



Appeal Decision

Site visit made on 9 June 2023

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 July 2023

Appeal Ref: APP/U5930/W/22/3313911

6-7 Albert Crescent, Chingford, Waltham Forest E4 6SH

- 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 Ali Riza Tasci against the decision of the Council of the London Borough of Waltham Forest.
- The application Ref 221709, dated 10 June 2022, was refused by notice dated 30 August 2022.
- The development proposed is a single storey front extension.

Decision

1. The appeal is allowed and planning permission is granted for a single storey front extension at 6-7 Albert Crescent, Chingford, Waltham Forest E4 6SH in accordance with the terms of the application, Ref 221709, dated 10 June 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan AGL274665, AC-0707-EPE, AC-0806-EPE, AC-0806-EPP and AC-0806-PBP.

Preliminary Matters

2. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a slightly different wording has been entered from that on the planning application form. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the description given on the original application.
3. The Council's reason for refusal references the "SPD Shopfront Design Guide & Shopfronts strategy for safe, vibrant and attractive high streets May 2011." A document with this title has not been submitted. There appears no disagreement between the main parties that this document was incorrectly referenced. The more recently adopted "Shop Front Design Supplementary Planning Document Adopted March 2016" (SPD 2016) is before me and, there is no disagreement between the main parties that it is relevant to the appeal proposal. I have therefore determined the appeal with regard to the SPD 2016.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the host building and area.

Reasons

5. 6-7 Albert Crescent is a commercial property located within a parade of other commercial premises within the South Chingford District Centre. The building the host property is situated within forms one of a pair of buildings at Albert Crescent which share common design features and, which are set either side of Cherrydown Avenue.
6. Each building within this pair partly comprise of stone elevations which incorporate some ornate design detailing together with ornate balustrading. Both buildings exhibit a prominent clock tower feature. The lower sections of the frontages of these buildings contain a variety of shop front designs, canopy features and signage. Within these buildings, I noted that there are canopies which incorporate a pitch, whilst there are shopfronts with metal frameworks and substantial areas of glazing. Given the variation in the appearance of these shop frontages and features, the lower portions of the buildings exhibit less cohesion. Above these units, where the stonework is more appreciable and, the balustrades and clock towers are sited, the similarity in the pair of buildings is far more apparent. For these reasons, I find that it is the upper sections of the pair of buildings which better express their shared appearance and contribute positively to the character and appearance of the area.
7. The extension proposed would have a top height which would broadly align with the bottom of the fascia signs serving the premises. Above this level the existing property would be unaltered. Therefore, in the proposal, those upper sections of the building the host property is located within and, which exude the distinctive design characteristics, would also be unaltered.
8. Given that the proposed extension would largely comprise of an aluminium framework with glazing, it would be a relatively light-weight addition to the property. Furthermore, as existing, the host property is served by a canopy under which produce is stored and I have no reason to conclude the canopy, nor the storage, are unauthorised. In combination, this canopy and the produce storage, already provides for some enclosure of the space to the front of the premises. Therefore, and although the existing shop front may be set back from the highway, as are some other shop fronts in the area, rather than being an open space with positive attributes deriving from this, much of the land upon which the proposed extension would be sited already has a strong sense of enclosure. In the proposal, this sense of enclosure would not increase to a significant degree and no harmful erosion of openness within the street scene would result. Owing to the presence of pitched canopies and the glazing and metal framework to shopfronts within Albert Crescent, the materials proposed would be reflective of the street scene whilst the pitched nature of the extension's roof would not be at odds with the character or appearance of the pair of buildings nor the area.
9. I also note that at the next-door premises, planning permission was granted in September 2021 for a canopy extension to its front¹. I have no reason to conclude that the development the subject to that planning permission could not take place and I noted that there was a canopy extension in situ at the time of my site visit. The width, depth and height of that approved extension is similar to that proposed at the host property. I accept that the proposed extension the subject of the appeal would feature more glazing and, as a

¹ Planning application reference 211668

result, some greater enclosure than the extension granted planning permission next-door. However, I have already set-out above that the proposed extension would, nevertheless, be a quite light-weight addition. Whilst the proposed extension and that granted planning permission next-door would not be identical, given their similar dimensions and use of a supportive framework there would, nevertheless, be some strong resemblance between them. Therefore, the proposal would not be providing a form of extension that would be particularly different from that which has already been granted planning permission within the building.

10. For the above reasons, the effect of the proposed development upon the character and appearance of the host property and area would be acceptable. The development would comply with Policy D4 of the London Plan, 2021 (LP), Policy DM29 of the Waltham Forest Local Plan Development Management Policies document, October 2013 and Policy CS15 of the Waltham Forest Local Plan Core Strategy, March 2012. I also find that the development would comply with the content within the SPD 2016. In summary, and amongst other matters, these policies and provisions require a high standard of design which responds positively to local context and character, includes high quality materials, ensures the maintenance of that design quality, whilst alterations to shop fronts should consider the building as a whole and remain in harmony with it. The Council refer to Policy D1 of the LP within their reason for refusal. This policy principally focuses upon the undertaking of area assessments and preparation of development plans for London boroughs. I find that it is largely irrelevant to the development proposed but, regardless, the proposal would not conflict with its content.

Conditions

11. I have imposed the standard condition in respect of time limitation and a plans condition in the interests of certainty and, in the interests of the character and appearance of the area. In the interests of precision or clarity I have made some general amendments to the wording of these conditions from those suggested by the Council. The Council suggested a condition that would require the materials to be used within the proposed extension to comply with those detailed on the submitted plans. However, given the proposed materials are detailed on the plans and, given that the plans condition necessitates that the development be carried out in accordance with those plans, the condition suggested to me is unnecessary.
12. The Council suggested a further condition so as to prevent the provision of signage on the proposed extension. However, the control of advertisements is the subject of separate planning regulations. It has not been shown to me that such a condition would meet each of the tests for the imposition of conditions. Again, therefore, I have not imposed the suggested condition.

Conclusion

13. For the above reasons, the appeal is allowed subject to the conditions above.

H Jones

INSPECTOR