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# Appeal Decision

Site visit made on 21 February 2023

**by Ann Veevers BA(Hons) DipBCon MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 27 March 2023**

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**Appeal Ref: APP/W5780/D/22/3298696**

**11 Harts Grove, Woodford Green IG8 0BM**

- 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 Dominic Wells against the decision of the Council of the London Borough of Redbridge.
  - The application Ref 0032/22, dated 5 January 2022, was refused by notice dated 25 February 2022.
  - The development proposed is described as 'two storey side extension to existing property including pitched dormer window and velux window'.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. I have taken the description of development from the application form. Although different to that on the decision notice, no confirmation that a change was agreed has been provided.

## Main Issues

3. The main issue in this appeal is whether the proposed development would preserve or enhance the character and appearance of the Woodford Green Conservation Area (CA).

## Reasons

4. The appeal property is a detached dwellinghouse located within the CA. I have little detail regarding the Character Appraisal of the CA, but from observations on my site visit, it would appear that the significance of this part of the CA is derived from the large detached and semi-detached residential properties set amongst numerous mature trees protected by Order. Views through the gaps between properties and surrounding mature landscaping add to the spaciousness and verdancy of the area and form part of its intrinsic character.
5. The appeal site and nearby properties may not exhibit the historic and architectural characteristics prevalent in other parts of the CA. Nevertheless, the locality presents a commonality of design features and materials in a relatively spacious wooded setting that makes a positive contribution to the significance of the wider CA.
6. In considering proposals for planning permission, the duty imposed by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or

enhancing the character or appearance of conservation areas. Paragraph 199 of the National Planning Policy Framework (2021) (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to its conservation.

7. The appeal dwelling forms an 'L' shape. A two-storey projection incorporating garages faces Harts Grove and lies perpendicular to the main dwelling. The proposed development would include the demolition of a small outbuilding and its replacement with an extension to the side of the existing garage. The proposal would extend to the boundary with No 15 Harts Grove (No 15) and would match the height and design of the existing garage projection. Due to the topography of the site, an area of garden to the front of the property would be removed and the existing driveway would be enlarged.
8. The proposed extension would significantly elongate the existing two-storey garage projection at No 11. The effect visually would be an extension that accentuates the length of the dwelling, and which would be overly prominent in the streetscene. Although the design and materials of the proposal would match that of the host building, the increased size of the two-storey projection would be unduly dominant.
9. The adjacent dwellinghouse at No 15 is arranged in the same manor but is handed so that the end of the projecting garage block sits close to the boundary with No 11. While I recognise that a similar extension has been built at No 15, even when taking the different levels into account, I find that the proposed extension would substantially reduce the gap between the two dwellings such that the two storey garage projections would almost appear as one long building when viewed from Harts Grove. This would result in notable harm to the appearance of the CA. This harm would be further emphasised by the proposed dormer window and the creation of an extended driveway, thus highlighting the two-storey depth and increased mass of the building. The proposal would also obscure the view of the tile hung gable of No 15.
10. Although the small area of front garden is presently laid to artificial grass, its raised height and appearance nonetheless acts as a visual break between the driveways at No 11 and No 15. The existing outbuilding to the side of the appeal dwelling is modest in scale and allows views between No 11 and No 15 to the dwelling and tree at the rear of the site. The height and width of the proposed extension would close this gap. The proposed hedge would be limited in its effectiveness at screening the proposal and compensating for the loss of the gap due to the topography of the site and the narrow depth and position of the hedge.
11. Whilst the surrounding built forms, highway alignments, thoroughfares and landscape features would essentially remain, the spaciousness between dwellings in this part of the CA would be reduced. The effect of eroding the space around the dwelling would be harmful to the character and appearance of the CA.
12. In finding harm, I consider the proposal would have a negative effect on the significance of the CA as a whole and would result in "less than substantial" harm in the context of paragraph 202 of the Framework. The resultant harm needs to be weighed against the public benefits. In this case the benefits are private, relating to the appellants' need for additional space within the

property. As such, the public benefits do not outweigh the identified material harm to the designated heritage asset.

13. For the reasons given above, I conclude that the proposed development would not preserve or enhance the character or appearance of the Woodford Green Conservation Area. Therefore, the proposal would conflict with Policy HC1 of the London Plan (2021) along with Policies LP26, LP30 and LP33 in the Redbridge Local Plan (2018) which, together, seek to ensure, amongst other things, that developments are of a high quality design and of a scale that enhances the character of the dwelling and respects the surrounding area and preserves or enhances the character or appearance of conservation areas.

### **Other Matters**

14. The scheme would fulfil the social dimension of sustainable development as set out in the Framework by adding floor space to the accommodation and offer a limited economic benefit to the building trade, but the environmental dimension would not be fostered given the harm I have found under the main issue.
15. I have taken into account the personal circumstances of the appellant and am mindful of the needs that the dwelling would seek to address. The provision of accessible space due to age or disability is appropriate and consistent with paragraph 130 of the Framework, which seeks to create places that are safe, inclusive and accessible and which promote health and well-being. In considering these matters I have had due regard to the relevant aims of the Public Sector Equality Duty (PSED), as set out in s149 of the Equality Act 2010. However, it does not follow from the PSED that the appeal should succeed. There is no compelling evidence to suggest why, in the face of harm to the character and appearance of the CA, the required accommodation could not be provided by other means. Accordingly, I attach only limited weight to the matters in respect of the appellant's personal circumstances and the need for the development.
16. My attention has been drawn by the appellant to several examples of existing side extensions in the area. As I have set out above, although the extension at No 15 is similar in design and scale to that proposed, the built form of the appeal dwelling would extend close to No 15 and consequently erode the existing gap, which would be harmful to the character or appearance of the CA. The examples provided at 10, 36, and 42 Harts Grove are detached dwellings set in large plots on cul-de-sacs with space remaining to the side and are therefore of a materially different character to the appeal site before me.
17. My attention has also been drawn to several instances of limited gaps between dwellings in the area. Whilst I have been provided with photographs, I have no specific details or background of these examples before me, although many of the dwellings appear to be located on cul-de-sacs or set back from the main thoroughfare. Even if there are examples of limited gaps between dwellings in the wider area, the circumstances in each proposal are likely to be different, and in any event the fact that apparently similar development has been granted permission is not a reason, on its own, to allow unacceptable development. I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.

18. I have noted the appellant's comments highlighting absence of identified harm to neighbours' living conditions. Even if I were to agree that there would be no unacceptable effects on these issues, this is a neutral factor which would not outweigh the harm identified and conflict with the development plan as a whole. The Council's handling of the planning application has not affected my findings on the planning merits of the scheme.
19. I have had regard to matters raised by neighbouring residents, including regard to trees, groundworks, drainage, outlook and greenspace. However, given my conclusions on the main issue and that the appeal is dismissed, there is no need for me to address these in further detail.

### **Conclusion**

20. The proposed development conflicts with the development plan when considered as a whole and there are no other considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
21. Accordingly, I conclude that the appeal should be dismissed.

*Ann Veevers*

INSPECTOR