

Appeal Decision

Site visit made on 27 February 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11TH March 2024

Appeal Ref: APP/W5780/D/23/3331772

6 Egerton Gardens, Seven Kings, Redbridge, 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 2555/23, dated 1 September 2023, was refused by notice dated 13 October 2023.
 - The development proposed is the erection of a ground floor rear conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a ground floor rear conservatory at 6 Egerton Gardens, Seven Kings, Redbridge, Ilford, IG3 9HP in accordance with the terms of the application, Ref 2555/23, dated 1 September 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 01, 02, 03, 04, 05, 06, 07, 08, 09, all dated July 2023.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall, with the exception of the proposed glazed roof, match those used in the existing building.

Main Issue

2. There is one main issue which is the effect of the proposed conservatory on the character and appearance of the host dwelling and the surrounding area, including the Bungalow Estate Conservation Area.

Reasons

3. The appeal dwelling is a detached bungalow set on a very extensive plot within the Bungalow Estate Conservation Area (CA). The Bungalow Estate CA is an extensive development of 1920s and 1930s dwellings with often spacious gardens. The bungalows have a commonality of scale and form but a variety of
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vernacular detailing provides originality and richness to the streetscape. The Bungalow Estate Conservation Area Design Guide (DG), 2018, states that original conservatories were attached to the rear elevations with shallow mono-pitched roofs sloping down from the eaves. It is not clear how deep these structures were.

4. The bungalow and its neighbours were originally modest dwellings. However, many, including the appeal dwelling, have been considerably enlarged, particularly to the rear. While the original street scene is well preserved, the additions and alterations of different scale and design to the rear of properties have significantly eroded the original architecture and any consistency of design. In consequence, the rear of the appeal dwelling and others do not appreciably enhance the character or appearance of the area and make little or no positive contribution to the character or appearance of the CA.
5. The appeal dwelling has undergone various extensions and alterations to the rear and side. It currently has a modern flat roofed projection, varying in depth from about 5m to about 11m from the original pitched roof of the bungalow, resulting in a stepped rear building line. This occupies the entire rear elevation of the existing building which appears to include a side extension. The flat roofed projection diminishes the primacy of the original pitched roof form when seen from the garden and dominates the rear of the property. It is likely that this projection replaced and extended beyond an original conservatory but I have very limited details.
6. The proposed conservatory would infill the L-shaped area created between the side elevation of the deeper rear projection and the remainder of the rear elevation to form a consistent rear building line. It would be set behind the original main section of the dwelling. The conservatory would be predominantly glazed, above low walls and would have a glazed roof that sloped gently away from the rear eaves. I consider that in view of the existing alterations and extensions to the rear of the bungalow and the predominantly glazed surfaces of the proposed conservatory, it would not be overly dominant or visually intrusive. Nor would it materially detract from the character or appearance of the existing building. Moreover, it would have no material effect on the character or appearance of the CA which would be preserved.
7. In terms of its visibility from outside the appeal site, the proposed extension, notwithstanding its size, would be screened from No 4 by the existing deep rear projection. It would also be substantially screened from No 8 by existing close boarded fencing and the gap between it and the shared boundary. From the rear, any views would be obscured by the large outbuilding in the garden of the appeal dwelling but would in any case be minimal owing to the substantial length of the rear garden.
8. The DG sets out criteria for rear extensions within the CA. The proposed conservatory would generally comply with these. However, the DG advises that the depth of rear extensions should be limited to 50% of the depth of the original property. I have no evidence regarding the depth of the original property, owing to the lack of evidence regarding any original conservatory. However, the Council states that the proposed extension in combination with existing extensions would amount to more than the 50% allowance set out in the DG and I agree that is likely.

9. Nevertheless, taking account of the lack of harm to the character and appearance of the existing dwelling and the CA, I consider that the overall depth would be acceptable in this case and that a departure from the DG guidance would be justified.
10. The Council states in evidence that “the Bungalow Estate CA is categorised as at risk and in very bad condition by Natural England’s heritage at risk register”. However, no further details are provided. For the reasons set out above, whilst having regard to this categorisation, I therefore remain satisfied that the proposed conservatory would preserve the heritage value of the CA.
11. It is concluded on the main issue that the proposed conservatory would have no materially detrimental effect on the character and appearance of the host dwelling or the surrounding area. Further, it would preserve or enhance the character or appearance of the Bungalow Estate CA. In consequence, it would comply with the requirements of Policies LP26 and LP33 of the Redbridge Local Plan 2015-2030, 2018. Taken together and amongst other things, these expect development in conservation areas to be of high quality design such that it respects the local character, is well integrated and has regard to and respect for the surrounding area and preserves or enhances the character or appearance of the CA.
12. The Council suggests two conditions in addition to the statutory commencement condition. I agree that the development should be carried out in accordance with the approved plans for the avoidance of doubt and to protect the character and appearance of the host dwelling. I also agree that the development should be carried out in materials that match the existing building, except in the case of the roof which should be glazed as proposed. I will adjust the wording of the suggested condition to reflect this.
13. For the reasons set out above and having regard to all other matters raised, including the special needs of the appellant’s son, I conclude that the appeal should be allowed.

KE Down
INSPECTOR