
Appeal Decision

Site visit made on 18 December 2025

by **B Pattison BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 January 2026

Appeal Ref: APP/U5930/D/25/3375081

182 The Avenue, Chingford, Waltham Forest E4 9RD

- 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 Suleman Patel against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref is 251526.
 - The development proposed is Proposed outbuilding to rear.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. An application for costs was submitted by Mr Suleman Patel against Waltham Forest London Borough Council. This application is the subject of a separate decision.
3. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the changes, and in reaching my decision I have had regard to the Framework published in December 2024.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area;
 - the effect of the proposal on the living conditions of occupiers of neighbouring properties, with particular regard to outlook; and
 - the accuracy of the submitted drawings.

Reasons

Character and appearance

5. The appeal property is a two storey semi-detached house with a generously long rear garden. Timber fences, including a low fence along the rear part of the boundary shared with 184 The Avenue (No 184), define the site's boundary with the adjoining properties. The property is located on a gentle slope so that it is

positioned at a higher level than No 184. Due to the local topography, there are inter-visible views between the appeal site and near and distant neighbouring properties. This creates a pleasant, open character to the rear of the properties.

6. The existing property's rear garden is not visible in views from surrounding streets. The proposal is also unlikely to be visible in public views from nearby public vantage points and views of the property within the streetscene would be unaffected by the proposal.
7. However, given the densely built up nature of the area, it would be visible from a large number of properties on both The Avenue and Forest Glade. The outbuilding would be subservient in size to the main house. However, the introduction of a large outbuilding, with a footprint of this size, and built close to the garden's boundaries, would take up a significant proportion of the garden whilst eroding its verdant character.
8. I have had regard to other rear buildings in the area. However, based on the available evidence and my site visit observations, large rear buildings of the scale of the proposal, do not appear to be a characteristic of the immediate area, and are not found within the majority of properties on this side of The Avenue, nor Forest Glade.
9. I have also been referred to planning permissions for outbuildings on The Avenue, Sheridan Road, Sunnyside Avenue and St Leonards Avenue¹. I have not been provided with information as to whether the circumstances in those cases were the same as the case before me. Therefore, I am not satisfied these cases are directly comparable to the case before me. In any event, the existence of a limited number of rear buildings does not indicate that the proposed development is acceptable.
10. For the reasons set out above, the building would have a harmful impact on the open and spacious character of rear gardens within the immediate area, and would amount to a form of overdevelopment which would be read as a cramped, incongruous feature. In coming to this view I have taken into account that the proposed materials would be appropriate to the garden setting.
11. I therefore find that the proposal conflicts with policy 53 of the Waltham Forest Local Plan – Shaping the Borough 2020-2035 (2024) (WFLP) insofar as it requires development to respond appropriately to its context in terms of scale, height, and massing.

Living conditions of neighbouring occupiers

12. As the proposal would be built close to the shared boundaries with No 184 and 180 The Avenue (No 180), its depth has the potential to impact the outlook experienced from the rear gardens for occupiers of the neighbouring properties.
13. The proposal would extend approximately 8 metres along the shared boundaries with No's 180 and 184 and, with the exception of a single window, would incorporate no softening or mitigating features. Owing to its substantial height, depth and proximity to the neighbouring boundaries, the development would appear visually dominant and overbearing when viewed from the rear garden areas of both adjoining properties. This would result in an unacceptable sense of

¹ Council References: 250164; 130545; 220054 and 180896.

enclosure and a consequent loss of outlook, thereby causing an adverse impact on the living conditions of neighbouring occupiers.

14. I therefore find that the proposal would conflict with policy 57 of the WFLP insofar as it requires development to respect the amenity of existing and future occupiers, neighbours and the surrounding area.

Accuracy of drawings

15. The Council is critical of the accuracy of the drawings in relation to the roof plan and the extent to which it reflects the proposed elevations and three dimensional drawing.
16. Whilst I note the concerns, I am satisfied, from the information before me and my site visit, that I have been able to satisfactorily interpret the proposal. I have no reason to question the accuracy of these drawings. I therefore conclude on this main issue that the plans provide an accurate level of detail to assess the development.

Other Matter

17. The appellant has concerns regarding the Council's conduct during the processing of the planning application. These are the subject of a separate Costs decision.

Conclusion

18. The proposal would harm the character and appearance of the appeal site and the surrounding area. It would also cause harm to the living conditions of neighbouring occupiers. For the above reasons, having had regard to the development plan as a whole, along with all other relevant material considerations, the appeal is dismissed.

B Pattison

INSPECTOR