
Appeal Decision

Site visit made on 11 March 2025

by **A Phillips MPlan, BA, CertHE and MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 April 2025

Appeal Ref: APP/U5930/D/24/3354816

291 Harrow Road, Waltham Forest, Leytonstone E11 3QA

- 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 J Allan and J Ross against the decision of Waltham Forest London Borough Council.
 - The application Ref is 241576.
 - The development proposed is erection of 1st floor side extension and rear extension above footprint of existing house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For the avoidance of doubt the only conflict between the Council and the appellant is the first floor side extension and it is this conflict that I have determined the appeal on.
3. The development description in the application form does not include the alterations to the front of the dwelling. However, the Council included this work in the development description and on this basis I have given this development due weighting where appropriate in the context of the first floor side extension.
4. It is noted that the names of the appellants have been clarified in the appeal submission.
5. Since the appeal was lodged there has been an updated version of the National Planning Policy Framework. However, I am satisfied there are no implications for the main issues for this appeal.

Main Issues

6. The main reasons are:
 - The effect on the character and appearance of the local area and site from the 1st floor side extension.
 - The effect of the proposed extension on the living conditions of the occupants of 330 and 332 Cann Hall Road from the proposed the 1st floor side extension, with particular reference to outlook.

Reasons

Character and Appearance

7. The appeal property is an end terrace property with a gable end and has a modern single storey side extension. This row of terraces front elevations has been altered, with different style and mix of front extensions, bay windows and porches. No.291 has a front extension across its frontage that links into the side extension, though the side extension front wall is set back, very slightly behind the line of the original front wall, under a cat slide roof that forms a porch.
8. The 1st floor side extension would be viewed by people crossing Lake House Road and those passing No.291 along Harrow Road. The proposal will also be visible from the public open space of Wanstead Flats/public open space on either side of Lake House Road, though views will be limited by trees in the summer months. However, the proposal will not be visible further north along Harrow Road due to the slight bend in the built form of the terraces and 330 and 332 Cann Hall Road obscure the development from those travelling along Dames Road.
9. The proposal for the 1st floor side extension is set back approximately 30cm from the front wall of the existing two storey element of 291 Harrow Road, has a hipped roof and incorporates traditional Victorian fenestration. The proposal is also seeking to restore the traditional features of the main element of the house, such as the bay window.
10. The proposed 1st floor side extension is out of proportion with the existing house due to its frontage being significantly more than half of the width of original dwelling and by having a limited set back. This lack of proportion is further emphasised with a ground floor window the same size as the bay and the use of two upstairs windows to match the original dwelling. This gives the proposal the appearance of looking both too large for a side extension or too small to be a traditional Victorian terrace, though this harm is limited by the use of high quality materials. The use of the proposed hipped roof is an alien feature within this terrace of properties as well as conflicting with the traditional style proposed and therefore does not preserve the street scene. The hipped roof causes greater harm than the benefits brought by it lowering the eaves height.
11. The proposal by seeking to restore the bay window and the traditional features of the original two storey dwelling would restore an element of the traditional Victorian terrace street scene and this is granted moderate weight in favour of the application. Higher weight cannot be granted for this as some of the traditional features could be reinstated without the construction of a 1st floor side extension and that the entire terrace cannot be viewed together.
12. The 1st floor side extension would harm the character and appearance of the site and the surrounding area, due primarily to its siting, scale and roof design. Therefore, the development would be contrary to Policy 53 of the London Borough of Waltham Forest Local Plan Part 1 2024 which require that new development be a high quality design and makes a positive contribution to place making. The development would also fail to accord with the Residential Extensions and Alterations Supplementary Planning Document 2010 that seeks side extensions to be set back 1 metre and the National Planning Policy Framework which seeks to achieve well-designed places.

Outlook

13. The ground floor of 330 Cann Hall Road is a dental surgery so there is no harm to its residential amenity. However, there is a 1st floor window facing Harrow Road that likely serves a habitable room to a flat though given the angle and distance to the proposed first floor extension the harm to its outlook would be limited.
14. 332 Cann Hall Road has two floor windows and a glazed door at ground level and one 1st floor window facing the property of 291 Harrow Road. The window that faces directly towards the proposed 1st floor extension has an obscure window and is stated as being a bathroom, given this the harm to its outlook is negligible. Given the positioning of the glazed door and window at ground floor, there will be a modest impact from the proposed 1st floor extension that is further limited by a ground floor window facing towards Harrow Road that provides an alternative outlook. The 1st floor window of 332 Cann Hall Road serves a bedroom and the proposal will bring the two storey element of 291 Harrow Road significantly closer. However, this harm is limited due to this bedroom having a second window overlooking the Wanstead Flats that is far more likely to be primary outlook for this room.
15. The proposal will not have a harmful impact on the outlook of 330 and 332 Cann Hall Road. On this basis it is considered to comply with Policy 57 of the London Borough of Waltham Forest Local Plan Part 1 2024, which states that developments should avoid harmful overlooking.

Other Matters

16. Whilst I acknowledge there are benefits to improving the housing stock, there is limited evidence to demonstrate that the first floor side extension is the only means by which this additional accommodation needs could be met. On this basis only limited positive weight can be given, which does not outweigh the harm to the character and appearance of the local area or site as detailed above.

Conclusion

17. The proposal conflicts with the development plan and there are no other considerations that outweigh this conflict. For the reasons outlined above, I conclude that the appeal should be dismissed.

A Phillips

INSPECTOR