



Appeal Decision

Site visit made on 9 January 2023

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th January 2023

Appeal Ref: APP/U5930/W/22/3302847

190 Wood Street, Walthamstow E17 3NA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr Stroh against the decision of Waltham Forest London Borough Council.
 - The application Ref 221247, dated 27 April 2022, was refused by notice dated 22 June 2022.
 - The development proposed is addition of the second floor and mansard roof to create two self-contained units, 1 x 1 bed flat & 1 x 4 Bed Flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the host property and surrounding area; and
 - Whether the proposed development would provide an adequate standard of residential accommodation for future occupiers with particular regard to the provision of external amenity space and to the internal size of the 4-bed unit.

Reasons

Character and appearance

3. The appeal site is located within a prominent position along Wood Street at the junction where Wood Street meets Barrett Road and is readily visible from several public viewpoints. The existing two storey building onsite stands alone, being detached from any other buildings and is modest in size.
4. The properties located within the immediate vicinity of the site generally comprise three storeys in height. Although there is a school and some commercial warehouse units located nearby, the overall ridge height of surrounding buildings is reasonably consistent.
5. The increased bulk of the additional floor, and the extra height, would give the building a top-heavy appearance protruding above the surrounding ridgelines, meaning that it would be visually prominent and discordant with its surroundings.

6. Given the diverse appearance of other roof forms nearby, the mansard style of roof, in itself, would not necessarily look out of place. However, for the reasons given, the proposal would unacceptably harm the character and appearance of the host property and surrounding area and would be contrary to Policies CS2, CS13 and CS15 of the Waltham Forest Local Plan Core Strategy (CS), Policies DM4, DM29 and DM32 of the Waltham Forest Local Plan Development Management Policies (DMP), and the Residential Extensions and Alterations Supplementary Planning Document which together, amongst other things, requires development to be of a high quality design which responds positively to the local context and character to ensure it makes a positive contribution to improving the urban environment of the Borough.
7. The Council's decision notice cites Policy DM28 of the DMP which relates to Heritage Assets. The property is not located within a Conservation Area and is not listed and so this policy does not appear relevant.

Standard of accommodation

8. The proposed 4 bed unit would require a minimum of 40 square metres of external amenity space in order to accord with Policy DM7 of the DMP. There is no private or communal amenity space proposed as part of this appeal and although a flexible approach should be taken when applying this standard, it has already been accepted that the lack of amenity space for the 1 bed unit in this instance would be acceptable taking into account a range of site-specific matters. However, the lack of amenity space for a family sized 4 bed unit would be unacceptable and the sustainable location close to wider green spaces would not be sufficient to address the lack of amenity space as this would not accommodate the future needs and activities of a family who are likely to require convenient access to outside amenity space.
9. The minimum internal space standards for residential development set out in Policy D6 of the London Plan (LP) and Department for Communities and Local Government "Technical Housing Standards-National Described Space Standards" (NDSS) differs to that set out in Policy DMP7 of the DMP and there appears to be a level of discrepancy on the overall provision. However, even if I accepted the Council's figures on provision, the shortfall would be marginally less than the requirements and the proposed floor area would still be of adequate size to provide satisfactory living conditions for the future occupiers.
10. I conclude that although the 4 bed unit would provide an adequate standard of residential accommodation for future occupiers having regard to the internal size of the unit, no provision is made in relation to outdoor amenity space and the proposed development would therefore be contrary to Policies CS13 and CS15 of the CS, Policies DM7, DM23 and DM32 of the DMP, guidance contained within the NDSS, and Policy D6 of the LP which together, amongst other things, ensures all new residential development is of the highest quality both internally and externally with comfortable and functional layouts which are fit for purpose.

Other Matters

11. The very modest delivery of two housing units in a sustainable location would not be sufficient to outweigh the harm identified.

12. I also appreciate that the site is not within a Conservation Area, nor does it relate to a Listed Building. Such matters have not affected my findings on the main issues.

Conclusion

13. For the above reasons, I find that the proposal conflicts with the development plan, read as a whole. There are no other considerations that individually or cumulatively outweigh this harm and development plan conflict. The appeal should therefore be dismissed.

N Teasdale

INSPECTOR