

## SUMMARY OF APPEAL DECISION RECEIVED SINCE BEGINNING OF APRIL 2007

If you wish to receive a copy of any appeal decision please phone Brenda Danahar on (020) 8496 6305

If you wish to discuss any case please either phone the case officer listed below or Blaithin Butler on (020) 8496 6138

### APPEAL UPDATE REPORT

Ref no:	2006/0688
Location:	11A Warren Road, Chingford E4
Development:	Demolition of existing building construction of three storey building to provide 5 x 2 bed self-contained flats, provision for 5 parking spaces.
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Dismissed
Commentary:	The Inspector commented that while the design would not be harmful to the appearance of the area, because of its prominence it would be more dominant as a result of the wide frontage and gable fronted bay. In terms of impact at the rear the Inspector agreed with the Council's arguments that due to the bulk of the development and the incorporation of flank windows that the development would have an unduly oppressive and overbearing impact. He considered that the balcony at the rear would also be a dominant feature and result in an unacceptable degree of overlooking to adjoining occupiers. The positioning of bin storage and cycle store adjoining the garden of No. 15 would create an unacceptable degree of noise and disturbance.
Case officer:	Jon Price   Phone: (020) 8496 6251

Ref no:	1. 2006/0689 2. 2006/0030/ENF
Location:	75 Hibbert road, Walthamstow E17
Development:	1. Conversion of dwellinghouse into two self-contained flats (2 x 1 bed). 2. Without planning permission change of use of the land

	from single dwelling to use for the purpose of two flats.
LBWF decision:	Refused and Enforcement
Appeal type:	Written Representations
Appeal decision:	Dismissed
Commentary:	<p>The inspector dismissed the appeal on the basis of conflict with policy HSG12 of the adopted Waltham Forest Unitary Development Plan (2006). He concluded that the property was substantially below the threshold of 105 sq. metres for conversions set out in the adopted Waltham Forest Unitary Development Plan, and recognised the objective of the policy to retain small family houses.</p> <p>The enforcement notice was upheld - subject to a variation further specifying the works required to comply with the notice.</p>
Case officer:	Caron Sanders   Phone: (020) 8496 6151

Ref no:	2004/0019/ENF
Location:	96 Chingford Road, Walthamstow E17 4PJ
Development:	Without planning permission the erection of a first floor extension to outbuilding and the change of use of the land from a garage/storage to a self-contained office building.
LBWF decision:	Enforcement
Appeal type:	Written Representations
Appeal decision:	Dismissed

Commentary:

The appeal Inspector identified the main issues as:

- i) whether the extension harms the appearance of the street scene, and/or
- ii) whether the extension and/or change of use harm neighbours living conditions.

The Inspector did not agree with the appellant that other properties in the vicinity had been extended with similar bulk, positioning and finishing materials, and with a similar impact on the street scene.

The Inspector found that prior to being extended, the appeal building was a fairly unexceptional out-building in the surroundings. He agreed with the Council that the extended building, with the added mansard like structure with steeply sloping slate-clad roofs, would, by reason of the design, bulk and position be out of character with the surrounding area, with an adverse impact on the street scene. Additionally he remarked that the contrasts of form and materials between the original structure and the extension make it very incongruous, and concluded that the appeal extension is an odd and ugly addition.

In relation to the harm on neighbours living conditions, the first floor windows would give rise to overlooking, and loss of privacy to the rear garden of 94 Chingford Road, and a loss of visual amenity to 94 Kenilworth Avenue. The Inspector was satisfied that the use of the appeal building would increase the overall intensity of use of the site, and be a potential harm to the living conditions of neighbours because of noise and disturbance.

The Inspector concluded that the appeal should fail, as there is a substantial conflict with 2006 UDP.

In terms of loss of much-needed employment, as raised by the appellant, the Inspector was not satisfied that the scale of employment benefit justified the harm caused by the development.

Case officer:

Sonia Malcolm

Phone: (020) 8496 60-68

Ref no:

2006/0318

Location:

30 Ferndale Avenue, Walthamstow E17

Development:

Conversion of dwellinghouse into 4 self-contained flats (3 x 1 bed, 1 x 2 bed) including erection of two-storey side extension and single storey rear extension and two rear

	dormers.
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Allowed
Commentary:	<p>The site for this appeal comprised a terraced house with a garage adjacent, so the plot was almost twice the width of all others in the road. The proposal involved alterations and extensions to the house including erecting a two-storeys plus dormer side extension where the garage was to create four flats. This was refused on grounds of it being overdevelopment out of character with the area, exacerbating parking problems, the number of units being likely to result in excessive noise and activity and the side extension having an asymmetrical bay of unsatisfactory appearance. Given the variety of properties in the street, the Inspector considered the asymmetrical design was acceptable. The proposal would not constitute overdevelopment, nor have a serious detrimental impact on neighbours. As there was the possibility of a Controlled Parking Zone being introduced in future, he considered the proposal acceptable in parking terms. He therefore allowed the appeal.</p>
Case officer:	John Harrison   Phone: (020) 8496 6175
Ref no:	2006/1522/ADV
Location:	Walthamstow Express BP, North Circular Road, Chingford E4
Development:	Erection of two 13m x 3m advertisement light boxes on monopole structure.
LBWF decision:	Refused
Appeal type:	Advert
Appeal decision:	Dismissed

Commentary:	The Inspector agreed with the Council that the proposed advertisement would be detrimental to visual amenity. The site is partly surrounded by open land within the Lee Valley Regional Park and forming part of the Metropolitan Green Belt. He concluded that the proposal would exacerbate an overwhelming impression of advertising and general clutter on this stretch of the North Circular Road. He did not consider that the proposal would be detrimental to highway safety.	
Case officer:	Fred Doody	Phone: (020) 8496 6300

Ref no:	2006/0544	
Location:	82 Lansdowne Road/2 St Barnabas Road, Walthamstow E17	
Development:	Erection of three storey building comprising 5 self contained flats (4 x 2 bed, 1 x 1 bed).	
LBWF decision:	Refused	
Appeal type:	Written Representations	
Appeal decision:	Dismissed	
Commentary:	The Inspector found the development to be an overdevelopment of a limited site. The design of the block would be poor and there would be loss of natural light, overlooking and loss of outlook in relation to adjoining occupiers. The second floor flat would be particularly unacceptable due to a poor standard of living environment and the rear dormer would be overly prominent. On the whole the increase in general disturbance likely to result from the intensity of occupation would be unacceptable.	
Case officer:	Rachel Jagger	Phone: (020) 8496 6151

Ref no:	2006/0955	
Location:	26 Chivers Road, Chingford E4	
Development:	(1) Erection of a part single, part 2-storey rear extension. (2) Formation of rooms in the roof space involving the installation of a rear dormer window. (3) Formation of a front porch.	
LBWF decision:	Refused	
Appeal type:	Written Representations	

Appeal decision:	Dismissed
Commentary:	<p>The Inspector agreed with the Council's view that the proposed rear extensions would harm the living conditions of occupiers of 24 and 28 Chivers Road. He also concluded that the proposed rear dormer window would adversely affect the character and appearance of the building and surroundings.</p> <p>He allowed the appeal in respect of the proposed front porch, which was not a matter of dispute between the Council and the appellant.</p>
Case officer:	Fred Doody   Phone: (020) 8496 6300

Ref no:	2006/1538
Location:	1A Midland Road, Leyton E10
Development:	Redevelopment of site. Erection of part 2 and part 3 storey block to provide 8 (7 x 1 bedroom and 1 x 2 bedroom) self-contained flats and provision of cycle store.
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Allowed
Commentary:	<p>The Inspector felt that the creation of an additional storey on top of the approved scheme would be acceptable.</p> <p>He did not feel that it would cause an undue loss of privacy to neighbouring properties when measured against the existing conditions.</p> <p>Additionally, the provision of a roof terrace was felt to be adequate to compensate for the increased demand for on-site amenity space.</p>
Case officer:	Michael Chalk   Phone: (020) 8496 6138

Ref no:	2006/0744
Location:	28 Mayfield Road, Chingford E4
Development:	Formation of a room in the roof involving installation of a rear dormer window and alteration of existing roof from hip to gable end.

LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Allowed
Commentary:	<p>Planning permission for installation allowed at appeal. It was considered that the proposed dormer would be in compliance with Policies BHE1 and BHE2 of the Waltham Forest Unitary Development Plan 2006. The dormer would involve use of similar materials as on host property, ensuring that it is integrated into host property.</p> <p>The dormer would have limited visual impact on the surrounding area, resulting from limited views of addition from neighbouring properties due to L-shape rear projection of host property.</p>
Case officer:	Mahnaz Chowdhery   Phone: (020) 8496 6149

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