



Appeal Decision

Site visit made on 31 May 2019

by J Slominski BA(Hons) MCD

an Inspector appointed by the Secretary of State

Decision date: 02 September 2019

Appeal Ref: APP/W5780/W/19/3224684
218 Hampton Road, ILFORD IG1 1PP

- 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 T Javed against the decision of the London Borough of Redbridge ("the Council").
 - The application Ref 4463/18, dated 29 October 2018 was refused by notice dated 21 December 2018.
 - The development proposed is Proposed conversion of the existing house into 2 self-contained residential units.
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Decision

1. The appeal is dismissed.

Preliminary matters.

2. The description of the development varies across the application form, decision notice and appeal form. I have used the description from the application form because it accurately describes the proposal and neither of the main parties has provided written confirmation that a revised description of development has been agreed.

Main Issues

3. The main issues are:
 - i. The effect of the proposal on the supply of family sized homes;
 - ii. whether the future occupiers of the proposed first floor flat would experience adequate living conditions, with particular regard to outdoor amenity space; and
 - iii. whether the development would made adequate provision for car parking and cycle parking.

Reasons

Family sized homes

4. The existing dwelling is a two storey building under a pitched roof, with approximately 94.5 square metres of internal floorspace.
5. Policy LP6 of the Redbridge Local Plan 2015-2030 (March 2018) ("Local Plan") supports the conversion of larger homes (over 130 sqm) within town centres

into smaller homes. Policy LP5 supports new flats within town centres and the retention of larger homes outside town centres. Policies LP5 and LP6 effectively set out a spatial strategy for the provision of a balanced mix of housing across the borough, directing higher density flatted developments to town centres, and allowing new homes in the surrounding suburbs whilst maintaining a supply of smaller family sized homes.

6. The property is approximately a 20 minute walk to the nearest stations at Ilford and Barking with buses on Ilford Lane and South Park Drive. Although it is arguably close to Ilford Town Centre, it is not within the Town Centre and the appellant acknowledges that Hampton Road is an established residential area. The appellant also acknowledges that the existing dwelling is not a large family dwelling. It is therefore clear in my view that the proposal would not comply with Policies LP5 and LP6.
7. Where larger homes are suitable for conversion, Policy LP6 seeks to retain a supply of family sized homes and requires conversions to retain a family sized home of 74 square metres (and three bedrooms) with access to a garden. Following the conversion, a 1-bedroom flat and a studio flat would be provided. The result would be the loss of a family sized home, with no replacement family sized home being provided.
8. I therefore find that the proposal would not comply with Policies LP5 and LP6 of the local plan.

Living Conditions for Future Occupiers

9. London Plan 2016 Policy 3.5 requires new housing to comply with the Technical Housing Standards – Nationally Described Space Standard, DCLG 2015 (“NDSS”). Local Plan Policy LP29 requires flatted development to provide private and communal external amenity space.
10. The proposed conversion would provide a one bedroom flat on the ground floor with acceptable living accommodation.
11. The first floor flat would have one bedroom, and an entrance at ground level, meaning it would be a one bedroom home over two storeys. The NDSS minimum requirement for that type of home is 58 square metres, although the Council has applied the standard flexibly and accepted that a 38 square metre home with no dedicated storage space would provide acceptable internal space - presumably because it would exceed the absolute minimum requirement of 37 square metres for a 1 person flat. However there would be no access to external amenity space, either communal or private, and on that basis the proposal would conflict with Policy LP29.
12. The appellant’s view is that generally small upper floor units do not use or maintain their outdoor amenity space. I have considered that point, but there is no evidence before me that demonstrates it to be the case.
13. Given the small size of the unit, I place great weight on the requirement to comply with the relevant standards in other respects, and in this case the lack of external amenity space is not outweighed by other benefits. I therefore find that the proposal would not provide adequate living conditions for the occupants of the first floor flat, contrary to Local Plan Policy LP29.

Transport and Parking

14. Local Plan Policy LP23 requires new development to provide sufficient cycle and car parking with regard to the London Plan. Policy 6.13 of the London Plan supports the application of the maximum standards in parts of Outer London with low public transport accessibility (generally PTALs 0-1). The site has a low Public Transport Accessibility Rating (PTAL) of 1b, and on that basis the Council's view is that one parking space is required per home.
15. The existing home has one informal parking space in the front garden which does not appear to comply with modern standards but is an established arrangement. The proposed development would not provide any additional parking spaces, and it has not been demonstrated that the development could be adequately served by on-street parking. I observed high on-street parking stress at my site visit. The proposed development would therefore result in a shortfall of one parking space and would not comply with Local Plan Policy LP23.
16. Furthermore, Policy LP23 also requires secure, accessible, and sheltered cycle parking in accordance with the London Plan (which at Policy 6.9 requires one space per one bedroom home). None is proposed. Both parties accept that cycle parking could be secured in the front garden by a planning condition and I agree that that would be possible, however it would preclude any parking in the front garden, increasing the shortfall of car parking to two spaces and exacerbating the conflict with Policy LP23.

Other Matters

17. The appellant has stated that the Council has been failing to meet their housing requirements. The Council has not responded to that point or provided evidence of a Five Year Housing Land Supply, although the 2018 Housing Delivery Test measurement identifies that the Council is significantly failing to deliver sufficient new homes.
18. The proposed development would be located in an area which has access to town centre services and facilities. There is access to public transport within walking distance. It would therefore be a sustainable location for new homes. It would bring with it some economic benefits in terms of construction jobs and local spend, and it would not be harmful to the surrounding built or natural environment. However, it would fail to ensure that sufficient family sized housing is available, and the additional home which it would create (at first floor level) would fail to provide adequate living conditions for its residents. The adverse impacts of allowing the appeal would significantly and demonstrably outweigh the benefits provided by the proposed additional home, and on that basis it would not be a sustainable form of development with regard to Paragraph 11 of the National Planning Policy Framework 2019. Therefore the Council's five year housing land supply position is not a determinative matter in this appeal.
19. The appellants case relies substantially on criticism of the Local Plan Policies, describing them as draconian, short sighted and questionable, and promoting the proposal as one which provides new housing which will comply with the building regulations. I am required to make a decision in accordance with the policies of the development plan unless there are material considerations which lead me to determine otherwise. In this case it is very clear that the

development does not comply with the development plan, even accounting for the flexibility that the Council has exercised in the application of its policies. Having considered the size of the existing and proposed homes, the proximity to the town centre, the quality of the proposed accommodation, and the other points raised by the appellant, I do not find that there are material circumstances in this case which justify or outweigh the conflict with the development plan that I have identified.

Conclusion

20. Having had regard to the above, and all other matters raised, the appeal is dismissed.

J Slominski

INSPECTOR