



Appeal Decision

Site visit made on 4 May 2023

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st June 2023

Appeal Ref: APP/U5930/D/22/3312600

15 Helena Road, Walthamstow, London, E17 7PY

- 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 Siraz Aswat against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 222215, dated 28 July 2022, was refused by notice dated 22 September 2022.
 - The development proposed is to demolish existing single storey rear and side extensions and erect new double storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted to demolish existing single storey rear and side extensions and erect new double storey side extension at 15 Helena Road, Walthamstow, London, E17 7PY in accordance with the terms of the application 222215, dated 28 July 2022, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 2822-01, 2822-02, 2822-03, 2822-04, 2822-06.

Main issues

2. The main issues in this appeal are the effect of the proposed development on, firstly, the character and appearance of the surrounding area and, secondly, the living conditions of adjoining occupants with particular reference to light and outlook.

Reasons

Character and appearance

3. The proposed development would see the removal of an existing single storey side and rear extension and the erection of a two storey side extension. This would continue the front building line and the ridgeline of the existing house, and in this manner would not comply with the Council's general approach for
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such extensions as set out in their Residential Extensions and Alterations Supplementary Planning Document 2010, which generally seeks a set-back at the front of the property and a lower ridge.

4. However, in this instance the design approach is acceptable for the property and the wider area. The appeal property lies at the end of a short terrace of rendered properties where there are distinct differences in character at either end of that terrace: to the north, immediately adjoining the property, are relatively modern properties fronting Albert Road which have a blocky form in yellow brick, whilst at the southern end of the terrace is a pair of modern infill houses that also differs from other buildings in terms of its form, building line, and use of materials. Opposite the appeal site is a terrace of brick, rendered and painted houses, some of which have cantered bays of either single storey or double storey. The extended house of 15 Helena Road – and consequently the extended terrace – would comfortably fit within the mixed character of the area.
5. Amongst other matters, Policy CS15 of the Waltham Forest Local Plan Core Strategy 2012 (CS), and Policies DM4 and DM29 of the Waltham Forest Development Management Policies Local Plan 2013 (LP) seek to ensure high quality architecture and design that responds to the local context, and to the character of the surrounding area in terms of scale, height and massing. The proposed development would in this instance achieve those objectives and thus not appear disproportionate to the host property or out of character with the wider area.
6. The detailed design of the proposed extension would reflect the architecture of the host property, with matching materials and the placement of windows that reflects the fenestration in the terrace. These matters, and the findings above, lead to the conclusion on the first main issue that there would not be harm to the character and appearance of the area.

Living conditions

7. The proposals would bring the two storey side elevation of the property closer to 91 and 93 Albert Road to the north. I saw at my site visit that the rear of those properties have two storey rear projections facing towards the appeal property. The distance retained between those projections and the proposed extension would ensure no unduly overbearing impact on outlook to the properties or gardens. The orientation and size of the garden and rear accommodation to No. 93 would adjoin generally open areas, whilst the garden to No. 91 would be offset from the main element of the extension to the appeal property. These matters further mean no harm to outlook would occur.
8. For similar reasons to the above I consider the size, position and orientation of the proposed extension would not lead to a material loss of light to the adjoining occupiers.
9. A good standard of accommodation would therefore remain for the occupants of those properties. Policy CS15 of the CS and Policies DM29 and DM32 of the LP seek to ensure that new development, including extensions, is not harmful to residential amenity.

10. For the reasons given the proposals would not conflict with this policy, and thus on the first issue it is concluded there would not be harm to the living conditions of existing occupants.

Other considerations and conclusions

11. The proposals would see the demolition of an existing extension that fills the rear space to the appeal property. This means the scheme would allow for the provision of a small, but usable, area of amenity space for the appellants. This is a matter in favour of the scheme since the provision of amenity space is sought by Policy DM29 of the LP.
12. For the reasons given the appeal is therefore allowed, and I have attached the conditions suggested by the Council: a condition requiring matching materials, to ensure a satisfactory appearance to the development, and a condition specifying the approved plans in the interest of precision.

C J Leigh

INSPECTOR