

Appeal Decision

Site visit made on 25 January 2017

by K E Down MA(Oxon) MSc MRTPI MRSB

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 February 2017

Appeal Ref: APP/W5780/D/16/3162493

29 Brownlea Gardens, Seven Kings, Ilford, IG3 9NL

- 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 Narad Narinder against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2482/16, dated 26 May 2016, was refused by notice dated 16 August 2016.
 - The development proposed is alterations to front garden and boundary walls.
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Decision

1. The appeal is dismissed.

Main Issue

2. There is one main issue which is the effect of the proposed front garden and boundary treatments on the character and appearance of the street scene of Brownlea Gardens and on The Bungalow Estate Conservation Area.

Reasons

3. The appeal site comprises a modest semi-detached bungalow of traditional, inter-war, design set behind an open front garden separated from the street and No 31 by a low brick wall. There is a driveway to one side of the main dwelling leading to a single storey attached garage. The remaining front garden is mainly lawn with two small trees. The bungalow has two characteristic front bays with gables above and a small, central front dormer above the front door.
 4. The site lies within The Bungalow Estate Conservation Area (CA) which is characterised by suburban inter-war bungalows of similar scale and design to the appeal dwelling. Although some bungalows are detached and many have undergone extension and alteration there remains a high degree of uniformity in the area in terms of scale, design and materials, including among boundary treatments.
 5. The proposed boundary alterations would include the creation of a second vehicular access point, the closure of the existing central pedestrian access and the replacement of the existing wall with a new boundary of 1m in height, comprising brick piers with sections of low wall topped by ornate railings between.
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6. I saw a variety of different boundary treatments in Brownlea Gardens and the surrounding streets. These were overwhelmingly of brick. Although there were piers of up to 1m in height the walls between were noticeably lower, maintaining the spaciousness of the street scene and open frontages which are characteristic of the area. Railings were virtually absent and are not typical of Brownlea Gardens or the CA. The proposed boundary treatment would therefore be an incongruous addition to the street scene.
7. Turning to the proposed alterations to the front garden, at present the frontage at No 29 retains the original layout and is one of the minority in the street that has not been paved over to a greater or lesser extent. The retention of significant soft landscaping, including two small trees, provides an attractive frontage, more in keeping with the garden suburb character of the area.
8. The proposed treatment would result in some 80% of the frontage being paved and a small grassed area remaining between the proposed two vehicular access points. This proportion of hard to soft landscaping would appear unduly harsh and detract from the character and appearance of the front garden and the street scene. I accept that there are a number of examples in the street of similar or greater amounts of hard surfacing but these are unsympathetic to the character and appearance of the area. Moreover, there are other examples where, despite additional hard surfacing being created, sufficient soft landscaping has been incorporated to preserve the original character of the area. The presence of poor examples of design would not therefore justify allowing the further erosion of the original garden suburb character, particularly in view of the Council's Supplementary Design Guidance entitled "Mayfield Conservation Area" (the former name of The Bungalow Estate CA) advising that not more than 40% of the area in front of the dwelling should be paved.
9. The appellant suggests that a condition could be used to require more details of proposed landscaping. I accept that such a condition could control the details of the proposed replacement tree. However, this would not alter the proportion of hard to soft surfacing and would not therefore overcome the identified harm.
10. It is concluded on the main issue that the proposed front garden and boundary treatment, and in particular the proposed railings, and the extent of the proposed paving of the front garden would fail to preserve or enhance the character or appearance of The Bungalow Estate CA and would be detrimental to the street scene of Brownlea Gardens. In consequence they would conflict with Policy SP3 of the Core Strategy, 2008, with Policies BD1, E2 and E3 of the Borough Wide Primary Policies Development Plan Document, 2008, with guidance set out in the Mayfield Conservation Area design guide and the Householder Design Guide, Supplementary Planning Document, 2012 which, taken together, expect new development to be compatible with and contribute to the distinctive character of the area, including through spaces around buildings being well landscaped. In conservation areas development is expected to preserve or enhance the character or appearance of the conservation area, including through the protection of trees. They would also fail to comply with the National Planning Policy Framework, particularly in respect of the effect on the CA, a designated Heritage Asset, to the conservation of which great weight is attached under paragraph 132 of the NPPF.

11. The appellant draws my attention to other appeal decisions relating to the provision of front railings which, he suggests, might set a precedent for the proposed development. However, these relate to development in another area of the country and not within a conservation area. I do not therefore find these other developments readily comparable with the appeal proposals before me.
12. Finally, the appellant explains that the alterations to the front garden and boundaries are needed to assist in providing care to his disabled Mother who uses a wheelchair and receives care from outside agencies who visit the house. Whilst I am sympathetic to the personal needs of the family and the appellant's desire to care for his mother at home, this would not outweigh the harm identified above to the character and appearance of the area, particularly since the development would remain long after the personal needs of the family had ceased to apply.
13. For the reasons set out above and having regard to all other matters raised, including concerns raised by the appellant regarding the handling of the planning application and the representations of third parties, I conclude that the appeal should be dismissed.

KE Down
INSPECTOR