



Appeal Decision

Site visit made on 4 November 2019 by Mariam Noorgat BSc (Hons)

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th December 2019

Appeal Ref: APP/W5780/W/19/3235183

12 Hollybush Hill, Wanstead, London E11 1PP

- The appeal is made under section 78 of the Town Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Sanghera against the decision of London Borough of Redbridge.
 - The application Ref 1243/19, is dated 27 March 2019, was refused by notice dated 19 June 2019.
 - The development is the conversion of basement to provide a one bedroom flat including formation of new lightwells.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - Whether the basement flat would provide satisfactory living conditions for its occupants, with particular regard to outlook and light; and
 - The effect of the proposed development on the parking and highway safety.

Reasons

4. The appeal site is a two-storey end terrace property, located on the eastern and southern side of Hollybush Hill and Lonsdale Road respectively. The main entrance to the property is on Hollybush Hill, with side access also available from Lonsdale Road. The majority of the properties nearby contain basement conversions and therefore they are not an uncommon feature. There is onsite parking available outside of both entrances. Hollybush Hill is a very busy one-way road with a steady flow of vehicles which leads to a large roundabout. Lonsdale Road as a whole is not as busy, although the fuel station located at the junction with Hollybush Hill generates some traffic.

Living Conditions

5. There is no dispute between the parties regarding the quantum of internal and external space to be provided and its accordance with the relevant space standards within Table 3.5 of The London Plan, the spatial development strategy for London Consolidated with alterations since 2011 (London Plan), the Technical housing standards, nationally described space standards, March 2015 and Policy LP29 of the Redbridge Local Plan 2015-2030 adopted 2018 (Local Plan). From the evidence before me I see no reason to disagree.
6. Policy LP26, Part (j), of the Local Plan states that new housing development should provide a high standard of accommodation in terms of arrangement of internal and external spaces. Policy 3.5 of the London Plan also expects that new housing should be of the highest quality both internally and externally. Furthermore, the National Planning Policy Framework (the Framework) requires that new development should create places which promote health and well-being. Although outlook is not explicitly mentioned in the aforementioned policies, the provision of some level of outlook from a dwelling is consistent with these objectives. This stance is consistent with that taken by the Inspector on the previous appeal decision for this site (APP/W5780/W/18/3209826).
7. The proposed basement flat would have two habitable rooms which would have bay windows that face west (Hollybush Hill) and one single window that faces north (Lonsdale Road). The views available from these windows would be towards the retaining walls for lightwells. The retaining walls would be close enough to dominate the outlook from the windows and have an unpleasantly enclosing and oppressive effect. Although there would be some planting alongside lowered railings on the ground floor to the west of the appeal site, it would not effectively mitigate the main view of the retaining walls.
8. The window facing Lonsdale Road would serve a living room and is north facing. This, together with the restricted distance from the retaining wall to the window, would have a harmful effect on the sunlight received in the room served by that window. Standard 32 of the Mayor of London Housing Supplementary Planning Guidance 2016 (SPG) states that all homes should provide for direct sunlight to enter at least one habitable room for part of the day and that living areas and kitchen dining spaces should preferably receive direct sunlight. The western window of the living room would be likely to receive direct sunlight for part of the day. Therefore, I am satisfied that the room would receive sufficient light, but this would not outweigh the poor outlook which would be experienced.
9. I conclude that the basement flat would not provide satisfactory living conditions for its occupants, with particular regard to outlook. It therefore would be contrary to Policy LP26 of the Local Plan, Policy 3.5 of the London Plan and the Framework, as described above.

Highway Safety

10. The proposed development would reinstate the pavement outside the appeal property on Hollybush Hill which is currently a vehicle crossover, the onsite parking for the appeal property would therefore be confined to the area outside the side entrance on Lonsdale Road. The appellant states there would be no change to the access and egress of the parking arrangements from Lonsdale

Road, this would include the one vehicle crossover which is located at the rear of the property.

11. At my site visit, I witnessed a total of six cars parked on the plot of the appeal site, two were outside the main entrance on Hollybush Hill. A further four were parked outside the side entrance on Lonsdale Road, one of which would rely on another vehicle to move in order to exit. I acknowledge that this is just a snap shot in time, and the situation may be different at other times. However, based on the limited evidence before me the parking area is well used.
12. The proposal would lead to a reduction in the parking space available and therefore it is different to a previous similar proposal (application Ref 1844/18). Standard 17 of the SPG sets out parking standards. Even using the highest level of required provision within the Public Transport Accessibility Level area 2-4 within which the appeal site is located, there would be sufficient spaces on site to serve the existing and proposed flats and meet the Standard. Although there appears to be an additional unit to the rear of No 12 which is accessed from the existing entrance from Lonsdale Road, there is adequate space to the front of the unit to accommodate parking.
13. The proposed lightwell and cycle storage would narrow the area of onsite parking. This combined with the position of the vehicle crossover, would limit the manoeuvrability of the vehicles parked here. However, I am mindful that this is an existing access. Furthermore, in the absence of trip rates to suggest otherwise, a single one bed flat would only generate a minimal amount of traffic which would be imperceptible against existing use of the access onto Lonsdale Road. Therefore, the additional flat is unlikely to lead to a material intensification of the access. Consequently, the proposal would not be harmful to highway safety, particularly given the good visibility and wide pavements on Lonsdale Road, even taking account of the presence of the fuel station and the traffic it may generate.
14. The narrowness of the parking area may encourage parking on the street. However, there has been no substantive evidence submitted to suggest that there is a significant problem with parking in this area such that the addition of one small dwelling would lead to an increase in parking demand which would lead to material harm to the safety of highway users or residents' living conditions.
15. Therefore, for the reasons above I conclude that the proposal would not have a harmful effect on parking provision or highway safety. There would therefore be no conflict with Policy LP23 of the Local Plan and paragraph 109 of the Framework. These seek to ensure sufficient parking would remain in the area to serve local needs and to prevent an unacceptable impact on highway safety.
16. Although I have found that there would be no harm to highway safety or parking provision this would not outweigh the harm caused by unacceptable living conditions for future residents

Other Matters

17. The compliance with relevant space standards and lack of harm to the character and appearance of the area are not contested, however, these factors are not enough to outweigh the harm identified above.

18. The appellant refers to Policy LP2 of the Local Plan and Policy 3.3 and 3.4 of the London Plan with regards to efficient use of land and housing. There would be some economic and social benefits related to the provision of a flat in this location. However, such benefits would be limited given the scale of development and would not outweigh the harm caused by the provision of unsatisfactory living conditions for future residents.

Recommendation and Conclusion

19. For the reasons set out above, and having regard to all other matters raised, I recommend the appeal is dismissed.

Mariam Noorgat

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR