



Appeal Decision

Site visit made on 10 January 2023

by H Wilkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2023

Appeal Ref: APP/U5930/W/22/3305503

Site to rear of 31 and 32 Ascham End, Walthamstow, London, E17 5EB

- 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 John Hall of Prime Meridian against the decision of Waltham Forest London Borough Council.
 - The application Ref 220131, dated 17 January 2022, was refused by notice dated 17 March 2022.
 - The development proposed is described as a single storey dwelling designed for use of wheelchair disabled occupant including facilities for visiting or live in carer.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The site address as indicated on the planning application form refers to 31 Ascham End. Nevertheless, in the interests of clarity I have used the site address as detailed on the appeal form as this more accurately reflects the location of the appeal site.

Main Issue

3. The main issues relevant to this appeal are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the proposed development would provide a suitable means of access, with particular regard to highway and pedestrian safety.

Reasons

Character and appearance

4. The appeal site is located within a residential area characterised by a mix of semi-detached and terraced properties. Plot sizes in the area, although narrow, are generally well-proportioned and comprise compact frontages and linear gardens to the rear. The appeal site is located on land to the rear of 31 and 32 Ascham Road and comprises a vacant plot of land, which, in combination with the adjacent gardens and despite the presence of some garages and outbuildings provides the southern side of Stow Crescent with an open and verdant character.

5. The proposed development would introduce a street frontage and building line which would be uncharacteristic of the southern side of Stow Crescent. Furthermore, the proposal would be constricted within the plot by virtue of the proposed design and layout and would thus read as a cramped form of development in an otherwise open setting. For these reasons, the proposed development would be visually intrusive and discordant with its surroundings.
6. In coming to this view, it is noted that the houses within the immediate area of the appeal site do not reflect the Victorian grain of Walthamstow and that the appeal proposal has been designed to reflect the architecture of the surrounding estate and would incorporate energy efficient measures. I am also mindful that The London Plan together with the National Planning Policy Framework seek to optimise housing delivery through the effective use of land including the re-use of suitable small sites subject to proposals being well-designed. However, for the reasons outlined above, the proposal would not add to the overall quality of the area and these factors do not lead me to a different conclusion.
7. Consequently, whilst acknowledging that the proposal would provide wheelchair accessible accommodation, I find that the proposed development would harm the character and appearance of the area. The proposal is therefore contrary to Policies D1 and D4 of The London Plan 2021, Policy CS15 of the Waltham Forest Local Plan – Core Strategy 2012 (the Strategy) together with Policy DM29 of the London Borough of Waltham Forest Local Plan Development Management Policies 2013 (Local Plan). Collectively, and amongst other aspects, these policies seek to high quality development which reflects the urban form and structure of the area, contributing to the distinctiveness of the neighbourhood. I also find the proposal to be inconsistent with the design objectives of the Council's Urban Design Supplementary Planning Document 2010.
8. The Council's reason for refusal refers to Policies CS13 and CS16 of the Strategy which relate to health and well-being and the improvement of personal safety within the borough respectively. My attention has not been drawn to any wording within the said policies which relate to the main issue and therefore they have not been determinative in this appeal.

Access arrangements

9. The proposed plans indicate that access to the proposed dwelling would be via an existing dropped kerb off Stow Crescent whilst off street parking provision would be provided for a single vehicle.
10. Vehicular parking on the southern side of Stow Crescent is unrestricted and provides on street parking for residents. Consequently, drivers exiting the driveway would have limited visibility of pedestrians approaching the appeal site or indeed drivers on the highway due to the parked vehicles obstructing the visibility splays. Furthermore, the lack of a pedestrian footway on this side of the highway would mean that pedestrians entering or leaving the site would have no safe refuge whilst their awareness of passing vehicles would be compromised due to the parked vehicles either side of the access. For these reasons, I find that motorists and pedestrians would be unable to anticipate each other's movements and stop as appropriate thus compromising highway safety.

11. Consequently, I find that the proposed development would fail to provide a suitable means of access. The proposal is therefore contrary to Policy T4 of the London Plan, Policy CS7 of the Strategy and Local Plan Policy DM29. Amongst other objectives, the aforementioned policies seek to promote sustainable transport and provide legible and safe connections with surrounding streets, paths and neighbouring development.

Other Matters

12. The Council's Delegated Report indicates that the appeal site falls within the 6.2 km Zone of Influence for the Epping Forest Special Area of Conservation (SAC). For the reasons outlined above, I find that the scheme is unacceptable and therefore in dismissing the appeal, it has not been necessary for me to consider the effect of the proposal on the SAC.
13. Mention is made by the appellant to the effect of the proposed development on living conditions whilst concerns are also expressed in relation to the handling of the planning application by the Council. The various references however would appear to relate to a previous planning application, and not the planning application subject to this appeal. In any case, the procedural issues raised by the appellant would have no bearing on my considerations of the merits of the proposal whilst it has not been necessary for me to consider living conditions as no harm is alleged by the Council.

Planning Balance and Conclusion

14. In determining this appeal, I am mindful that the proposal is described as providing a dwelling designed for use of a wheelchair disabled occupant including facilities for a visiting or live in carer. However, on the basis of the submitted evidence, and as per the details in the Planning Statement, it appears that this relates to a general intention for the scheme rather than the development being needed for a specific person. As such, whilst I give weight to this matter, I have determined the appeal on the basis that the proposal would provide accessible accommodation in general rather than for a specific, identified user.
15. As set out within the Planning Statement, the appeal site is located within the Blackhorse Lane Key Growth Area, within which 2,500 new homes are to be delivered by 2026. The proposed development would make use of a vacant, small site and would contribute to the supply of accessible, adaptable housing. It has also been put to me that the appeal site is located in an area with good access to services and amenities, would offer benefits to the local economy and would enhance local facilities thus supporting a strong community. Nevertheless, given that the proposal relates to the erection of a single dwelling, I find that the benefits would be relatively limited. Consequently, these factors do not outweigh the harm I have identified or the conflict with the development plan.
16. Therefore, in concluding this appeal and having regard to the development plan as a whole and all other relevant material considerations, including the Framework, the appeal is dismissed.

H Wilkinson

INSPECTOR