



Appeal Decision

Site visit made on 10 September 2019

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th September 2019

Appeal Ref: APP/U5930/W/19/3231804
575 Lea Bridge Road, Leyton E10 6AJ

- 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 Waseem Ahmed (Zahra Investments Ltd) against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 190263, dated 23 January 2019, was refused by notice dated 29 March 2019.
 - The development proposed is erection of a roof level mansard extension to accommodate for 2 x 1 bedroom studio apartments.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a mansard roof and the creation of 2 studio flats at 575 Lea Bridge Road, Leyton E10 6AJ in accordance with the terms of the application Ref 190263, dated 23 January 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 651-00-00, 651-01-SA, 651-01-E1, 651-01-E2, 651-01-E3, 651-01-E4, 651-01-GF, 651-01-FF, 651-01-2F, 651-01-RF, 651-03-SA, 651-4-E1, 651-04-E2, 651-04-E3, 651-04-E4, 651-02-GF, 651-02-FF, 651-02-2F, 651-02-3F & 651-02-RF.
 - 3) The development hereby permitted shall not be occupied until the cycle parking shown on the approved drawing 651-02-GF has been provided. This shall be retained for cycle parking purposes and for no other purpose.

Procedural Matter

2. The description of the development I have used in the banner heading above matches that stated on the original planning application form. I note however that the description has been changed on the Council decision notice and on the appeal form. I have used this revised wording in my decision in the interest of consistency.

Main Issue

3. The main issue is the effect of the appeal proposal on the character and appearance of the host property and the Bakers Arms Conservation Area.

Reasons

4. The appeal site is situated in a prominent and busy location on the corner of Lea Bridge Road and Hoe Street with a shop front at street level. The appeal property (known as the former Bakers Arms Public House) has undergone significant alteration in recent times through the addition of a second-floor extension. The appeal proposal relates to the addition of a third-floor mansard roof extension. The building is located within the Bakers Arms Conservation Area and is identified within the Conservation Area Appraisal¹ as a non-designated building of architectural merit, making a positive contribution to the appearance of the area.
5. The Conservation Area Appraisal states that The Bakers Arms Conservation Area (the conservation area) has a general character of buildings which are between two to four storeys in height with shop fronts at street level. In terms of building detailing, it notes that mansard roofs are a prominent characteristic of the conservation area, while attractive architectural detailing forms a further feature of its character and appearance. The significance of the conservation area lies in its scale, form and detailing of its buildings. It has special interest as an example of a largely intact and coherent Victorian and Edwardian commercial centre.
6. Whilst the appeal proposal would provide an additional floor of accommodation, the resultant number of floors would not be out of keeping with the range of 2 - 4 storey buildings in the area. Further, the roof extension would be partially set behind the retained parapet walls and would be appropriately set in from the edges of the building. This would minimise its bulk and mass in views from the two main elevations of the building so that the proposal would not appear dominant within the street scene. The extension has been sensitively designed, and its windows to the two main elevations would be in reasonable alignment with the existing windows below. Consequently, the appeal proposal would not be of excessive height, bulk or poorly positioned on the building.
7. As detailed within the Conservation Area Appraisal, mansard roofs are a prominent characteristic of the conservation area and form a notable feature of the long curving terrace immediately opposite the appeal site fronting Hoe Street and Lea Bridge Road. Whilst the mansard roof would not be reflective of the butterfly roof with parapet of the adjoining properties at 561 to 573 Lea Bridge Road, the appeal property is not visually cohesive with these buildings because of its significantly greater height. The addition of a further floor would not significantly distort the original features or character of the building or add significant additional bulk in the context of the changes made to the building through its previous extension. Consequently, an alternative roof form reflective of the terrace opposite would not impact negatively on the street scene or the character and appearance of the conservation area.
8. The attractive architectural features of interest as identified within the Conservation Area Appraisal on the lower sections of the building would be retained, as would the pineapple finials which top the parapet wall. They would remain a prominent feature despite being viewed against the roof slope of the appeal proposal as opposed to the sky-line.

¹ Bakers Arms Town Centre Conservation Area Appraisal and Management Plan (2019)

9. For the reasons I have outlined above, I consider that the appeal proposal would preserve the character and appearance of the host property and the Bakers Arms Conservation Area.
10. It would therefore comply with Policies CS12 and CS15 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM28 and DM29 of the London Borough of Waltham Forest Development Management Policies Local Plan (2013) and Policies 7.4, 7.6 and 7.8 of the London Plan (2016) which, amongst other things seek well designed development proposals which are reflective of local character.

Other Matters

11. The Council finds the appeal proposal contrary to the *Residential Extensions and Alterations* Supplementary Planning Document (2010). However, this provides guidance for people wanting to extend or alter their home and does not apply to other types of building. It is not therefore relevant to this proposal.

Conditions

12. I have considered the conditions suggested by the Council in light of the tests in paragraph 55 of the National Planning Policy Framework and Planning Practice Guidance. I attach the standard three year time limit and a condition referencing the approved plans for the avoidance of doubt and in the interests of certainty. I have imposed a condition requiring the provision and retention of cycle storage in the interests of encouraging the use of sustainable modes of transport.
13. Further conditions are suggested by the Council. As details of refuse storage are shown on the plans, I do not consider such a condition necessary. A condition requiring the preparation of a travel plan would also be unnecessary in relation to a development of this limited scale which is well located in relation to public transport links. No plant is proposed within the scheme and therefore a suggested condition relating to plant noise would fail the test of necessity.

Conclusion

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

T J Burnham

INSPECTOR