



Appeal Decision

Site visit made on 28 January 2025

by **J Bell-Williamson MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th February 2025

Appeal Ref: APP/U5930/D/24/3355023

1B Buxton Road, Chingford E4 7DP

- 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 & Mrs Turner against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref is 241373.
 - The development proposed is erection of a first floor rear extension, and the erection of rear and side dormers with the provision of front rooflights to facilitate a loft conversion.
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Decision

1. The appeal is dismissed.

Preliminary Matters

1. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024. The content of the revised Framework has been considered but in light of the facts in this case it does not alter my conclusion.

Main Issues

2. The main issues are:
 - whether the proposed dormer extension to the main side roof would preserve or enhance the character or appearance of the Station Road Conservation Area in which the appeal property is located; and
 - the effect of the first floor rear extension on the living conditions of the occupiers of No 1A Buxton Road, with regard to outlook and natural light.

Reasons

Station Road Conservation Area

3. The Station Road Conservation Area covers a number of residential roads and is bisected by Station Road, the main arterial route running through the area, which includes largely retail and commercial uses. The area adjoins Chingford Golf Course.
4. Properties in this part of Buxton Road are in the form of original terraces with prominent gable features, while the large United Reform Church is on the opposite side of the road to the appeal property. The pair of semi-detached dwellings, Nos 1A and 1B, at one end of the road are of a separate design and appearance to other properties in the road. No 1B is an apparently unaltered late Victorian dwelling with original architectural detailing and fenestration with a well-

- proportioned front elevation and roofscape. As such, it makes a positive contribution to the character and appearance of the conservation area.
5. The *Chingford Station Road Conservation Area Appraisal and Management Plan* (2023) indicates that street-facing roof extensions and front elevation rooflights should be avoided and that such extensions should be located to the rear of properties. However, the Council does not raise concerns about the proposed rooflights to the front elevation, particularly because a number of properties nearby already include such features. It also raises no concerns about development to the rear in terms of the effect on the conservation area. Its sole concern, therefore, is the dormer to the side of the roof.
 6. The appeal property has two prominent chimneys to the side of the hipped roof. The proposed flat-roofed dormer would be positioned between the chimneys from where it would be visible within the street scene. While it would be of modest size, the dormer would infill fully the space between the two chimneys. Seen from the front and to the side this would result in the dormer and chimneys merging into a block of larger built form that would create a bulky and unbalancing effect to the roof. It would also detract from the chimneys' individual profile as distinct features in a prominent position.
 7. There are no other visible examples of similar dormers within the street scene and, as such, the dormer window would appear as an incongruous and uncharacteristic addition to the host dwelling. It would also unbalance the appearance of the semi-detached pair of dwellings, despite the side extension to No 1A.
 8. The appellants refer to a wide range of extensions within the surrounding area. However, I am not aware that any of these proposals involve a dormer window in a similar position within the conservation area. Therefore, they cannot be considered to be direct precedents for this element of the appeal proposal.
 9. Therefore, for these reasons, the proposed dormer would fail to preserve the character and appearance of the Station Road Conservation Area. The Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation¹. Based on the above findings, I consider the harm to be less than substantial in this instance, but nevertheless of considerable importance and weight.
 10. Under such circumstances, the Framework advises that this harm should be weighed against the public benefits of the proposal². I acknowledge that the dormer extension would provide additional living space. However, the harm to the designated asset is of considerable weight and, therefore, the proposal would not provide sufficient public benefits that would outweigh the harm that has been found.
 11. Accordingly, for the reasons given, I conclude that the proposed dormer extension to the main side roof would not preserve the character or appearance of the Station Road Conservation Area. Consequently, it is contrary to Policy D4 of the London Plan (2021) and to Policy 53 of the Waltham Forest Local Plan, Part 1 (2024) both of which require high quality design in development; and to Policy HC1 of the

¹ Paragraph 212.

² Paragraph 215.

London Plan and to Policy 72 of the Local Plan concerning the effects of development on heritage assets, including conservation areas.

12. In reaching this conclusion I am particularly mindful of the statutory requirement that in exercising planning functions in conservation areas special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area³.

Living conditions

13. To the rear the appeal property currently has a stepped ground floor projection with a projection of limited depth at first floor level with a shallow mono-pitched roof. The proposal includes a first floor extension that would result in a much deeper projection of greater height than at present, with a dual pitched roof and gable end.
14. The nearest upper floor window in No 1A's rear elevation is located next to the position of the proposed extension in relatively close proximity. Due to the combined depth and height of the extension, it would readily be seen from the neighbouring room. From this view, the blank expanse of wall would result in an undue sense of enclosure and would be an overbearing, dominant feature. As such, it would have a materially harmful effect on the neighbouring occupiers' outlook from this window.
15. The existence of an outbuilding at No 1A close to the ground floor windows does not have a bearing on the view from its upper floor window. The fact that No 1A is larger than the appeal property also does not affect the above finding of harm. While other properties in the surrounding area might have similar forms of development to the rear, I am not aware of their effects and, in any case, I have considered the effects of the proposal before me on its individual merits.
16. Turning to the effect on natural light to the neighbouring property, I have had regard to the appellants' *External Daylight and Sunlight Study*. The study was prepared in accordance with BRE guidelines and demonstrates that the effects of the rear extension on No 1A in terms of any loss of daylight or sunlight would be negligible. There is no reason for me not to accept these findings and consequently there would be no material harm from the rear extension with regard to natural light.
17. Therefore, for these reasons, I conclude that the proposed first floor rear extension would have an unacceptably harmful effect on the living conditions of the occupiers of No 1A Buxton Road, with regard to outlook. It is, therefore, contrary to Policy 57 of the Waltham Forest Local Plan, Part 1, which requires that development should respect the amenity of neighbours by avoiding harmful impact on outlook, amongst other matters. There would not, however, be a harmful effect on the neighbouring occupiers' living conditions with regard to natural light.

Other Matters

18. The appellants refer to a number of alleged inaccuracies in the Council's assessment and submissions. I was, however, able to assess the effects of the proposal fully based on the appeal submissions as a whole and the site inspection.

³ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

19. I have had regard to the representation made by a neighbouring interested party. This does not, however, raise any additional matters in relation to the main issues in this appeal that would lead me to reach a different overall conclusion.

Conclusion

20. For the reasons given above it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR