



Appeal Decision

Site visit made on 9th May 2022

by Rebecca Thomas MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 July 2022

Appeal Ref: APP/W5780/W/22/3290622
27 Parkway, Seven Kings, Ilford IG3 9HS

- 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 Zahed Mahroof against the decision of the London Borough of Redbridge.
 - The application Ref 3520/21 dated 12 August 2021, was refused by notice dated 21 October 2021.
 - The development proposed is Erection of front and side boundary wall.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mrs & Mrs Zahed and Fozia Mahroof against the London Borough of Redbridge. This application is the subject of a separate Decision.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Bungalow Estate Conservation Area.

Reasons

4. Parkway is a residential street comprising primarily single storey dwellings. It is a quiet and open street which is characterised by dwellings set on a common building line with front gardens and driveways, with the frontages being open in nature and enclosures being primarily low boundary walls with vegetation. Properties do not tend to have gates, further contributing to the open character and appearance of the area.
5. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that, in the exercise of the statutory duty, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
6. The proposed development would introduce brick walls with railings. The Council's SPD¹ on the Conservation Area (CA) confirms that the character of

¹ Bungalow Estate Conservation Area Design Guide Supplementary Planning Document (June 2018)

the front gardens and boundary treatments are part of the significance of the CA, with low boundary enclosures and soft landscaping. It sets out that the low front boundaries allow visually permeable public and private space. The SPD advises that new front boundary enclosures should be low-level and have a maximum height of 600mm with brick or render detailing.

7. The proposal would introduce a wall of 725mm, with the piers being a height of 1100mm. Railings would be placed on top of the wall, to be at a level with the piers. Whilst the proposed materials are brick, and does not include gates, the overall height of the development would significantly exceed the recommended 600mm as set out in the SPD. The scale of the development as seen in context of the local area would be disproportionate to the streetscene and would result in enclosure of the host dwelling from the street. As such, this would erode the permeability of the interface between public and private land and would cause harm to the character and appearance of the CA.
8. I was able to see at my site visit that some frontages consisted of brick walls and railings with gates (including the neighbouring property), however these were not the prevailing character. Although I accept that the development might be similar in design to the neighbouring boundary, this is not typical of the character and appearance of the local area and the CA. The overall height and appearance would be significantly taller than the modest front boundaries of similar neighbouring properties along the street and would result in a prominent and uncharacteristic enclosing feature. The gradual drop in height as opposed to an immediate drop in height as seen alongside the neighbouring enclosure is not reason, on its own, to allow unacceptable development. The proposed development as considered on its own merits would not enhance nor preserve the character and appearance of the CA.
9. I have considered this appeal on its own merits and concluded that it would cause harm for the reasons set out above. I therefore find that the proposal would fail to preserve or enhance the character or appearance of the CA and its significance as a designated heritage asset. I consider that the harm to the CA would be localised, and in respect of the significance of the designated heritage asset as a whole, less than substantial harm would result. No public benefits have been put forward to weigh against this harm.
10. I conclude that the development would harm the character and appearance of the area and thus conflicts with Policies LP26 and LP33 of the Local Plan² which together seek to ensure that new development maintains or improves the appearance of the locality or streetscene respects local character and preserve or enhances the character or appearance of the area. The proposal would also conflict with Policy HC1 of the London Plan which seeks to conserve the significance of heritage assets, and where the cumulative impacts of incremental change from development on heritage assets and their settings should be actively managed.

Other Matters

11. Concerns are raised by the neighbouring occupiers with regard to the boundary between the appeal site and number 29. Boundary disputes would be a private matter between the parties involved.

² Redbridge Local Plan 2015-2030 (March 2018)

Conclusion

12. For the reasons given, the proposal is unacceptable and the appeal should not succeed.

Rebecca Thomas

INSPECTOR