
Appeal Decision

Site visit made on 12 September 2016

by Helen Cassini BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 September 2016

Appeal Ref: APP/W5780/W/16/3149960
27 High Street, Wanstead, London E11 2AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr E Aygun against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 5071/15, dated 23 December 2015, was refused by notice dated 17 February 2016.
 - The development proposed is the erection of a retractable roof system together with the installation of sliding glass panels and replacement oak balustrades with wood planters.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I note that there was a spelling error with regard to the surname of the appellant on the planning application form. I have used the correct spelling taken from the appeal form and as confirmed by the appellant's agent.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Wanstead Village Conservation Area (the CA).

Reasons

4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. In this respect national policy on heritage assets, which includes conservation areas, is set out in the National Planning Policy Framework (the Framework). At paragraph 131, the Framework details matters which should be taken into account including sustaining and enhancing the significance of the heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.
 5. The London Borough of Redbridge Wanstead Village Conservation Character Appraisal 2006 (the CACA) describes the significance of the CA being due to its make-up of a mixture of buildings and uses. With particular regard to the High Street, this area is seen as the as the main centre of the CA. The
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High Street benefits from wide pavements which allow café and restaurant owners to place tables and chairs outside their properties. Retractable canopies of good design enhance the streetscape and echo historical photographs of the village centre.

6. However, the CACA also acknowledges that many of the shop fronts are modern and contribute little to the special character or appeal of the CA. It is considered that many of the shop fronts in the CA are of poor design with oversized fascia boards, illuminated signs, out-of-scale lettering and unnecessary clutter and these detract from the quality of the CA.
7. The appeal site is a 3 storey building within a wider terrace. In general the main uses at ground floor are commercial and retail, with residential units occupying the upper floors. From my visit it was evident that the front decked area at No 27 forms an outside eating and drinking area and customers would be afforded wider views of the High Street and also of Memorial Green on the opposite side of the road.
8. From the evidence before me, I am aware that the existing decking was the subject of a previous appeal¹ and I concur with findings of the Inspector insofar as the timber decking does not have an adverse effect on the appearance of the enclosed area. Furthermore, I consider the introduction of the wooden planters and associated planting, in place of the existing balustrades, would further enhance the enclosed area and wider street scene.
9. A number of units, both within the same terrace and on other terraces within the High Street, utilise canopies to offer protection from the weather to both customers using outside seating and products on display. The scale of such canopies varied but nonetheless, I noted they were all of a traditional retractable canvas design.
10. Policy BD1 of the London Borough of Redbridge Borough Wide Primary Policies – Development Plan Document 2008 (the DPD) states that new development must contribute to the distinctive character and amenity of the area in which it is located. With regard to development within Conservation Areas, Policy E3 of the DPD and Policy SP3 of the London Borough of Redbridge Local Development Framework – Core Strategy Development Plan Document 2008 (the CS) both state that new development must preserve or enhance the character or appearance of the area.
11. I acknowledge that both the roof system and glass side panels are fully retractable. Nonetheless the purpose of the scheme is to offer protection from the elements. As such, when both the roof and sides are fully extended the proposal would fundamentally alter the proportions of the host dwelling. Given the prominent location of the site on the High Street, when taken together these aspects of the proposal would represent an unduly dominant and incongruous feature both within the street scene and the wider CA.
12. I therefore consider that the proposal would fail to preserve or enhance the character or appearance of the CA. Whilst the harm identified would be less than substantial, this harm, in accordance with paragraph 134 of the Framework should be weighed against the public benefits of the proposal.

¹ Appeal Reference APP/W5780/A/14/2216622

13. I acknowledge that the appellant states that the proposal is required to offer all year round protection from the weather and will prevent customers from being polluted with exhaust emissions. I also note the concern raised by the appellant with regards to the use of the canvas style canopy during windy conditions.
14. However, it is clear from local planning policies that any development within the CA should not be at the expense of the character and appearance of the area. Given the harm identified, I find that the proposal does not amount to public benefit of sufficient weight to outweigh the harm that would be caused to the CA.
15. Reference was made by the appellant to a number of examples within the vicinity of the appeal site which have existing canopy type structures. Whilst the scale of canopy varied from each unit, it was apparent that the majority did not have supporting poles. I accept that No 14 has 2 slim line supporting poles, however this unit does not front the High Street. As such, given the less prominent location of this unit, I do not consider the effect of the poles result in any significant harm to the CA
16. With regard to No 31, a traditional style canopy fronts onto the High Street elevation. The appellant, however, has drawn my attention to the structure on the Wellington Road elevation. This structure is a relatively substantial glass conservatory, with dwarf brick walls at ground level and extends the full length of the unit on the Wellington Road elevation. I have little information relating to the particular circumstances of this structure but note it does not front the High Street. As such, I do not find it to be a comparable example to the appeal proposal. Accordingly, I have considered the appeal before me on its individual planning merits.
17. I therefore find that the proposal would cause harm to the character and appearance of the CA and is therefore contrary to design objectives of Policies BD1 and E3 of the DPD and Policy SP3 of the CS.

Other Matters

18. The concern raised by the appellant regarding the handling of the application by the Council is noted. However, this is a procedural issue which is removed from the planning merits of the case. Accordingly I have not attached any weight to this matter.

Conclusion

19. For the above reasons, and having regards to all matters raised, it is concluded that the appeal should be dismissed.

Helen Cassini

INSPECTOR