



Appeal Decision

Site visit made on 9 December 2025

by **C Skelly BA (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 January 2026

Appeal Ref: APP/U5930/D/25/3372696

3 Buckingham Road, Leyton, Waltham Forest, Leyton E10 5NG

- 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 Mark Atkinson against the decision of Waltham Forest London Borough Council.
 - The application Ref is 250969.
 - The development proposed is described as “rear and side extension to the existing property. This will create a new open plan, ground floor and simplify the existing plan for the first floor. The total additional floor area proposed as part of the ground floor and first floor works is 14.6 sqm. There are also proposed basement and roof extensions, both of which adhere to the permitted development guidelines. This application has a focus on those elements that require planning - the ground floor and first floor extension”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The above description of development is taken from the application form. However the proposal would be more accurately described as “construction of a single storey rear and side wraparound extension at ground floor level, first floor rear roof extension, extension to existing basement, dormer roof extension to main roof and extension above two storey rear outrigger, installation of one rooflight at front roof, alterations to fenestration at rear and side elevations, front boundary wall, construction of bike store at front garden area and installation of air source heat pump at front basement level”. The Council used this wording in its decision notice and that is the basis on which I shall determine the appeal.

Main Issues

3. The main issues are the effect of the proposed development on;
 - the character and appearance of the host property and surrounding area; and
 - the residential amenity of the occupiers at 1 Buckingham Road with regards to outlook.

Reasons

Character and appearance

4. The appeal site is a traditional mid terrace dwelling with small garden area to the front and a rear garden. The property is constructed from brick and has double height decorative bay windows to the front. The front garden is enclosed by a low-

level brick wall and high hedge. To the rear of the property there is a two-storey outrigger which runs from the eaves height of the main house and has a shallow pitch roof. There is a large bay window on the side elevation of the outrigger which faces towards the side boundary fence with 1 Buckingham Road, which has a similar bay window. A small single storey lean-to extension runs from the rear elevation of the outrigger. The rear garden is enclosed by timber fencing.

5. The surrounding area comprises similar designed, traditional dwellings with two storey outriggers. Although many of the dwellings have been extended, gaps between the outriggers have largely been retained which provides a consistent appearance to the rear of the terrace. Whilst I observed that there are some examples of larger dormer extensions to the rear of dwellings in nearby terraces, there is only one dormer extension to the rear of the dwellings along Buckingham Road and therefore the roofscape mostly retains its traditional appearance.
6. The proposed extension to the depth of the ground floor would not be excessive. However, it would extend across the entire width of the plot at ground floor level, enclosing the gap between the outrigger of the host property and boundary with the adjoining dwelling at No 1. Therefore, in combination with the proposed height and overall scale, it would be a cumbersome addition which would dominate the original dwelling, eroding its traditional appearance. The proposed dormer extension would run flush with the ridge height of the main part of the house and extend over the two-storey outrigger creating an L shaped extension, substantially altering the profile of its roof. The massing of the dormer extension would be out of keeping with the simple, consistent roof pattern and row of rear outriggers along the terrace. The prominence of these additions would be further exacerbated by the extensive use of clay tiles, which is not typical of the surrounding area.
7. Cumulatively, the flat roofs, scale and stepped effect of the proposed extensions would result in a boxy appearance which along with the extensive use of clay tiles would appear discordant alongside the well-balance proportions and traditional appearance of the rear of the terrace. Due to the layout of neighbouring streets, the proposed development would not be visible from wider views, nevertheless, it would be prominent when viewed from neighbouring dwellings. The proposed development would therefore harm the character and appearance of the host property and surrounding area.
8. The appellant has referred me to a similar L-shaped dormer at 17 Buckingham Road. However, I note that the Council has no planning records associated with this scheme. In any case, I have determined the appeal on its own merits based in light of the evidence before me.
9. The Council have not raised concerns in relation to the proposed changes to the basement, the bike store, front porch, boundary wall or roof light to the front, or the air source heat pump and I have no reason to disagree with their conclusions on these matters.
10. In conclusion, the proposed development would harm the character and appearance of the host property and surrounding area and thereby conflicts with Policies D1 and D4 of the London Plan (2021) and Policy 53 of the Waltham Forest Local Plan Part 1 (2024) (LP). These policies amongst other things seek to ensure that new development is of high-quality design which reinforces and/or

enhances local character and distinctiveness and responds appropriately to their context in terms of scale, height and massing.

Living conditions

11. The height of the proposed extension would extend significantly above the height of the existing fence along a large part of the boundary with No 1. The habitable rooms of No 1 are in close proximity to, and the bay window looks onto the boundary of the appeal site. I do not have any information before me about the use of the rooms which these windows serve. However, the immediacy of the proposed extension and its height would have an overwhelming presence when viewed from the internal living spaces served by these windows, resulting in a loss of outlook and unacceptable sense of enclosure.
12. The proposed development would cause unacceptable harm to the living conditions of the occupiers of No 1 with regards to outlook and thereby conflicts with Policy 57 of the LP, which amongst other things seeks to ensure that new development respects the amenity of neighbours by avoiding harmful impacts from outlook and enclosure.

Other Matters

13. The appellant has referred to their permitted development rights for individual elements of the proposal as a potential fall-back position, albeit of a smaller scale. However, I have seen nothing to suggest that the appellant would genuinely pursue this option if the appeal failed or that such a scheme would be similar to, or worse than what is currently proposed. As such, it is a matter of limited weight.
14. The Leyton Town Conservation Area (the CA) boundary runs down the opposite side of Buckingham Road, and a new conservation area appraisal management plan is currently being prepared. The Council has not raised any concerns in relation to the setting of the CA. The proposal would involve limited changes to the elevation which faces onto Buckingham Road which is the only part of the building which is visible within the setting of the CA. Therefore, I am satisfied that it would not harm the setting of the CA and thereby nor would it harm the character or appearance of the CA.

Conclusion

15. The proposed extension would provide additional living accommodation for the appellant. However, it would harm the character and appearance of the host property and surrounding area and the living conditions of the occupiers of No 1 with regards to outlook. These harms are not outweighed by the benefits which I have identified and are sufficient to justify dismissing the appeal.
16. 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. Accordingly, for the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR