
Appeal Decision

Site visit made on 4 October 2016

by H Baugh-Jones BA(Hons) DipLA MA CMLI

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

Decision date: 18TH October 2016

Appeal Ref: APP/W5780/W/16/3154828

1 Gable House, Balfour Road, Ilford, Essex IG1 4HP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Littlecroft Properties against the Council of the London Borough of Redbridge.
 - The application Ref 2302/16, is dated 17 May 2016.
 - The development proposed is demolition of existing building and erection of new 3 storey and mansard accommodation to provide 7no residential units.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing building and erection of new 3 storey and mansard accommodation to provide 7no residential units at 1 Gable House, Balfour Road, Ilford, Essex IG1 4HP in accordance with the terms of the application, Ref 2302/16, dated 17 May 2016, subject to the conditions set out in the Schedule to this decision.

Background and main Issues

2. Although the Council did not determine the appeal within the prescribed period, it is clear from its appeal statement that, had it done so, the application would have been refused on matters of character and appearance, the outlook of future occupiers and the provision of amenity space. I have considered the appeal on this basis, thus the main issues are:
 - the effect of the proposal on the character and appearance of the area;
 - whether it would result in satisfactory living conditions for future occupiers with regard to internal space and outlook; and
 - whether the proposal would make satisfactory provision for amenity space for future occupiers.

Reasons

Character and appearance

3. The appeal site is occupied by a two storey building currently in use as offices but which of is similar domestic appearance to its residential neighbours to the north-east. However, it is somewhat diminutive in comparison to their overall scale when viewed from Balfour Road. There is an extant permission for the site immediately to the south-west for the replacement of the existing single-storey commercial building with a very substantial new building. The overall
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scale of this would be greater than that proposed for the building in this appeal.

4. The surroundings are notably urban with a variety of buildings of varying style and scale. The area further to the north and north-east is predominantly residential, comprising mainly two-storey dwellings. In contrast, the appeal site is located towards the area where there are many larger buildings associated with the Ilford Metropolitan Centre.
5. The proposed building would clearly be a taller structure than those to the north-east. However, it would be located at the point where there is a transition between large commercial buildings and those of more domestic scale generally around the south western end of Balfour Road. I have nothing before me to suggest that the extant permission on the adjoining site will not be implemented and therefore consider that the overall scale of the proposed building would broadly accord with that of its immediate surroundings.
6. Furthermore, the proposed building has taken design cues from its neighbours to the north-east such as a hipped roof form and forward projecting full height gables. In my view, this is an acceptable design response that would provide a gradual visual transition between the residential and commercial area. This transition would be assisted by the building being set further forward on its plot than its neighbours to the north-east because the front elevation of the new building yet to be constructed to the south-west would be set much closer to the street.
7. I note the Council's argument that the building would cover a substantial proportion of its plot and would therefore appear cramped. However, the main views of it would be from Balfour Road and I have already found that its appearance in such views would be acceptable. Moreover, much of the building would be screened by existing development either side, particularly by the new building next door once completed. Consequently, there would be no tangible appreciation of the effects that the Council suggests.
8. For the above reasons, I consider that the proposal would accord with the aims of BWPP Policy BD1 that requires, amongst other things, development to be designed to respect, and be compatible with its surroundings. The proposal also accords with Strategic Policy 3 of the Redbridge Core Strategy (2008) (CS), the aims of which include a requirement for development to respect the amenity of the locality generally. Further, I do not find that the proposal would conflict with the broad design objectives of Policy CC2 of the Crossrail Corridor Area Action Plan (2011).
9. Taking the above into account, including the site's urban location combined with a high level of access to public transport, I also consider that the proposal would accord with the national planning policy objectives to boost significantly the supply of housing and make effective use of brownfield land as expressed in the National Planning Policy Framework (the Framework).

Internal space and outlook

10. The Council contends that the proposal would not provide sufficient internal space. However, it is apparent that this relates only to the proposed ground floor studio. The Council has put to me that because it considers this unit would have a separate bedroom, it would therefore comprise a one bedroom

flat. In the circumstance that I found this to be the case, its proposed internal space would fail to accord with the standards set out in Policy 3.5 of the London Plan (2011) (consolidated with alterations) (LP).

11. However, based on the details shown on the submitted plans, the internal floor area of the bedroom to this unit does not appear sufficient to provide for two bed spaces. I therefore consider the studio to be a one person dwelling. Consequently, the LP standard that I consider to be applicable in this case requires a gross internal area (GIA) of 37 sq m. The plans show that the studio would have a GIA of 37.1 sq m, which would therefore accord with the LP standard for one person accommodation.
12. Moreover, the bedroom would not be separated by an internal door and would only be partially divided off from the main living area by the positioning of the bathroom and store. Consequently, and notwithstanding my above findings, I am not convinced that this unit could be considered as a flat. The proposed studio unit would therefore provide sufficient internal space to meet the needs of future occupiers.
13. For the above reasons, the proposal would accord with the overall quality of life objectives of CS Policy SP3. It would also be in accordance with the requirements of the LP and the Technical housing standards – nationally described space standard (2015).
14. Turning now to matters of outlook, the rear elevation of would contain only bedrooms. The ground floor bedrooms would each have a patio area whilst those on the upper floors would have balconies. The outlook from these rooms and patios/balconies would be over a small car park to Heron Mews beyond.
15. Heron Mews is a narrow street that runs at an angle to the appeal site and thus the proposed development's rear elevation would be at a similar angle. Whilst the buildings on the other side of Heron Mews would appear in relatively close proximity, the outlook from the proposed bedrooms and accompanying external private spaces would be mainly further down Heron Mews and towards the open areas at the rear of buildings in Cranbrook Road. On balance, and given the urban context, I consider there would be a reasonable degree of separation between the proposed building's rear elevation and those on the other side of Heron Mews to result in a generally satisfactory outlook. In this respect, the proposal would also therefore accord with CS Policy SP3.

Amenity space

16. The Council informs me that the appeal site is located within an area of public open space deficiency. Whilst I have no reason to doubt this, I noted that there is a very large public open space within reasonable walking distance to the north-west. I consider that this would assist in meeting the needs of the development's occupants.
17. Further, although the actual amount of space provided on site would be limited to the patios and balconies, only one of the proposed units would have two bedrooms that could be considered as providing family accommodation. However, given the context of the proposed development, I consider it more likely that it would attract those taking their first step onto the housing ladder, rather than a family. On this basis and taking into account the town centre location, I do not find that there would be any overall conflict with the

requirement of BWPP Policy BD4 which sets out that in such circumstances new dwellings can be permitted without amenity space.

18. The Council's statement sets out that it considers the proposal would conflict with the one of the other requirements of Policy BD4, which is for amenity space in new development to be compatible with the prevailing pattern in the surrounding area. Given that the appeal site lies within a dense urban context, I do not consider that there would be any clear harm in this respect.
19. In considering this third main issue, I have also weighed in the balance, the general boost to housing supply and the efficient use the development would make of urban land. Having done so, and when taking into account the proximity of the public open space, I am satisfied that the living conditions of future occupiers would be acceptable.
20. I note that the Council also refers to CS Policy SP3 in respect of this main issue. However, it is unclear how this policy relates to matters of amenity.

Other matter

21. The effect on neighbours' living conditions has also been referred to in the Council's evidence but is not a matter reflected in what would have been the reasons for refusal of the application. I do not have any substantive justification for the Council's contention before me and therefore give this argument very little weight.

Conditions

22. I have had regard to the various conditions suggested by the Council. I have imposed a condition requiring the development to be carried out in accordance with the approved plans as this provides certainty. A condition relating to materials is necessary to ensure the appearance of the development is satisfactory. However, I do not consider that this warrants a pre-commencement condition and have reflected this in its wording.
23. Given the site's location, I consider a condition is necessary relating to a Construction Method Statement in order to prevent unacceptable effects on the highway network or on local residents. However, I have not included a noise related requirement as there is no clear evidence that the surroundings are noise sensitive.
24. The Council has suggested two conditions relating to the Building Regulations Optional Requirements. The first of these relates to accessible and adaptable dwellings that the Council seeks to justify against BWPP Policy H2. However, National Planning Practice Guidance is clear that compliance with the optional requirement should be based on a clear understanding of needs in the local authority's area and where the impact on viability of the development has been considered. Given that the development plan dates from 2008, I do not consider, in the absence of up-to-date need and viability evidence, that the imposition of the suggested condition can be substantiated and I have not imposed it. Secondly, the Council has suggested a condition requiring the optional requirement in relation to water efficiency. In my view, given the pressure on London's water supply as evidenced in the LP and as required by its Policy 5.15, I have imposed this condition.

25. Finally, in the interests of the ensuring the satisfactory appearance of the development, I have had imposed [related] conditions in respect of hard and soft landscaping into which I have incorporated a requirement to submit details of boundary treatment. However, I do not consider that a pre-commencement condition is necessary.

Conclusion

26. For the above reasons and having had regard to all other matters raised, the appeal succeeds.

Hayden Baugh-Jones

Inspector

SCHEDULE OF 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: Location Plan Drawing No. 14178_PA01; Plans Drawing No. 14178_PA02 B; Elevations and Section Drawing No. 14178_PA03 A; Indicative 3D visualisations Views from Balfour Road Drawing No. 14178_PA04; Indicative 3D visualisations Aerial Views Drawing No. 14178_PA05; Existing plans and elevations Drawing No. 14178_PA06.
- 3) No development above slab floor level shall commence until details / samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
- 4) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) wheel washing facilities;
 - v) measures to control the emission of dust and dirt during construction;
 - vi) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - vii) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 5) The dwellings shall not be occupied until the Building Regulations Optional Requirement G2(36(2)(b)) (water efficiency) has been complied with.
- 6) No development above slab floor level shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include
 - i) means of enclosure and retaining structures;
 - ii) boundary treatments;
 - iii) vehicle parking layouts;
 - iv) hard surfacing materials;

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme.

- 7) Details of soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate.