



Appeal Decision

Site visit made on 16 January 2025

by **K Savage BA(Hons) MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 February 2025

Appeal Ref: APP/U5930/D/24/3350145

96C Grange Park Road, London E10 5ES

- 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 Wiqas Khan against the decision of Waltham Forest London Borough Council.
 - The application reference is 240025.
 - The development proposed is construction of a roof extension to provide a first floor to an existing single storey residential unit together with external cladding to front elevation, render finish to rear elevation, panel surround and green walls to side elevations and green roof.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On 12 December 2024, an updated National Planning Policy Framework (the Framework) was published, replacing the version from December 2023. I have had regard to this as an important material consideration.

Main Issues

3. The main issues are i) the effect of the proposal on the character and appearance of the area, and ii) whether the proposal would provide a suitable standard of accommodation, with respect to privacy for occupants.

Reasons

Character and Appearance

4. The appeal relates to a single storey dwelling located in a townscape gap between perpendicular terraces on Grange Park Road and Primrose Road. The dwelling addresses the latter and stands at the back edge of the pavement. It is proposed to add an additional storey to the dwelling as part of a redesign of the building with flat roofs, external copper cladding, rendering and artificial green walls/roofs.
5. The adjacent side of Primrose Road by a row of traditional townhouses with double height front bay windows, front gable, pitched roofs and arched front porches. Next to the appeal site is a more recent two storey building. Although more modern in design, its scale and massing seeks to continue the rhythm of the adjacent dwellings and it includes front gables and bay windows which respond to the context of the street scene. The imposing, three storey rear elevations of 94-96 Grange Park Road stand above the appeal building on the other side of the dwelling. On the opposite side of the street is a consistent row of two storey, flat-fronted dwellings with front parapets screening traditional butterfly roofs.

6. The pattern of straight terraces in the area includes characteristic townscape gaps close to junctions that historically would have formed the rear gardens of one row. A number of these in the immediate vicinity have been infilled with ancillary buildings of generally single storey height, including directly opposite the site to the rear of 100 Grange Park Road and across the junction to the rear of 119 Grange Park Road. However, their simple design means they have a neutral presence that does not detract from the more prominent terraces. Their low height also retains the townscape gaps above that provide an important physical separation between the terraces, breaking up the massing of the built form, distinguishing architecturally different buildings and providing light and vistas through to rear elevations and gardens, which adds texture and visual interest to the street scene.
7. The proposal would create a dwelling of highly contemporary form, replacing the unassuming shallow pitched roof with a box-shaped, first floor addition offset from the centre of the building with flat roofs to either side over the ground floor level. The front elevation would be clad in a striking copper cladding, with prominent, full-height windows to the first floor level. At the rear, the building would be finished in painted render. The side elevations of the first floor addition would feature artificial green walls in addition to green roofs to each of the three flat roof sections.
8. The boxy, modular shape of the proposal would be starkly at odds with the design of neighbouring dwellings and the prevailing traditional character of the street. Contrary to the appellant, the flat roof form would bear little comparison to the flat front parapets opposite, as it would comprise three separate roof sections at different levels, not consistent in height or form with any surrounding buildings. Rather, the offset first floor would create an anomalous shape and scale of development, neither maintaining the low level, ancillary character of the existing building, nor fully two storeys to reflect the built form on Primrose Road. Despite offsetting the extension towards the taller buildings on Grange Park Road, it would not be read in context with these buildings due to the stark difference in height and form. However, in adding the first floor level, the proposal would increase the degree of infill to the townscape gap, diminishing an area of openness amid the built form and undermining appreciation of the respective terraces.
9. Moreover, the copper cladding to the front elevation would have a strident appearance that would be highly conspicuous in the street scene and would fail to respect the traditional form and muted colours of neighbouring buildings. The use of artificial green walls to the sides of the first floor section would add a further anomalous feature that, in combination with the copper, would create a jarring mix of materials that would exacerbate the uncharacteristic appearance of the dwelling in the street scene. The appellant's offer to use real green walls would not mitigate this impact. The prominent, full height windows to the first floor, larger than the windows at ground level, would also appear disproportionate in size, resulting in an unbalanced, top heavy composition to the front elevation and an overbearing presence in the street scene.
10. I have noted the examples put forward by the appellant where copper cladding has been used. That at Brooke Road in Hackney involved only partial cladding to the front elevation balanced with a yellow brick, and was to a single storey building. The example at Chartfield Avenue appears to have been a contemporary infill development in a context of individual dwellings of varying design. Neither example is comparable to the proposal before me and they attract limited weight

as material considerations. They ultimately do not alter my considerations which are based on the specific site context of the proposal.

11. For the reasons given, I conclude that the proposal would significantly harm the character and appearance of the area, contrary to Policy 53 of the Waltham Forest Local Plan Part 1 (2024) (the LPP1) which requires development to achieve high quality design that reinforces and/or enhances local character and distinctiveness, taking into account factors including existing patterns of development, townscape, urban form and grain, building typologies, architecture and materials. This policy is consistent with the aims of the Framework to achieve a high standard of design in all development.

Standard of Accommodation

12. The existing kitchen and second bedroom of the dwelling are served only by windows facing a partially enclosed courtyard (described on the plans as a utility room) and suffer poor light and outlook as a result. The general layout is also confined and, at 51.5sqm, falls some way short of the minimum internal space standard for a two-bed/three person unit of 61sqm, as set out at Table 3.1 of the London Plan (March 2021). The proposal would enlarge the floorspace to 64.4sqm to meet this standard and the second bedroom and kitchen would be directly lit by external windows, as would other rooms. The Council's concern is that the windows would face directly onto the public realm, creating conditions where intrusive overlooking could take place to the detriment of occupants' privacy.
13. The existing dwelling has two small windows to the front elevation and three to the rear. I did not observe the street to be heavily trafficked by pedestrians, but there would be a constant possibility of overlooking and I saw curtains drawn to all windows at my visit. The proposal would result in four larger windows to the front elevation at ground floor, the full height windows at first floor level and just one window to the rear. Consequently, the majority of windows would face the public realm and result in the majority of the living space being open to view.
14. However, the increased floorspace and improved internal layout would be a significant improvement in terms of the functionality and comfort of the unit. The issue of overlooking would still exist, but it would be open to occupants to use day blinds that still allow light through, to draw curtains or to use partially obscured glazing to address overlooking. This would not be preferable to a living space that was not overlooked where privacy and outlook could be maximised, but in this particular circumstance, it would be no worse than the existing situation for occupants and, when combined with the upgraded and extended layout, would represent a net improvement in the overall standard of accommodation.
15. Therefore, I conclude that the proposal would accord with Policy 57 of the LPP1, which requires that development respects the amenity of existing and future occupants by, among other things, avoiding harmful impacts from overlooking and/or loss of privacy.

Other Matters

16. The Council did not refuse permission in respect of other matters, including neighbours' living conditions, highway safety, parking and waste management. On the evidence before me, I have no compelling reasons to conclude otherwise. An

absence of harm in these respects means they are neutral matters in the overall planning balance.

Conclusion

17. I have found that whilst occupants' privacy levels would not be ideal, the proposal would represent a small improvement in the overall standard of accommodation compared to the existing dwelling. However, this is outweighed by the significant harm the proposal would cause to the character and appearance of the area. Therefore, I conclude that the proposal would conflict with the development plan, taken as a whole. There are no other material considerations of such weight as to indicate that permission should nevertheless be forthcoming.
18. Therefore, the appeal should be dismissed.

K Savage

INSPECTOR