
Appeal Decision

Site visit made on 4 July 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2023

Appeal Ref: APP/U5930/D/23/3321605

11 Grosvenor Rise East, Walthamstow, London E17 9LB

- 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 Hugo Lyons against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 222079, dated 13 July 2022, was refused by notice dated 13 February 2023.
 - The development proposed is the raising the ridge by 520mm, dormer extension, floor plan redesign and all associated works 11 Grosvenor Rise East.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. The appeal was lodged in the name of Hugo Lyons, which reflects the details given on the application form and on the decision notice. As the right of appeal rests solely with the original applicant, I have proceeded on that basis. I do, however, note that the appellant's agent has written to the Planning Inspectorate to clarify that the correct surname of the appellant is Rawlinson.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

4. The appeal property is a mid-terrace 2-storey dwelling that lies within the Orford Conservation Area (CA), which is predominantly residential in character. To my mind, the significance of the CA as a designated heritage asset is largely derived from the historic buildings within it, particularly the well-preserved residential villas and terraces that date from the Victorian period. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
5. The proposal is to increase the ridge height of No 11 by extending the existing front roof slope upwards at the same angle. A dormer extension would also be placed onto the main rear roof of the appeal dwelling and its 2-storey outrigger with the living space created in the roof space served by new roof lights.

6. When seen from the road just in front of the site, the new ridgeline of No 11 would be noticeably higher and set back further than those of other properties in the same terrace, which appear to retain their original roof form. As the existing ridgeline of the terrace is unbroken, it establishes a continuous linear feature to the top of the building, which is distinctive. In doing so, it also unifies the terrace.
7. By projecting upwards beyond the height of the existing ridgeline, the proposal would breach an important aspect of the terrace, which is its consistent roof line. In views from the highway, the relationship between 11 and 13 Grosvenor Rise East as a broadly 'mirrored' pair in the same terrace would also be unduly disrupted by the variation to their ridgelines. For all these reasons, the proposal would introduce a discordant and obtrusive feature that would be an unwelcome addition to the street scene and the local area.
8. I observed that the roofscape within the CA is mixed and that the ridge height between attached properties can sometimes vary. In some cases, a difference ridge levels is marked by a raised party wall that divides the front roof slopes of adjacent buildings. It can also reflect a change in levels due to sloping ground or mark a transition from one building style or size to another. In those circumstances, a gap between the ridgelines of neighbouring buildings would not be unexpected nor look out of place, unlike the proposal.
9. The new dormer would extend rearwards from the raised ridge line to just short of the main rear wall. It would also project across the full width of the host building. This arrangement would be at odds with the advice within the Council's Supplementary Planning Document, *Residential Extensions and Alterations* (SPD), which states that the width of a dormer should not normally exceed its height. That the proposed dormer would have a flat roof would visually accentuate its bulk. Due to its considerable scale, mass and flat roof, the new dormer would appear as an overly large 'box-like' addition that would relate poorly to the traditional style and proportions of the existing dwelling. It would give the finished dwelling an awkward top-heavy appearance.
10. While the new dormer would be at the back of the host building, away from public view, it would nonetheless form part of the character of the local area as it is experienced from nearby properties. From the gardens of the buildings on either side of the site, the new dormer would draw the eye an overly large feature in the rear elevation of No 11 and an unduly dominant aspect of the wider terrace. Its harmful impact could not be satisfactorily mitigated by using different external materials or applying a different timeframe for construction.
11. I saw that some buildings within the CA have been externally altered and extended at roof level including dormers. However, these and other changes to the original buildings have not compromised the character or appearance of the individual properties, or the area more generally, to a degree that justifies an unsatisfactory development.
12. For the reasons given, the proposal would fail to preserve the character and appearance of the CA. The harm caused by the proposal would be localised and so the effect on the CA would be less than substantial. Even so, the National Planning Policy Framework (the Framework) states that great weight should be given to the conservation of such assets, which I have done. The Framework also notes that the harm should be weighed against the public benefits of the scheme. In this case, benefits such as creating additional living

space would appear to be largely private. No other public benefits are identified, and none would outweigh the significant harm that I have identified.

13. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host building and the local area. Accordingly, it conflicts with Policies CS2, CS12 and CS15 of the Waltham Forest Local Plan Core Strategy, Policies DM4, DM28 and DM29 of the Council's Development Management Policies Local Plan and the SPD. These policies and guidance aim to ensure that development achieves a high standard of design, protects, or enhances heritage assets, and respects the character of the building and the local area. It also conflicts with the policies of the Framework, which state that development should be sympathetic to local character, safeguard heritage assets and add to the overall qualities of an area.

Other matters

14. Several appeal decisions have been drawn to my attention with some background details provided, which I have carefully considered. In my experience, it is rare that direct parallels can be drawn between one site and another mainly because details of the individual schemes or their local circumstances often vary. In this instance, there are, it seems to me, very significant differences in terms of the proposals and the characteristics of the sites quoted to the extent that preclude any meaningful comparisons with the development before me. Therefore, I am unable to attach more than limited weight to these cases in support of the appeal.
15. The appellant has also referred to the opportunity to carry out upward residential extensions through the exercise of permitted development (PD) rights. The Framework encourages the effective use of land with support given to the use of the air space above existing premises for new homes. However, the proposal does not qualify as PD and planning permission is sought for the new development. The Framework also makes clear that upward extensions should be allowed where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene. As that would not be the case with the proposal before me, these considerations do not weigh in favour of the appeal scheme.

Conclusion

16. Overall, the proposed development would conflict with the development plan. There are no material considerations, including the policies of the Framework, which indicate that the decision should be taken other than in accordance with the development plan.
17. For the reasons set out above, and having regard to all other matters raised, including the absence of objections from others, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR