



Appeal Decision

Site visit made on 6 December 2024

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2024

Appeal Ref: APP/U5930/D/24/3353819

63 Melford Road, Leytonstone, London E11 4PR

- 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 Fazal Illahi against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref is 241433.
 - The development proposed is the erection of a first floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of 61 and 65 Melford Road, with particular regard to outlook and natural light.

Reasons

3. The appeal property forms part of a terrace of 2-storey Victorian houses, the majority of which feature 2-storey outriggers to the rear. These outriggers have a mirrored arrangement and have sufficient distance between them to ensure the windows in the main rear elevations of the houses gain adequate levels of natural light and outlook.
4. Unlike its neighbours the appeal property has a single-storey outrigger. The proposal would comprise the erection of a first floor level rear addition above this element which would enable the provision of an extra bedroom and a bathroom. This addition would have a mono-pitched roof and would be constructed of materials to match the existing.
5. The proposal would roughly double the height of the flank wall on the boundary shared with 61 Melford Road and create a tall and very narrow gap between it and the outrigger to the rear of this house. This would leave a gap between the neighbouring outriggers that would be about half the width of those elsewhere in the terrace. This increased enclosure would severely reduce levels of daylight reaching, and outlook from, the ground floor window in the rear elevation of No. 61.
6. Due to its siting, height and bulk I therefore conclude that the proposal would have an unacceptable effect on the living conditions of the occupiers of 61

Melford Road. As such it fails to accord with policy 57 of the Waltham Forest Local Plan Part One – Shaping the Borough 2020-2035 (2024) which states that new development should respect the amenity of existing and future occupiers, neighbours and the surrounding area by avoiding harmful impacts from, amongst other things, loss of outlook and daylight/sunlight.

7. The proposal would also reduce levels of daylight to, and outlook from, the ground floor rear window in No. 65. However, this window is further from the proposal than the corresponding one in the rear of No. 61 and a wider gap would be retained between the neighbouring outriggers in this case. For these reasons I am satisfied that the proposal would not have an unacceptable effect on the living conditions of the occupiers of No. 65.

Conclusion

8. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR