

Appeal Decision

Site visit made on 17 December 2019

by Ian Harrison BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2020

Appeal Ref: APP/W5780/W/19/3238550
367 Henley Road, Ilford IG1 2TH

- 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 M Ashfaq against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2626/19, dated 20 June 2019, was refused by notice dated 2 September 2019.
 - The development has been described as “two residential flats”.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development used above has been taken from the planning application form. The Council has used an alternative description, but Part E of the appeal form utilises the original description and states that a change has not been agreed. I consider the original description to be adequate and I have, therefore, used the one given on the original application, albeit removing the unnecessary reference to the retention of the development that has already occurred. I have however assessed the development on the basis that the application was made retrospectively.

Main Issues

3. The main issues are the effect of the development on:
 - The supply of family housing and the residential character of the area;
 - The living conditions of occupiers of the development, with particular regard to the size of the proposed ground floor flat and the provision of garden space to serve the first floor flat; and
 - The provision of car parking.

Reasons

Supply of Family Housing and the Character of the Area.

4. The submitted plans show that the former 4 bedroom dwelling at the appeal site has been adapted to contain a pair of 2 bedroom flats, with one at ground floor and the other at first and second floor. One of the flats features a large study which the Council considers could be used as a bedroom, but the

application form and the plans state that the flats would each have 2 bedrooms and I have considered the appeal on that basis.

5. Policy LP6 of the Redbridge Local Plan 2015-2030 (RLP) states that the conversion of larger homes into smaller self-contained units will only be supported where specific criteria are met. As the development does not include a unit with 3 or more bedrooms and is not located within a Metropolitan, District or Local Centre, the development does not comply with the relevant criteria. Even if the study mentioned above was considered as a bedroom, that flat would not have direct access to the rear garden and so would still not comply with the criteria of policy LP6.
6. On this basis, the development undermines the aim of providing housing that meets the identified needs of the Borough's residents. The development, therefore, also conflicts with the aim of policy LP5 which requires that developments provide dwellings of a range of sizes, particularly focusing on larger homes with 3 or more bedrooms.
7. Whilst the Council has also raised a concern about the effect on the general character of the area, no external alterations to the building were required and the provision of refuse and cycle storage areas at the site frontage would not significantly contrast with the surrounding area. Therefore, the effect on the established pattern of development within the locality would be minimal. Furthermore, the additional activity arising from the provision of 2 flats in place of 1 house does not materially alter the existing residential environment. The proposal does not therefore conflict with the part of policy LP26 of the RLP which requires that development is well-integrated into the character of the area.
8. For the reasons given above, whilst I have found no harm in respect of the effect on the character of the area, the development unacceptably effects the supply of family housing. The development is, therefore, contrary to policies LP5 and LP6 of the Redbridge Local Plan 2015-2030 (RLP) which combine to seek the retention and provision of housing that meets the needs of the Borough's residents.

Living Conditions of Future Occupiers

9. The Technical Housing Standards – Nationally Described Space Standards (THS) and Policy 3.5 of the London Plan (LP), adopted 2016, include minimum size standards for residential units. Policies LP6, LP26 and LP29 of the RLP also require residential development to provide suitable living conditions, meet defined standards and provide external private open space for all properties.
10. No evidence has been provided that contradicts the measurement of the ground floor flat that has been provided by the Council and, as such, the flat would be of insufficient size. Furthermore, the plans indicate that the first floor flat would not have access to the garden space at the rear of the site. For these reasons, the evidence before me indicates that the development does not comply with the abovementioned standards.
11. The development therefore has an unacceptable effect on the living conditions of the occupiers of the development, with particular regard to the size of the proposed ground floor flat and the provision of garden space to serve the first floor flat. The development is therefore contrary to policies LP6, LP26 and

LP29 of the RLP which require, amongst other things, that development provides high standards of housing accommodation in terms of internal and external space. The proposal is also contrary to policy 3.5 of the London Plan (LP) which requires that minimum space standards are met.

12. The development is also contrary to the THS, for the reasons set out above, and paragraph 127 of the National Planning Policy Framework which states that development should achieve a high standard of amenity for existing and future residents.

Car Parking Provision

13. The site is served by no parking. Policy 6.13 and the associated parking standards of the LP indicate that the former dwelling should have been served by a maximum of 2 spaces and the 2 flats should each be served by less than one space. As such, the increase of the number of homes at the site would not alter the maximum parking provision. Whilst the LP states that minimum standards can be considered in less accessible areas, no evidence has been provided to support the case that more parking would be required to serve the occupiers of the flats than the former dwelling. Therefore, in this case, I am not persuaded that the development has caused additional parking stress within the locality that reduces highway safety or effects the living conditions of other residents.
14. Therefore, the development has not had an unacceptable effect on the provision of car parking and accords with policies LP23 of the RLP and 6.13 of the LP which both require that parking is provided in accordance with the stated parking standards.

Other Matters

15. The appellant has commented on the bulk, size, design, materials and energy efficiency of a rear extension and the visual effect of such an extension. I consider these comments to be of no relevance to the main issues that are set out above. Furthermore, it has not been clarified how the investment in the building that has occurred represents a positive contribution to the area and as such I give this factor no weight.

Conclusion

16. Bringing together my conclusions, whilst I have found that the development has not had an unacceptable effect on the provision of parking in the locality or the overall character of the area, the development undermines the aim of delivering and retaining housing that meets the needs of the Borough's residents and also causes the occupiers to be served by inadequate living conditions. For these reasons, I conclude that the appeal should be dismissed.

Ian Harrison

INSPECTOR