
Appeal Decision

Site visit made on 16 May 2017

by Rachel Walmsley BSc MSc MRTPI

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

Decision date: 23 June 2017

Appeal Ref: APP/W5780/W/17/3170187
49 York Road, Ilford IG1 3AD

- 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 Swanbrae Ltd against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2715/16, dated 6 June 2016, was refused by notice dated 19 January 2017.
 - The development proposed is proposed formation of new third floor with conversion of upper floors to provide 3 no self-contained flat units.
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Decision

1. The appeal is allowed and planning permission is granted for proposed formation of new third floor with conversion of upper floors to provide 3 no self-contained flat units at 49 York Road, Ilford IG1 3AD in accordance with the terms of the application, Ref 2715/16, dated 6 June 2016, subject to the following conditions:
 - (i) the development hereby permitted shall begin not later than 3 years from the date of this decision;
 - (ii) the development hereby permitted shall be carried out in accordance with the following approved plans: 2312/LP and 2312/2 Rev A; and,
 - (iii) the materials to be used in the construction of the external surfaces of the development shall match those used in the existing building.

Main Issue

2. This is the effect of the proposal on the character and appearance of the host building and adjoining properties.

Reasons

3. The appeal site concerns a three storey terraced building which is part of a terraced block of properties (no's 35-53 York Road). When viewed from the street, the properties appear uniform in design with stock brick and attractive window surrounds and have characteristics that are similar to a terraced block (no's 3-19 York Road) on the same side of the road. The blocks are clearly different in character from other properties within the area. It is the roof form, however, that the Council identifies as being of notable of value; in particular the characteristic London butterfly roof form. This roof form is visible on properties no's 35-53 from an access road behind; albeit the roofs to no's 43
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and 53 have been extended and therefore no longer display the butterfly roof form.

4. In referring to paragraph 135 of the National Planning Policy Framework (the Framework) the Council considers the terraced properties to be an undesignated heritage asset. Paragraph 041 of the Planning Practice Guidance (PPG) states that buildings of historical importance should be identified in local lists in local plans and their significance ideally judged against published criteria to decide if they constitute a non-designated heritage asset. I have no evidence to this effect before me. There is no indication that the buildings are locally listed or identified for their historical importance within the Local Plan¹ or Core Strategy².
5. It was apparent from my observations on site that the butterfly roof form is a notable characteristic of the terraced properties, including at the appeal site. However, the importance of this roof form to the architectural and historical significance of the terrace has been impaired by two roof extensions (at no 43 and no 53). Furthermore, the architectural form of the building and in particular its roof, does not amount to it being of significant heritage interest. I find, therefore, that the building does not qualify as a non-designated heritage asset as set out in the PPG. I have therefore considered the proposal in the context of the character and appearance of the host building and adjoining properties.
6. Within views from York Road the existing parapet wall would screen much of the development with the visible elements appearing subservient in scale and form to the host building. To the rear of the property, the development would be more notable. Nevertheless, the proposal would be set below the height of the existing chimneys and within the party wall lines and therefore would not appear inordinately large or out of keeping with the scale of the host building to detract from this or from the form and scale of the terraced block overall.
7. I appreciate that the development would result in the loss of the London butterfly roof form, however, having found that this roof form is not a characteristic of significance, its loss would not be unduly harmful to the character or form of the host building or to the block of terraced properties.
8. The Council suggests that the two existing roof extensions were permitted prior to the emphasis in the Framework to good design. Whilst I have no details of when the permissions were granted, good design has been referenced in national policy for many years and therefore the publication of the Framework is not a material change in circumstances for the earlier extensions to be excused from consideration. Notwithstanding this, even if I were to give weight to the change in national planning policy, I have found that the extension would not be harmful to the character and appearance of the host building or adjoining properties.
9. Policies SP3 of the Core Strategy, BD1 of the Local Plan and 7.4 of the London Plan³ seek development that is designed to a high standard and that contributes to local architecture and is appropriate to the locality. Whilst recognising that the development will make a notable change to the form of

¹ London Borough of Redbridge, Borough Wide Primary Policies, Development Plan Document (May 2008)

² London Borough of Redbridge, Core Strategy (adopted March 2008)

³ The London Plan, The Spatial Development Strategy for London, Consolidated with Alterations since 2011 (March 2016)

the existing building, it would not detract from the character and appearance of the host building or adjoining properties to be considered unduly harmful and contrary to policy.

Conditions

10. The Council has suggested a number of planning conditions which I have considered against the advice in the PPG. As a result I have made amendments to or eliminated conditions for reasons of clarity or where they have been considered irrelevant.
11. In addition to the standard time limitation for commencement, I have imposed a condition specifying the relevant drawings as this provides certainty.
12. I have included a condition regarding matching materials in the interests of the character and appearance of the area.
13. I have not included a condition with regards to water efficiency. I have no evidence before me to suggest that this is necessary in the context of the planning merits of the proposal. Furthermore the condition, as suggested, refers to Building Control matters which is a non-planning matter and therefore is not relevant to planning in the way that paragraph 206 of the Framework suggests.

Conclusion

14. For the reasons given above, the development would not be contrary to the development plan and therefore the appeal is allowed.

R Walmsley

INSPECTOR