



Appeal Decision

Site visit made on 7 January 2025

by **C Carpenter BA MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 January 2025

Appeal Ref: APP/U5930/D/24/3347307

5 Rectory Road, Walthamstow, London E17 3BG

- 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 Mr and Mrs Kassam against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref is 240530.
 - The development proposed is single storey side extension with roof glazing, loft conversion with rear facing dormer and roof lights.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was updated in December 2024. However, insofar as the contents are relevant to this appeal, the Framework has not changed. Therefore, I am satisfied no party would be disadvantaged by not having the opportunity to comment on the revised Framework.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the host dwelling and surrounding area; and
 - the living conditions of neighbouring occupiers, with particular reference to outlook and light.

Reasons

Character and appearance

4. The appeal premises is a two-storey terraced house of traditional appearance, with a two-storey rear outrigger. Most houses in Rectory Road and the street to the rear have a similar design, giving the area a regular, suburban character. This can be appreciated from the garden of No 5, where the rhythm of the terraces is reinforced by the symmetrical pairing of two-storey outriggers set below the gabled principal roofs.
5. The proposal comprises two elements: an L-shaped dormer extending across the principal and outrigger roofs; and a single storey infill extension to the side return of the outrigger.

6. The proposed L-shaped dormer would be a very dominant addition at roof level. It would largely obscure the main gable because of its width and height, disrupt the roof form of the outrigger, and undermine the outrigger's subservience to the main house. The L-shaped form of the dormer would also upset the symmetry of the outrigger with its adjoining pair, thereby interrupting the rhythm of the terrace and eroding consistency with its counterpart to the rear.
7. A modest set down and partial set back of the dormer is proposed, but this would not be sufficient to reduce the dominance of the structure. Even if complementary materials were secured via condition, this would not mitigate the harmful visual impact of the L-shaped dormer's form.
8. I have considered the information about L-shaped dormers at other properties in the neighbourhood, provided in the appellants' Design and Access Statement. This does not include sufficient detail to demonstrate the circumstances in those cases are directly comparable to those before me. Moreover, No 18 is on the other side of Rectory Road and does not back onto a similar style of terraced housing, so the effect of development at that property on the character of the surrounding area is different from that at the appeal site.
9. The proposal is contrary to the Waltham Forest Residential Extensions and Alterations Supplementary Planning Document 2010 (REA SPD), which states permission for L-shaped dormers will not normally be granted because they have too great a visual impact. I acknowledge the Council has granted permission for L-shaped dormers since the REA SPD was adopted, but I am not persuaded on the evidence before me that this renders the guidance in the REA SPD out of date.
10. London Plan Policies have been brought to my attention, but there is little to explain why these should lead me to a different conclusion about the proposed dormer.
11. The Council is satisfied with the effect of the proposed single storey infill extension on character and appearance, subject to use of matching materials. It also has no concern with the proposed rooflights. I see no reason to disagree with these conclusions.
12. For the above reasons, I conclude the proposal would have a harmful effect on the character and appearance of the host dwelling and surrounding area. This is contrary to Policy 53 of the Waltham Forest Local Plan Part 1 2024 (LP1), which seeks development proposals that reinforce and/or enhance local character and respond appropriately to their context. It is also contrary to the Framework, which seeks developments that are sympathetic to local character.

Living conditions

13. The proposed single storey extension would be less than 3 metres in height on the boundary with No 3, and its length would not exceed that of the existing outrigger on the appeal site. The extension's sloping and glazed roof would help mitigate its visual impact. I therefore find the proposed infill extension would not lead to an unacceptable level of enclosure.
14. There is no compelling evidence the proposed extensions would cause a harmful reduction in light to No 3, particularly bearing in mind the orientation of the terrace.
15. For the above reasons, I conclude the proposal would not have a harmful effect on the living conditions of neighbouring occupiers, with particular reference to outlook

and light. Accordingly, I find no conflict with LP1 Policy 57, which requires new development to respect the amenity of neighbours by avoiding harmful impacts.

Other Matters

16. The appellants have referred to their permitted development rights as a potential fall-back position, but I have seen nothing to suggest they would genuinely pursue this option if the appeal failed or that such a scheme would be similar to, or worse than, what is currently proposed. As such, it is a matter of negligible weight.
17. The Council has raised no concern with the standard of internal accommodation proposed, but an absence of harm in that regard is a neutral factor.
18. I understand the wishes of the appellants to provide space for their growing family. However, such personal circumstances seldom outweigh general planning considerations. The absence of objections does not in itself render the scheme acceptable. Concerns about the timing of the Council's site visit do not outweigh my conclusions above.

Conclusion

19. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal should be dismissed.

C Carpenter

INSPECTOR