



Appeal Decision

Site visit made on 11 January 2021

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th March 2021

Appeal Ref: APP/G5750/W/20/3254240

Land adjacent 1a Buxton Road, Stratford, London, E15 1QU

- 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 Mohammed Younis against the decision of the Council of the London Borough of Newham.
 - The application Ref 20/00662/FUL, dated 26 March 2020, was refused by notice dated 20 May 2020.
 - The development proposed is described as a 'single storey office'.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The Council's decision describes the proposal as 'demolition of second floor of the existing structure and construction of a flat roof to the remaining first floor structure to form a single storey office.' From the submitted documents it is clear that the proposal involves the demolition of the upper floor of the building and the construction of a flat roof resulting in a single storey building. I have determined the appeal on this basis.

Main issues

3. The main issues in this appeal are:
 - whether the site is in a suitable location for the proposed use;
 - the effect of the proposal on the character and appearance of the area.

Reasons

Location

4. The appeal site lies outside the town centre as defined in the London Borough of Newham Local Plan (LP). As it is located within a Micro Business Opportunity Area, the most relevant development plan policies are LP policy J1 which encourages smaller scale office development in such areas and LP policy J2 which allows non-speculative employment floor space that accommodates no more than 10 employees, subject to other policy considerations.
5. Although the appellant says that policies J1 and J2 do not exclude the proposed A2 use (financial and professional services) stated in the application, the Council says that it would be contrary to the intentions of policy J2 to

encourage that use. However, as the application does not provide details of any intended tenant it would, in any case, fail to satisfy that policy's requirement for non-speculative development as stated within the supporting justification. The location of the site is therefore unsuitable for the proposed use and would be contrary to the Council's strategy for the location of employment land and its aim of securing a balanced mix of jobs and homes.

Character and appearance

6. The appeal site comprises a dilapidated two storey structure which currently has no windows or roof. It is sited at one end of Buxton Road, behind buildings in retail use on Leytonstone Road but is seen from and accessed from Buxton Road. Buxton Road is predominantly residential in character with long terraces of dwellings which are typical of the Victorian period with pitched roofs and projecting bay windows. The site has a long planning and enforcement history which includes an extant Enforcement Notice requiring the demolition of the building, previously refused schemes for a multi storey building and a similar scheme which was refused permission in 2019.
7. The proposal would demolish the upper floor of the existing structure and would add a flat roof to the remaining structure, resulting in a single storey building. The adjacent building on Buxton Road is an end of terrace two storey dwelling and the buildings on Leytonstone Road whose rear elevations are close to the site are taller. Although there is an existing single storey office building with a flat roof adjacent to the site and facing onto Buxton Road, this makes little contribution to the character of this mostly traditional street.
8. The backland siting, flat roof and single storey form of the proposed building would be uncharacteristic of most of the buildings in Buxton Road and whilst it would appear subservient to the adjacent dwelling and the surrounding buildings, it would not make a positive addition to the street scene. The details of the proposal are poorly designed with a door and windows whose scale and proportions are at odds with the more traditional style windows in the street and whose materials of white upvc are not of a high quality. Furthermore, the pedestrian access to the property via a narrow passageway in front of the building and to the side of the adjacent dwelling would have poor legibility within the street scene.
9. As such, whilst the proposal would make use of a vacant site, it would result in significant harm to the character and appearance of the area and would not constitute the high quality design required by the development plan policies SP1 and SP3 in the LP and policies 7.1, 7.4, 7.6 of the London Plan. The National Planning Policy Framework has a similar objective as do the policies of the Publication London Plan which carry significant weight given their status.

Conclusion

10. For the reasons given above, I conclude that the proposed development would be contrary to the development plan policies referred to earlier and there are no other material considerations that warrant determining the appeal otherwise. The appeal is dismissed.

Sarah Colebourne

Inspector