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## Appeal Decision

Site visit made on 21 November 2017

**by Katie McDonald MSc MRTPI**

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

**Decision date: 20 December 2017**

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**Appeal Ref: APP/W5780/W/17/3181182**

**Summit House, 13 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 John McDonagh against the decision of the Council of the London Borough of Redbridge.
  - The application Ref 4923/16, dated 17 October 2016, was refused by notice dated 30 January 2017.
  - The development proposed is 2<sup>nd</sup> & 3<sup>rd</sup> storey extension and loft conversion.
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### Decision

1. The appeal is allowed and planning permission is granted for 2nd & 3rd storey extension and loft conversion at Summit House, 13 High Street, Wanstead, London E11 2AA in accordance with the terms of the application, Ref 4923/16, dated 17 October 2016, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the approved plans 2016-001-00, 2016/001/01, 2016/001/02, 2016/001/03, 2016/001/04, 2016 001-05 Rev. A, 2016/001/06 Rev. B, 2016-001-07 Rev. A, 2016/001/08 and 2016/001/09.
  - 3) No development shall commence until details and samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and samples.

### Procedural matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

### Main Issues

3. The main issues are:
  - i) Whether the proposed development would preserve or enhance the character or appearance of the Wanstead Village Conservation Area; and,

- ii) the effect of the proposed development on the living conditions of the occupiers of 11 High Street, with particular reference to outlook and light.

## **Reasons**

### *Character and appearance*

4. Located within the Wanstead Village Conservation Area (WVCA), the property is a 4 storey, mid terrace building, currently occupied by commercial offices. The proposal is for a 2<sup>nd</sup> and 3<sup>rd</sup> storey extension over the existing flat roof two storey addition; and the conversion of the loft with the insertion of a rear dormer and a roof light to the front.
5. The significance of the WVCA is derived from its attractive and historic buildings, established trees and access to open green spaces that contribute towards the sense of a village. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
6. The rear courtyard area consisted of mainly service yards and car parking for businesses and had a distinctly different character to the frontage of High Street. There were also a variety of substantial three and two storey extensions to the rear of other properties. The Council details that a number of these were granted planning permission before the adoption of the most recent development plan document. They also state that these additions are very bulky and box like, out of character with the WVCA and should not set a precedent.
7. However, the WVCA was designated in 1970. Whilst the development plan may have changed, the Planning (Listed Buildings and Conservation Areas) Act 1990 would have placed the same statutory requirement upon Council to ensure that developments either preserved or enhanced conservation areas. Thus, although these additions may be large and bulky, they were found to preserve or enhance the character and appearance of the WVCA at the time of granting permission. Furthermore, these larger additions are part of the defining character of the rear street scene and I find them to be significant material considerations.
8. To the rear of the appeal property is a two storey flat roof addition, occupying the width of the plot, yet narrowing to half the width where it meets the host building. The proposal would be erected over the flat roof two storey extension, creating 2 additional floors. It would project to around the same depth as the neighbouring building, No 15, creating a raised terrace area and would be of a similar height. The narrow width element, at the point where the proposal joins the building would be maintained, and views of the original rear elevation would still be obtainable.
9. The proposal would be of a significant scale, yet it would be compatible with the distinctive character of the rear passageway, being of a style, massing, scale, density and design very similar and fitting in the context of the neighbouring developments and surrounding locality.
10. The dormer would occupy less than half of the roof slope and would be located to the rear. Whilst it is not set up from the eaves, it would be set down from

the ridge. Its design has a vertical emphasis, being of narrow and tall proportions and would have a comparable style to the original fenestration in the rear elevation. I also noted that there are other dormer insertions within the street scene. Thus, I find that the design of this dormer would be appropriate and appear visually acceptable.

11. Given the existing context of the rear street scene and the proposal's scale, design and location, the effect of the proposals upon the WVCA would be neutral, thereby preserving the character and appearance of the WVCA. There would be no conflict, therefore, with Policy BD1 of the Borough Wide Primary Policies Development Plan Document (May 2008) (DPD). This policy seeks to ensure developments are compatible with and contribute to the distinctive character and amenity of the area.

#### *Living conditions*

12. The adjacent building, No 11, features a part width two storey rear extension paired with No 9, having 3 windows in the original rear elevation set in away from the boundary with the host property. I have no information about the use of this building or the rooms served by the windows in the original rear elevation. Nevertheless, I saw at my site visit that the ground floor window is already compromised in terms of outlook by its existing rear extension to the side. Whilst the proposed extension would introduce a significant expanse of flank wall to one side of these windows, there is a recess which would provide some relief. Furthermore, the two upper floor windows of no 11 would retain a reasonable open aspect over the yard and existing two storey extension at No 11; and not experience unacceptable effects in respect of loss of light, outlook or an undue sense of enclosure.
13. Additionally, given its use for parking vehicles and servicing, the effect upon the yard from the increased height of flank wall would not unreasonably restrict light or result in an undue sense of enclosure.
14. There would be no conflict, therefore, with Policy BD1 of the DPD, which seeks to ensure developments do not prejudice the amenity of neighbouring occupiers.

#### **Conclusions**

15. Consequently, I find that the proposal would not harm the character and appearance of the host property and would preserve the heritage significance of the WVCA. Additionally, I find that it would not have an adverse effect upon the living conditions of neighbouring properties.
16. To ensure certainty I shall attach a condition requiring that development is carried out in accordance with the approved plans. A condition relating to external materials is needed to ensure that the appearance of the development is satisfactory. This is required to be a pre-commencement condition as it is imperative the condition is satisfied before development commences.
17. For the reasons above, I conclude that the appeal should be allowed.

*Katie McDonald*

INSPECTOR