



Appeal Decision

Site visit made on 18 May 2020

by M Madge DipTP, MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th June 2020

Appeal Ref: APP/W5780/W/20/3244677

165 - 167 High Road, Ilford IG1 1DG

- 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 Arora of Valiant Realty Ltd against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2077/19, dated 11 May 2019, was refused by notice dated 1 November 2019.
 - The development proposed is a single storey rear extension at first floor level, loft conversion with rear mansard roof extension and front facing roof lights, rear balconies/terraces, and the conversion of upper floors from (current class) to 7 x self-contained flats (Class C3).
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Decision

1. The appeal is dismissed.

Procedural matter

2. Since the submission of the appeal, the Epping Forest Special Area of Conservation Mitigation buffer has been extended from approximately 0 - 3 km to 0 - 6 km. The Epping Forest Special Area of Conservation (SAC) Mitigation Strategy requires a financial contribution to be made to mitigate any adverse effects of development on the integrity of the SAC.

Main Issues

3. The site is located within the Metropolitan Town Centre and the proposal represents the re-use of upper floors for residential purposes. The Council confirm that the principle of development is acceptable in this location and I have no reason to find otherwise.
4. The main issues are:
 - the effect of the development on living conditions for future occupiers, with regard to sunlight, outlook and privacy; and
 - whether or not an acceptable mix of house types would be achieved.

Reasons

Living conditions

5. The existing building is orientated so that its rear elevation does not benefit from direct sunlight. A pedestrianised precinct is located to the front of the building and a narrow yard area is located to the rear. Beyond, but close to,

the rear site boundary is the Exchange Ilford car park access ramp, which is of a similar height to at least a two storey building.

6. The internal layout proposed would provide for 2 flats that would look out over the pedestrian precinct and which would therefore benefit from direct sunlight. Buildings located on the opposite side of the precinct are a sufficient distance away so as to cause no significant overshadowing or loss of outlook to these 2 flats. In terms of privacy, these 2 flats would not be affected by pedestrians passing the site and the buildings opposite are sufficiently far away to achieve an acceptable separation distance. I find that these 2 flats would benefit from an acceptable level of sunlight, outlook and privacy.
7. The third floor flat, located in the roof space, would have front facing roof lights and would therefore also benefit from direct sunlight. In addition, the full height glazing to both the living area and bedroom would provide additional daylight to these areas. The rear facing glazing and terrace would be set sufficiently far back within the site to ensure that an adequate separation distance would be achieved between the flat and the car park access ramp. Furthermore, this flat would have a 1.1 m high balustrade to its terrace, allowing views out over the surrounding area, which would provide an adequate level of outlook. I find that this flat would benefit from an acceptable level of sunlight, outlook and privacy.
8. The existing building and its orientation would prevent direct sunlight entering the 4 rear facing flats located on the first and second floors. The provision of roof lights and clerestory windows would positively contribute to increasing the amount of daylight within each of these flats and the Internal Daylight Assessment (IDA) confirms that required levels would be exceeded. However, I note that the IDA does not include daylight levels for all habitable rooms and kitchens serving 3 of the rear facing flats would have no natural light. Furthermore, the elongated layout of these flats would result in varying degrees of daylight being available throughout their habitable rooms.
9. These 4 flats would be provided with small terraces, which would have 1.7 m high obscure glazed balustrades. The outlook from these flats would be severely restricted to that of the balustrades themselves, which would be located less than 2 m beyond their respective windows.
10. Given the juxtaposition of the roof lights serving the first floor rear facing flats to the bedroom windows and terraces serving the second floor flats, there would be a perception of overlooking and loss of privacy. This perception of overlooking would be further compounded by the proximity of vehicles utilising the car park access ramp, which would also affect the future residents of the second floor flats, albeit to a lesser degree.
11. Notwithstanding the findings of the IDA, I find the lack of natural light to proposed kitchens and the varying levels of daylight throughout the proposed living areas to represent a substandard level of accommodation. The severely restricted level of outlook, taken with the perceived overlooking and therefore loss of privacy would further reduce the standard of accommodation. I find that these 4 flats would have an unacceptable level of sunlight, outlook and privacy.
12. The development would therefore be unacceptable in respect of living conditions for future occupiers, with regard to sunlight, outlook and privacy. For the reasons set out above the development would conflict with Policy 3.5 of

the London Plan (adopted March 2016) and Policy LP26 of the Redbridge Local Plan 2015 – 2030 (adopted March 2018), which seek, amongst other things, to deliver high quality design that provides high standards of accommodation for housing, including internal and external space.

Housing mix

13. Relevant planning policies require new developments to offer a range of housing choices, in respect of the mix of housing size, type and tenure, with a focus on the provision of larger family homes. The Council advise that only 20% of the 7 units proposed should be one bedrooomed units. I recognise that there is a requirement to increase housing stock within this area, but the development would fail to deliver a mix of house types, particularly family homes. The development would conflict with Policy 3.8 of the London Plan and Policy LP5 of the Redbridge Local Plan 2015 – 2030, which seek amongst other things, to deliver a mix of house types.

Other Matters

14. Policies 7.8 and 7.9 of the London Plan adopted March 2016 and Policy LP33 of the Redbridge Local Plan 2015 – 2030 relate to heritage assets, archaeology and heritage led regeneration. The existing building is not identified as a heritage asset and it is not located in a conservation area. No issues of heritage importance have been brought to my attention and I find these policies to be unrelated to the development proposed.
15. Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 requires an Appropriate Assessment to be carried out where the competent authority is minded to give consent for the development. As I find that the development is unacceptable for the reasons set out above, there is no need for me, as the competent authority, to carry out an Appropriate Assessment.

Conclusion

16. For the reasons given above the appeal is dismissed.

M Madge

INSPECTOR