



Appeal Decision

Site visit made on 16 September 2025

by **H Marriott MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 October 2025

Appeal Ref: APP/U5930/W/25/3368557 **100 Albert Road, Walthamstow E17 7PU**

- 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 Zafar Naeem Chaudhry against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref is 242359.
 - The development proposed is the demolition of existing dwelling and construction of new 4-bed two-storey dwelling with associated cycle storage, bin and refuse facilities, and change of means of access.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - the effect of the construction and servicing of the proposed development on the public highway.

Reasons

Character and appearance

3. The appeal site occupies a prominent corner plot at the junction of Albert Road and Lorne Road. Both streets are predominantly residential in character, lined on either side by two-storey terraced dwellings. These dwellings typically sit behind modest front gardens enclosed by low boundary treatments, such as walls. Bay windows are common architectural features along both roads. The prevailing materials include brick, render and tiled pitched roofs. While some dwellings have been altered or extended, including to their roofs and outriggers, the street scenes retain a cohesive character and appearance, informed by the prevailing linear form and consistency in materials, spacing and rhythm of development.
4. Number 100 Albert Road (No 100) is a two-storey end of terrace dwelling. Its façade facing onto Albert Road comprises a double-height bay window with a turret feature. The main porch entrance is located on the side elevation, adjacent to a single-storey bay window feature and beneath a decorative timber gable feature. External surfaces comprise London stock brick with red brick detailing. Despite some variation in materials, No 100 shares a similar form, massing and arrangement to 102 Albert Road (No 102), located on the opposite corner of Albert

Road and Lorne Road. The unified appearance of No 100 within the street scene, alongside the spacing around the corner plot makes a positive contribution to the character and appearance of the area.

5. While the proposed dwelling would have a similar ridgeline and building line to other dwellings on Albert Road, it would nonetheless replace the existing dwelling with a significantly larger building of increased bulk, width and depth. Even though the use of matching materials, simple fenestration and the reintroduction of some original features, including a bay window feature on its front elevation, are proposed, the resultant dwelling would fail to replicate the same rhythm, size and form of the majority of dwellings within the terrace.
6. The side elevation of No 100 also would result in a substantial building mass that projects beyond the main front wall of dwellings on the same side of Lorne Road. Although the side elevations of 45 and 47 Shrubland Street also project slightly forward, the prominence of No 100 would be particularly apparent, as it would no longer reflect the proportions or maintain the symmetry it currently shares with No 102 on the opposite corner. This effect would be further exacerbated by the removal of key architectural features that were present on the original dwelling, such as a bay window on the side elevation. Moreover, the gable end of the proposed rear elevation would not correspond with the proportions of the more modest rear roof forms or traditional two-storey outriggers found on neighbouring dwellings. Combined with the proposed flat-roof dormer, the rear elevation would appear unduly dominant, especially given its high level of visibility along Lorne Street.
7. Overall, the proposed development would result in an elongated front and rear elevation that would unbalance the adjoining dwellings, and a side elevation that would be visually dominant in the street scene. The proposal would therefore fail to respect the established linear form, spacing and rhythm of existing development and would result in a building that would be incongruous on this prominent corner plot.
8. Planning permission for a replacement dwelling at the appeal site was granted by the Council in May 2009¹ (the 2009 permission). The appellant advises that the current proposal is similar to the 2009 permission. However, the evidence before me indicates that it is no longer extant and there is no reasonable prospect of it being implemented. While the importance of consistency in decision making is recognised, the evidence before me indicates that the 2009 decision was based on a different development plan and planning applications² for a replacement dwelling at the appeal site have subsequently been refused by the Council. In any event, for the reasons set out, I am not satisfied that the appeal proposal meets the National Planning Policy Framework's objective of creating high quality, well-designed places.
9. I conclude that the proposed development would be harmful to the character and appearance of the area. In this regard, it would conflict with Policy 53 of the Waltham Forest Local Plan Part 1 (2024) which requires the delivery of high quality and supports development proposals which respond appropriately to their context and reinforce and/or enhance local character and distinctiveness taking into account existing patterns of development.

¹ Council ref: 2009/0401 (090126)

² Council refs: 174391, 163223 and 160101

Public highway

10. Albert Road and the adjoining streets are relatively narrow and are located within a Controlled Parking Zone (CPZ). Lorne Street is a one-way street. Although the proposal would create an additional bedroom, there is no dispute between the main parties that, as a replacement family dwelling, this would not result in increased parking demand for occupiers. However, no on-site parking provision would be available during the construction phase.
11. Policy 65 of the LP required proposals to be supported by an outline Construction Logistics Plan (CLP). The appellants outline CLP proposes a number of mitigation measures that would be implemented during the construction period. These measures cover site security, demolition and construction methodologies, traffic management and controls on noise, vibration and dust emissions, alongside a complaint's procedure. While the Local Highways Authority (LHA) has indicated that amendments to the CLP are required prior to a planning decision, there is no substantive evidence before me to explain why a pre-commencement condition would not be an effective mechanism for securing the submission and approval of a final CLP in accordance with the Council's requirements.
12. The servicing arrangements for the proposed dwelling would remain consistent with those of the existing dwelling. As such, no increased adverse effect on the public highway is anticipated during the operational phase of the development.
13. Subject to a condition securing a final CLP, I conclude that the effects of the construction and servicing of the proposed development on the public highway would be acceptable. In this regard, it would comply with Policies 64, 65 and 66 of the LP and Policy T7 of The London Plan (2021) which require development to minimise the adverse impacts at both the construction and operational phases, the management of vehicle traffic and to ensure inclusive and safe access is prioritised and maintained at all times.
14. The Council has indicated that a S106 Agreement would be required to secure off-site highways works recommended by the LHA. Additionally, the LHA has requested a monitoring fee in relation to the CLP. However, given that I am dismissing the appeal for other reasons, it has not been necessary to consider these matters further.

Other Matters

15. My attention has been drawn to examples of development on other corner plots in the area, supported by photographs provided by the appellant. This includes 124 Albert Road, 32 and 34 Queens Road and 45 and 47 Lorne Road and 31 Edinburgh Road, many of which have been extended or altered to bring their respective side elevations closer to the roadside edge. However, not all these examples are located on the same part of Albert Street as the appeal site and therefore do not share the exact same site context. Furthermore, none are identical to the appeal proposal in terms of their resultant design. Whilst 82-86 Albert Road exhibit similar design characteristics to one another rather, they are not situated on corner plots, and their widths appear consistent with other dwellings in the terrace. I also do not know the full planning circumstances behind any of the examples given. In any case, I have assessed the appeal proposal on its own merits and in light of

its specific site context. These other examples do not therefore alter my overall findings.

16. The appellant contends that the proposed dwelling would make a valuable contribution to the borough's housing supply and would optimise the use of previously developed land. The site is well located in relation to several transport links and occupiers would support local services and facilities. The proposal would deliver a more energy-efficient larger family home, incorporating renewable energy technology, sustainable materials and modern construction techniques. It may also improve sound insulation between No 100 and the neighbouring dwelling, as well as generating employment during construction. However, given that the proposal is for a replacement dwelling, it would not result in a net increase to the existing housing stock, and any associated benefits would be limited and would not be sufficient to outweigh the harm that I have identified.
17. The Council has confirmed that that the building is not listed or located in the Conservation Area and identified no other harm including in relation to living conditions, space standards or the provision of cycle parking or refuse storage (subject to conditions). Letter of support have also been received from neighbours. However, these considerations are not a reason to allow the appeal.
18. The appellant has raised concerns regarding the description of development used in the Council's decision. However, I have considered the proposal based on the appellants original description and the accompanying drawings.

Conclusion

19. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Marriott

INSPECTOR