
Appeal Decision

Site visit made on 30 May 2017

by Richard Aston BSc (Hons) DipTP MRTPI

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

Decision date: 12th June 2017

Appeal Ref: APP/U5930/D/17/3174169
45 Gordon Road, Chingford E4 6BT

- 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 Amur Digpal against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 163740, dated 25 October 2016, was refused by notice dated 2 February 2017.
 - The development proposed is 2 storey side and rear extension with rooms in newly formed roof space.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the host property and area.
 - The effect of the proposal on the living conditions of the occupiers of No. 45 Gordon Road, with particular regard to outlook.

Reasons

Character and appearance

3. The appeal property is a detached 2 storey part brick and rendered residential dwelling under a tiled roof. It sits at the end of a row of other 2 storey residential properties adjacent to the open rear garden of No. 2 Victoria Road which lies adjacent to the junction with Gordon Road. Consequently, the property is conspicuous within the streetscene on the approach from the junction. Dwellings within the road are sited within close proximity of their side boundaries and set behind small front gardens with parking.
4. There are some isolated examples of more modern apartment and institutional blocks further along the road and although there is architectural variety within the road, I also share the appellant's view that there is also some visual coherence¹. Apart from these isolated exceptions, an attempt has been made with more recent infill additions, extensions and alterations to reflect the prevailing Edwardian character and appearance of properties within the road

¹ Paragraph 4.8 of appellant's statement of case.

with the use of pitched roofs, gable ends, bay windows and sympathetic materials and detailing. This is particularly prevalent within the immediate vicinity of the appeal site.

5. The proposal would result in a building with a markedly different profile and roof form to the existing property, being of a mansard design and with flat roof, box projecting dormer windows set behind a parapet. Notwithstanding examples of modern roof additions in the wider area, this would be in stark contrast to the host property and properties within this part of the road. This contrast would be further exacerbated by the size and design of the fenestration which would give an overly a vertical emphasis and be quite unlike the prevailing appearance of fenestration on surrounding properties.
6. The proposal would also be substantially deeper and bulkier at first and second floor level than the host property and there would be very little left of the original character and appearance of the host property. In views from the junction with Victoria Road and on the approach past the appeal site, it would present a significant expanse of brickwork, with insufficient visual relief. Overall, it would result in an unduly dominant and overly prominent building that would appear incongruous within this part of the streetscene.
7. I acknowledge that in design terms it is not always essential to replicate the traditional design or appearance of a building or area and contemporary design can develop a further layer of townscape which complements, rather than competes with the past. However, in this particular case, instead of positively contributing it would appear at serious odds with the prevailing character and appearance of the host property and area. In its context I do not consider that it would represent a high quality of design.
8. For these reasons, the proposal would cause significant harm to the character and appearance of the host property and the area. It would therefore conflict with Policies CS15 of the Waltham Forest Local Plan Core Strategy 2012 ('CS'), DM4 and DM29 of the Waltham Forest Local Plan Development Management Policies 2013 ('DMP') and the Council's 'Residential Extensions and Alterations' Supplementary Planning Document 2010. When taken as a whole and amongst other things, these take a design led approach and require new development to be of a high quality design, that responds positively to local context and character and that residential extensions should relate to the original host building and respect the streetscene .
9. I note the appellant's reference to the design objectives of the National Planning Policy Framework ('the Framework') and the indication at paragraph 60 that planning decisions should not attempt to impose architectural styles or particular tastes. Nonetheless, it is clear at paragraph 58 that planning decisions should aim to ensure that developments respond to local character and reflect the identity of local surroundings. In my view the proposal would also conflict with the design objectives of the Framework.

Living conditions

10. The proposal would not sit any closer to No. 43 and I noted that a substantial conifer screen existed on the boundary along with a substantial single storey extension to the rear of that property. The increase in depth of the property would be evident from the upper floor windows of No. 43 but views of the garden and across the rear garden of the appeal site to mature landscaping on

the rear boundary would be retained. The eye would not therefore be unacceptably drawn to the proposal and it would not appear excessively large or overbearing from No. 43.

11. For these reasons, the proposal would not cause harm to the living conditions of the occupiers of No. 43 in terms of outlook. In this regard it would not conflict with Policy DM32 of the DMP or the SPD insofar as they require development to ensure outlook is maintained for existing occupiers and their neighbours.

Other Matters

12. I acknowledge that the appellant is seeking to improve the quality of accommodation, that it would be suitable for a large household and that across London there are examples of modern development juxtaposed with traditional built form. Furthermore, that the appellant is committed to using sustainable construction methods. However, in this particular case these considerations do not outweigh the significant harm that I have identified in relation to the first main issue.
13. I have also been referred to 2 appeal decisions where the appellant contends that contemporary re-modelling of older dwellings has been allowed on appeal². However, these relate to different authorities with different policy considerations and judgements. I have also not been provided with the full details and cannot therefore be certain that they are directly comparable to the proposal before me. Consequently, they do not alter my view in relation to the first main issue and in any event each case must be determined on its own merits.

Conclusion

14. Although I have not found harm to the living conditions of neighbouring occupiers in terms of outlook, I have found significant harm to the character and appearance of the host property and area. In my view, that is the prevailing consideration and the proposal would conflict with the development plan, when read as a whole and the Framework. Material considerations do not indicate that a decision should be made other than in accordance with it and having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR

² APP/Y3615/D/13/2203231 and APP/K5600/A/12/2188959.