



Appeal Decision

Site visit made on 18 February 2025

by **David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 February 2025

Appeal Ref: APP/U5930/W/24/3352985

39 Goodall Road, Leytonstone, London E11 4ER

- 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 Victor Martinez against the decision of Waltham Forest London Borough Council.
 - The application Ref is 241198.
 - The development proposed is extension of ground floor front bay down to basement level, insertion of floor grille to lightwell.
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Decision

1. The appeal is allowed and planning permission is granted for extension of ground floor front bay down to basement level, insertion of floor grille to lightwell at 39 Goodall Road, Leytonstone, London E11 4ER in accordance with the terms of the application, Ref 241198, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following plans and documents: drawing no 22-1065-PL01 Revision A dated 14 December 2022; Planning Fire Safety Strategy Statement; Stage 1 & 2 Basement Impact Assessment (Screening & Scoping) Report dated 12 February 2024; and Surface Water Drainage Assessment.
 - 3) Prior to the commencement of the development, notwithstanding site investigation and clearance works and demolition, full details relating to the grille, including materials and finish shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and maintained as such for the lifetime of the development.

Main Issues

2. The main issues are the effect of the proposal on the:
 - character and appearance of the host property and the streetscape; and
 - storage and collection of waste.

Reasons

Character and Appearance

3. The appeal site is part of an attractive traditional terrace with dwellings which include front bay windows projecting into small gardens.

4. Basement lightwells to the front are not a common feature of this terrace. However, the extant appeal site includes a small box-like structure covered with polycarbonate sheeting adjacent to the bay window, which provides a small lightwell to accommodation in the basement. The clumsy design and projection above ground level gives this existing feature an incongruous appearance in relation to the host building.
5. The appeal proposal would replace the existing lightwell with one of a larger extent and covered by a grille which would be flush with the ground level of the garden. Although the proposal would cover a larger area and project further towards the street, the fact that the grille would be flush with ground level and of a less obtrusive design would mean that it would not be as visually incongruous as the current arrangement.
6. Given that the proposal would represent a visual improvement compared to the existing situation, I conclude that the proposal would not harm the character and appearance of the host property or the streetscape. The proposal would therefore comply with Policy 53 of the Waltham Forest Local Plan Part 1 2024 (the Local Plan) with regards to delivering high quality design.

Waste Storage

7. The front garden is used for the storage of bins serving flats in the host building. At the time of my visit, bins were stored adjacent to the front garden wall. The existing lightwell is a barrier to the storage of bins adjacent to the bay window. The proposed lightwell would extend across a greater area, but it would not project to the front wall and an area for the storage of bins would remain along the front boundary.
8. Although bins may need to be moved over the grille, this should not present a barrier to the movement of bins due to the setting of the grille flush with the ground level, and subject to an appropriate design of grille to enable bins to be wheeled over it. This can be secured by condition.
9. The Council refers to the number of flats within the building and that further bins may be required. However, there is no substantive evidence that the number of bins at the property will increase, or how the proposal would hinder further bin storage compared to the barrier created by the extant lightwell.
10. Due to its design and arrangement, the proposal would make suitable provision for the storage and collection of waste from the site and would therefore not conflict with the waste management requirements of Policy 93 of the Local Plan.

Conditions

11. In addition to the standard 3 year time limitation for commencement, I have imposed a condition requiring the development to be carried out in accordance with the submitted plans and documents in the interests of certainty.
12. A condition in respect of the design of the grille is appropriate in the interests of character and appearance as well as waste storage. Details in respect of this condition should be submitted to and approved by the local planning authority at the pre-commencement stage as they relate to matters which need to be established before the commencement of building operations.

Conclusion

13. For the reasons given above the appeal should be allowed.

David Cross

INSPECTOR