



Appeal Decision

Site visit made on 16 October 2025

by J Heppell BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2025

Appeal Ref: APP/U5930/W/25/3370718

65 Station Road, Chingford, Waltham Forest E4 7BU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Jason Cooper of Mountcharm Ltd against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref is 243099.
 - The development proposed is erection of a mansard roof over the existing second floor flat roof to provide an additional floor of residential accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Although Certificate A was submitted with the planning application, the appeal was accompanied by Certificate B, as a consequence of the appellant uncovering new ownership information. The appellant therefore served notice on the landowner as part of the appeal process. Notwithstanding the Council's subsequent claims that the application was invalid, the correct ownership certificate was submitted with the appeal, and the landowner had sufficient time to make representations on the appeal if they wished to. Therefore, no parties have been prejudiced, and I have determined the appeal on the basis of the revised ownership information.
3. The appeal was accompanied by amended General Arrangement Plans and Sections showing the location of the air source heat pump within the proposed flat along with vents on the roof, and an amended internal layout and ceiling height for the proposed flat. Notwithstanding the Council's concern that the inlets and outlets proposed on the external façade of the building would have potential implications for Chingford Station Road Conservation Area (CA) with consequential procedural unfairness, I consider the changes to the scheme to be minor. I am satisfied that interested parties had the opportunity to comment on the revisions as part of the appeal process. No parties are prejudiced, and I have determined the appeal on the basis of the amended plans.
4. The Council advised that, on the basis of the amended plans, it is no longer defending the reason for refusal relating to living conditions, and I share their view that the living conditions of future occupiers would not be adversely affected by the proposal.
5. The Council further advised that, in light of the Arboricultural Impact Assessment and Method Statement and Environmental Report which accompanied the appeal, it was no longer defending the reason for refusal regarding the impact of the

scheme on the adjacent street tree. I am likewise satisfied that the proposal would not have an adverse impact on the tree in question, provided that the measures set out in the two reports are implemented, a matter which is capable of being controlled by condition.

Main Issues

6. In light of the above, the main issues in this appeal are:

- whether the proposal would preserve or enhance the character or appearance of the Station Road Conservation Area (CA);
- whether the impacts of the proposal would be satisfactorily mitigated; and
- the effect of the proposed air source heat pump on visual amenity and noise.

Reasons

Character and appearance of the CA

7. The appeal site comprises a three storey building at the junction of Station Road and Queen's Grove Road, which has a commercial use at ground floor and flats above. The proposal is to add an additional floor of residential accommodation.
8. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The Framework (paragraph 208) guides that the particular significance of any heritage asset that may be affected by a proposal should be identified and assessed.
9. The CA's significance derives originally from the area's royal associations, with Henry VIII acquiring the two manors of Chingford and constructing a hunting lodge. The area to the north and east of the settlement provided the historic landscape setting for grand villas. The arrival of the railway in the late nineteenth century brought wealthy middle-class residents, which resulted in a rapid expansion of the town in the late Victorian and Edwardian eras. Grand villas were constructed featuring an eclectic mix of architectural styles, along with other buildings in a variety of materials and finishes.
10. The Conservation Area Appraisal and Management Plan (CAAMP) is a material consideration. It places the appeal site within the Station Road West Character Area, which is part of the historic shopping centre and is characterised by closely-knit terraced rows hard up to the pavement. The appeal site is located where Station Road transitions from its broader and more spacious eastern end, where a purpose-built period shopping parade provides space for shop canopies and shoppers, to its narrow western end. Buildings in the area are typically two or three storeys high, some with accommodation at attic level. Red brick, grey slate and red tiles are the dominant building materials, encompassing a range of architectural styles and a varied skyline.
11. The proposal would add a mansard roof to the building, effectively resulting in a four storey building, in an area where the predominant building height is two storeys, and three storey buildings are in a minority. As a consequence, the proposal would create a building of undue height and prominence, which would be

out of character with the prevailing building heights in the vicinity, and harmful to the appearance of the area, in particular to the purpose-built shopping parade at 26-60 Station Road. Although 24 Station Road, which is located diagonally opposite the appeal site, is three storeys high with accommodation in the roof, it is recognised in the CAAMP as higher status building and non-designated heritage asset. Adding an additional storey to the appeal site would erode the dominance of 24 Station Road.

12. Although proposed to be clad in grey slate, which is a traditional facing material in the CA, there are no other examples of mansard roofs in the vicinity, as pitched roofs are the predominant roof form. Whilst the appeal site and the adjacent parade of shops at 67-71 Station Road are flat roofed, the proposed mansard roof would be different in character and appearance again, creating a jarring element on a prominent corner site in the CA, which would be visible in longer views in both directions along Station Road and along Queen's Grove Road.
13. The CAAMP identifies the appeal site as a negative contributor to the CA, and given the building's modern fenestration and rendered façade in an area dominated by brick, it is hard to disagree with this assessment. The addition of a mansard roof would not assist the building to conform with the prevailing character of the CA, and would exacerbate the negative impact it has on the CA's appearance. The continuation of the building's existing style of fenestration into the mansard roof would further add to the proposal's adverse impact. The photovoltaic array and air source heat pump vents proposed on the roof would not be visible from street level and would not in themselves cause harm.
14. I have been referred to an extant planning permission to add an additional flat roofed storey above the adjacent building at 67a Station Road. Whilst the Council raised no objection to the scale and bulk of that proposal, it was in the context of No 67a being raised from two to three storeys high to match the current height of the appeal site. The decision does not set a precedent for the addition of a fourth storey. The appellant argues that the proposal, in conjunction with the extant permission, would result in the appeal site stepping up by just one storey from both No 67a and No 63 (on the opposite side of Queen's Grove Road). Whilst I agree that this would be the outcome, such an outcome would have negative consequences for the character and appearance of the CA, for the reasons I have outlined.
15. I find that the proposal would have an adverse effect on the character and appearance of the CA, resulting in a high degree of less than substantial harm to its significance, to which I attach considerable importance and weight. Paragraph 215 of the National Planning Policy Framework (the Framework) states that in such circumstances, the harm to designated heritage assets should be weighed against the public benefits.
16. The appellant has highlighted that the appeal site constitutes brownfield land, located in a settlement with a good level of public transport accessibility. They argue that the site is suited to windfall development, and would contribute a family dwelling to the Council's housing target of over 27,000 homes over the plan period. They point out that Paragraph 125(e) of the Framework supports opportunities to use the airspace above existing residential and commercial premises for new homes, and paragraph 39 encourages decision-makers to

approve applications for sustainable development where possible. However, these benefits are not sufficient to outweigh the harm I have identified.

17. I conclude that the proposal would fail to preserve or enhance the character or appearance of the CA. For this reason, the proposal would be harmful to the character and appearance of the area and the historic environment.
18. As a result, the proposal would be contrary to Policy HC1 of the London Plan March 2021 (LP) and policies 5, 6, 11, 53, 70 and 72 of the Waltham Forest Local Plan Part 1 Adopted 2024 (LPP1). Together these policies require designated heritage assets to be conserved by not permitting development proposals that would lead to less than substantial harm to the significance of the designated heritage asset or its setting, unless the public benefits of the proposal outweigh the harm caused. I have not found conflict with Policy 1 of the LPP1 which sets out a presumption in favour of sustainable growth.

Mitigation

19. The appeal site lies within the 6.2km zone of influence of the Epping Forest Special Area of Conservation (SAC), which is an ancient semi-natural woodland containing grassland, wet and dry heaths and scattered wetland, which supports a population of stag beetles and beech trees. It is a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitats Regulations).
20. Had I been minded to allow the appeal, it would have been incumbent upon me as competent authority to consider whether the development would be likely to have a significant effect on the integrity of the site. However, as I am dismissing the appeal, it has not been necessary for me to pursue this issue further.
21. The Council identified a number of other impacts resulting from the proposal for which it sought mitigation, including support for sustainable transport modes, construction logistics plan monitoring, pre- and post-construction condition surveys, and making the development car free. The appellant drafted a deed of unilateral undertaking under s106 of the Town and Country Planning Act 1990 to secure the necessary mitigation measures, plus measures to protect the integrity of the SAC.
22. Although the Council confirmed that the draft was acceptable, I have not been supplied with a completed undertaking, despite the appellant indicating that they would provide one. As there is no mechanism to secure the necessary mitigation measures, the proposal conflicts with Policies G6, T3 and T4 of the LP and Policies 5, 10, 60, 61, 62, 65, 66, 79, 81 and 94 of the LPP1, which together require the protection of designated sites and adequate access to nature, the integration of public transport and enhancement of transport capacity, construction logistic plans to minimise the impact of construction, and the mitigation of transport impacts including through car-free development.

Air source heat pump

23. The appellant's amended plans show the location of the air source heat pump within the proposed flat, and the location of heat vents on the roof. The air source heat pump itself has no implications for visual amenity, and I am satisfied that the heat vents on the flat roof would not be visible from street level and would not

therefore cause visual harm to the CA. Were I minded to allow the appeal, I would have been able to give consideration to a condition controlling the precise details of the vents.

24. The reason for refusal refers to a potential noise impact from the air source heat pump, but I have not been presented with evidence demonstrating that this would be likely to be unacceptable. In the event that I were minded to allow the appeal, I see no reason why an appropriate condition could not be attached requiring a sound insulation scheme to be submitted and agreed, to allow suitable internal noise levels to be achieved for future occupiers, if necessary.
25. I therefore consider that the air source heat pump would not have a harmful effect on visual amenity and noise, and would accord with Policy HC1 of the LP and policies 53, 70 and 72 of the LPP1, the aims of which I have outlined above.

Conclusion

26. The proposal would conflict with the development plan as a whole, and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Accordingly, the appeal should be dismissed.

J Heppell

INSPECTOR