
Appeal Decision

Site Visit made on 13 September 2021

by Martin Chandler BSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2021

Appeal Ref: APP/U5930/W/21/3268034

Stowbridge Apartments, 823 Lea Bridge Road, Walthamstow, London E17 9DS

- 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 KLM Property Ltd against the decision of Waltham Forest London Borough Council.
 - The application Ref 201170, dated 3 April 2020, was refused by notice dated 5 August 2020.
 - The development proposed is Part third floor & fourth floor extension to existing four storey residential property to extend & convert 2 No. 1 bedroom flats into 2 No. 3 bedroom flats.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Following the submission of the appeal, a revised National Planning Policy Framework (the Framework) was published. The parties were consulted in relation to this matter and any responses received have formed part of my assessment of the appeal.

Main Issues

3. The main issues are:
 - i) the effect of the proposal on the character and appearance of the surrounding area; and
 - ii) the effect of the proposal on the living conditions for the occupants of neighbouring properties, having regard to outlook.

Reasons

Character and Appearance

4. The appeal site is a four-storey building with the top floor inset. Accordingly, the main bulk of the building is three storeys in height with a recessed fourth floor. Such a design feature is common to the immediate street scene with both adjoining buildings hosting a subservient top floor. However, to the left when viewed from the street, the adjoining building is two storeys in height with a mansard roof, and to the right, the building is four storeys with a recessed top floor. Moving beyond the immediate neighbour to the right, the building height steps up again to provide a full five storeys of accommodation.

Accordingly, the appeal site contributes to a street scene whereby the height and scale of buildings progressively steps up. This gradual transition of height was identified as making a positive contribution to the appearance of the street in a previous appeal decision¹, and this is a matter with which I entirely agree.

5. The proposal would introduce an additional storey of accommodation on to the building as well as enlarging the existing top floor. The alterations to the existing top floor would improve the window alignment with the existing fenestration, and I am satisfied that this aspect of the proposal would be better proportioned with the bulk of the building below.
6. However, due to its demonstrable shift in design approach, the mansard roof form would have the distinct appearance of an additional floor above the already subservient top floor. This would serve to give the building a top-heavy appearance, failing to demonstrate the subservience to the principal bulk of the building that is so successfully achieved in neighbouring properties, as well as the appeal site itself. The use of a mansard roof feature would seek to limit the overall bulk of the additional storey. However, the increased height would serve to erode the gradual transition in height of neighbouring buildings. This transition makes a positive contribution to the composition of the street scene and consequently, such erosion would have a harmful effect on this important attribute. Accordingly, in my judgement, the additional storey of accommodation brings with it similar shortcomings to the previously dismissed appeal.
7. Consequently, although the proposal would represent a more considered approach to the previously dismissed scheme, it would fail to overcome the fundamental concerns that were previously identified. These are findings with which I entirely agree, and therefore, I have no reason to arrive at a different conclusion on this matter.
8. Accordingly, for the reasons identified above, I conclude that the proposal would harm the character and appearance of the surrounding area. Consequently, it would fail to comply with Policy CS15 of the Waltham Forest Local Plan, Core Strategy (2012) (CS), Policy DM29 of the Development Management Policies Local Plan (2013) (DMP) and guidance contained within the Urban Design Supplementary Planning Document (2010). Taken together, these seek amongst other things, high quality architecture which responds positively to local context and character.

Living Conditions

9. Based on the evidence before me, including the previous appeal decision, the adjacent apartment building includes top floor flats which look directly towards the appeal site. In addition, the rooftop area between the appeal site and the inset top floor of the adjacent building is used as amenity space for the associated apartments.
10. I note the observations from the previous Inspector regarding living conditions. However, the proposal has been amended to increase the space between the adjacent building and the new storey of accommodation. In addition, the sloping mansard roof further reduces the bulk of the structure when viewed from the facing apartments. As a consequence, due to the space between the

¹ APP/U5930/W/19/3236592

proposal and the adjacent apartments, and the more considered design approach, I am satisfied that the proposal would not represent an overly oppressive or overbearing form of development. Moreover, due to the demonstrable change in the nature of the proposal, I am satisfied that I am not bound by the findings of the previous Inspector in this regard.

11. Accordingly, I conclude that the proposal would not harm the living conditions for the occupants of neighbouring properties. On this basis, it would comply with Policies CS13 and CS15 of the CS, and Policy DM32 of the DMP. Taken together, these seek amongst other things, well designed buildings which ensure that outlook is maintained for existing occupants.
12. In refusing planning permission, the Council referred to Policy DM7 of the DMP, however, as this policy refers to specific space standards for new residential development, I find that it is not relevant to this main issue.

Conclusion

13. I have found that the proposal would not harm the living conditions for the occupants of neighbouring properties, however, this is not a direct benefit of the proposal and therefore only weighs neutrally in my assessment of the appeal. As a consequence, it does not alter or outweigh my findings in relation to the effect of the proposal on the character and appearance of the surrounding area. Accordingly, for the reasons identified above, the appeal should be dismissed.

Martin Chandler

INSPECTOR