

Appeal Decision

Site visit made on 14 March 2017

by Philip Lewis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 March 2017

Appeal Ref: APP/W5780/D/16/3161676

40 Abbey Road, Barkingside, Ilford IG2 7NB

- 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 Iqbal Hussain against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3870/16, dated 11 August 2016, was refused by notice dated 17 October 2016.
 - The development proposed is described as 'alteration to front elevation by extending first floor bedroom and replacing existing roof and front dormer with new gable ended roof'.
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Decision

1. The appeal is dismissed.

Procedural matter

2. During the appeal process it was confirmed that the appeal would proceed under the name of Iqbal Hussain, rather than the applicant as set out on the application form.

Main Issues

3. The main issues for the appeal are:
 - The effect of the proposed development on the living conditions of neighbours with particular regard to any loss of light, privacy and aspect/outlook and any overbearing effects; and
 - The effect of the proposed development on the character and appearance of the area.

Reasons

Living conditions

4. I saw at my site visit that the appeal property is situated close to the common boundary with the neighbouring 38A Abbey Road and that there is a narrow gap between the properties. No 38A has dormer in its hipped roof facing the appeal property and I observed that the outlook from the dormer would be restricted somewhat by the close proximity of the side of the dormer and the chimney of the appeal property.
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5. It is proposed that the existing front dormer and roof are replaced with a new gable ended roof which would return the dwelling to a two storey appearance when seen from the street. The proposed gable wall would rise significantly above the height of the existing dormer of the appeal property and would be situated in very close proximity to the dormer window in No 38A. Consequently, the appeal proposal would give rise to a significant reduction in outlook and light and would cause overbearing effects for the occupiers of room served by the dormer window.
6. The appeal property is situated significantly forward of the neighbouring 42 Abbey Close, with the properties separated by a modest gap. The proposed extension would introduce a two storey gabled flank wall in close proximity to and projecting significantly forward of No 42. This would give rise to adverse effects in terms of outlook and overbearing effects, particularly in respect of the first floor room nearest the appeal property, which I understand to be a habitable room.
7. To conclude on this matter, the appeal proposal would give rise to significant harm to the living conditions of neighbours. The appeal proposal is therefore contrary to London Borough of Redbridge Borough Wide Primary Policies Development Plan Document 2008 (DPD) Policy BD1 which sets out criteria for the determination of planning applications, including, amongst other things, that development should not prejudice the amenity of neighbouring occupiers. The appeal scheme also conflicts with London Borough of Redbridge Core Strategy 2008 (CS) Strategic Policy 3 which is concerned with the built environment and amongst other things, requires all new development to respect the amenity of adjoining properties.

Character and appearance

8. The appeal site is situated on a part of Abbey Road where two storey semi-detached dwellings and short terraces predominate. I understand that the appeal property dates from the 1890s and that the neighbouring dwellings were constructed in the post Second World War period. The neighbouring dwellings are appreciably set back behind the front of the appeal property, and consequently, the appeal property appears prominent in the street scene.
9. The host dwelling is a detached property which presents to the street a large bay window on the ground floor and a large box dormer to the first floor. I understand that the building was originally a two storey dwelling, which was rebuilt into its current form after fire damage in the 1970s. I saw at my site visit that the appeal property, with its first floor dormer, appears discordant with its neighbours, which exhibit some degree of uniformity in appearance and scale.
10. The proposed replacement of the existing front dormer and roof by a new gable ended roof would return the dwelling to a two storey appearance when seen from the street. This would represent an enhancement in the appearance of the building, to that more akin to its neighbours. In this respect, the appeal proposal would not be at odds with the character of neighbouring buildings or the street scene and would relate satisfactorily to the host building and the local context.
11. Due to the scale of the proposed works, the bulk and height of the appeal building both in relation to that existing and to neighbouring dwellings would be

significantly increased. On balance however, having had regard to the existing dwelling, I find that the appeal proposal would not give rise to significant harm to the character and appearance of the area. The proposal does not in this regard conflict with DPD Policy BD1 or CS Strategic Policy 3. My conclusions in respect of this matter do not outweigh my findings in respect of living conditions.

Other matters

12. I have had regard to the previous planning permission for the appeal scheme and the appellant's comments regarding fairness should the proposal be dismissed now. However, I do not know the circumstances before the Council at that time when it made its previous decision, such as whether the dormer was present in the roof of No 38A and I have found the proposal on the balance of evidence before me, to be unacceptable in regards to the living conditions of neighbours. The comments made regarding the Council's handling of the planning application are matters for local government accountability.

Conclusion

13. For the reasons given above and having considered all matters raised, I conclude that the appeal should be dismissed.

Philip Lewis

INSPECTOR