



Appeal Decision

Site visit made on 23 January 2026

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

an Inspector appointed by the Secretary of State

Decision date: 18th February 2026

Appeal Ref: APP/U5930/D/25/3372258

27 Rosedene Terrace, Leyton, Waltham Forest E10 5LS

- 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 Luke McDonald against the decision of Council of the London Borough of Waltham Forest.
 - The application Ref is 250815.
 - The development proposed is Partial single storey extension at first floor over the existing flat roof at ground floor to provide 16m² additional floorspace comprising 1 additional bedroom and 1 additional bathroom. No tree works are proposed.
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Decision

1. The appeal is allowed and planning permission is granted for Partial single storey extension at first floor over the existing flat roof at ground floor to provide 16m² additional floorspace comprising 1 additional bedroom and 1 additional bathroom, no tree works are proposed at 27 Rosedene Terrace, Leyton, Waltham Forest E10 5LS in accordance with the terms of the application, Ref 250815, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan TP-A-010/1; Existing Ground Floor Plan TP-A-020/1; Existing and Proposed First Floor Plan TP-A-021/1; Existing and Proposed Long Section Through Courtyard TP-A-060/1; Existing and Proposed Cross Section Through Courtyard TP-A-061/1; Proposed Cross Section – Relationship to Neighbouring Windows DR-A-062/1; Existing and Proposed West Elevation TP-A-070/1; Existing and Proposed South Elevation TP-A-071/1; and Existing and Proposed Boundary Elevation TP-A-072/1.
 - 3) The external materials of the extension hereby permitted shall match those used in the existing dwelling.

Preliminary Matters

2. 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

3. The main issues are:

- the effect of the proposal on the character and appearance of the host building and surrounding area, with due regard to the location of the site in the Thornhill Road Conservation Area; and
- the effect of the proposal on the living conditions of occupiers of 41 Thornhill Road, with particular regard to outlook and light within the garden.

Reasons

Character and appearance

4. The appeal site is within the Thornhill Road Conservation Area (CA). I note that the Council's conservation officer confirmed their view that the proposal would not impact the character of the CA. Notwithstanding this, I have paid special attention to the desirability of preserving or enhancing the character or appearance of that area, as set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
5. The CA is a small residential area featuring speculative Victorian development. The Thornhill Road Conservation Area Appraisal notes that the special interest of the area derives from the diversity of Victorian building types as a result of the piecemeal way in which the area was developed. A mixture of cottages, houses and villas, semi detached or in terraces are all found within the CA. Predominant materials include yellow London stock bricks, natural Welsh slates, clay chimney pots, painted timber box sash and casement windows, and painted timber doors.
6. The appeal property is a semi-detached Victorian cottage located on the corner of Rosedene Terrace and Thornhill Road. It has a good length garden to its south side, which forms the corner of the two roads. The property is constructed in brick with a slate pitched roof and timber windows. With its architectural detailing reflective of its Victorian construction and prominent corner location, the appeal building positively contributes to the character of the area.
7. When viewed from the front, the appeal property and its adjoining neighbour, 25 Rosedene Terrace, are largely identical due to their proportions, roof form, materials, and the pattern of windows. As the proposal would be positioned entirely to the rear of the appeal property, it would not be visible from viewpoints from the front of the appeal site, and it would not visually disrupt the appearance of the pair of semi-detached properties.
8. To the rear, the pair of semi-detached properties have both been altered. In particular, the host dwelling includes additional ground-floor accommodation formed from a remodelled garage conversion, with timber-framed windows and doors addressing the garden. The proposal's elevation facing Thornhill Road would continue this architectural approach through the use of glazing and vertical timber framing, creating a complementary addition.
9. The mature trees and vegetation within the appeal site's garden provide substantial screening of the property's side elevation in views from Thornhill Road, which was notable during my site visit in mid-winter. As a result, the vegetation would filter views from Thornhill Road and prevent the proposal from appearing

prominent. The roof height would be clearly set down from the dwelling's principal roof, while its eaves would align with the existing eaves, and its proposed slate finish would match the current materials. Although its depth would not be modest, its light architectural approach would ensure that it would read as a subservient addition to the host property that, whilst contemporary, would be respectful of its architectural qualities.

10. The proposal would incorporate a section of flat roof, which would be screened from public views by the pitched roof element closest to Thornhill Road. The flat roof would help to mitigate the overall bulk of the first-floor massing, ensuring that the extension would appear appropriately scaled.
11. I therefore conclude that the proposal would not be harmful to the character and appearance of the host building, and it would preserve the character and appearance of the CA. As such, it would be compliant with Policy D4 of the London Plan (2021) and Policy 53 of the Waltham Forest Local Plan Part 1 (2024) (Local Plan). Amongst other aspects, the policies seek to reinforce and/or enhance local character and distinctiveness, taking into account existing patterns of development.

Living conditions – 41 Thornhill Road

12. 41 Thornhill Road (No 41) is a two storey house adjacent to the appeal property. It has a lengthy rear projection which is part two storey, with an additional single storey flat roof rear projection. The two storey element has rear facing ground floor double patio doors and an upstairs window. These direct views towards the rear of the garden and would retain a generally open outlook.
13. No 41's additional single storey projection contains side facing windows which face the appeal site. Several of the windows serve habitable rooms including a kitchen.
14. The submitted drawings indicate that the separation distance between No 41's side facing windows and the shared boundary with the appeal site is 4.4 metres. The boundary is marked by a tall brick wall which is upto approximately 3 metres in height. As a result, the existing outlook from No 41's side facing windows adjacent to the appeal property are predominantly of the brick wall boundary, with the outline of the two storey appeal property, positioned close behind.
15. The proposal would be constructed up to the shared boundary with No 41 and would introduce an additional storey of built form into an area where currently there is none. However, in views from No 41's side facing windows, a significant proportion of the additional storey would be contained within the existing silhouette of the appeal property. In addition, the proposal's expanse of flat roof opposite No 41's kitchen windows would limit the proposal's perceived bulk, whilst the retention of a courtyard area would step the built form away from the shared boundary providing some visual relief for the neighbouring occupiers.
16. Overall, while the proposal would have a greater visual presence than the existing views from No 41, for the reasons outlined above, it would not alter the existing outlook from the neighbouring property's side facing ground floor windows to an extent that would be overly oppressive or cause significant harm to the outlook of the occupiers.

17. No 41 has a generously sized rear garden, the majority of which does not share a boundary with the appeal property. Whilst a small area of garden immediately adjacent to No 41's rear projection may experience a slight increase in overshadowing, the vast majority of the garden would be unaffected by the proposal. Therefore, it would not cause unacceptable harm in this regard.
18. The proposal would comply with Policy 57 of the Local Plan. This requires that proposals avoid harmful impacts through the loss of outlook, daylight and sunlight.

Conditions

19. The Council has suggested several conditions which I have considered against the advice in the Framework and Planning Practice Guidance. As a result, I have amended them for consistency, and clarity.
20. In addition to the standard time limit condition, I have imposed a condition requiring the development to be carried out in accordance with the approved plans as this provides certainty.
21. Given the appeal site's location within the CA it is necessary to attach a condition relating to the external materials in the interests of character and appearance.

Conclusion

22. For the reasons given above, and having regard to all the other matters raised, I conclude that the appeal should be allowed.

B Pattison

INSPECTOR