



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: 03 September 2019

Appeal Ref: APP/W5780/W/19/3224937

10 York Road, Ilford IG1 3AD

- 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 I Wahid against the decision of the London Borough of Redbridge.
 - The application Ref 4709/18, dated 16 November 2018, was refused by notice dated 04 February 2019.
 - The development proposed is Loft conversion to provide 1no. new studio flat within roof space including dormer window to rear.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. 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 character and appearance of the existing building and its surroundings; and
 - ii. whether the proposed development would result in adequate living conditions for future occupiers.

Reasons

Character and Appearance

4. The existing property on the site is a Victorian style end of terraced building on the corner of York Road and Argyle Road.
5. The building is double fronted with a two storey canted bay windows and a hipped roof, and forms part of a row of similar buildings.
6. The surrounding buildings are generally built in small clusters of relatively uniform design, with brick elevations and pitched or flat roofs.

7. The existing building has been converted into four flats, each accessed from a central hallway. The proposal would extend and convert the roof space to provide a new dwelling, accessed from the central hallway and staircase.
8. The proposed rear dormer extension would incorporate a part pitched and part flat roof. The rear elevation of the dormer would be slightly set back from the eaves on the rear of the building (by approximately 0.5 metres) and down from the main roof ridge (by approximately 0.4 metres). It would have two windows on the rear elevation; one would be aligned with the staircase window below; and the other would not be aligned with the existing fenestration.
9. The dormer would alter the shape of the roof in a way which would substantially alter its form, and would contrast with the prevailing design of hipped and dual pitched roofs on Argyle Road and York Road. The awkward combination of the part flat and part pitched roofs would not reflect the surrounding built features, and it would be a bulky, incongruous addition that would be out of character with the character of the host property and the prevailing pattern of development locally.
10. As a result of its size and position, the dormer extension would dominate the appearance of the building when viewed from the rear. Although it would not be visible from York Road when standing outside the front of the building, it would be visible in views from the junction of York Road and Argyle Road, and would be very prominent when viewed from Argyle Road at the rear.
11. The materials used for the dormer would complement the existing building. There would also be three rooflights on the front and side elevations, which would be small and neatly positioned to avoid harming the appearance of the building.
12. However, the overall effect would be harmful to the character and the appearance of the building and its surroundings. The proposed roof extension would therefore conflict with Policy LP26 of the Redbridge Local Plan 2015-2030 (March 2018) ("Local Plan") and Policy 7.6 of the London Plan 2016 ("London Plan") which together require development to be of high architectural quality, respect local character and be well integrated to the surrounding area in terms of form, style, massing, scale and design.
13. The appellant has referred to modern two storey and dormer extensions at no.16 York Road which, in their view, have compromised the appearance of the terrace. The dormer at no.16 has a simple flat roof, is set in from the slope of the roof on either side retaining the original roof profile, and does not have a similar appearance to the proposed extension.
14. Although I have noted the development at no.16 and several other modern extensions nearby (including on the opposite side of York Road), they do not justify the harm that the development would cause to the character and appearance of the site and its surroundings.

15. Living Conditions

16. London Plan 2016 Policy 3.5 requires new housing to comply with the minimum standards set out in the Technical Housing Standards – Nationally Described Space Standard, DCLG 2015 ("NDSS"). Local Plan Policy LP29 requires flatted development to provide good quality internal and external amenity space.

17. The appellant acknowledges that the proposed flat would fall below the minimum internal floor space standard of 37 square metres set out in the NDSS for a single person studio flat.
18. Approximately 25% of the new dwelling's internal floorspace would achieve a 2.3 metre ceiling height, contrary to the NDSS which requires at least 75% of the ceiling height to be 2.3 metres high. Furthermore, table 3.3 of the London Plan 2016 ("London Plan") advocates a 2.5 metre ceiling height (noting a relationship between high density flatted development and susceptibility to overheating) which the development would not comply with.
19. Further to the flat's small size and low ceilings, it would have a "U" shaped footprint wrapping around the communal staircase, some of which would be boxed in behind kitchen cupboards and the bathroom sanitaryware, and therefore inaccessible. The dwelling's layout would be inefficiently designed and would exacerbate the failure to comply with the NDSS.
20. The flat would have windows and rooflights on four sides which would allow good access to ventilation and natural light. All of the rooflights would be at high level, with only a single small window on the rear elevation providing outlook. Although that window would be small, it would provide an open outlook and in combination with the rooflights would be sufficient.
21. However due to the insufficient floorspace and ceiling height, and poor layout, I find that the development would be contrary to London Plan Policy 3.5 and Local Plan Policy LP29 which together require dwellings to provide acceptable living conditions for future occupants.

Other Matters

22. London Plan Policy 3.3 (supported by the Mayor of London's Housing Supplementary Guidance 2016 and paragraph 3.29 of the London Plan) and Local Plan Policies LP2 and LP5 together support a mix of dwelling types in different locations, including small units in well-connected locations. London Plan Policy 3.4 and Local Plan Policy LP2 also (together) require efficient use of land which achieves high densities and optimises housing potential.
23. I have no doubt that the site is accessibly located or that the provision of additional housing on the site would contribute to housing delivery. The Council have not objected to the principle of additional housing or increased density, and recently demonstrated support for residential intensification by granting planning permission¹ for a new home to the rear of the site.
24. The support that the development plan lends to the provision of additional homes does not outweigh the need for those homes to achieve a basic minimum standard of accommodation for its occupants. In this case I find that the benefit arising from the provision of an additional home is diminished by the poor living conditions which to which its occupants would be subjected.
25. The proposed development would not provide any external amenity space, contrary to Local Plan Policy LP29. The Council accepts the lack of external amenity space given the site's location in a Metropolitan Centre. I am unclear why residents in a Metropolitan Centre do not require external amenity space,

¹ Planning permission 1290/171

however as I am dismissing the appeal I have not sought to delay proceedings by seeking further clarification. In any case, this shortcoming underlines the harm caused by the development's poor internal living conditions.

26. I note that the entrance to the building is well overlooked and attractive, that no security concerns have been raised by the parties, and that the proposal would be car free. However, none of those considerations outweigh the harm that I have identified.
27. I also acknowledge that the proposed development would result in some economic benefits in terms of construction jobs and local spend. However, in light of the harm it would cause to the appearance of the surrounding built environment and living conditions, which would significantly and demonstrably outweigh the benefits of an additional dwelling, I do not find it to be a sustainable form of development with regard to Paragraph 11 of the National Planning Policy Framework 2019.
28. The Council have drawn attention to the need for refuse storage and cycle parking to be provided for the proposed flat, which I agree could be secured within the site's curtilage (as it includes external space to the front) by planning conditions were I to allow the appeal.
29. I understand that there is a legal dispute regarding the use of the roof space and access to an existing water tank, however as those are matters which fall largely outside the remit of planning legislation they have had a neutral effect on my decision.

Conclusion

30. The proposed development would not comply with the development plan, and I do not find the harm that I have identified to be outweighed by any material considerations. Having had regard to the above, and all other matters raised, the appeal is dismissed.

J Slominski

INSPECTOR