

Appeal Decision

Site visit made on 23 January 2024

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2024

Appeal Ref: APP/W5780/D/23/3327359

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 A Akbari against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 1011/23, dated 8 April 2023, was refused by notice dated 11 July 2023.
 - The development proposed is installation of front gates.
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Decision

1. The appeal is allowed and planning permission is granted for installation of front gates at 6 Egerton Gardens, Seven Kings, Ilford IG3 9HP in accordance with the terms of the application, Ref 1011/23, dated 8 April 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01, 02, 03 and 04.

Preliminary Matter

2. The application form states the appeal has been made on a retrospective basis, and I saw gates in situ on site. However, the Council points to the width of the gates differing between the elevation and plan drawings. Therefore, it is not clear that the gates on site exactly reflect the submitted plans. As such, I have based my assessment on the plans and followed the same approach as the Council in considering the larger of the two width measurements, 8.95m, as shown on the elevation drawing 02, and omitted references to 'retention' and 'retrospective' in the description of the development and the formal decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the Bungalow Estate Conservation Area (the BECA).

Reasons

4. The appeal site is a semi-detached bungalow within the BECA, which is characterised by consistent linear streets of compact bungalows set back into their plots with consistent architectural features such as front bay windows, terracotta tiled roofs, pebble dash/crushed stone facades and, relevant to this appeal, low level boundary treatments and soft landscaping. The heritage significance of the BECA derives from the surviving consistency of scale and

form of a planned suburban estate from the 1920s and 1930s within a garden landscape setting.

5. The Council's BECA Design Guide (June 2018) highlights the role of front gardens and boundary treatments in the significance of the BECA, which traditionally feature low boundary enclosures and soft landscaping features including lawns, flowering shrubs and ornamental trees. It adds that a pattern of paving front gardens and removing boundary treatments has eroded the character of the BECA. The Design Guide advises that new enclosures should have a maximum height of 600mm with brick or render detailing.
6. The appeal dwelling has a low red brick wall extending across less than half of the width of the property. The remainder has been enclosed with a metal sliding gate reflecting that for which permission is now sought. The design comprises a simple series of horizontal, black painted railings with gaps. At around 1 metre high, the gate would exceed the guideline height of the BECA Design Guide; however, it matches the height of the existing red brick wall to the front and lends the front boundary a consistent overall scale. I also saw that, despite the Design Guide advocating for enclosures of no more than 600mm, there are several dwellings along Egerton Gardens with front walls of 1 metre or greater. This includes walls with railings above and tall front entrance gates. There is also variety to the design and materials of front boundaries, with stone, brick, painted render and hedgerows all visible close to the appeal site, many more elaborate and prominent than the design proposed.
7. In this context, the gate as installed does not represent a discordant departure from an otherwise unaltered and uniform street scene. Rather, the gate is modest in scale and form compared to others and its low height and transparent design maintains visibility into the site. As a result, the characteristic openness of the front gardens of the BECA is still maintained.
8. For these reasons, I find that the front gate preserves the character and appearance, and heritage significance, of the BECA, and no conflict arises with Policy HC1 of the London Plan (March 2021) or Policies LP26 or LP33 of the Redbridge Local Plan (March 2018) which together require development to achieve high quality design and to conserve, protect and enhance the special character of heritage assets in a manner appropriate to their special interest.

Other Matters

9. The appellant states that the gates were installed more than four years ago and so are lawful on the basis that they are immune from enforcement action. However, the supplied invoice is not conclusive evidence in this respect, and I have no other information to verify this claim. Nevertheless, given my findings above, this matter is not decisive and need not be considered further.

Conclusion

10. For the reasons set out, the appeal is allowed. Given it is not certain that the gate installed on site matches the plans, and thus that the application is definitely retrospective, I shall impose the standard time limit and plans conditions, as required by legislation and to provide certainty.

K Savage

INSPECTOR