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London Borough of Redbridge, Town Hall PO Box 2 Ilford IG1 1DD

## **Proof of Evidence**

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Date: 8 April 2010

Section 78 of the Town And Country Planning Act 1990

Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000 (SI 2000/1625)

Appeal against Refusal Notice dated 20<sup>th</sup> January 2010

## **Proof of Evidence of Simon John Algar BSc (Hons) MRTPI**

**APPEAL BY:** Telford Homes PLC

**LOCATION:** Chepstow, Leicester Road, London, E11 2DW

**PROPOSAL:** Development of 24 dwellings comprising 6 x 4 bedroom, two storey semi-detached houses and 3 x three storey apartment blocks (Referred to as blocks A, B and C) totalling 16 x 3 and 2 x 2 bedroom flats together with associated car parking and landscaping (MAJOR APPLICATION).

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**Simon John Algar will say:**

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**1. Introduction**

- 1.1 I hold Bachelor of Science degree in Environmental Planning (Town Planning) from Anglia Ruskin and have been a chartered member of the Royal Town Planning Institute since October 1994. Since graduating in 1991, I have consistently worked in the planning field in a variety of roles, in the public, private and government agency sectors. The bulk of this experience has been working in local authority development control roles, where due to the historic towns and cities which I worked in (including St. Albans and Norwich) I developed a specialism in dealing with development proposals affecting listed buildings and/or listed conservation areas. Following a seven year period where I worked as a Senior Development Control Officer with St. Edmundsbury Borough Council in Suffolk, I took on a number of contract roles before setting up my own planning consultancy practice where I worked alongside East Anglian based architectural practices in promoting small to medium size development proposals including some relating to conservation areas and/or listed buildings.
- 1.2 I transferred my planning career to London in 2008 when I worked briefly for Covent Garden-based Derek Horne & Associates as a Senior Planning Consultant prior to joining the London Borough of Redbridge as its Conservation Officer in April 2009. At the time of appearing at this inquiry, I will have completed the first year of the Master of Science course in Historic Conservation at Oxford Brookes University and Oxford University, which I am studying on a part-time basis, over two years.
- 1.3 In my role as Conservation Officer for the London Borough of Redbridge, I work within the Environment & Implementation Team alongside two Urban Designers, one of whom (Julia Williams) will be appearing alongside me at this inquiry as a further expert witness. In my role as Conservation Officer at Redbridge, I provide advice on proposals affecting listed buildings, conservation areas, and other heritage assets. This is sometimes

provided in tandem with one or both of my urban design colleagues, as is the case here with the two appeals relating to the 'Chepstow' site.

1.4 I am familiar with the appeal site but rely on the Council's files and records for the period preceding my involvement, including earlier schemes. My evidence deals with the issues raised in the Council's Refusal notice dated 28 July 2009, namely conservation and design issues focussing on the context for the proposed development and how in my opinion it would impact adversely on the character and appearance of the Wanstead Grove Conservation Area thereby failing to meet the statutory test of preserve or enhance as set out in the Planning (Listed Buildings and Conservation Areas) Act 1991. Much of my evidence builds on the character appraisal carried out for the aforementioned conservation area, and there will inevitably be some overlap in this proof, and the proof of Julia Williams on the critique of the proposed scheme at it relates to the existing built and natural environment in the locality. My evidence will be set out as follows: -

- 2. Description of the appeal site and its immediate surroundings
- 3. Background to the designation of Wanstead Grove Conservation Area
- 4. An expansion of the character appraisal for the Wanstead Grove Conservation Area relating specifically to the appeal site and its immediate environs
- 5. Policy context supporting the recommendation of refusal for the appeal proposal
- 6. An assessment of how the proposed development would impact on the character and appearance of the Wanstead Grove Conservation Area.
- 7. Conclusion
- 8. List of all appendices provided by the London Borough of Redbridge (those relied upon in this proof, shown in bold text)

## **2. Description of the appeal site and its immediate surroundings**

- 2.1 A basic description of the site and its surroundings will be set out in the Statement of Common Ground. This part of my proof of evidence should not contradict any of the description set out in the forthcoming Statement, but seeks to add additional detail that should help to provide the Inspector with a fuller appreciation of the context for the proposed development. This also leads usefully into my expansion of the character appraisal for the Wanstead Grove Conservation Area, the appraisal in question having been initiated by external consultants (The Conservation Studio) in April 2008, and subsequently completed by the end of that year following public consultation with local residents. It should also be noted that the Appraisal was completed up to a non-adopted point prior to the commencement of my employment with the London Borough of Redbridge, and I thus had no input whatsoever on the original scope of the appraisal work, or the conclusions reached by the consultants in their final draft.
- 2.2 The appeal site is located in the southeast quadrant of the Wanstead Grove Conservation Area, which was designated in March 2009. The irregularly shaped site covers an area of 0.473 hectares, and was formerly occupied by a 1920's detached two-storey dwelling named 'Chepstow', which has since been demolished. Within the site there are a number of mature trees, some protected by a Tree Preservation Order. These individual specimens and groups of trees provide a significant visual amenity for the site and the wider street scene, as well as providing a strong and established landscape framework for any new development. A standard six feet high close-boarded timber fence currently surrounds much of the site, but in spite of this physical enclosure, a clear sense of relative openness still prevails and the trees within the site allow attractive framed views of the surrounding roofscapes. Of particular note in the latter respect is the roofscape view of the Roding (Arts & Craft style) Cottages on Nutter Lane with their distinctive, emphasised chimney features, as viewed from the southwestern end of Gloucester Road and the southeastern end of Leicester Road. I consider that this is one of the most important and attractive views within the

conservation area, which helps (along with some other key views) to justify the conservation area status for this area. A photograph showing this view is attached for reference as **Appendix LBR1** to this proof of evidence

- 2.3 The immediate surrounding area is residential, comprising primarily of two-storey detached and semi-detached housing from the 1900's to the 1930's, set on generous plots. Gloucester Road features a near uniform doglegged streetscape of two-storey inter-war semi-detached houses. Leicester Road and Nutter Lane feature a greater variety of dwelling types and styles, including detached houses, terraces, bungalows and a recent, very much out of character three-storey block of flats located opposite the subject site, which was unfortunately allowed on appeal prior to the area being designated as a conservation area. Adjacent to the site on Nutter Lane is the aforementioned small terrace group of Arts & Crafts style cottages, known as Roding Cottages. These are locally listed and form one of the key architectural highlights of the Wanstead Grove Conservation Area.
- 2.4 Further west along Nutter Lane is a Grade II listed house, known as Applegarth. The core of this building dates from the early eighteenth century but it has been much altered and now has a distinctive and appealing Georgian character that provides a striking contrast with the surrounding inter-war and post-war housing. This property represents another architectural highlight of the Wanstead Grove Conservation Area and whilst any reasonably sensitive development of the appeal site would not affect the setting of this listed building due to the distance in-between the two (approximately 100 metres), it is considered that Applegarth and Roding Cottages effectively form two strong architectural 'bookends' to Nutter Lane which should be taken into account in evaluating the character and appearance of existing and proposed properties in-between which make up the street scene. The photographic view taken from the Nutter Lane Recreation Ground (at **Appendix LBR2**) shows how this is the case, how the existing intervening properties are neutral in architectural terms and do not visually compete with the two 'bookend' developments, and how the strongly landscaped nature of the Chepstow site is important to the essence of this street

scene, and visually ties in quite closely with the wide, green open expanse of the recreation ground. A greater sense of the context for this important street scene can perhaps be gained from the aerial photograph of the appeal site and its surroundings (at **Appendix LBR3**) in which inter-alia, the two aforementioned 'bookends' have been outlined in red, the important street scene frontage is lined in yellow and the contiguous area of green open space is lightly hatched in pale green.

- 2.5 It will be noted from this proof of evidence, the other proofs of evidence and the Statement of Common Ground that it is the proposed development fronting on to Nutter Lane that forms the principal focus for debate. That is not to say that the other elements of the appeal proposal are acceptable, and it will be noted from the copies of the consultation responses provided by myself and my urban design colleagues (at **Appendix LBR4**) that we consistently raised concerns about the other parts of the scheme. Those concerns have not been satisfied by the subsequent appeal proposal. It is essential that any scheme forms a coherent whole in terms of its layout and architectural form and in this respect, it will be noted from the reason for refusal that the scheme as a whole is considered to be unsatisfactory, with blocks B and C contributing the most significantly to this condition.

### **3. Background to the designation of the Wanstead Grove Conservation Area**

- 3.1 Documentary evidence suggests that the Wanstead Grove Conservation Area would have come into being without the proposed development of the Chepstow site by Telford Homes, as may be ascertained solely from the introduction and conclusion sections of a document compiled by the Counties Resident Association dated April 2007 (see **Appendix LBR5**). However, local residents were undoubtedly strongly opposed to the loss of the existing dwelling on the appeal site (now demolished) and the redevelopment of the site at a much higher density consisting mainly of flats. This led to the creation of The Counties Residents Association, which in tandem with the existing Wanstead Society, campaigned for an extension of the existing Wanstead Village Conservation Area

- to include the Chepstow land and many of the intervening and surrounding streets and spaces. A template copy of the petition submitted to the Local Planning Authority in this respect is attached as **Appendix LBR6** to this proof of evidence. In my opinion, the development pressure exerted on the appeal site merely hastened the inevitable consideration of the appeal site and surrounding streets and spaces as a potential conservation area.
- 3.2 The aforementioned campaigning led to the Area 1 Committee granting a sum of money to allow an external consultancy company to carry out a character appraisal of the area. The appraisal work was carried out by the Conservation Studio from April 2008 onwards, and completed in December 2008. A Final Draft version of the appraisal was produced in January 2009, and a copy of this forms **Appendix LBR7** of this proof of evidence.
- 3.3 It will be noted from the aforementioned appraisal document (see page 27) that not all of the area appraised by the consultants was considered suitable for conservation area status, but notably the character area (3) including the Chepstow site and its immediate surroundings was thought to be suitable, and this is a fundamentally important point which I will return to later in my evidence.
- 3.4 A temporary, contract-based in-house conservation professional (who preceded and overlapped with me, but who no longer works for the authority) concurred with the findings of the consultants appraisal report with the exception of wishing to add in one further character area (7) which had not been considered by the consultant as it was outside the original study area. A copy of the report to this proof of evidence, and it will be noted from this report that some of the character areas put forward to form part of the Wanstead Grove Conservation Area were included primarily because of the strength of feeling of the local residents, the support which would be given to the management of the area as a result of this, and because of the coherency they would give to the designated area as a whole.

- 3.5 Character areas 1, 2 and 3 were deemed to be suitable to form part of any new conservation area from the initial work carried out by the consultants right through to the final report for conservation area designation to committee. Whilst it is accepted that the appraisal does not have the full weight of a fully adopted Supplementary Planning Document, it is contended that it should be given significant weight as it has been used for development management purposes since the conservation area designation was confirmed in March 2009.
- 3.6 The consultancy company's appraisal has not been adopted. It is always necessary for an appraisal undertaken externally to be assessed and approved internally. Furthermore, it clearly needs reconsideration in light of the decision to include character area 4 in the conservation area, to include parts of character area 5, and to include an additional character area (7), which was outside the scope of the company's appraisal work instruction. In addition, further points of importance may emerge, for example, the identification of further key views, such as the view across the appeal site of the locally listed Roding Cottages. It is within my work programme for 2010 to revisit what is essentially a sound appraisal document and adapt it to comprehensively refer to all of the areas contained within the Wanstead Grove Conservation Area. In this respect, it is very much hoped that the scheme for the Chepstow site, the subject of this appeal, will be dismissed, as should the appeal be allowed, it is considered that it will irreversibly damage the character and appearance of a significant part of one of the strongest character areas making up the conservation area. This will hinder efforts in the future to protect the area from insensitive development, and together with the unfortunate development (allowed on appeal) on the corner of The Avenue and Leicester Road, will form a significant group of unsuitable buildings within a highly visible part of the conservation area which may question the viability of retaining the conservation area as it currently exists.



**4. An expansion of the character appraisal for the Wanstead Grove Conservation Area relating specifically to the appeal site and its immediate environs**

4.1 In the summary of special interest (of the Conservation Area) on page 3, it states in the final paragraph that 'The recent demolition of the historic house Chepstow, Leicester Road has created a large vacant plot, including the former houses' gardens (sic), redevelopment of which is likely to have a significant impact on the setting of the streets of historic interest'. I consider that this sums up very succinctly why there is such a strength of feeling from local residents about the potential development of this site and why the Local Planning Authority has been steadfast to date in resisting inappropriate development proposals for it, including the proposal, the subject of this appeal.

4.2 The maps on pages 15 to 17, dating from 1894 up to 1939 show how both Roding Cottages and Applegarth were key buildings in the Wanstead landscape following the demolition of the grand house known as Wanstead Grove in circa 1885. To aid an appreciation of this fact, the buildings have been shaded in red on extracts from the appraisal document (pages 15-17) forming **Appendix LBR9** of this proof of evidence. It can be seen from these maps (and the earlier 1863 map on page 14) that the Chepstow site has historically had an open aspect and has also historically had a strong visual connection with the open land to the south east, now forming the Nutter Lane Recreation Ground. This can be seen to be the case even when the site lost its connection with Roding Farm following the development of the area as an outer London suburb in the early twentieth century.

4.3 The appraisal indicates (on pages 16-17) that the house and gardens of Chepstow were first recorded on the 6" O.S. map of 1921, and that in the same year the Nutter Recreation Ground was given to the people of Wanstead by the Nutter sisters of Applegarth. Also, that by 1939 the majority of the housing forming the Counties Estate (character areas 2 and 5 of the Conservation Area as it is today) had been constructed as had less formalised development at the southern end of Nutter Lane which became known as Elm Hall Gardens. From the mid-20<sup>th</sup> century to the present day it is known that further land has been developed and/or redeveloped with the

insertion of houses and flats on some of the previously undeveloped or only lightly developed corner plots and garden areas. This has had the effect of reducing some of the spaciousness of the estate. A key example of this has been the block of flats on the corner of the Avenue and Leicester Road (which replaced two bungalows). That development was allowed on appeal six years prior to the designation of the Conservation Area. Whether or not that decision was appropriate at the time, in my opinion it is unlikely that it would have been allowed if the Conservation Area had already been designated because it is not a building which has preserved or enhanced the character of the Conservation Area. In this light, it is notable that in the appeal decision relating to appeal scheme 1, the Inspector recorded (at paragraph 12) that '[i]t was generally accepted by all parties at the Inquiry that this building did not assimilate successfully into the area...';

4.4 The final sentence of page 17 of the appraisal document states that *'There is continuing pressure to develop the remaining open space in the estates, most notably at Chepstow House on Leicester Road'*. Clearly it would be unreasonable for the Local Planning Authority to expect the Chepstow site to remain undeveloped in light of the lack of an open space designation for the site, or for example, it forming part of the curtilage of a listed building deemed to be critical to its setting. In general planning terms, it is 'previously developed land' site capable of development that could usefully contribute to the Local Planning Authority's designated housing provision target. However, given the historic open nature of the site and the need for any new development not to compete visually with the dominant architectural form of the Arts & Crafts styled Roding Cottages which are located immediately to the east of the site, the form, massing and scale of any scheme should be such that a sense of the former historic spaciousness of the site will be retained. In other words, the sensitive visual nature of the site in its Conservation Area setting requires careful consideration to be given to the density of any development on the site, notwithstanding the relatively sustainable location of the site (with good public transport links) and notwithstanding the objectives set out in PPS1 and PPS3 which include maximising the efficient use of land.

- 4.5 I am aware that the issue of density was raised at the inquiry into appeal scheme 1 and that the Inspector (at paragraph 24) found that '[t]he density of the development comes just within the density matrix for a suburban location [in the London Plan]'. He concluded also that '[i]t is also consistent with the density range [in the BWPP DPD]'.
- 4.6 My concern about density is of a different nature. Chapter 4 of the character appraisal examines the 'Form and Character of the Area', and in respect of Nutter Lane, it states inter alia that '*...the historic route of Nutter Lane forms a rapid transition from the busy urban highway of Eastern Avenue to a more tranquil, rural feel. This is due to a number of factors, which include its gently sinuous course, the rural feel of particular houses including Applegarth and Nos. 57-63 Nutter Lane (Chepstow/Roding Cottages), the broad area of green open space of Nutter Field and particular groups of trees, including those in the garden of Chepstow...*' This factor together with the historic open nature of the Chepstow site suggests strongly to me that a relatively high-density scheme will only be successful and appropriate for this site if it can be clearly demonstrated through its form, massing and scale that the rural feel of Nutter Lane would not be lost as a result. To date, this has not been achieved.
- 4.7 Chapter 5 of the appraisal document examines 'Buildings of interest and Character Area'. It advises that character areas 1-3 are considered to possess a special historic or architectural interest and that there are aspects of each area that are common to all three, which contribute to the special interest of the conservation area overall. In specifically appraising character area 3, it reiterates that the area has a more rural feel to it (than the other character areas) and that the style of the very limited number of buildings therein, shows considerable variety. Not surprisingly, the focus here is on Applegarth and Roding Cottages which as already mentioned, are architectural highlights of the conservation area, and in respect of Nutter Lane, serve as strongly detailed and characterful 'bookends' to the street scene in-between, which at present, is dominated by the expansive open area of the Chepstow site, and in particular the mature and impressive Cedar tree on the corner of Nutter Lane and Leicester Road.

4.8 The design of and setting for the locally listed Roding Cottages sited directly adjacent to the appeal site is a key material consideration in determining this appeal. The local list description for these buildings reads as follows: -

*1892. Terrace of estate cottages in simple Tudorbethan style. Two storeys. Red brick ground floor and rendered first floor. Plain tile gabled roof. Gables with applied half timbering slightly projecting over ground floor canted bow windows. Windows single hung sashes with leaded lights. Windows on first floor in shallow projecting timber surrounds on miniature brackets. Tall decorative chimneys.*

A copy of this local list description is also contained at Appendix LBR14.

4.9 The appraisal document at chapter 5 states (in respect of Roding Cottages in Section 5.3 that) *'In recognising its uniqueness, it would be advisable that any potential new developments nearby should aim not to copy its style or detailing, but should, rather, be of an unobtrusive scale and provide a sympathetic use of materials and landscaping to avoid impacts on its setting. Both of these structures (i.e. also referring to Applegarth) benefit from the green open space of Nutter Field in their setting, whilst Nos. 57-63 Nutter Lane (i.e. Roding Cottages) also benefit from the adjacent gardens of Chepstow.'*

## **5. Policy context supporting the recommendation of refusal for the appeal proposal**

5.1 Whilst consideration has been given to the policies contained in the London Plan, it is considered that none of the policies in this document require specific consideration given the nature and location of the proposal, and the Local Planning Authority's stated reasons for refusal. As such, no reference will be made to them, and I will be relying entirely on the guidance set out in Planning Policy Statement 1 (PPS1) on Delivering Sustainable Development, Planning Policy Statement 3 (PPS3) on Housing, the newly published Planning Policy Statement 5 (PPS5) on Planning for the Historic Environment (and its associated Practice Guide) and policies contained within the Local Planning Authority's Borough Wide Primary Policies document which forms one of the suite of Development Plan Documents forming the Authority's adopted Local Development Framework.

5.2 PPS1 on Delivering Sustainable Development, sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. In addressing design, it states that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. Key objectives for design should include ensuring that developments respond to their local context and create or reinforce local distinctiveness. Importantly from a conservation perspective, it is a stated Government objective for the Planning System that it should facilitate and promote sustainable and inclusive patterns of urban and rural development, inter-alia, by protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities (see paragraph 5).

5.3 PPS3 on Housing sets out the Government's overarching planning policies on housing provision with a key objective of achieving high quality housing provision. Paragraph 12 advises that *'Good design is fundamental to the development of high quality new housing, which contributes to the creation of sustainable mixed communities'*. A further key objective is that Local Planning Authorities should continue to make effective use of land by re-using land that has been previously developed, but paragraph 41 advises inter-alia that *'...There is no presumption that land that is previously- developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed'*.

5.4 PPS5 on Planning for the Historic Environment sets out the Government's national policies on the conservation of the historic environment, and replaces PPG15 and PPG16. It advises on page 1, paragraph 3 that *'The policies in this PPS are a material consideration which must be taken into account in development management decisions, where relevant. Therefore the development management policies in the PPS can be applied directly by the decision-maker when determining whether development should proceed'*.

- 5.4.1 Parts of policies HE7, HE8, and HE9 are considered to be relevant to the determination of this appeal, and I will refer to each of these in turn to highlight the relevant sections.
- 5.5 Policy HE7.1 advises inter-alia that local planning authorities should seek to identify and assess the particular significance of an element of the historic environment that may be affected by a proposal (including its setting) taking into account evidence provided with the application, any designation records, the historic environment record, the heritage assets themselves, the outcome of consultations with interested parties and expert advice to help understand the significance of the heritage asset.
- 5.5.1 HE7.2 advises that in considering the impact of a proposal on any heritage asset, local planning authorities should take into account the significance of the heritage asset and the value that it holds for this and future generations; and that this understanding should be used by authorities to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 5.5.2 HE7.4 advises that authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets, and of utilising their positive role in place-shaping; and the positive contribution that conservation of heritage assets and the historic environment generally can make to the establishment and maintenance of sustainable communities and economic viability.
- 5.5.3 HE7.5 advises that authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.
- 5.6 Policy HE8.1 advises inter-alia that the effect of an application on the significance of a non-designated heritage asset, or its setting, is a material consideration in determining the application.
- 5.7 Policy HE9.1 advises inter-alia that there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated

asset, the greater the presumption in favour of its conservation should be. That once lost, heritage assets cannot be replaced and their loss has a cultural, environmental and social impact. Also that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

5.7.1 HE9.2 advises inter-alia that where a proposal would lead to substantial harm to, or total loss of significance, authorities should refuse consent unless it can be demonstrated that the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss.

5.7.2 HE9.5 advises inter-alia that not all elements of conservation area will necessarily contribute to its significance and that when considering proposals, authorities should take into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole.

5.8 There are three Borough-wide policies contained in the authority's Local Development Framework that are considered to be of material relevance to this appeal, namely policies SP3, E3 and BD1. All of these appear in full at **Appendix LBR10** to this proof of evidence.

5.9 Strategic Policy 3 (Built Environment) is an overarching policy covering seven aspects of design. Of these, three are particularly pertinent to this appeal, namely that the Council will ensure that the Borough's built environment will be of a high quality that serves the long term needs of all residents by: -

- Preserving or enhancing the character or appearance of conservation areas
- Preserving the architectural or historic interest of Listed Buildings and their settings
- Requiring all new buildings to be designed to a high standard

5.10 Policy E3 (Conservation of the Built Environment) relates specifically to heritage assets such as conservation areas and locally listed buildings. In respect of the

former, it advises that development proposals must preserve or enhance the character of the area. In respect of the latter, it advises that development proposals must preserve the building or its setting, or any features of value it possesses.

5.11 Policy BD1 is a catchall type design policy relating to all development and it contains 13 separate criteria which development proposals must be assessed against, as appropriate for the nature and scale of the scheme. In respect of the appeal proposal and the authority's case for refusing planning permission, it is considered that the first six criteria are all relevant to the determination of this appeal. These state that a development must: -

1. Be compatible with and contribute to the distinctive character and amenity of the area in which it is located.
2. Be of a building style, massing, scale, density and design appropriate to the locality.
3. Realise the potential of the land.
4. Contribute to local architecture and design quality.
5. Protect or enhance the effects on valuable habitats and species.
6. Ensure that landscaping is an integral element in layout design, taking account of existing physical features (e.g. trees, hedgerows, walls, etc). Where appropriate, trees and shrubs should augment the amenity and appearance of the site

**6. An assessment of how the proposed development would impact on the character and appearance of the Wanstead Grove Conservation Area.**

6.1 The Chepstow site together with the adjacent Nutter Lane Sports Ground represent the only substantial remaining areas of open land within the locality as it has evolved from a landed estate in the nineteenth century into an outer London suburb in the twentieth century. The Chepstow site is notably one of the few remaining undeveloped (or under-developed as it was when the Chepstow dwelling still



existed) areas to remain within the conservation area. Whilst there are no specific policies contained within the Local Development Framework to preclude development of the site, and the local planning authority has never contended that it would not contemplate any development of the site, there must be recognition of the valuable amenity role this site has played in the locality for well over a hundred years. It is an important and recognised element of the conservation area, which together with the Nutter Lane Sports Ground helps local residents and visitors alike to gain some understanding of the rural origins of the area before it was transformed into an outer London suburb – origins related to a designed landscape with clear historical and visual links to one of the few remaining buildings from that much earlier designed landscape period (i.e. Applegarth), thus increasing the value and historical interest of the site. Aside from the significance of this site in conservation terms, the space is also understood to be valued by local residents as a visual relief from the otherwise largely built-up nature of the conservation area. The appeal site in turn clearly visually (though not physically) leads into the much larger and fully open Nutter Lane Sports Ground. Thus while the site is clearly suitable for some limited form of development, it is considered important that a clear sense of spaciousness is retained to both acknowledge the historic nature of the site, and the visual amenity it provides for the locality. It is contended that a principal failing of the design and layout of the appeal proposal is that by reason of the scale and massing of the buildings proposed, it would give rise to a development of cramped appearance thus failing to preserve the essential spacious quality of the locality. To a large extent, this factor is due to the fact that blocks A, B and C are all of a three-storey scale and thus would have a significant and intrusive presence in the immediate locality (which at present is characterised by one and two storey dwellings); and also that blocks B and C would be sited close to each other, block A would be close to the housing units within the scheme, and given their relative size, they would have limited space around them in contrast to the existing more significant buildings in the locality.

6.2 The stated reason for refusal refers to the out of context and incoherent nature of the proposed buildings and how, particularly in respect of the Arts & Craft Cottages on Nutter Lane, they would appear as incongruous. Whilst the detailing and form of the

houses and Block A are poor and inappropriate for the reasons clearly set out in previous consultation responses (see Appendix LBR4), it is my opinion that proposed blocks B and C would be most damaging to the character and appearance of the conservation area. This is due to a range of factors including scale, form, siting and design all of which combine to present what would be a highly inappropriate street scene to Nutter Lane. These factors are considered in more detail in the evidence of my colleague, Julia Williams, in her role as an Urban Design specialist for the Local Planning Authority.

6.3 In my opinion, the source of this problem is the continuing insistence of the appellant upon two three-storey blocks of flats, whereas (as has been suggested by officers on a number of occasions) an alternative form and more modest (but varied) scale of accommodation would be likely to provide a better design solution more in keeping with the character and appearance of the locality. Firstly, as clearly stated in the conservation area character appraisal in relation to the Roding Cottages on Nutter Lane (see page 30), any potential new developments nearby should be of an unobtrusive scale and provide a sympathetic use of materials and landscaping to avoid impacts on its setting. The proposed blocks B and C clearly do not take this guidance into account, breaking forward of the building line of the cottages in a more visually dominant three-storey form and in an architectural style which, again, contrary to the aforementioned guidance, clearly appears as to have been largely copied from the locally distinctive appearance of the Roding Cottages.

6.4 In my view, this approach is at least as harmful as the design approach employed in appeal scheme 2, and as with that scheme, the effect of blocks B and C in scheme 3 on the Nutter Lane frontage, would be to harm the setting of these locally listed cottages and to detract from their role as an architectural highlight of the conservation area. In addition, the uniqueness of the locally listed cottages would be seriously compromised by the siting of two buildings (of identical height and width to each other) designed in a manner which imitates the design of the cottages. Not only would that harm the more organic pattern of development along Nutter Lane (between Applegarth and Roding Cottages) but also in combination with block A (the

design of which also imitates the cottages in significant respects) would have the effect of creating a housing estate form of development, totally inappropriate for this site with its historical origins and the diversity of building sizes and styles in this character area of the Wanstead Grove Conservation Area.

6.5 A further impact on the character and appearance of the conservation area arises from the overall layout of the appeal proposal, which would result in a parking area being a significant visual focus of the site, as viewed from The Avenue, notwithstanding any fencing and/or hedge planting to try to soften this aspect. Whilst the loss of the house named Chepstow from the site has opened up views through the site from this vantage point, the benefits of this would largely be lost with the appeal proposal as the proposed large area of hard-surfacing (which would undoubtedly become dominated by parked vehicles) would give rise to a significant urbanising effect at odds with its location as the most rural element of the conservation area.

6.6 Finally, the introduction of a bulky three storey block on the corner of Gloucester Road and Leicester Road, and the positioning of the proposed bulky three storey blocks on Nutter Lane, would largely block out one of the most attractive views within the conservation area – namely that of the views across the former Chepstow site of the distinctive chimneys and steeply pitched roof forms of the Arts & Crafts styled Roding Cottages, as previously referred to in paragraph 2.2 and shown in Appendix LBR1.

## **7. Conclusion.**

7.1 In overall terms, the appeal proposal falls short of the high standards expected of any development in the Borough, but particularly in respect of a development in one of the Borough's conservation areas. Fundamentally, the proposal would fail to preserve (let alone enhance) the character and appearance of the Wanstead Grove Conservation Area, as set out in the character appraisal document, and it would not

contribute positively to the ambience of the neighbourhood. There is a lack of architectural coherence and disturbing element of pastiche that is at odds with both national and local policies relating to development and the protection of the historic environment and its significance as a cultural asset. The introduction of a scheme of this dominating scale and intensity would bring a new and intrusive dimension to this historically under-developed part of Wanstead, contrary to the established domestic suburban (and almost rural) feel that prevails, and the overall impression is of a proposal that would dominate its surroundings and would pay little regard to the existing fabric. In considering this matter, I consider that heed should be paid to the deleterious effect which the bulky and strongly horizontal three-storey building on the corner of Leicester Road and The Avenue has on the locality; it is vital this building should not set the standard for the scale or form of development on the appeal site.

7.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to consider the desirability of preserving or enhancing the character or appearance of the Conservation Area and Section 66 of the same Act requires the Local Planning Authority to pay special regard to the desirability of preserving the setting of listed buildings when considering development. In light of these well-established duties and of my assessment of the scheme, it is my opinion that planning permission should not be granted.

**8. List of all appendices provided by the London Borough of Redbridge (those shown in bold, relied upon in this proof)**

**LBR1 Photograph of view across appeal site towards Roding Cottages**

**LBR2 Photograph of Nutter Lane street frontage (from Recreation Ground)**

**LBR3 Annotated aerial photograph of appeal site and surroundings**

**LBR4 Copies of joint consultation responses from Cons. Officer and Urban Design Team**

**LBR5 Introduction and conclusion from Counties Residents Assoc document (April 2007)**

**LBR6 Template of petition from residents groups campaigning for cons. area status**

**LBR7 Copy of final draft version of Conservation Area Appraisal document**

**LBR8 Copy of report to committee recommending designation of conservation area**

**LBR9 Pages 15-17 of C. A. Appraisal document with colour emphasis to historical maps**

**LBR10 Copies of relevant LDF policies**

**LBR11 Site Analysis**

**LBR12 Character Areas Plan**

LBR13 Copy of previous appeal decision relating to the appeal site

**LBR14 Copy of local list description for Roding Cottages, Nutter Lane**

LBR15 Copy of aerial photograph from Counties Residents Assoc. showing the extent of the 'Counties Estate'