
Appeal Decisions

Site visit made on 24 July 2019

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th August 2019

Appeal A: Ref: APP/W5780/D/19/3228430

6 Egerton Gardens, Seven Kings, Ilford IG3 9HP.

- 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 Mohammad Akbari against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 1584/18, dated 19 April 2018, was refused by notice dated 1 March 2019.
 - The development is the demolition of existing front porch and removing front window; erection of new porch; partial demolition of front boundary wall and replacement of existing concrete driveway with permeable driveway tiles.
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Appeal B: Ref: APP/W5780/D/19/3228432

6 Egerton Gardens, Seven Kings, Ilford IG3 9HP.

- 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 Mohammad Akbari against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2529/18, dated 20 June 2018, was refused by notice dated 20 February 2019.
 - The development is retention of side extension following by planning approval 4901/17.
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Procedural Matters

1. It is noted that the majority of the works have already been completed. However, a new front boundary wall has been constructed in brick rather than render and appears to be of slightly greater height than that indicated on plan no. 05D. However, the Council has confirmed that this plan was the subject of their determination and the appellant clarified that no other plan had been provided. My decision is therefore based on this submitted plan.
2. Permission was recently granted under ref: 4901/17 for single storey side extension and conversion of garage and store into habitable room. Whilst there are differences between the scheme permitted under this application and the scheme now before me, I have nevertheless taken it into account as a material consideration.
3. In respect of Appeal B, the Council altered the description to read "*single storey front extension (retrospective)*". I consider that this more accurately describes the development for which permission is sought and I shall therefore use it below.

Decisions

4. In respect of appeal A, the appeal is allowed and planning permission is granted for the demolition of existing front porch and removing front window; erection of new porch; partial demolition of front boundary wall and replacement of existing concrete driveway with permeable driveway tiles, at 6 Egerton Gardens, Seven Kings, Ilford IG2 9HP, in accordance with application ref: 1584/18 dated 19 April 2018, and subject to the following conditions:

- 1) This permission shall relate to the following plans: 03F (proposed plan), 05D (boundary wall), and 06 (block plans and OS map).
- 2) Unless within 3 months of the date of this decision a landscaping scheme for the front garden is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within the planting season following the local planning authority's approval, the hardstanding and soft landscaped areas within the front garden shall be reinstated to their original extent and condition until such time as a landscaping scheme is approved and implemented.

Upon implementation of the approved landscaping scheme any trees or plants which within a period of five years from planting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been fully determined.

5. In respect of Appeal B, the appeal is allowed and planning permission is granted for single storey front extension (retrospective) at 6 Egerton Gardens, Seven Kings, Ilford IG2 9HP, in accordance with application ref: 2529/18 dated 20 June 2018, and subject to the following condition:

- 1) This permission shall relate to the following plans: 05 (ground floor plan), 06 (front & rear elevation), 07 (side elevations), 08 (as built roof plan), and 09 (block plans).

Main Issue

6. The main issue in both appeals is the effect on the character and appearance of the host dwelling and the Bungalow Estate Conservation Area.

Reasons

7. The appeal site comprises a semi-detached bungalow, one of a number of similarly designed, though not identical, properties along this road and in others nearby. They are of distinctive design and appearance, though many have been altered and extended. The Council's documentation describes the wider Bungalow Estate Conservation Area as *"an extensive bungalow estate laid out in the 1920's and 30's in often spacious gardens. A regular street pattern with a set-back building line, giving a relaxed air to the street scene."* It further states *"The bungalows bear a family likeness enlivened with a rich variety of vernacular detailing."*

8. The Council has produced a Bungalow Estate Conservation Area Design Guide SPD (2018) (DG), which provides a number of detailed design guidelines. It notes the garden landscape setting of the area and identifies a number of key features, including the chimneys, front bay windows with either decorative timber and rendered gable or small hipped tile roofs, recessed front or side entrance doors and low level boundary treatments and soft landscaping. Whilst this document is a material consideration, I note that it states that proposals will be considered on their individual merits.
9. In respect of Appeal A, the previous permission, allowed a front porch of almost identical dimensions. Whilst I appreciate that since that permission was granted, the DG SPD has been adopted, with which the porch would not now fully comply, this extant permission is nevertheless a material consideration. In any event, the porch as constructed does not appear to be so large as to impact adversely on the scale and composition of the original bungalow style and does not project forward of the larger, angled bay window on the front elevation and thus does not appear unduly dominating. In addition, I note that the roof is flush with the main roof rather than being set under the eaves, as recommended in the DG SPD. However, in this particular case, I do not consider that it results in any harm to character and appearance of the host dwelling or wider conservation area and I find that the porch is acceptable.
10. Appeal A also includes alterations to the front boundary wall. As referred to above, I noted on my site visit that what has been built at the property is not what is shown on the plan, drawing no. 05D. However, as clarified above, it is the details shown on this plan that are for determination as part of this scheme. The alterations to the front boundary wall as shown on this plan would be in keeping with the character and appearance of the existing dwelling, being of matching render and reflecting the details and appearance of the original wall.
11. With regard to the treatment of the front garden, the new hardstanding has reduced the area available for planting and landscaping but is required in order to enable convenient and practical access to the property for the appellant's disabled child. Whilst not meeting the recommendations of the DG SPD, a reasonably sized garden would nevertheless be retained to provide a soft, green area in keeping with the character of the wider conservation area. A condition would be appropriate to secure a detailed landscaping scheme to ensure that an appropriate scheme is provided.
12. Overall, I consider that the new porch and works to the front garden are acceptable and preserve the character and appearance of the Bungalow Estate Conservation Area. I find no conflict with policies LP26, LP30 and LP33 of the Redbridge Local Plan (2018) (LP) which promote high quality design that respects the local character of the area, makes a positive contribution to its context and location, and is well integrated in terms of form, massing, design and style; they also seek to ensure that household extensions complement the character of the building, are subordinate in terms of size, scale and height and are consistent with policies to protect local character and that they ensure that heritage assets are conserved, protected and enhanced in a manner appropriate to their special interest, character or appearance and significance. In addition, they accord with the general aims and objectives of the DG SPD which seek to ensure that extensions and alterations complement the historic character of the area.

13. For the reasons given above it would also comply with the National Planning Policy Framework (the Framework) which seeks development that is sympathetic to local character and that heritage assets are conserved in a manner appropriate to their significance.
14. With regard to Appeal B, I note that there are two main differences in relation to the previously granted permission. The extension is sited further forward, in line with the back edge of the angled bay window rather than set back from it behind the chimney to the front of the property. In addition, it includes a larger pitched roof over the front part of the side extension with a higher ridge such that a greater extent of both of the chimney breasts is covered.
15. Notwithstanding the above, it is my view that the proposed extension remains suitably subservient and complementary to the host dwelling. It is set back from the main front elevation of the host dwelling and the original form of the angled bay window is retained and identifiable as a feature within the street scene. Whilst the lower section of the forwardmost chimney breast is now hidden behind the extension, the upper parts of the chimney remain visible and continue to contribute to the character and appearance of the area.
16. The higher ridge height of the roof results in a bulkier addition that fills more of the gap between the host dwelling and the adjoining property, which also has a single storey side extension with high ridge. This adjoining extension has already compromised the feeling of spaciousness between these two properties and, taking into account the previous permission, it is my view that the extension as built does not result in a significantly harmful effect in this regard, nor is it visually intrusive. Overall, I consider that the character and appearance of the conservation area is preserved.
17. I therefore find that the extension is not harmful to the special features and form of the host dwelling and would preserve the character of the Bungalow Estate Conservation Area and thus complies with LP policies LP26, LP30 and LP33. It also accords with the general aims and objectives of the DG SPD.
18. For the reasons given above it would also comply with the Framework which seeks development that is sympathetic to local character and that heritage assets are conserved in a manner appropriate to their significance.

Conclusions

19. I have noted the concerns of third parties, particularly in respect of the effect on the conservation area and application of the DG SPD; however, for the reasons set out, I consider the works to be acceptable.
20. In respect of conditions, both appeals will need to be subject to conditions to refer to the approved plans in the interests of clarity and proper planning. In addition, in respect of Appeal A, as noted above a condition to secure a fully detailed landscaping scheme is necessary in the interests of the character and appearance of the area.
21. I therefore conclude that both appeals should be allowed and planning permission granted.

P Jarvis

INSPECTOR