
Appeal Decision

Site visit made on 9 October 2024

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th November 2024

Appeal Ref: APP/U5930/D/24/3349530

13A The Bakery, Grosvenor Rise East, Walthamstow, Waltham Forest E17 9LB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Gavin and Anna McReady against the decision of The London Borough of Waltham Forest Council.
 - The application Ref is 240621.
 - The development proposed is an extension and external alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the appeal dwelling and that of the local area, with reference to the Orford Road Conservation Area (the CA); and
 - The living conditions of occupiers of the appeal dwelling, with reference to space standards.

Reasons

Character and Appearance

3. The appeal dwelling is a single storey detached property that sits in back land to the rear of properties on Grosvenor Rise East and Eden Road. The appeal site is accessed via a gated passageway to the side of 13 Grosvenor Rise East and The Castle Public House. Previously a brick built bakery, the appeal dwelling is formed in 3 bays, 2 with pitched roofs with valley between and a single storey side extension with a flat roof.
4. The context of the appeal dwelling site is defined by the rear gardens of the surrounding terraced houses, which provides a leafy and relatively open setting. The significance of the local area as a heritage asset has been recognised by the Council through the designation of the CA. The Orford Road Conservation Area Appraisal & Management Plan (2009) clarifies its significance as an area that is made up of an eclectic mix of predominantly Victorian cottages, villas, semi-detached and terraced

houses, shops and civic buildings. As such, I find that the appeal dwelling contributes to the significance of the CA.

5. The CA is a heritage asset to which I have a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I must pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
6. The proposal includes a new roof to the existing side extension that would replicate the pitched roof form and materials of the 2 original bays, and a forward extension of the original bay that sits to the rear of the garden of 11 Grosvenor Rise East (No.11). This neighbouring garden steps in from the longer garden to the neighbouring property at 13 Grosvenor Rise East (No. 13), resulting in a stepped plan to the appeal plot. The proposed forward extension would require the removal of a garden shed, that sits within the stepped in area to the rear of No.11. This would be in brick to match existing and would extend and replicate the pitched roof and materials of the existing roof.
7. The proposed extension would sit closely within the area resulting from the stepping in of the garden at No.11 and would be in close proximity to the boundary of the appeal site. The depth, height and scale of the proposed forward extension would result in the appeal dwelling appearing cramped within the context of the stepped plan of this part of the appeal site. This would be detrimental to its current appearance as a simple building within a spacious leafy setting.
8. Whilst only glimpsed views of the appeal dwelling are possible from the public realm, the appeal dwelling is a prominent feature with this garden and back land area. The cramped appearance of the appeal dwelling on its plot, which would result from the proposal, would be evident in views from surrounding properties. This would be particularly apparent in views from the rear rooms and gardens of 9, 11 and 14 Grosvenor Rise East, from where it would appear as an obtrusive intervention into the leafy and spacious garden and back land area. As such, it would result in the appeal dwelling and as incongruous and detrimental to the existing character and appearance of the local area. For these reasons, I find that the proposed extensions would fail to reflect the contribution that the appeal dwelling makes to the character and appearance of this part of the CA and its significance as a heritage asset.
9. The Council have found that the proposed use of UPVC windows in the proposed extension, and in other proposed alterations to window and door openings, would result in harm to the character and appearance of the appeal dwelling and that of the CA. This is on the basis that the existing windows are traditionally designed and formed in timber. However, from my site visit it is apparent that the existing windows are formed in UPVC, albeit in traditional design, including sash window form. The appellant states that this change to UPVC from timber was made in 2020 and from my site visit and documents submitted there is nothing to suggest that this is not the case.
10. As such, I find that the proposal would match the existing windows, which reflect in design the traditional window and door types commensurate with the period of the appeal dwelling. Along with the proposed change to a pitched roof form to the existing extension, I find that this aspect of the proposal would preserve the existing appearance of the appeal dwelling and would likewise preserve the character and appearance of the CA.

Living Conditions

11. The proposal would result in the enlargement of the appeal dwelling from a two bedroom to a three bedroom house. The Council's decision notice sets out that 2 of the resulting bedrooms would not meet the minimum space standard for single bedrooms set out in Policy 56 of the Waltham Forest Local Plan (2024) (the Local Plan). However, this policy relates to the creation of new homes and does not relate to the extension of an existing dwelling as proposed.
12. Whilst the standards set out in this policy can inform decisions on extensions in relation to space and to living conditions, it does not directly apply in this instance. Although slightly smaller than the standards for new homes, the size of the proposed bedrooms noted as 1 and 2 on the submitted drawings that would result from the proposed extension and alterations, would not result in bedrooms so cramped that they would result in any harm to the living conditions of future occupiers, especially given the scale of the other living spaces that would result from the proposal.
13. The Council has further concluded that the type, siting and size of the windows and rooflights to two of the bedrooms, noted as 1 and 3 on the submitted plans, would result in a poor living environment for future occupants. However, I find the extent of windows and rooflights proposed would provide acceptable levels of outlook, light and ventilation for future occupiers of these proposed bedrooms.
14. For these reasons, I do not find that the proposal would provide substandard accommodation that would result in any significant harm to the living conditions of future occupiers. As such the proposal would accord with Policies 53 and 57 of the Local Plan, which seek development that is of high quality design that protects the amenity of future occupiers from loss of daylight/sunlight and outlook, providing a suitable microclimate. Lack of harm is a neutral factor in my considerations in this instance.
15. For the reasons given above, I find that on balance the proposed development would result in substantial harm to the character and appearance of the host dwelling and that of the local area and would fail to preserve or enhance that of the CA. In the context of Paragraph 208 of the National Planning Policy Framework (2023), the harm I have identified to the significance of the CA would be less than substantial.
16. As such, the proposal, when considered as a whole would be contrary to Policies 53 and 72 of the Local Plan. These seek, amongst other matters, to ensure that development is of high design quality, responds to context in terms of scale, reinforces local character, distinctiveness and grain and preserves or enhances the appearance or character of conservation areas.

Planning Balance and Conclusion

17. Whilst the proposed extension would provide additional living space, which would benefit future occupiers, this is not a substantial public benefit. In general, planning decisions should be made in the wider public interest. In this context, the harm I have identified, including the less than substantial harm to the significance of the CA outweighs these benefits. Dismissing the appeal is proportionate in this instance.

Victor Callister

INSPECTOR