



Appeal Decision

Site visit made on 20 March 2023

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 April 2023

Appeal Ref: APP/U5930/D/22/3311184

7 Ferndale Road, Leytonstone, Waltham Forest E11 3DW

- 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 Marcus Hermansson against the decision of the London Borough of Waltham Forest Council.
 - The application Ref 221926, dated 30 June 2022, was refused by notice dated 25 August 2022.
 - The development proposed is the demolition of an existing single storey side extension and boundary wall to make way for the erection of a two-storey side extension and single storey side extension with 1 skylight and the conversion of an existing inhabitable loft space, including terrace and 4 skylights. Alterations to the existing fenestration, replacement of windows, doors and the renovation of existing brickwork, including new boundary wall treatment.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Marcus Hermansson against the London Borough of Waltham Forest Council. This application is the subject of a separate decision.

Main Issue

3. In its costs response, the Council accepts that a relevant drawing was missed and requests that its second reason for refusal is disregarded. The main issue is therefore the effect of the development on the character and appearance of the host property and the surrounding area.

Reasons

4. The appeal property is an end of terrace house with accommodation in the roof space. It is situated on a prominent corner plot with its narrow front elevation facing Ferndale Road and a long flank elevation, containing the front door, facing Malvern Road. It is bound by a brick wall and has a detached, single storey, flat roofed outbuilding to the rear, which is built up to the boundary of Malvern Road.
5. The property differs from the adjacent terraced houses in terms of its rendered finish and its hipped roof, which sits above a parapet wall, with its ridge line running from front to rear. Notwithstanding these differences, the scale and massing of the dwelling, with the rear outrigger being subordinate in terms of its ridge height and width to the front part of the dwelling, respects the

traditional design proportions and the predominantly L-shaped form of the original dwelling and of those surrounding it.

6. I note that the infilling of the L-shape at ground floor level is very common in this area and has already occurred on the appeal site. However, extensions undertaken at ground floor level do not justify proposals that extend upper floor levels in the same manner. Increasing the width and ridge height of the upper floor rear outrigger would further diminish its traditional and subordinate form.
7. Although the current hipped roof does not appear to be original, its simple form and shallow pitch better reflect that of the adjacent properties than the proposed mansard roof, the steep sides of which would make the dwelling appear higher and more discordant with its surroundings than it does at present.
8. The Council's Residential Extensions and Alterations Supplementary Planning Document (2010) (SPD), refers to infilling the L-shape of Victorian terraced houses, but only in relation to the affect that this can have on neighbours. The absence of an effect on neighbours does not negate the need to consider the effect of the development on the character and appearance of the host dwelling and its surroundings, in accordance with other relevant policies and other design principles set out in section 5 of the SPD.
9. I acknowledge that the proposal would result in some improvements to the appearance of the property in terms of replacing the rendered walls and concrete tiles with traditional yellow London stock bricks and grey slate tiles. I also agree that the ground floor extension, despite projecting beyond the side elevation of the front part of the house, would not appear visually prominent or harmful given its significant set back from the Ferndale Road frontage, its scale and siting in relation to the boundary wall and the presence of the existing rear outbuilding up to the boundary. The Juliet balcony would also not be harmful given the variation of rear openings surrounding the site.
10. However, the proposed mansard roof, with its steep sloping sides, together with the increased ridge height and the increased width above ground floor level, of the rear outrigger, would appear over dominant and would harmfully detract from the character and appearance of the host dwelling and its surroundings.
11. I therefore conclude that the proposals would be contrary to Policy CS15 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM4 and DM29 of the Waltham Forest Local Plan Development Management Policies (2013) and the Residential Extensions and Alterations SPD. These policies and guidance seek amongst other things to ensure that residential extensions respect the original host property and the character of the area.

Other Matters

12. Whilst I have had regard to the generally supportive pre-application advice offered by the Council's duty planning officer, this does not outweigh the harm that I have identified.
13. I have been referred to various applications for other developments in the immediate surrounding area. However, many of these are lawful development certificate and prior approval applications, confirming that the proposals,

mainly for dormer extensions, would benefit from deemed consent under the Town and Country Planning General Permitted Development Order. None of the applications brought to my attention are comparable in terms of scale, design and massing to the proposal before me. The example referred to at Appendix K, another corner plot, infills the L shape only at ground floor level with the rear outrigger remaining proportionate in terms of width and height to the frontage part of the house. The addition of a modern timber clad rear extension and bay window there is of modest scale.

14. I have also had regard to the planning permission granted for the appeal site in 2019 and consider that that scheme was far more sensitive and appropriate than the proposals currently before me.
15. Whilst I acknowledge the changes that have been made since the previous appeals on this site were dismissed, I do not consider that these changes overcome the concerns relating to the effect on the character and appearance of the host dwelling and its surroundings.

Conclusion

16. For the reasons given above and having had regard to the development plan as a whole, and all other matters raised, I conclude that the appeal should be dismissed.

R Bartlett

INSPECTOR