



Appeal Decision

Site visit made on 17 June 2025

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24th July 2025

Appeal Ref: APP/U5930/W/25/3361311

Ground Floor Flat, 60 Leyton Park Road, Leyton E10 5RL

- 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 Bilal against the decision of Waltham Forest London Borough Council.
 - The application ref. is 242462.
 - The development proposed is the erection of a single storey rear extension, depth no greater than 6m, height no greater than 4m, eaves height no greater than 3m.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I saw on site that the walls of the extension shown on the drawings had been built, but not the roof. I have therefore dealt with the appeal as partially retrospective.
3. The appellant submitted an updated proposed ground floor plan with the appeal, which I am requested to consider. Having compared it with the plan submitted with the application, it appears to differ only in relabelling the rear bedroom as a study. I am satisfied that accepting this would not prejudice any of the interested parties.

Main Issues

4. The main issues in this appeal are:
 - the effect of the development on the character and appearance of the area
 - whether the development would provide adequate living conditions for its occupiers with particular regard to storage, outlook and natural light.
 - whether the development would provide adequate living conditions for the occupiers of 58 Leyton Park Road with regard to outlook and enclosure.

Reasons

Character and appearance

5. The site comprises a two-storey Victorian mid-terrace house divided into flats, originally with dual-pitched main roof and a single storey rear extension of about 1.5m in depth with mono-pitch roof and rooflights. The Council suggests that a gap between this and an original outbuilding was previously covered in translucent panels. The house now has a full-width rear dormer, and the rooflights have been removed from the extension. I saw them and translucent panels discarded on site but could see no evidence of the original outbuilding.

6. The terrace has a variety of single-storey rear extensions, mostly about 4m deep with flat roofs, translucent or with rooflights. However, the neighbouring property at 58 Leyton Park Road has an extension of the same depth as that proposed, which the Council states is subject to enforcement action. A full-width single-storey flat-roofed outbuilding, of about 3.5m in depth has been built at the end of the rear garden, like others in adjoining gardens. The terrace backing on to it has original two-storey outriggers with dual-pitch roofs, but also has single-storey rear extensions of various depths, albeit not full-width.
7. The proposed floor plan shows a single-storey flat-roofed full-width rear extension of about 5.2m in depth, albeit the description of development suggests the depth could be up to 6m. Three rooflights are proposed in the existing extension, but the further extension would have two windows in its rear wall and no rooflights. Similar extensions and outbuildings have been built nearby, but it seems clear that not all were permitted. The cumulative effect is to half the rear garden areas, diminishing their landscape and amenity value, with extensions becoming the primary rather than an incidental feature of the rear of the terrace.
8. Whilst the rear of the terrace and gardens are not visible to the public, the impact is significant and seen by enough neighbours for it to represent harm to character and appearance. This is contrary to Policy 53 of the Waltham Forest Local Plan LP1 (2024) (WFLP), which supports developments that reinforce local character, including existing development patterns, and respond to their context in terms of scale. I attach significant weight to this conflict with policy.

Living conditions – future occupiers

9. I saw on site that the room proposed to be used as a study has no outlook and is already quite dark, despite being south-east facing and having full-height double-width glass doors with a borrowed light above. Whilst I recognise that this is to some extent a pre-existing situation, the proposal would make it worse, adding more than five metres' depth to the extension. I do not consider the rooflights to the existing extension will be sufficient to overcome these issues.
10. I also recognise that the appellant now intends to use the room as a study rather than as a bedroom, but future intentions or occupiers may differ, and this would be difficult to control. I agree with the Council that, were it to be used as a bedroom, its occupier would have no outlook and inadequate natural light. Removal of the shower, however, would add to existing built-in storage under the stairs and so render the proposal acceptable in terms of the space standards.
11. Whilst the space standards are material, because the proposal is not for a new home, Policy 56 of the WFLP does not apply. However, the proposal would fail to provide adequate outlook and natural light for persons who may occupy the study as a bedroom. This would be contrary to Policy 57 of the WFLP and Policy D6 of the London Plan (2021), which seek to avoid harmful impacts from loss of outlook, daylight or sunlight. I attach significant weight to this policy conflict.

Living conditions – neighbours

12. The amended drawing shows a parapet wall abutting, and to the same depth as, the existing extension at no.58. I note that this extension is subject to enforcement action. However, even in the unlikely event that it was to be demolished and not replaced by a shorter one, the resulting garden or ground floor rear windows would

be located south-west of the appeal site, limiting the sense of enclosure or impact on outlook that could be caused by the proposal.

13. I therefore consider the development would provide adequate living conditions for the occupiers of 58 Leyton Park Road and comply with Policies 53 and 57 of the WFLP, which seek high quality design that avoids loss of outlook or increased sense of enclosure. I attach neutral weight to compliance in this regard.

Conclusion

14. For the reasons given above the appeal should be dismissed.

S Simms

INSPECTOR