
Appeal Decision

Site visit made on 6 May 2025 by A Morrison

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 September 2025.

Appeal Ref: APP/U5930/D/24/3357675

37 Leonard Road, Chingford, London E4 8NE

- 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 Qasim Mahmood against the decision of Council of the London Borough of Waltham Forest.
 - The application Ref is 241409.
 - The development is described as a retrospective application for the construction of a single-storey conservatory, reworking of the rear garden, and a small garden office. All shown as built.
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Decision

1. The appeal is dismissed.

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.

Procedural Matter

3. The Council's first reason for refusal concerns the accuracy and legibility of the plans. Whilst I note the points made, I am satisfied that my reading of the plans, combined with the site visit, has provided me with a sufficient understanding of the completed development to allow a decision to be reached.

Main Issues

4. The main issues are;
 - The effect of the development on the character and appearance of the host dwelling and area; and
 - The effect of the development on the living conditions of the occupiers of Nos. 35 and 39 Leonard Road, with particular reference to outlook and light.

Reasons for the Recommendation

Character and appearance

5. 37 Leonard Road is a two-storey end terrace dwelling, located midway along a street of orderly terraced properties, the majority of which have modest single storey rear extensions. The house has a gabled roof above rendered walls, with a single storey brickwork extension constructed across the rear elevation, onto which

a predominately glazed conservatory extension has been added. The conservatory has been finished with dark grey PVC panels and framing for its windows and doors of which wrap fully around its rear and side elevations. The conservatory has obscured glazing to its flank walls and is situated upon an area of decking elevated above the property's main rear garden seating and amenity space.

6. Whilst No 35 Leonard Road has not been extended, to the other side, beyond a narrow gap in the terrace, No 39 Leonard Road possesses a shallow single storey lean-to extension to its rear, attached to which is a canopy structure over a patio area.
7. Although it is of smaller dimensions to the brick-built extension to which it connects, the conservatory's differing lightweight form and wall materials contrasting with the solid extension and the rendered host main building give it an awkward appearance. This lack of regard to the design and materials of both the original dwelling and the brick-built extension combine to make the conservatory look harmfully out of place.
8. The incongruity of the conservatory's appearance is compounded by the considerable depth of its projection into the rear garden, owing to its attachment to the earlier solid extension. By extending beyond the length of rear additions to neighbouring dwellings, its apparent incompatibility to the appearance and proportions of the host building and those surrounding is exacerbated such that it adversely affects the character of the locality. Whilst I acknowledge that the conservatory cannot be seen from the highway, this lack of public visibility does not justify an unsympathetic design.
9. A brickwork outbuilding is sited at the end of No 37's garden. I note that a certificate of existing lawful use or development has been granted by the Council for this element of the scheme since this appeal was made. As such, my assessment will focus on the conservatory development only.
10. For the reasons as set out, I conclude that the conservatory extension is harmful to the character and appearance of the host dwelling and the surrounding area. The development therefore conflicts with Policy 53 of the Waltham Forest Local Plan Part 1 2024 which in the pursuit of high quality design, seeks to ensure development reinforces local character and distinctiveness, including through taking into account existing patterns of development, architecture and materials and to pay consideration to existing scale, height and massing.

Living conditions

11. The conservatory, whilst modestly set away from the boundary with No. 35 and of slightly lower height than the existing brick extension, adds considerable depth and bulk along this shared boundary. Its overall height considerably exceeds the dividing fence and, when combined with the earlier extension, results in a substantial massing close to the boundary.
12. Despite the lightweight materials having a limited impact on daylight, there is a pronounced visual impact on the outlook from the ground-floor rear-facing habitable room window at No. 35, increasing the sense of enclosure and creating an overbearing effect. Furthermore, the cumulative scale and proximity of the combined extensions significantly restricts outlook from No. 35's adjacent garden patio area. This creates an unacceptable sense of enclosure and results in an

adverse effect on living conditions and the neighbouring occupiers' use of the adjoining outdoor space.

13. There is a degree of spacing between the conservatory and the joint boundary to the adjacent house No 39 to the other side. In addition, the development does not project as far beyond this neighbouring building, owing to its own well-glazed rear extension. Because of these considerations and the positioning of the conservatory to the northeast of No 39, I am satisfied that the development sufficiently respects the outlook and light enjoyed by its occupants.
14. Overall, the conservatory extension causes significant harm to the living conditions of the neighbouring occupiers at No 35 Leonard Road, with particular regard to outlook. The development therefore conflicts with Policy 57 of the Waltham Forest Local Plan Part 1 2024 which seeks to ensure development respects the amenity of neighbouring occupiers including by avoiding harmful impacts upon outlook.

Other Matters

15. I appreciate that no objections have been raised to the development from neighbouring occupiers. However, whilst this has been raised in support of the development, this is only a neutral factor in my assessment and does not justify the harm caused by the development.

Conclusion and Recommendation

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

A Morrison

APPEAL PLANNING OFFICER

Inspector's Decision

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

Martin Seaton

INSPECTOR