



Appeal Decision

Site visit made on 28 February 2022

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 April 2022

Appeal Ref: APP/W5780/D/21/3289433
126 Levett Gardens, Ilford IG3 9BX

- 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 Majeed against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3703/21, dated 26 August 2021, was refused by notice dated 8 November 2021.
 - The development is re-paving to front drive / garden; new boundary wall.
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Procedural Matter

1. The works have already been undertaken therefore retrospective permission is sought.

Decision

2. The appeal is dismissed.

Main Issues

3. The main issues are the effect on (a) the character and appearance the area including the Bungalow Estate Conservation Area and (b) highway safety.

Reasons

4. The dwelling on the appeal site is a semi-detached chalet bungalow. It appears to have been recently refurbished and has projecting bay windows to the front with large gable features above. The dwelling is set back from the road frontage behind a newly paved drive and hardstanding areas; the front boundary is marked by a brick wall with in / out access.
5. Levett Gardens and the wider conservation area is characterised predominantly by bungalows of similar age and style, typically with distinctive bay windows with projecting gable feature above under steeply pitched roofs. The description attached to the conservation area map describes it as an extensive estate laid out in the 1920s and 1930s in a regular street plan with set-back building line giving a relaxed air to the street scene. The properties are set within tree lined streets with generous back gardens.

Character and appearance

6. The new boundary wall is constructed of red brick with grey feature bands and white caps to the pillars and is around one metre in height. The new paving comprises grey pavers with black contrast edges. It extends over the majority

of the front garden area with small planting beds to the front centre and along either side boundary.

7. The Bungalow Estate Conservation Area Design Guide (2018) (DG) states that new front boundary enclosures should be low level and have maximum height of 600mm with brick or render detailing. The introduction of hedgerow features as alternatives to walls are encouraged and that generally the provision of soft to hard landscaping within front garden areas should be in the proportion 60:40 respectively. The DG is a relatively recently adopted document that, as I interpret it, is intended to prevent the further loss of specific features of the conservation area that contribute to its particular character. In this respect, it notes that key features are low level boundary treatments and soft landscaping.
8. It is the case that along Levett Gardens a variety of different boundary features exist as well as paved front gardens. Indeed, immediately adjoining and opposite the site there are what appear to be relatively recently constructed boundary walls and paved front garden areas. However, there are also a number of 'softer' boundaries together with front gardens that retain a more 'green' appearance. I therefore do not agree with the Appellant that the character of this part of the conservation area has changed to such an extent that the development as constructed is wholly in keeping with its context.
9. The new paving and boundary wall that has been constructed is noticeably 'hard' in appearance and, as a result of the height of the wall and extent of paving, has resulted in a further erosion of the identified key features that contribute to the significance of the area. In my view this has had a harmful impact and has failed to preserve the character and appearance of the conservation area.
10. The Appellant has provided a photograph of the previously existing front garden area and whilst it is argued that the former features were in need of repair and it is suggested that the works have enhanced the appearance of the site and its surroundings, the overall appearance of the previously existing garden was one of a more open and 'green' area, notwithstanding that it did not appear to meet the proportions of hard and soft landscaping now sought by the DG.
11. I therefore find that the development has had a harmful impact on the character and appearance Bungalow Estate Conservation Area. The proposal fails to accord with Policies LP26, LP30 and LP33 of the Redbridge Local Plan 2015-2030 (2018) (RLP) which seek high quality design that respects local character and is well integrated with the local area, complements the character of and is subordinate to the existing dwelling and preserves the character and appearance of the conservation area. It also fails to satisfy the DG to which I attach significant weight as a material consideration.

Highway safety

12. The in / out access arrangement has resulted in the introduction of an additional point of access along the frontage. However, whilst this has resulted in the loss of an on-street parking space, it has in turn somewhat improved the previous arrangement in that vehicles are now able to enter and leave the site in forward gear and additional parking is provided within the front garden, albeit only usable by persons living at or visiting the appeal site property.

13. Furthermore, whilst it has also introduced a further point at which vehicles and pedestrians cross, it seems to me that given the number of existing access points along the road and that the use of the access by vehicles would be clearly visible to any pedestrian, this has not introduced a significant level of conflict such as to result in harm to highway safety or to deter the use of the footway by pedestrians. The Council has not provided any evidence to demonstrate that any such harm to pedestrian or other highway safety has arisen as a result of the development nor that there is any particular issue related to the loss of the on street parking space.
14. I therefore find that no harm has arisen in respect of the loss of on-street parking or highway safety. Therefore, there is no conflict with RLP Policies LP22 and LP23 which seek to promote sustainable transport and to ensure that new development itself is provided with an appropriate level of parking.

Conclusions

15. I therefore find that, whilst there is no unacceptable impact on highway safety or parking levels, the harm arising to the character and appearance of the Bungalow Estate Conservation Area is such as to render the development unacceptable and in conflict with the development plan. In terms of paragraph 202 of the National Planning Policy Framework, I find that the less than substantial harm is not outweighed by public benefits; nor is the conflict with the development plan outweighed by any material considerations, including when considered against all relevant policies of The Framework.
16. Therefore, I conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR