



Appeal Decision

Site visit made on 27 October 2020

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2020

Appeal Ref: APP/5780/W/20/3251994

46 Cowley Road, Cranbrook, Ilford, IG1 3JL

- 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 Nadeem Afsar against the decision of the Council of the London Borough of Redbridge.
 - The application Ref: 0328/20, dated 31 January 2020, was refused by notice dated 3 April 2020.
 - The development proposed is change of use from dwellinghouse C3 to C4 house in multiple occupation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether or not the loss of a 4 bedroom dwelling unit would be acceptable, and
 - the effect upon highway and pedestrian safety.

Reasons

Loss of a 4 bedroom dwelling unit

3. No.46 Cowley Road is a 4 bedroom dwelling and part of a short terrace of 4 houses. It is located within a residential area comprised of relatively high density terraced housing. The proposal is for a 6 bedroom 6 person House in Multiple Occupation (HMO).
4. The London Borough of Redbridge is subject to an Article 4 Direction for Houses in Multiple Occupation. The most relevant development plan policy is London Borough of Redbridge Local Plan policy LP6. Part 1 of the policy sets a number of criteria for considering proposals for the conversion of larger homes into smaller self-contained units. Part 2 of the policy concerns the conversion of larger houses into buildings in multiple residential occupation. The proposed HMO would meet criterion (a) of part 2 in terms of gross floor area. A Management Plan has been submitted as part of the application. Although this does not contain all the detail normally required, the Council has advised that the detail could be secured through a condition, and on that basis the proposal would meet criterion (c).

5. Criterion (b) requires a proposal to also meet criteria (a), (c) and (d) of Part 1 of the policy. In relation to criterion (a) of Part 1 the proposal is not located in a Metropolitan, District or Local Centre as identified in Appendix 6 of the Local Plan. The proposal therefore fails to accord with the spatial requirement and conflicts with Local Plan policy LP6, even though it is located within an area which has good public transport links.
6. Criterion (c) of Part 1 concerns significant loss of character or amenity. The appellant submits that the proposal would cause no material change in character and there is no proliferation of HMOs in the area. However, such matters did not form reasons for refusal in the decision notice. I have considered the representations from neighbours but find there is insufficient evidence to clearly demonstrate conflict with criterion (c). Criterion (d) of Part 1 relates to car and cycle provision and is dealt with below.
7. Local Plan policy LP2 indicates that the Council will deliver a minimum target of 16,845 new dwellings in the period 2015 to 2030. One of the means of achieving this will be by criterion (d) of the policy in resisting the net loss of residential accommodation.
8. The appellant submits that the loss of family accommodation could reasonably be balanced by the 'identified need for affordable housing'. Reference is made by the appellant to paragraphs 3.54, 3.55 and 3.8 of the London Plan which advise, amongst other things that HMOs are a strategically important part of London's housing offer, that the planning system must take a more positive approach in enabling the private sector to contribute towards achievement of housing targets and it should be ensured that new developments offer a range of housing types. It is also submitted by the appellant, from the Strategic Housing Market Assessment (2016), the demand for 3 bed properties is greater than for 4 bed properties such as the appeal building. The HMO Research Paper (2018) indicates the importance of HMOs as part of the private sector that provides affordable accommodation for groups that cannot afford to buy their own home.
9. The proposal would change the type of accommodation from family housing to small private rented residential units. When considered in relation to the supply of housing in the Borough the amount of affordable housing created would be insignificant. Whilst there may be a shortage of affordable housing in the Borough, I consider that Local Plan policy LP6 would not necessarily significantly restrict the supply of available affordable accommodation. As set out in paragraphs 4 and 5 above the acceptability of HMOs, or not, is subject to certain criteria. One of these criteria is that such proposals should be located in a Metropolitan, District or Local Centre, which is not the case in the appeal before me.
10. Taking all the submitted evidence into account I find that the loss of a 4 bedroom residential unit in this location would be unacceptable. The proposal would conflict with Local Plan policy LP2 which seeks to avoid the net loss of residential accommodation and would not comply with criterion 1(a) of Local Plan policy LP6.

Highway and pedestrian safety

11. Criterion 1(d) of Local Plan policy LP6 requires that appropriate car parking and cycle parking provision be provided in accordance with London Plan standards.

The Council has advised that the provision of cycle parking could be secured through a condition. The site has a paved forecourt that could accommodate at least one vehicle. From the submissions it is clear to me that the location has good public transport links. The type of accommodation proposed may also result in low car ownership. However, in the absence of an objective assessment of the parking situation, the impact of the proposal in terms of on-street parking, and accordingly highway and pedestrian safety, cannot be determined with any accuracy. Therefore, I find that the proposal would conflict with the information requirements of Local Plan policy LP23.

Other Matters

12. The Council has referred to appeal ref: APP/W5780/W/19/3240209 at 60 Woodlands Road, Ilford. However, that decision is not entirely comparable as it involved the change of use of a house to a 6-bedroom guest house.
13. The Council included Local Plan policy LP26 in its reasons for refusal. This concerns promoting high quality design and is not directly relevant to the main issues in this appeal.

Conclusion

14. I conclude that the proposed loss of a single 4 bedroom family dwelling would conflict with relevant development plan policies and would fail to be outweighed by the opportunity to provide affordable housing as an HMO in this particular location. I have taken all other matters raised into account. For the reasons given above I conclude that the appeal should be dismissed.

Martin H Seddon

INSPECTOR