



Appeal Decision

Site visit made on 24 March 2025

by J Hills MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 March 2025

Appeal Ref: APP/U5930/W/24/3348880

349A Lea Bridge Road, Waltham Forest, Leyton, London E10 7LA

- 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 Umar Aziz against the decision of Waltham Forest London Borough Council.
 - The application Ref is 240308.
 - The development proposed was originally described as 'loft conversion'.
-

Decision

1. The appeal is allowed and planning permission is granted for construction of second floor rear extension at 349A Lea Bridge Road, Waltham Forest, Leyton, London E10 7LA in accordance with the terms of the application, Ref 240308, 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 drawing nos: GLA-04L; GLA-05L; GLA-06L; GLA-07L; and GLA-08L dated: 22/10/23.
 - 3) The materials to be used for the external surfaces of the extension hereby permitted shall match those of the existing building and shall thereafter be retained as such for the lifetime of the development.

Preliminary Matters

2. Following the Authority's notice of decision, the National Planning Policy Framework (the Framework) was revised on 12 December 2024. Having regard to the matters that are most relevant to this appeal, there have been few substantive changes albeit that the numbering of paragraphs has changed. Hence, I am satisfied that no one will be prejudiced by the changes to the national policy context.
3. In its decision notice, the Council changed the description of development from that in the application form and banner heading above to '*construction of second floor rear extension*'. This description is also referenced in the appellant's appeal form. It more accurately reflects the development proposed and has therefore been used in the formal decision.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site comprises a mid-terrace property set over 3 storeys, where its most prominent frontage faces a busy street. Here, commercial units make up the ground floor areas, with residential accommodation above. To the rear, this terrace includes a mostly consistent line of deep, flat roof extensions that are surrounded by a variety of access steps and other ad hoc outbuildings of cluttered appearance. In that context, a nearby property includes a pitched roof rear extension with large metal extractor flues projecting above. Fleeting views of these rear extensions and characteristics are mostly experienced from quieter and less prominent side streets. More direct views of the extensions from an access spur that is part of Theobald Road are interrupted and dominated by the bulky outbuildings and step arrangements.
6. The proposed extension of simple and unassuming design would be positioned to the rear of this terrace above the 2nd floor. While not a common feature of the surrounding properties, it would be set well back from the edge of the existing extension, covering an extremely modest footprint. Its overall height would be below that of the ridge, which would avoid any incongruity of massing. Overall, it would result in a feature that would be barely appreciable from many public vantage points.
7. Nevertheless, it is acknowledged that the proposal would alter the visual appearance of the building and the wider terrace. However, for the reasons given and subject to an appropriately worded condition to secure a complementary matching material finish, the prevailing architectural integrity and appearance of the building would be reinforced. Consequently, the proposal would not appear out of place.
8. I therefore conclude that the proposed development would not have a harmful effect on the character and appearance of the area. As such, there would be no conflict with Policy 53 of the Waltham Forest Local Plan, adopted 2024 which says, amongst other things, that development will be supported where it reinforces local character and distinctiveness, taking into account existing patterns of development, townscape, skyline, urban form and grain, building typologies, architecture and materials.

Conditions

9. In addition to the standard time limit condition, I have imposed a condition requiring the development to be carried out in accordance with the approved plans in the interests of certainty.
10. As already mentioned above, I have added a materials compliance condition which is reasonably necessary in the interests of the character and appearance of the area.

Conclusion

11. For the reasons given, the appeal is allowed.

J Hills

INSPECTOR