



Appeal Decision

Site visit made on 17 August 2021

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2021

Appeal Ref: APP/W5780/D/21/3272486

27 Buntingbridge Road, Barkingside, Ilford, IG2 7LW

- 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 Yamin Mustafa against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 0549/21 dated 10 February 2021, was refused by notice dated 19 March 2021.
 - The development proposed is alter the house with changes at the rear at first and second floor levels adjoining the boundary with 29 Buntingbridge Road to reflect the depth of building permitted under reference 3154/18.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant states that the application relating to this appeal was submitted following an unsuccessful appeal against an enforcement notice¹.

Main Issue

3. The main issue in this case is the effect of the development on the living conditions of the occupiers of Number 29 Buntingbridge Road, with regards to outlook and daylight.

Reasons

4. The appeal property is a two storey semi-detached dwelling. It is located within a residential area characterised by the presence of a wide range of dwelling types, including detached, semi-detached and terraced houses of one to two stories in height.
5. Houses in the area tend to be set back from the street behind short gardens and/or parking areas, with longer gardens to the rear. The set-back from the street combined with the presence of street trees provides for a sense of spaciousness and greenery.
6. The appeal property forms one of a pair of modern dwellings. It is set back behind a paved parking area. There is a narrow gap to the side of the property,

¹ Enforcement Notice ref: E0495/19; Appeal ref: APP/W5780/C/19/3242511.

between it and Number 29 Buntingbridge Road, and this provides an access to No 27's rear garden.

7. The front elevation of the appeal property is set back from that of No 29 and its rear elevation projects well to the rear of No 29's rear elevation at two storey height.
8. During my site visit, I observed that the height and depth of the rear projection of the appeal property combined with its very close proximity to No 29, results in an awkward relationship between the two dwellings, such that the side elevation of the appeal property "looms above" and appears to dominate the outlook from both the ground floor and the nearest rear facing bedroom window of No 29 to an overbearing degree. This results in a considerable sense of enclosure to the rear of No 29 at both ground and first floor level.
9. Whilst the proposed development would slightly reduce the rear projection of the appeal property above the ground floor at its rear corner closest to No 29, the changes proposed would not amount to something so great as to significantly reduce the overbearing impact of the appeal property on the outlook from the rear of this immediately neighbouring property. When seen from the rear of No 29, the appeal property would still result in an unduly dominant and overbearing form of development.
10. Further to the above, I observed during my site visit that the appeal property appears to impinge upon the amount of daylight reaching the rear of No 29 and there is no substantive evidence before me to demonstrate that the proposed development would result in any significant improvements in this regard.
11. Taking all of the above into account, I find that the proposed development would harm the living conditions of the occupiers of No 29 Buntingbridge Road with regards to outlook and daylight, contrary to the National Planning Policy Framework; to Local Plan² policies LP26 and LP30; and to the Council's Housing Design Supplementary Planning Document (2019), which together amongst other things, seek to protect residential amenity.

Other Matters

12. In support of his case, the appellant considers that the application the subject of this appeal demonstrates that the identified breach could be remedied by cutting back the house at upper levels to bring it into line with approved plans. However, I have considered all of the information before me and find that the proposed development would result in harm to residential amenity, leading to the decision below.

Conclusion

13. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

² Redbridge Local Plan (2018).