
Appeal Decision

Site visit made on 14 April 2021

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 30 April 2021

Appeal Ref: APP/W5780/D/20/3259429

99 Warren Road, Wanstead, London, E11 2LU

- 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 M Shafiq against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 0984/20, dated 23 March 2020, was refused by notice dated 3 July 2020.
 - The development proposed is addition of first floor and alterations to roof over existing garage.
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Decision

1. The appeal is dismissed.

Main issues

2. I consider that the main issues in this case are its effect on the character and appearance of the area and on the living conditions of neighbouring residents.

Reasons

3. The appeal property is a detached bungalow located on the west side of Warren Road facing an entrance to Wanstead Park and near to part of a golf course. It is at the northern edge of the Wanstead Park Conservation Area and is one of a small group of dwellings included in this part of the conservation area. This group and a larger group of dwellings some distance to the west along Overton Drive are the only residential properties within the conservation area which otherwise consists of the extensive park and golf course.
4. There is a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The National Planning Policy Framework (updated 2019) (the Framework) states that in the consideration of development proposals weight should be given to the conservation of heritage assets in accordance with the significance of the asset and any harm should require clear and convincing justification.

Character and appearance

5. The Park is a grade II* listed landscape, considered to be 'at risk'. I have no evidence before me that a conservation area appraisal exists for the Park and conservation area and therefore have limited information as to what the

significance of this heritage asset is. However, the Council does refer to a Conservation Management Plan and a notice at another nearby entrance to the Park sets out a Vision for various management and conservation projects. It seems to me that the matters of concern relate almost exclusively to the character and features of the open parkland, which includes the golf course, and the semi-natural woodland, and their maintenance as a valuable asset for public enjoyment and for biodiversity. It is unclear why the small group of houses of which 99 Warren Road is one is included in the conservation area.

6. No. 99 is one of three bungalows which are anomalies in their immediate surroundings where the other properties fronting Warren Road, both within the conservation area and just beyond it to the north, are substantial two storey houses. Those to the north, outside the conservation area, are terraced but those to the south are detached and of individual design and varied materials.
7. The existing bungalow, together with its garage, occupies most of the width of the plot. The proposal would result in a considerable increase in overall size, mass and height, adding a first floor above the whole of the ground floor footprint, excluding the conservatory and the garage. There would be a crown roof, thus limiting the potential height of the roof otherwise needed to accommodate the depth of the building. The brick and tile construction would reflect the existing materials and would be in keeping with those in other properties in the area.
8. The proposal would appear as a very substantial building in comparison with its immediate neighbours on either side, partly in its own right, but also because of the raised elevation of all three above the road. However, it would not be out of keeping with the general pattern of large, individually designed houses nearby, and I consider that size alone is not necessarily a reason to reject this proposal.
9. It would appear prominent in views from the path which emerges from the Park directly opposite the site, but its size would only seem remarkable in comparison with the properties on either side. It would not appear particularly prominent in views along Warren Road from either direction because the curve of the road, the siting of other houses and some of the mature vegetation help to screen it. In this respect, it would not have an adverse impact on the character of the conservation area or its significance as a Historic Park.
10. I consider that the proposal would not result in an unduly intrusive addition to the overall street scene and that it would not harm the character and appearance of the conservation area or the significance of the heritage asset. It would be consistent with policy LP33 of the Redbridge Local Plan 2015-2030 (the local plan) which seeks to protect the Borough's heritage assets in a manner appropriate to their special interest, character and appearance and significance. In terms of its design, although it would be large in comparison to the existing building and its immediate neighbours, it would not be out of scale with the majority of houses in the wider area, and its form and materials would be compatible with the character of the area. It would be consistent with local plan policy LP26 which relates to design.
11. I conclude that the proposal would not harm the character and appearance of the street scene or the wider conservation area which encompasses the Historic Park and that it is consistent with local plan policies LP26 and LP33 and the Framework.

Living conditions

12. The increase in height from a bungalow to a full two storey house across the full depth of the existing building would result in an increase in height above the existing vertical side wall facing 103 Warren Road of approximately 2.5m to the new eaves level. Windows in the latter property facing No. 99 at a distance of approximately 3.5m include two serving non-habitable rooms and two serving rooms which have dual aspect. Although this would result in some diminution of outlook from some parts of the property, I consider that this would not be sufficient reason on its own to warrant dismissing the appeal, particularly as No. 103 lies to the south of No. 99 and has its main front aspect facing south onto The Warren Drive.
13. I consider that there would be an adverse impact on the occupiers of 39 The Warren Drive in terms of loss of privacy. The rear garden of No. 99 is relatively short and the large full height glazed doors and windows with Juliet balconies of the two first floor rear bedrooms facing the rear garden of No. 39 would result in unacceptable overlooking of the latter.
14. The appellant has put forward information regarding particular health reasons to support this appeal. I have considered this carefully and while I sympathise with the family situation, personal circumstances can only rarely be sufficient to allow a form of development which would have a continuing adverse impact on matters such as the living conditions of neighbouring residents.
15. I have viewed the present accommodation and accept that it is inadequate for the lifelong needs of some family members. I consider that some increase in the internal space and facilities would improve their welfare. However, I am not persuaded that the proposal is the most appropriate solution. The location of the proposed rear facing first floor bedrooms with their large amount of glazing in relatively close proximity to the rear boundary with No. 39 is unacceptable, particularly when the rooms at the front would give rise to no such overlooking issues given their outlook onto the woodland part of the Park.
16. I conclude that the proposal would result in an unacceptable loss of privacy for the occupiers of 39 The Warren Drive. In this respect, it would be contrary to local plan policies LP26 and LP30 and to guidance in the Council's Supplementary Planning Document *Housing Design* which seek, among other things, to ensure that development, including household extensions, does not have an adverse impact on the amenity of neighbouring occupiers by reason of overlooking and loss of privacy, particularly with regard to the position of windows and the layout of rooms.

Conclusion

17. Although I have found that the proposal is acceptable in terms of its effect on the character and appearance of the area, I find that this is not outweighed by my concerns regarding its effect on the living conditions of neighbouring residents.
18. For the reasons given above, the appeal is dismissed.

PAG Metcalfe

INSPECTOR