



Appeal Decision

Site visit made on 16 September 2020

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 November 2020

Appeal Ref: APP/W5780/W/19/3243233

32 Cranbrook Road, Ilford IG1 4NF

- 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 Nouman Hafiz against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3181/19, dated 30 July 2019, was refused by notice dated 15 October 2019.
 - The development proposed is change of use to Large HMO over 6 people of (Sui Generis) retrospective, use of property as 8 room house in multiple occupation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would provide suitable living conditions for future occupants, having particular regard to the provision of:
 - i) communal facilities;
 - ii) cycle storage;
 - iii) refuse and recycling provision.

Reasons

Living conditions

Communal facilities

3. Houses in Multiple Occupation (HMO) generally provide accommodation with shared facilities. Typically, this would include a living room, kitchen and other communal spaces. The Council's Housing Design Supplementary Planning Document (SPD) states that all HMO's must provide a high-quality form of accommodation. It seeks to establish internal space standards and states that communal facilities will be required to include at least a living room, kitchen and utility room, appropriate in size to the number of residents.
4. The proposed HMO would provide 8 bedrooms, each of which would be provided with an en-suite facility. The floorplans also demonstrate that many of the units would also have a separate sink and drainage area within a worktop. In addition, the proposal would provide three separate kitchen areas but no other communal space would be provided.

5. The space standards within the SPD derive from the Council's Licensing service. Although the licensing and planning regimes are separate, the standards seek to ensure appropriate living conditions for future occupants. This aim is entirely consistent with the fundamental aims of the planning system and as a consequence, I am satisfied that they are an appropriate tool against which to assess the proposal. Accordingly, I give the SPD significant weight in my assessment of the appeal.
6. The room sizes for the proposed bedrooms would meet the spaces required. In addition, due to the number and size of the kitchens proposed, these would provide more than the required 11.5sqm. However, due to the absence of communal living space, the proposal performs much less successfully against this requirement. I do not dispute that the room sizes throughout the proposed HMO would provide good sized bedrooms. However, without supplementary communal facilities, occupants would have little alternative but to use these rooms as their principal living space. In this regard, they would exhibit similar characteristics to self-contained dwellings without providing the commensurate level of floorspace.
7. Policy LP6 of the Redbridge Local Plan (2018) (LP) relates to HMO's and it is not disputed that the proposal would comply with its requirements. However, these are limited in their remit and in refusing planning permission, the Council have also referred to Policy LP26 which promotes high quality design and high standards of accommodation for housing in terms of size, quality and arrangement of internal space. The SPD also articulates how such standards of accommodation should be provided. As identified above, the proposal would fall substantially short of the communal space required by the SPD. As a consequence, future occupants would be forced to occupy their bedrooms rather than separate communal living space on a day-to-day basis. Despite their size as bedrooms, this would have the effect of providing unsatisfactory living conditions for future occupants. Accordingly, I conclude that the proposal would fail to provide suitable communal facilities, a matter to which I attach significant weight.

Cycle storage

8. Policy 6.9 of the London Plan (2016) states that developments should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards. Policy LP23 of the LP is consistent with the requirements of the London Plan and due to the number of bedrooms proposed, the provision should be 8 cycle spaces.
9. The proposal would seek to provide space for cycles in an innovative manner. However, the spaces would be located above ground floor level and as a consequence, they would require cycles to be carried upstairs. This would not be convenient or accessible. The appeal site is located within a highly sustainable location and this weighs in favour of the proposal. However, the requirements of the London Plan and the LP are clear, and the proposal would fail to comply with them. Consequently, I conclude that the proposal would fail to provide appropriate cycle storage.

Refuse and recycling

10. Policy LP26 of the LP requires development to provide appropriate facilities for refuse and recycling. The SPD also requires adequate facilities with the

additional requirement that they are accessible to the occupants of the property.

11. The submitted floor plans show provision for refuse and recycling within the red line of the appeal site. However, to access the relevant space, occupants would have to exit the building at the front and walk around to Balfour Road to the rear. Despite the submission of a Management Plan, due to the convoluted nature of the route, I am not satisfied that the provision would be accessible or appropriate. Accordingly, it would fail to meet the requirements of local policy.
12. Notwithstanding the submitted floor plans, the evidence before me actually suggests that refuse is stored to the back of the property on Balfour Road, in the same manner as other premises where separate provision cannot be provided on site. Such storage was apparent on my site visit and adds weight to my findings above that refuse and recycling facilities would not be appropriate or accessible. Accordingly, I conclude that the proposal would fail to provide suitable refuse and recycling facilities.

Summary

13. As identified above, the proposal would fail to provide suitable communal space for future occupants. It would also fail to provide appropriate storage for cycles, refuse and recycling. Consequently, having regard to these matters, I conclude that the proposal would fail to provide suitable living accommodation for future occupants. It would therefore fail to comply with Policies LP22, LP23, and LP26 of the LP, and Policy 6.9 of the London Plan. These policies establish the requirements for HMO accommodation.

Other Matters

14. The appeal site is located within the zone of influence of the Epping Forest Special Area of Conservation. However, in light of my findings set out above, the appeal has failed and as a consequence, this matter does not need to be considered.

Conclusion

15. For the reasons identified above, the appeal is dismissed.

Martin Chandler

INSPECTOR