



Appeal Decision

Site visit made on 12 September 2023

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2023

Appeal Ref: APP/U5930/D/23/3325525

16 Springfield Road, Waltham Forest, Chingford E4 7DJ

- 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 Mrs Emma West against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 230855, dated 30 March 2023, was refused by notice dated 15 June 2023.
 - The development proposed is single storey rear extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - The living conditions of residents with regards to amenity space; and
 - Trees and biodiversity

Reasons

Amenity Space

3. The appeal proposal is part of a wider scheme that would change the property from a 3-bedroom to a 2-bedroom dwelling. Policy DM7 of the Council's Development Management Policies 2013 (the DMP) sets out that the development of houses should meet minimum external space standards, which in the case of a 2-bedroom dwelling would be 50sqm. Based on the evidence before me, this is an appropriate size of amenity area to provide for the living conditions of residents of this form of dwelling.
4. The proposed extension would not project beyond an existing rear offshoot to the host dwelling. In effect, the proposal would fill-in an area to the side which contains a conservatory and amenity space.
5. However, the existing garden is relatively small. Based on the Council's officer report, the extension would reduce the rear garden to less than 30sqm, which is significantly less than the area required by Policy DM7.
6. The extent of the existing amenity area between the conservatory and side boundary is of a limited size and functionality, and the loss of this area to an

extension would not harm the living conditions of residents. However, there is an area of decking to the rear of the conservatory which provides a functional amenity area. Although the proposal would retain a terrace/amenity area to the rear, the loss of the area of decking would significantly reduce the external amenity area to the detriment of the living conditions of residents.

7. The appellant refers to problems relating to the access through the existing conservatory and that the proposal would enable a better relationship with the dwelling and garden. However, it may be possible to address these issues via a smaller extension or alteration that do not lead to an unacceptable reduction in the amenity area. Access to nearby public open spaces would also not compensate for the loss of private amenity space contrary to adopted standards. These matters therefore carry little weight in favour of the proposal.
8. I conclude that the proposal would result in an unacceptable reduction in private amenity space for residents with commensurate harm to their living conditions. The proposal would therefore be contrary to the housing quality and space standard requirements of Policy CS2 of the Core Strategy 2012 and Policy DM7 of the DMP.

Trees and Biodiversity

9. There are a small number of established trees and shrubs to the rear of the site, which would have some value as a biodiversity habitat as well as for the visual amenity of the area.
10. The proposed extension would project no further to the rear than the existing building, and the much of the extant rear open area is covered by hard surfacing. Even given the increase in the footprint of built development, the circumstances of the existing site indicate that the proposal would not affect trees and planting located to the rear.
11. In any event, the Council's concerns on this matter could be addressed by a condition requiring further evidence to ensure the protection of the trees and planting.
12. Subject to an appropriate condition, the proposal would not lead to harm to the trees and planting to the rear of the site or to biodiversity. The proposal would therefore not conflict with the green infrastructure or biodiversity requirements of Policy CS5 of the Core Strategy or Policy DM35 of the DMP.

Conclusion

13. Notwithstanding my conclusion in relation to trees and biodiversity, the proposal would conflict with the development plan with regards to the provision of external amenity space. There are no material considerations of such weight that indicate that the proposal should be determined other than in accordance with the development plan. The appeal is therefore dismissed.

David Cross

INSPECTOR