
Appeal Decision

Site visit made on 11 December 2017

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 5th January 2018

Appeal Ref: APP/W5780/W/17/3179921
632 Green Lane, Seven Kings, Ilford IG3 9SD

- 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 Mrs Johal against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 5685/16, dated 6 December 2016, was refused by notice dated 31 January 2017.
 - The development proposed is conversion of main building into 2 flats.
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion of the main building into 2 flats at 632 Green Lane, Seven Kings, Ilford IG3 9SD in accordance with the terms of application Ref 5685/16, dated 6 December 2016 subject to the following condition:
 1. The development hereby permitted shall relate solely to the following approved plans: 001 dated 10 May 2016; 002 Rev B and 003 Rev B dated 26 November 2013 revised on 6 December 2016.

Preliminary Matter

2. At the time of my site visit the conversion of the building into two flats had already taken place. I have dealt with the appeal on that basis.

Main Issues

3. The main issues in this case are:
 1. The effect of the proposal on the character of the area and on the living conditions of neighbouring residents with particular regard to general activity, noise and disturbance.
 2. Whether the proposal would provide satisfactory living conditions for occupiers of the proposed flats having particular regard to the provision of amenity space.
 3. The impact of the proposed parking arrangements on highway safety.

Reasons

Character of the Area and Living Conditions of neighbouring residents

4. The appeal site occupies a corner position at the junction of Green Lane and Aberdour Road. It comprises what was originally a detached three /four

bedroomed, two-storey house and its curtilage. The property was extended at the side in or around 2007 and that extension, which has been used as a self-contained flat (Flat 3) since it was built, was granted a Certificate of Lawfulness on appeal in 2016.¹ I understand that the original part of the house was converted to two flats at around the same time. The conversion, which does not have a lawful use, forms the subject of this appeal.

5. The site lies within a well-established area not far from the centre of the settlement. Green Lane is a busy road used as a bus route and serves a mix of residential and community uses including a medical practice and day nursery which lie in close proximity to the site. Buildings are a mix of styles and ages.
6. I saw at my site visit that the use of the appeal property as two flats is not readily apparent from the outside. Both flats are accessed by the same front door and the appearance of the property as a detached house, with an extension, has been retained. No further alterations to the external appearance of the building are proposed, although it is intended to install cycle and bin stores to the forecourt. Consequently in visual terms the change of use has had limited impact on the appearance of the area.
7. Internally both flats, which have generously proportioned rooms, accommodate one or, potentially two, bedrooms each. On that basis occupancy of the property is unlikely to be significantly greater than the use of the property as a four bedroomed dwelling. Consequently I am unconvinced that there is significantly more activity in terms of comings and goings, or disturbance and activity, associated with the two flats than there would have been had the property remained in its previous use. Moreover, there is no evidence before me of any harm caused by increased activity despite the flats having been in existence for some time.
8. As such I am satisfied that the proposal does not harm the character or appearance of the area or the living conditions of neighbouring residents. For that reason the proposal would comply with Policy SP3 of the Core Strategy 2008 which requires all new development to respect the amenity of adjoining properties and the locality generally.
9. In its reason for refusal on the grounds of character and appearance, the Council has also referred to Policy H2 of the Borough Wide Primary Policies Development Plan Document 2008 (DPD) which seeks to retain family housing except in metropolitan or district centres or areas where there is already a high proportion of converted properties. This policy relates to housing choice, rather than to the issue of character and appearance. Whilst I acknowledge that there is a conflict with the policy, in that it results in the loss of a family house, there is no evidence before me about housing need within the Borough. Moreover, from what I have seen and read there is a low proportion of flats within the immediate area. Consequently, on that basis, I am unconvinced that the loss of a single family house has had a significant impact on housing choice.

Occupiers Living Conditions

10. Policy BD4 of the DPD requires that in new, converted or extended residential accommodation, 20sqm of amenity space should be provided per habitable

¹ Appeal ref APP/W5780/X/15/3132178

room. Although there is a well-established garden at the rear of the property, the size of the garden, which would be shared by occupants of all three units, falls short of the space required, based on a total of 10 habitable rooms within the house and the self-contained annex. However, the change of use has not increased the number of habitable rooms within the property over that of the original dwelling. The ratio of garden space to habitable rooms has remained the same. Moreover, the space, which is enclosed, is of a useable size and configuration and could be readily shared by the occupants of the three flats as amenity space if required.

11. Consequently, although there is some conflict with Policy BD4 in terms of garden size, I am satisfied that an adequate provision of amenity space is provided and that living conditions for occupiers are acceptable.

The impact of the proposed parking arrangements on highway safety

12. The front of the property is currently paved and capable of accommodating one vehicle. Vehicular access, which is gated, is off Aberdour Road. Policy T5 of the DPD, states that car parking provision will be sought in accordance with maximum standards set out in Schedule 3. Maximum provision for a 1-2 bedroomed unit is 1 space per unit. Where provision would be less than the maximum, as in this case, the proposal will be considered against its context.
13. The Council advises that the public transport accessibility of the site is listed as moderate (PTAL 3). Nevertheless, I saw at my site visit that the site is in easy walking distance of the services and amenities of Goodmayes and the railway station. In addition there are bus stops in close proximity to the site. I am therefore satisfied that there are accessible local services and that occupants also have access to a range of transport options for employment and services further away.
14. I noted at my site visit that there are parking restrictions immediately outside the property. However, elsewhere along Green Lane and surrounding roads, parking is unrestricted. There is no evidence before me about the demand for parking locally although I accept that in areas of terraced housing demand can be high. However, in this case the shortfall in maximum provision is very low and unlikely to have a significant effect on demand for spaces or highway safety or convenience.
15. I am therefore satisfied that the proposal is in accordance with Policy T5 as set out above and would not be detrimental to highway safety.

Conditions and Conclusion

16. The Council has suggested, in the event of the appeal being allowed, a condition specifying the approved plans. The change of use has already occurred but given that a bin and cycle store are proposed and that the second floor is indicated as a storage area only, such a condition will provide certainty and is therefore reasonable and necessary.
17. For the reasons set out above and taking into account all other matters raised, the appeal is allowed and planning permission is granted subject to this

condition.

S. Ashworth

INSPECTOR