



Appeal Decision

Site visit made on 6 May 2025

by **SJ Desai BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Appeal Ref: APP/W5780/D/25/3358388

104 Mayesbrook Road, Goodmayes, Ilford, Redbridge IG3 9PJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Kujtesa Baraku against the decision of the Council of the London Borough of Redbridge.
 - The application Ref is 1953/24.
 - The development proposed is described as “Conversion of detached rear shed for use as a granny annexe for ancillary use to the main dwelling house. Skylight over rear shed”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have determined the appeal on the basis of the Council's description of the development proposed, which I have used in the bullet header above, as it more accurately describes the development.
3. The rear shed has already been erected. The Council's second reason for refusal relates to the submitted plans not accurately reflecting the building as constructed. However, for the avoidance of doubt I have based my decision on the submitted plans.
4. The National Planning Policy Framework (the Framework) was updated on 12 December 2024. However, the sections pertinent to this appeal have not changed to such an extent as to affect the matters raised by the main parties. It has not therefore been necessary to seek their views, and the revised version has been referenced in this decision.

Main Issues

5. The main issues are:
 - whether the proposal would comply with development plan policies for back gardens, having regard to the effect upon the character and appearance of the area;
 - whether the proposed development would provide acceptable living conditions for future occupiers, with particular regard to internal space standards.

Reasons

Back garden development and character

6. The appeal property is a two-storey semi-detached dwelling located on the northern side of Mayesbrook Road, within a predominantly suburban residential area. The dwelling has side access to the rear garden where a detached shed has been erected at the rear of the property. Outbuildings are also located within the rear gardens of the two adjacent properties.
7. The detached shed has a flat roof with skylight, one front entrance with two front elevation windows facing the garden and rear elevation of the main dwelling and one flank window facing the site boundary. The detached shed has a living/kitchen space, a separate bedroom and a separate shower/WC room. The appellant's evidence sets out that the building is used as a residential unit, ancillary to the main dwelling, with the side access utilised for access. The appellant sets out that the space is/would be used for a family member to study.
8. Policy LP7 of the Redbridge Local Plan 2015-2030 (2018) (RLP) sets out that the Council will resist the use of outbuildings ordinarily used for ancillary and incidental purposes within the curtilage/garden of a dwelling as separate sleeping and living accommodation. In this proposal, the detached shed provides cooking facilities, showering and WC facilities and a living room space, as well as a bedroom. Whilst some time could be spent in the main dwelling, based on the submitted evidence and what I observed at my site visit the proposed accommodation would, in my view, constitute 'separate sleeping and living accommodation' contrary to RLP Policy LP7. Having separate sleeping accommodation and what is tantamount to separate living accommodation in the rear garden results in an over intensive use of the site and fails to integrate well with the surrounding area or respect or reinforce the character and function of the area as required by RLP Policy LP26.
9. The appellant's assertion that the detached shed would not be used as an Airbnb or other form of short-term rental does not address the harm I have identified above.
10. I find that the detached shed and skylight itself, as depicted in the submission plans, as a result of its limited scale, flat roof and position at the rear of the garden, would not impact upon the open appearance of the garden or surrounding area. The building is designed sympathetically and would be comparable to surrounding outbuildings. As such I find no conflict with RLP Policy LP26 in this respect.
11. Nonetheless, for the reasons set out above I find that the proposed development would cause unacceptable harm to the overall character of the area and would be contrary to Policies LP7 and LP26 of the Redbridge Local Plan 2015-2030 (2018).

Living Conditions

12. Policy D6 of the London Plan (2021) (LP) and RLP Policy LP29, which reflects the nationally described space standards (2015), require all new residential development to meet minimum internal space standards.
13. Based on the submitted plans, the size of the bedroom would satisfy the size requirements in LP Policy D6, and the National Internal Space Standards

referenced in RLP Policy LP29 for a one bedspace single bedroom. Using the size of the bedroom shown on the plans to define occupancy, the building would satisfy the overall space standards for a 1 bedroom 1 person dwelling in LP Policy D6 and RLP Policy LP29, based on the Council's measurement of floorspace of 40sqm.

14. Accordingly, I am satisfied that the development provides acceptable living conditions for future occupiers with regard to internal space on the basis set out above. As such the proposal would not conflict with Policy D6 of the London Plan (2021) and Policies LP26 and LP29 of the Redbridge Local Plan 2015-2030 (2018), which require, amongst other matters, that development provides a high standard of accommodation.

Other Matters

15. While not specifically referred to in the reasons for refusal, the Council's officer report identifies that Policy LP29 of the RLP requires a minimum amount of private amenity space of 50sqm for a 1 bed dwelling. No dedicated amenity provision has been set out in the submitted plans. Even if the required amount of private amenity space could be provided, this would be neutral in the planning balance and would not outweigh the harm I have identified to the character of the area.

Conclusion

16. For the reasons given above, the development conflicts with the development plan as a whole and there are no material considerations of sufficient weight to indicate that the development should be determined otherwise than in accordance with it. The appeal should therefore be dismissed.

SJ Desai

INSPECTOR