



Appeal Decision

Site visit made on 30 September 2020

by Stephen Wilkinson BA, BPI, Dip LA, MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th November 2020

Appeal Ref: APP/W5780/W/20/3247407
73 High Street Wanstead, London E11 2AE

- 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 Ilyas Musa against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3055/19, dated 11 July 2019, was refused by notice dated 3 December 2019.
 - The development proposed is redevelopment of the site to include front and rear buildings comprising 9 residential units (4x1 and 5x2 bedrooms) and 66sm of flexible A1 shops and retail outlet, A3-Food and Drink use. Cycle parking and landscaped gardens to the rear.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of proposed development used by both the Council on its decision letter and the appellant on the appeal form differs from that which was originally applied for. The amended description read as: 'Demolish existing structures. Erection of 2 x3 storey buildings comprising 9 residential units (4x1 and 5x2 bedrooms) and flexible retail (A1) and restaurant and café (A3) floorspace. Cycle parking and landscaped gardens to the rear'. I have determined this appeal on the basis of this amended description of proposed development.

Main Issues

3. The effect of the development proposed on the character or appearance of the area, with particular regard to the Wanstead Village Conservation Area (the CA).

Reasons

4. The appeal site comprises a vacant plot in the High Street. Building works were under way during my site visit. Permission exists for the site's development including the conversion of the existing outbuilding to the rear. The appeal scheme includes changes to that permitted by increasing the depth of the frontage building and redeveloping rather than converting the rear outbuilding. The proposed scheme would create an additional 2 dwellings and additional commercial floorspace compared to the recently permitted scheme.

5. A defining feature of the CA is its varied townscape derived from the range of architectural styles of individual buildings, particularly along the High Street, and the integration of several public open spaces within this townscape. These combine to create a clearly defined sense of place. The rear of the High Street, around the appeal site, includes an old commercial buildings and incidental areas of vacant land.
6. The appeal site lies on the eastern edge of the CA and unlike its neighbouring properties has a plot which broadens and extends to the boundary with 'The Shrubby', a Grade 2 listed block of flats. The rear part of the site accommodates a vacant 2 storey outbuilding; this is an unusual feature for properties in this part of the High Street. Due to its height and the level change from the frontage, this building is a subservient structure when compared to the frontage buildings.
7. The principle differences between the main parties concerns the proposed depth of the rear extensions and height of the rear outbuilding. Although the site shares a common boundary with 'The Shrubby', both parties acknowledge that the setting of this building would not be affected by the proposals.

Extensions

8. Many of the High Street buildings around the appeal site reflect varying periods of development and the properties include single and two storey rear extensions of considerable height and depth. Although I do not know the planning history of each of these, they establish a local context for the appeal proposals.
9. These extensions serve to reduce the impact of those proposed when viewed from neighbouring streets and at various points to the rear of the site. However, this does not diminish their size. The level of harm which would result from this aspect of the proposal would be limited and I do not consider that, alone, this part of the overall scheme would adversely impact on the character and appearance of the CA at this point.

Rear outbuilding

10. Both parties accept that the loss of the existing rear outbuilding would not adversely impact on the character and appearance of the CA. However, its redevelopment which includes a second floor extending across the whole of the rear of the site would be intrusive. Although the scheme includes a set back from its northern edge at second floor level and would have an overall height only 0.2m higher than the ridge height of the permitted scheme, its proposed design would significantly increase its bulk. This part of the scheme would not preserve or enhance the character and appearance of the CA.
11. The new building can be contrasted with the large single storey commercial building to the north west which despite its site coverage and pitched roof is much lower and allows views from Grosvenor Road to the appeal site including of the proposed outbuilding.
12. The proposed outbuilding would serve to emphasise the intrusive nature of this development in contrast with its surroundings. Given its location lying so close to the Shrubby, it would be highly visible from the upper floors and adjoining

- land to the east. The canopy of the protected Yew tree would only partially limit views.
13. The set back of the proposed building from the rear extensions to the frontage building whilst ensuring the 'openness' of the site would not diminish the impact of the building on the character and appearance of the area due to the site layout.
 14. The appellants cite the appeal decision¹ of an Inspector colleague allowing an appeal for extensive alterations and extensions to another property in the High Street several years ago. Whilst I am unsure of the full planning history of this site, I acknowledge that the appeal scheme included large extensions. However, the Inspector identified that the scheme involved a tidying up of the rear elevations and the removal of a large outbuilding. This case can be distinguished from the appeal before me in that the scheme includes both large extensions and a redeveloped outbuilding. In contrast, the amount of development proposed for the site in this case would not preserve or enhance the character and appearance of the CA.
 15. Reference has been made by interested parties to previous appeals at this site where larger development was proposed than the current scheme. I do not have details of these schemes.
 16. Whilst the appellant states that greater public benefits would derive from this scheme compared to the extant permission, in the form of 2 additional dwellings and improved floorspace, the size of the proposals when taken as a whole would not preserve or enhance the character and appearance of the CA. This is the determining issue in this appeal.
 17. Accordingly, I conclude that this aspect of the proposal would be harmful to the appeal site and in turn to the character or appearance of the area with particular regard to the Wanstead Village CA. The proposals would therefore conflict with policies LP26 and LP33 of the Redbridge Local Plan. These policies seek to ensure that development should reinforce positive and distinctive local character and resist proposals which do not preserve or enhance the character or appearance of designated heritage assets.

Other Matters

18. The site lies within a Zone of Influence of a European Site covered by the Epping Forest Special Area of Conservation, Mitigation Strategy which requires payment from developers to fund mitigation measures. If I were allowing this appeal an appropriate assessment would be required and a statement required on the level of mitigation included in the Unilateral Undertaking submitted with the appeal. However, as I am dismissing this appeal, I do not have to complete this exercise.

Planning balance and conclusions

19. The site has a town centre location where residential accommodation and commercial development would be appropriate.
20. For the purpose of paragraph 196 of the National Planning Policy Framework 2019, (the Framework), the proposals would result in less than substantial

¹ APP/W5780/W/15/3025060

harm to the significance of a designated heritage asset. Although the extensions to the frontage property would have only limited impacts on the CA, when taken with the redevelopment of the new building, the scale of development would be excessive for this site. Taken as a whole the proposals would not preserve or enhance the character or appearance of the CA. Whilst this has to be balanced against the development of 9 additional dwellings and new commercial floorspace, both public benefits, these would not outweigh the less than substantial harm that would occur to the character or appearance of the Wanstead Village CA.

21. Therefore, whilst the proposals may comply with some elements of local and national policies, they would conflict with the development plan and the Framework overall, for the reasons set out above.

22. For the above reasons the appeal is dismissed.

Stephen Wilkinson

INSPECTOR