



Appeal Decision

Site visit made on 6 May 2025 by A Morrison MTCP MRTPI

Decision by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2025

Appeal Ref: APP/U5930/D/25/3361413

92 Middleton Avenue, Chingford, London E4 8EG

- 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 Andrine Murati against the decision of Council of the London Borough of Waltham Forest.
 - The application Ref is 243058.
 - The development proposed is the erection of a two storey part single storey rear extension and a new front porch.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey part single storey rear extension and a new front porch at 92 Middleton Avenue, Chingford, London E4 8EG in accordance with the terms of the application, Ref 243058, and the plans submitted with it, 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 following approved plans:

LIVARCH/92MA/211 Location Plan, LIVARCH/92MA/210 ISSUE A Proposed Site Plan, LIVARCH/92MA/203 ISSUE A Proposed Ground Floor Plan, LIVARCH/92MA/204 ISSUE A Proposed First Floor Plan, LIVARCH/92MA/208 ISSUE A Existing and Proposed Roof Plans, LIVARCH/92MA/206 ISSUE A Proposed Front and Rear Elevations, LIVARCH/92MA/207 ISSUE A Existing and Proposed Side Elevations.
 - 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.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. In processing the application, the Council changed the description of development from that on the application form. The appeal form however states that the description of development has not changed from that on the application form but,

nevertheless, the Council's amended wording has been entered. I am mindful that the Appellant sought permission for a specific development as per the application form and am satisfied that the use of this original description is appropriate.

Main Issue

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

Reasons for the Recommendation

5. The appeal site comprises a two-storey semi-detached dwelling, situated within a rectangular shaped plot close to the crossroads of Middleton and Cherrydown Avenues. The house is set in from the joint side boundary with No 94 Middleton Avenue and is characterised by a side gabled main roof above brick and rendered walls, with a smaller gable to the front elevation above a double storey bay. A rear dormer window and front roof lights loft conversion was under construction to both No 92 and the adjoining house No 90 Middleton Avenue at the time of my visit.
6. The adjacent semi-detached property, No 94, is set at a 45-degree angle to No 92, such that it forms a triangular corner plot which fronts onto the crossroads. This difference in the positioning and orientation of the two dwellings is such that there is a wide separation between them, with this gap in the two-storey built form providing views from the highway towards their rear curtilages and beyond. This notable degree of separation between buildings is a pleasant feature around all sides of the junction. A mixture of gabled and hipped roof forms above rendered walls, together with an assortment of rear and roof extensions, are further defining features of the semi-detached and terraced properties in the locality.
7. From a review of the submitted evidence and the matters of dispute, I have no reason to disagree with the elements of the proposed scheme which are not in dispute between the Council and the Appellant. Therefore, my assessment will focus on the two-storey element of the proposed rear extension, and the proposed roof formations.
8. The double storey part of the proposal, which would be set slightly back from the rear elevation of the single storey element, is of a limited width and depth in relation to the proportions of the host dwelling. It is designed with a centrally positioned rear window and a corresponding eaves line to existing, set below a hipped roof pitched at the same angle as the main roof. Though there are few two storey rear extensions in the area, by virtue of its clearly subordinate positioning and massing to the existing house and sympathetic design approach, the development would suitably complement the dwelling's existing appearance. The use of matching materials would also respect the design of the building and could be controlled by condition.
9. By combining a secondary hipped roof form with the main gabled roof, the proposal would reflect its context, in which both styles of roof are present. This includes immediately neighbouring No 94, together with which the development would be primarily viewed. In addition, due to its restricted depth as contributing to its modest overall massing, the positive existing sense of spaciousness between these two dwellings would be largely retained.

10. As a result of its limited dimensions and positioning well back from the highway, the proposed two storey element and the overall roof formations, including the proposed ground floor flat roof, would be perceived as relatively discreet additions which would neither dominate the house nor appear incongruous within the street scene. Whilst there would be a degree of change to the partial existing uniformity of Nos 92 and 90 as a semi-detached pair, this element of the scheme would not impact on the building's principal elevation, from which its collective character mainly derives.
11. On this basis, I conclude that the proposed development would not lead to harm to the character and appearance of the host dwelling nor the surrounding area. The proposal would therefore satisfy the requirements of Policy 53 of the Waltham Forest Local Plan Part 1 2024, which in the pursuit of high quality design, requires proposals to reinforce local character including through taking into account existing patterns of development, architecture and materials and to respond appropriately to context with regard to scale, height and massing.

Other Matters

12. The Council have concerns that the two-storey rear extension may set an undesirable precedent along Middleton Avenue. I have however determined the appeal on its own merits, taking into account the particular circumstances of the appeal site and its surrounding context.
13. The Council have also referred to an Appeal Decision at 159 Fyfield Road, Walthamstow. I note that the two schemes are however not closely comparable and reiterate that I have considered this appeal on its own merits.

Conditions

14. In addition to conditions related to the timeliness of the development and the identification of plans, a condition is necessary requiring materials to match those used on the existing house such to assist in the integration of the development to the host building.

Conclusion and Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

A Morrison

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

Chris Baxter

INSPECTOR