



Appeal Decision

Site visit made on 30 September 2025

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

an Inspector appointed by the Secretary of State

Decision date: 13 November 2025

Appeal Ref: APP/U5930/W/25/3368083

36 Onra Road, Walthamstow, Waltham Forest E17 8JD

- 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 Mrs Shuhua Dong against the decision of Waltham Forest London Borough Council.
 - The application ref. is 250514.
 - The development proposed is the subdivision of property to create 1x 5 and 1x 1 bedroom dwelling house with associated works including the creation of ground floor entrance to the front elevation and single storey rear extension.
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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:
 - supply of family housing;
 - use of sustainable transport;
 - integrity of the Epping Forest Special Area of Conservation (SAC); and
 - highway during construction or servicing.

Reasons

Family housing

3. The appeal site is a corner plot containing a two-storey end terrace house with a large single storey rear outbuilding occupying the full width of the end of the rear garden, a two-storey side extension with single-storey element abutting the side road, a rear dormer and further single-storey rear extensions. The original house had a floor area of about 80sqm, whereas the extended house now has seven bedrooms and a floor area of more than 200sqm.
4. The proposal is to subdivide it into two dwellings – one of five bedrooms in the original dwelling and another with one bedroom substantially occupying the side extension, albeit with a kitchen diner in a new rear extension and an additional ground floor bathroom in what is currently a kitchen.
5. The appellant accepts that Policy 20A of the Part 1 Waltham Forest Local Plan (2024) (WFLP) does not allow the conversion of larger homes into smaller self-contained homes where the original gross internal floor space is less than 124sqm.

The proposal would provide at least one larger family sized home of 74sqm with 3 or more bedrooms, in line with Policy 20B i.

6. Nevertheless, this would only be possible due to the substantial extensions to the original dwelling. If the original gross internal floor space were to be disregarded whenever a remaining part was at least 74sqm, then large, extended family homes would not be protected. It is reasonable to assume that the policy was based on a need for a variety of sizes of family homes.
7. I note that the proposal before me differs from previous proposals and would enlarge bedrooms of substandard size, with both units exceeding internal space standards and amenity requirements. However, I have no substantiated evidence that the dwelling could not be utilised effectively as it is or that the proposal is the only way to meet local housing standards or needs.
8. Consequently, I conclude that the proposal would harm the supply of family homes, contrary to Policy 20 of the WFLP, as described above.

Sustainable transport

9. The surrounding area is dense residential, comprising similar streets of terraced houses, with speed humps and marked parking bays. The area is part of a Controlled Parking Zone and was moderately to heavily parked at the time of my site visit. Underground and railway stations are within a reasonable walking distance, and the site has a good Public Transport Accessibility Level of 4.
10. It is common ground that a planning obligation is required to prevent residents from applying for parking permits and to contribute to sustainable transport modes. However, no agreement or undertaking is before me that would create this.
11. As such, the proposal would fail to promote the use of sustainable transport and would be contrary to Policy 94 of the WFLP. This policy requires proposals to contribute towards measures to mitigate their impact.

Epping Forest SAC

12. The appeal site is within the zone of influence of the Epping Forest SAC. Whilst I note the appellant is willing to enter into a planning agreement to mitigate the impact on the SAC of recreational activity associated with the new dwellings, no such agreement or undertaking is before me.
13. Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 requires an Appropriate Assessment only where the competent authority is minded to give permission for a plan or project. Given my conclusions on other issues, it is not necessary for me to consider this matter any further.
14. As it stands, the proposal would harm the integrity of the SAC, contrary to Policy 94 of the WFLP, which requires development proposals to contribute to measures to mitigate their impact.

Effect on highway

15. The appellant submitted a detailed Construction Logistic Plan (CLP) with their application. The Council's highways officers considered that it did not establish that the proposal could be constructed without undue impacts on the highway. They suggested amendments in informative notes on the decision notice.

16. Whilst I agree that further details are required, these could be secured by imposing an appropriately worded planning condition. I have insufficient evidence to be sure that the contribution sought by the Council for monitoring the CLP would meet the legal tests for a planning obligation.
17. Therefore, with the planning condition, the proposal would not severely affect the highway during construction of servicing. It would accord with Policy T7 of the London Plan (2021) and Policy 65 of the WFLP, which seek inclusive, safe access, minimising impacts during construction.

Other Matters

18. The appellant accepts that the Council can demonstrate a 5.04-year supply of housing land and provides no substantiated evidence to the contrary. The proposal would have no adverse impact on amenity, design or character. However, this would be expected of any well-designed scheme and weighs neither in favour of nor against the proposal.

Conclusion

19. For the reasons given above, although the proposal's effect on the highway could be mitigated, I conclude that it would conflict with the development plan as a whole and there are no material considerations, including the Framework, that outweigh that conflict. Therefore, the appeal is dismissed.

S Simms

INSPECTOR