
Appeal Decision

Site visit made on 6 February 2017

by S D Harley BSc(Hons) MPhil MRTPI ARICS

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

Decision date: 10th February 2017

Appeal Ref: APP/W5780/W/16/3163749
39 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 Ravi Bhanot against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2406/16, dated 24 May 2016, was refused by notice dated 20 July 2016.
 - The development proposed is first floor extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue for this appeal is the effect of the proposed extension on the character and appearance of the host property and the Wanstead Village Conservation Area taking particular account of the flat roof design and the cumulative size when taken together with the existing first floor projection.

Reasons

3. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (the Framework) is a material consideration.
 4. The appeal site is in the High Street Zone of the Wanstead Village Conservation Area (the CA). The Planning (Listed Buildings and Conservation Areas) Act, 1990, requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
 5. Paragraph 132 of the Framework states that great weight should be given to the conservation of designated heritage assets. The Framework also seeks good design that respects the character of the local area. Policies E3, BD1 and BD5 of the Borough Wide Primary Policies Development Plan Document (PPDPD) 2008 and Policy SP3 of the London Borough of Redbridge Core Strategy Development Plan Document 2008 (the CS) seek, amongst other things, to conserve the historic environment of the Borough and ensure developments respect the character and appearance of the local area and host building in terms of scale, style and size. In these respects the Policies comply with those set out in Policies 7.4 and 7.6 of the London Plan 2015.
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6. The CA is large and varied. The High Street Zone of the CA is the commercial hub of Wanstead Village and has a mix of town centre uses. Typically the buildings along the northern stretch of the High Street are Victorian terraces with relatively narrow building plots. No 39 is a mid-terrace, three storey building in a short parade of similar buildings. Apart from the properties at either end, the frontages of this row of terraced properties have a relatively uniform scale and shape although differing architectural detailing. The proposed development would not affect the frontage of No 39.
7. The appearance of the rear of these High Street properties is more varied with piecemeal extensions at ground and first floor, out buildings and external staircases. Behind the High Street properties are more modern developments of varying sizes, styles and designs.
8. The appeal site contains residential accommodation above the commercial use on the ground floor. The appeal building has three elements which together occupy almost the whole of the building plot. At the front the three storey building faces the High Street. Behind this is a two storey rear projection with a mono pitched roof. Most of the remainder of the plot is occupied by a flat roofed ground floor extension.
9. The residential accommodation at No 39 is reached via an external staircase from Stables Row to the rear and is positioned between the single storey element of No 39 and a pitched roof building at No 41. The plans show flats A to E each having one room plus bathroom and kitchen. One external door provides access to a shared corridor. During my site visit I was able to view the internal corridor and its internal doors.
10. Flat A is in the first floor rear projection. The proposed extension would continue that projection over part of the flat roof to extend the main room in Flat A. It would have a flat roof; would be "L" shaped and would project about 2.5m and about 1.9m from the rear building line of the properties to either side¹. It would be set in by a small distance from the side boundary with No 41 and would have no windows in the side elevation.
11. The proposed extension is modest in size. However, I conclude that the flat roof would appear discordant in relationship to the existing mono-pitched roof of No 39. Although it would be lower than the ridge height of the existing building I consider it would not respect the architectural integrity of the host property. In addition the extension, due to its width and shape, would appear cramped and contrived. On balance I conclude that, considered as whole, the proposed development would not integrate well into the built environment; would not amount to good design or make a positive contribution to the environment; and would materially harm the character and appearance of the host building and the CA. This remains my conclusion even though the proposed extension would not be particularly prominent from most public viewpoints and whether or not matching materials were used.
12. Whilst the harm to the significance of the CA heritage asset taken as a whole would, with reference to the Framework, be less than substantial it would, nevertheless, comprise a real and serious harm. Paragraph 134 of the Framework says that where a development proposal will lead to less than

¹ Paragraph 5.1 of the Grounds of Appeal

substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

13. As part of the proposed development the kitchen and bathroom for Flat A would be re-arranged and its room would be extended which would be of benefit to occupiers in the future. From the plans it appears that the re-arrangement of the kitchen and bathroom could take place without the proposed extension. On balance I conclude that any public benefits of an enlargement to Flat A would not out-weigh the harm I have identified above.

Other Matters

14. I acknowledge that there are other buildings/extensions of differing styles and heights in the surrounding area including some of two storey height with flat roofs. However, nothing I saw during my site visit leads me to conclude that the proposed combination of the existing first floor mono pitched projection with the L shaped flat roofed first floor as proposed would preserve or enhance the character and appearance of the CA or the host property.
15. Each planning application and appeal should be determined on its own planning merits. The appellant has drawn my attention to other appeal decisions² which he considers could set precedents for allowing the appeal before me. However, from the available evidence, it appears that these relate to proposals in different London Boroughs and the appeal properties are not in a conservation area. Therefore these cases have not led me to any different conclusion.
16. I acknowledge that the appellant has put considerable effort in putting forward proposals that he considers respect the design, character and appearance of other buildings in the area and that minimise the effect of the building form on the occupiers of adjoining premises by setting the side walls in from the shared boundary. However, these matters do not out-weigh the harm I have identified.

Conclusion

17. For the reasons set out above, on balance, I conclude that the proposed development would have an intrusive and harmful effect on the character and appearance of the host property and the CA. Accordingly I conclude it would conflict with those aspects of Policy SP3 of the CS; Policies E3, BD1 and BD5 of the PPDPD; Policies 7.4 and 7.6 of the London Plan 2015 and those principles of the Framework that seek to ensure good design that preserves or enhances the character and appearance of the CA, the area generally and the host building in terms of scale, style and size. In not complying with the above policies the proposals cannot comply with the development plan taken as a whole.
18. For the reasons set out above, and taking into account all other relevant matters raised, I conclude the appeal should not succeed.

SDHarley

INSPECTOR

² 2229367; 3155860; 3006276