

Appeal Decision

Site visit made on 24 June 2019

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th July 2019

Appeal Ref: APP/W5780/D/19/3227680

32 Levett Gardens, Seven Kings, Ilford IG3 9BT

- 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 Asif Rashid against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 5033/18, dated 5 December 2018, was refused by notice dated 4 February 2019.
 - The development proposed is the demolition of existing garage and construction of a rear conservatory.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the host dwelling and the Bungalow Estate Conservation Area within which it sits.

Reasons

3. The appeal relates to a semi-detached dormer bungalow which sits within a residential street within the Bungalow Estate Conservation Area (CA). Like the attached property, the appeal dwelling has a flat roof single storey rear extension which spans its full width. The proposal seeks to add a conservatory to the existing rear extension, again spanning the full width of the dwelling. In order to accommodate this, a detached garage would be demolished.
 4. The Council's adopted Bungalow Estate Conservation Area Design Guide (DG) explains that the general character of the estate is typified by 1920-30s bungalows set within a garden landscape setting. It also explains that rear extensions given their situation, in less prominent locations, can provide additional living space which has less impact upon the character and significance of the CA. The DG does, however, explain that given the modest scale and design of the properties within the Bungalow Estate, the Council will seek to ensure that rear extensions are of a suitable scale to remain subservient to the character and appearance of the main property. It goes on to indicate
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that the depth of rear extensions should be limited to 50% of that of the original property.

5. When combined with the existing extension, the proposed conservatory would be about the same depth as the original dwelling. This is direct conflict with the advice of the DG and it reinforces my view that the proposed conservatory would be excessively deep when considered alongside the existing extension and it would fail to respond to the modest proportions of the host dwelling. Furthermore, the roof of the proposed conservatory would be taller than that of the existing flat roof extension. This would result in a somewhat awkward and cumbersome arrangement.
6. Although the conservatory would sit at the rear of the dwelling, would be largely translucent and would not be seen from the public domain, it would be seen from the gardens of neighbouring dwellings. Furthermore, it would not respond to the scale and proportions of the host dwelling and it would conflict with the prevailing pattern of development within the Bungalow Estate. To this end, it would fail to preserve the character or appearance of the CA.
7. This harm would be 'less than substantial' as directed by the Planning Practice Guidance, but I attach considerable importance and weight to the statutory duty imposed by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
8. The National Planning Policy Framework explains that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to say that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this case, the appellant has not suggested that the proposal would bring about any public benefits.
9. The appellant does point to the fact that planning permission was granted in 2016 for the addition of a conservatory at the appeal property (Ref. 4430/15). The proposed conservatory would have no greater impact on the living conditions of the occupiers of the attached property. However, it would not cover the full width of the appeal dwelling and therefore its impact, in the terms I have outlined, would be less harmful than the appeal scheme. In addition, the appellant refers very generally to other extensions within the local area. However, I do not know their details or precise planning circumstances and I have considered the appeal proposal on its merits as I see it in any event.
10. I therefore conclude that the proposed conservatory would harm the character and appearance of the host dwelling and that of the CA within which it sits. In such terms, it conflicts with policies LP26 and LP30 of the adopted Redbridge Local Plan (LP) which promote high quality design, along with policy LP33 of the LP and the DG which both seek to protect heritage assets.

David Fitzsimon

INSPECTOR