



Appeal Decision

Site visit made on 21 July 2025

by **John D Allan BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 August 2025

Appeal Ref: APP/U5930/D/25/3364446

291 Harrow Road, Leytonstone, Waltham Forest, 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 Allan and Ross against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref is 242887.
 - The development proposed is the construction of rear and side extension at first floor level; alterations to the front elevation including replacement windows and door and the construction of two new bay windows; installation of one roof light to the front roof and retention of existing PV panels at the rear.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of rear and side extension at first floor level; alterations to the front elevation including replacement windows and door and the construction of two new bay windows; installation of one roof light to the front roof and retention of existing PV panels at the rear at 291 Harrow Road, Leytonstone, Waltham Forest, E11 3QA in accordance with the terms of the application, Ref 242887, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: Drg Nos 1169P 01 Rev A, 1169P 20 Rev A, 1169P 100, 1169P 101, 1169P 102 Rev A, 1169P 110, 1169P 111, 1169P 112, 1169P 113, 1169P 114 Rev A, 1169P 200 Rev B, 1169P 201 Rev B, 1169P 202 Rev B, 1169P 210 Rev B, 1169P 211 Rev B, 1169P 212 Rev B, 1169P 213, 1169P 214 Rev A, 1169P 5000, 1169P 5001 and 1169P 5002.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Background and Main Issues

2. The appeal property was the subject of a recent refusal of planning permission for works described as '*erection of 1st floor side extension and rear extension above footprint of existing house*' (Ref 241576). A subsequent appeal was dismissed (Ref APP/U5930/D/24/3354816). The current proposal was submitted as a planning application in November 2024 and was a variation of the previously proposed

scheme. It was refused planning permission on 7 February 2025, before the Inspector's decision on the previous scheme, which was dated 2 April 2025. I have been provided with a copy of the Inspector's decision along with a full set of the previously proposed plans.

3. The previous Inspector noted that the only conflict between the Council and the appellants related to the first-floor side extension. The appeal was determined on that basis. Elements of the current scheme to the rear, including a first-floor extension, remain the same and are confirmed as acceptable to the Council. I have no reason to disagree.
4. In light of the above, the main issues in this case are the effects of the proposed first-floor side extension upon:- (i) the character and appearance of the host dwelling and wider street scene, and (ii) the living conditions at Nos 330 and 332 Cann Hall Road, with particular regard to visual impact.

Reasons

Character and Appearance

5. The appeal relates to a two-storey dwelling at one end of a long terrace of mostly similar style and aged dwellings. It has a gable-end and a more contemporary flat-roof side extension with a forward projecting lean-to canopy roof which also extends across the dwelling's front elevation and over a mostly glazed square bay and entrance porch. The proposal includes a first-floor side extension which would simply project the dwelling's front and rear building lines sideways, with a hipped roof over, and modifications to the existing two-storey front elevation.
6. The existing ground floor configuration of the dwelling's front elevation shows little correlation to the more traditional first-floor fenestration pattern. The ad-hoc changes that have occurred to No 291 are broadly reflective of the extensive array of front extensions, porches and window alterations that have taken place over time along the full length of the terrace. These have eroded much of its original cohesion such that dwellings appear more individualistic in style rather than as part of a uniform and regimented group.
7. Many of the proposal's elements are similar to the previous proposal when the Inspector concluded that, due primarily to the siting, scale, and roof design of the extension, it would be harmful to the character and appearance of the site and the surrounding area. Whilst the Inspector positively recognised the intention to restore Victorian styled fenestration to the front of the original dwelling, including a reconfigured bay, and similar such windows at first-floor level within the extension, they felt overall that the extension would be disproportionate to the existing house, appearing either too large as a side extension or too small to be read as a traditional end terrace in itself. The lack of proportion was found to be further emphasised by the large flush window that was proposed at ground floor with additional harm attributed to the hipped roof, which was considered alien to the terrace.
8. The overall size of the proposed side extension would be no different to the last scheme. However, some key and important changes have been made. In my judgement these offer significant enhancements which better balance the site's opportunities against its constraints, and which tip the scales in favour of a more desirable outcome.

9. The large ground floor window has been switched to a more appropriately proportioned bay. This would match that proposed to be reinstated to the front of the existing dwelling and would create a significantly more balanced façade to the dwelling overall.
10. The continuation of the eaves line, rather than the subordinate arrangement previously proposed, along with a flush façade at both ground and first-floor levels, combined with the retained side parapet to the original gable, would create a much-improved impression of a new end terrace.
11. The roof would remain hipped, but due to the length of the terrace, it could not be read with its opposing end; a fact that was recognised by the last Inspector. I find nothing about the hip in isolation to suggest its form would be necessarily alien to the terrace as a whole or out of keeping within its immediate context, especially when considered along with the very different three-storey scale and contemporary form of the immediately adjacent building at 332 Cann Hall Road, which is significantly more prominent than No 291 by virtue of its size, appearance and corner position. My opinion on this has been further assisted by evidence within the appellants' submissions demonstrating where a hipped roof to one end of a traditional terrace comfortably exists within the locality without appearing incongruous or harmful.
12. Overall, I share the appellants' view that the changes made have subtly switched an unsuccessful approach to design an extension as an addition to the individual dwelling, to a form of development that would be more appropriately integrated and appreciated as an extension of the already significantly altered terrace as a whole.
13. I accept that the proposal would not appear subordinate to the original building and that in this regard there would be conflict with advice for side extensions contained within the Council's *Residential Extensions and Alterations Supplementary Planning Document* (SPD), adopted in 2010. However, due to the site's specific circumstances, I am unable to identify any harm to the character or appearance of No 291 or wider street scene. As such there would be no conflict with the broader objectives of the SPD or with Policy 53 of the Waltham Forest Local Plan Part 1 (WFLP), adopted in 2024, which seeks, amongst other things, to deliver high quality design that reinforces local character.

Living Conditions

14. The last Inspector concluded that the previous proposal would have no harmful impact upon the outlook from either 330 or 332 Cann Hall Road. I observed during my visit that the circumstances and relationship between the appeal property, the proposal, and both neighbouring properties at Nos 330 and 332 remains the same.
15. No 330 is a dental surgery at ground floor and would be unaffected. Any impact upon the outlook from the first-floor flat's window, which faces Harrow Road, would be limited given the angle of sight and distance from the proposed first-floor extension.
16. The first-floor window to the rear of No 332 and which would face the proposed first-floor side extension is understood to serve a bedroom. I share the previous Inspector's view that any impact upon its outlook from the increased proximity of the new first-floor flank wall of No 291 would be limited due to the bedroom's added benefit of a second window facing Harrow Road and which overlooks the Wanstead

Flats beyond. There is no substantive evidence to demonstrate how the proposal would impact levels of daylight within the bedroom, which would still benefit from a second natural source of light from the flank window. I share the Council's view and ultimate conclusions of the previous Inspector that the kitchen door and ground floor windows to No 332, which face onto a small enclosed yard and look towards the boundary wall to the appeal site, would be impacted by only a minimal degree that would not be harmful.

17. My conclusions overall on the second main issue concur with the previous Inspector's findings. By adequately respecting the amenities of existing and future occupiers at Nos 330 and 332 Cann Hall Road, the proposal would comply with WFLP Policy 57.

Conditions

18. In addition to the standard time limit and plans conditions, a condition requiring the external materials used to match the existing is necessary in order to safeguard the character and appearance of the area.

Conclusions

19. For the reasons given above, the appeal is allowed.

John D Allan

INSPECTOR