would not materially harm the character and appearance of the area.
9. Having reached the conclusions above, the proposed construction of a first-floor rear extension would accord with Policies CS13, CS15 and CS2 of the Waltham Forest Local Plan Core Strategy, 2012, and Policies DM4, DM29, DM32 of the London Borough of Waltham Forest Local Plan Development Management Policies, 2013. These policies combined seek to ensure the creation of a satisfactory environment and well-designed places.

Other Matters

10. The Council considers that any extension of this kind would set a precedent for similar future development. Whilst other houses have a two-storey rear extension, I have no information on the circumstances of existing development at these properties and whether a similar extension would be considered. However, any future applications would be assessed on a case-by-case basis as to their acceptability. Therefore, the appeal has been determined on its own merits.

Conditions

11. I have not received suggested conditions from either the appellant or the Council but given the nature of the conditions I intend to impose I am satisfied that there would not be any injustice to the appellant. I have therefore considered the tests for planning conditions in section 56 of the National Planning Policy Framework and the Planning Practice Guidance. Therefore, there is a need for the standard implementation condition and a condition listing the plans to which the proposal should accord to ensure certainty over the development. Furthermore, to ensure the satisfactory appearance and form of development, a condition ensuring that the materials match the existing house is also necessary.

Conclusion

12. For the reasons given above, considering the development plan as a whole and all relevant material considerations, the appeal is allowed.

M J Francis

INSPECTOR