



Appeal Decision

Site visit made on 27 September 2022

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th October 2022

Appeal Ref: APP/W5780/D/22/3302860

40 Gyllyngdune Gardens, Seven Kings, Ilford, IG3 9HJ

- 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 Runu Miah against the decision of the London Borough of Redbridge Council.
 - The application Ref 0895/22 dated 27 April 2022, was refused by notice dated 23 June 2022.
 - The development proposed is demolish existing garage. Single storey front extension to create porch. Single storey side extension. Installation of bi-fold doors to the rear. Loft conversion with one front dormer and three rear dormers (summary).
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Decision

1. The appeal is allowed and planning permission is granted for (to) demolish existing garage. Single storey front extension to create porch. Single storey side extension. Installation of bi-fold doors to the rear. Loft conversion with one front dormer and three rear dormers (summary) at 40 Gyllyngdune Gardens, Seven Kings, Ilford, IG3 9HJ in accordance with the terms of the application ref: 0895/22 dated 27 April 2022, subject to the following conditions:
 - 1) The development to which this permission relates must be begun not later than the expiration of three years, beginning with the date of this decision;
 - 2) The development hereby permitted shall be undertaken in complete accordance with the following approved plans: site plan (drawing number D05), proposed elevation plans (drawing number D04), proposed floor and loft plans (drawing number D02) and proposed roof plan (drawing number D07);
 - 3) The materials used in development hereby permitted shall match those of the existing dwelling unless details are submitted to, and approved in writing by, the Local Authority.

Procedural Matters

2. I have utilised the Council's description of the development as per the decision notice as I feel it more concisely describes the development.
3. There are several elements to the appeal proposal. The Council's delegated report confirms that the loft conversion, dormers and rooflight would not undermine the established character of the CA despite not being consistent with guidance contained within The Bungalow Estate Conservation Area Design Guide Supplementary Planning Document 2018 (SPD). The SPD is ultimately guidance and assessment of the impacts has found the proposal does not conflict with the objectives of that guidance. I have no evidence before me to conclude differently following my site visit so for the avoidance of doubt this

appeal will focus on the main issues outlined with specific regard to the single storey side extension and single storey front extension to create porch.

4. The Council's decision notice makes reference to plans received on 14 March 2022 and 4 April 2022; however, the original application form is dated 27 April 2022. I have checked both parties questionnaires and the appellant's confirms an application date of 29 April 2022, so I can only assume that this is an error on the decision notice.

Main Issues

5. The main issues are the impact of the proposal upon the character of the host property and the character or visual amenity of the Conservation Area.

Reasons

6. There are two refusal reasons, however, they are both based upon the same main issues as outlined above. The appeal site is a detached property standing within the Bungalow Estate Conservation Area (CA). The Planning (Listed Buildings and Conservation Areas Act) 1990, S72, states that with respect to any buildings or other land in a CA, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. From the planning history, and my site visit, I note that the property already benefits from a single storey rear extension and a garage to the side. As part of the proposal the existing garage and part of the rear extension would be demolished to allow for the proposal to be constructed.
7. The proposed side extension would have a depth of 14.05m and run flush with the appeal site boundary adjoining no. 42 and would replace the existing garage structure. It would have a partly gabled roof at the front, partly flat roof with an eaves height of 2.93m and an overall height of 5.1m at the highest point. I would consider the front elevation and its setting to be particularly sensitive in terms of a CA when viewed from the street scene. The Council state that the proposal would undermine the detached and spacious nature of the surrounds of the bungalow; however, I find the proposal would have the same visual impact when viewed from the street scene as the existing front elevation in terms of the proposed extension.
8. The addition of the side extension would have minimal impact given that it would be of overall limited visibility within the immediate area of the appeal site and would replace similar built form (viewed from the front elevation) as the existing garage. The space provided, to the rear of the existing garage between the appeal site and the neighbouring property, I find to be limited in its contribution to the openness of the plot. The proposal would not result in built form being brought closer to the side boundary than is currently the case overall (albeit I acknowledge increased depth along the boundary as a result of the proposal) nor would it project built form further at the rear elevation than is currently the case with the existing rear extension. The proposal would essentially in fill the existing footprint of the host dwelling.
9. Overall, I find that the property would still benefit from a large spacious plot to the and rear and would maintain the front building line, as can be seen from the site plans, and that it would not result in a terracing effect. Whilst the proposal may conflict with some specific guidance within the SPD I find it is

consistent with the overall objective of protecting the open aspect of the CA Estate as is a protected characteristic.

10. The loss of some features, in isolation, can sometimes be justified on balance taking each case on its own merits. I do not find that, in this case, the loss of the recessed porch would be sufficient to warrant refusal on its own but in the case of this appeal the proposal would also result in the loss of an existing window feature to the side elevation. Whilst such a feature is part of the character of the host dwelling the appellant has provided details of application 2049/20 (16 Westrow Gardens) which was approved. Whilst each case must be considered on its own merits the submitted plans, for 16 Westrow Gardens, show strong similarities having allowed the loss of the same feature window that is stated as a refusal reason within this appeal. Consistency in decision making is key to maintaining public confidence within the planning system and I have nothing before me to justify or evidence a difference in approach to such features.
11. Reference is also made to similar proposals and extensions, as sketched out by the appellant, and indeed at the time of my site visit I walked down the road and saw said examples. As noted above I find that the appeal property would still benefit from a large spacious plot to the front and rear, as can be seen from the site plans, and that it would not result in a terracing effect. I find this is demonstrated by similar proposals adjoining the appeal site which have not undermined the character or visual amenity of the CA or resulted in a terracing effect. Overall the proposed side and rear extensions would not be readily visible from the street and there are a number of the properties on the street with not dissimilar extensions. As such I do not find the proposal would undermine the established character of the CA and I find that the proposal would have the same visual impact, when viewed from the street scene, as the existing front elevation.
12. The proposal would be consistent with the Redbridge Local Plan 2018 (LP) Policy LP26 which seeks to secure high quality design that respects the character of the area, LP Policy LP30 which requires proposals to complement the character of the building and LP Policy LP33 which seeks to ensure that the borough's heritage assets are conserved, protected and enhanced in an appropriate manner. The proposal would also be consistent with London Plan 2021 (LDN) Policy D4 which requires proposals to deliver good design and LDN Policy HC1 which requires proposals to be sympathetic to the asset's significance and appreciation of their surroundings. The proposal would also be consistent with the overarching objectives of the SPD guidance.
13. The National Planning Policy Framework 2021 states, in paragraph 199, 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. I find the proposal would not result in harm to the character or visual amenity of the CA or to the character of the host dwelling as outlined above.

Other Matters

14. The Council's delegated report references an appeal at 99 Levett Gardens and, whilst it contains a quotation from that decision no further information or

context has been provided. Whilst I note extensions within the immediate area of the appeal site I have no other information before me regarding the appeal that has been referenced nor any evidence that there is, overall, such a rapid increase in extensions that threaten the CA in a manner which would support refusal in this case due to impact upon openness. For cumulative impact to form a reason for refusal this needs to be evidenced, and analysed as to actual impact, within submissions at the point of determination.

15. There are objections to the proposal which essentially mirror the refusal reasons and main issues before me. I have, therefore, addressed the points raised within the body of this decision letter.

Conditions

16. The Council have suggested three standard conditions which I have applied. A time condition is attached to comply with section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent. A materials condition is required to ensure the proposal matches the host dwelling and that any deviations in materials from existing are approved by the Council to ensure an appropriate finish.

Conclusion

17. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR