
Appeal Decision

Site visit made on 24 January 2017

by David Troy BSc (Hons) MA MRTPI

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

Decision date: 13 February 2017

Appeal Ref: APP/U5930/W/16/3160327

2a Beech Hall Road, Chingford, Waltham Forest E4 9NX

- 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 John Putinas against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 160755, dated 11 March 2016, was refused by notice dated 1 June 2016.
 - The development proposed is construction of two new-build 2 bedroom houses following demolition of a 2-story brick workshop building most recently used as a carpentry workshop.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site comprises an irregular parcel of land situated at the side of No. 2 Beech Hall Road, (No. 2) a traditional two storey end of terraced property. It is located at the rear of a three storey terrace of properties with commercial uses at ground floor level and residential use above. It is currently occupied by a two storey workshop building set back from the road with vehicular access off Beech Hall Road and a railway line at the rear of the site.
 4. Beech Hall Road is a mature well-established residential street located in a predominantly residential area of high density terraced and semi-detached properties set back from the road. The properties are relatively evenly spaced, of comparable scale and form, with uniform separation distances between them. These properties, along with those in the surrounding streets, are predominantly built in brick with pitched roofs. These features give the area a strong unifying character and appearance.
 5. The proposal would involve the demolition of the workshop building and construction of 2 no. two storey semi-detached contemporary style dwellings with flat roofs, with associated amenity areas, refuse and cycle storage areas. The front elevation of the dwellings would be set back from the road and the boundary with No. 2 and a single storey section with a flat green roof would be
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- constructed at the front of the buildings. The external finish of the dwellings would be predominantly constructed from brick to match the nearby buildings, with a curved timber clad element at first floor level facing Beech Hall Road.
6. The flat roofed design and bulky contemporary appearance of the proposed dwellings would be very much at odds with the older more traditional character and appearance of many of the properties in the area. Moreover, the siting of the proposed development with the dwellings set back behind the existing dwellings on Beech Hall Road, would introduce an uncharacteristic layout into the street scene. I saw from my site visit that the proposed development would be visible from Beech Hall Road and a number of the surrounding properties. Although the boundary fencing and trees would offer some screening, this is unlikely to be completely effective especially during the winter months. The proposal would not amount to a subservient form of development and would fail to promote or reinforce the distinctive characteristics of this established residential area. As such, I consider the development, by virtue of its scale, siting and design, would result in an incongruous and out-of-keeping addition that would adversely harm the character and appearance of the area.
 7. I have considered the appellant's statement that the proposed design and the position of the dwellings has been carefully considered on this irregular shaped site in order to maximise the distances from the adjacent properties and minimise any impacts on adjacent dwellings and the area. Whilst these features together with the landscaping scheme and boundary treatment would assist in integrating the proposal with the area, these aspects do not overcome the adverse effects outlined above. Whilst I recognise that the proposal would boost the supply of housing and would make efficient use of the land in an accessible location in accordance with the development plan and the National Planning Policy Framework, these benefits do not outweigh the harm I have identified in this case.
 8. I note the appellant's comments regarding the previous planning permission granted in 2006¹ for two flats at the appeal site. This previous proposal has different development characteristics to the appeal scheme and took place in a different policy context. The appellant makes comments regarding the existing commercial use on the site and the previous decisions of the Council and Planning Inspectorate not to support the continued use. Whilst I recognise that the removal of this non-conforming commercial use is the preferred course of action, this does not set a precedent for such an inappropriate residential development in this location. I therefore accord these matters limited weight.
 9. Consequently, I conclude that the proposed development would have a harmful effect on the character and appearance of the area. It would be contrary to overall local character and design aims of Policy CS15 of the Waltham Forest Local Plan Core Strategy 2012 and Policy DM29 of the London Borough of Waltham Forest Local Plan Development Management Policies 2013. These policies, amongst other things, seek to ensure that new development demonstrates a high quality design that respects and responds positively to the local context and the character of the area. It would also not accord with the Council's Urban Design Supplementary Planning Document 2010 which includes similar aims relating to good design.

¹ 061216

Other matters

10. I have noted the letter of support from a local resident to the proposal subject to conditions being attached relating to obscure glazing and the control of the development during construction. These issues could be dealt with through appropriate planning conditions to protect the living conditions of the occupiers of neighbouring properties. However, in light of my findings on the main issue, my decision does not turn on these matters.

Conclusion

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

David Troy

INSPECTOR