



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: 14 December 2020

Appeal Ref: APP/W5780/W/20/3251839

137-139 Cranbrook Road, Ilford, IG1 4PU

- 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 O Ahmed against the decision of the Council of the London Borough of Redbridge.
 - The application Ref: 4785/19, dated 17 December 2019, was refused by notice dated 6 March 2020.
 - The development proposed is a two storey rear extension. Loft conversion with a rear dormer. Two front and two side roof lights. Extension of retail (A1) at ground level and four self-contained flats on upper floors.
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Decision

1. The appeal is allowed, and planning permission is granted for a two storey rear extension. Loft conversion with a rear dormer. Two front and two side roof lights. Extension of retail (A1) at ground level and four self-contained flats on upper floors at 137-139 Cranbrook Road, Ilford, IG1 4PU, in accordance with the terms of the application ref: 4785/19, dated 17 December 2019 and subject to the conditions in the schedule at the end of this document.

Preliminary Matters

2. I have determined this appeal on the basis of the Council's description of the development rather than that on the application form to the Council as I consider it is a more accurate specification of what is proposed.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area, and
 - the effect on the living conditions of neighbours in respect of outlook.

Reasons

Effect on character and appearance

4. The appeal site is an extended two storey late Victorian terraced building located in an area of mixed retail, commercial and offices uses. There is a commercial unit at the ground floor of No.137. The floorspace at first floor level above Nos.135 and 139 is currently vacant, but previously used as Class

B1 offices. There is a yard to the rear with access via a service road from Beal Road. To the rear of the appeal site are two storey residential properties which front onto Mansfield Road. In July 2018, the Council granted permission (ref: 0696/18) for redevelopment of the adjacent properties of Nos.129-133 Cranbrook Road to create a four storey building with basement to provide a ground floor retail unit and a 40 bedroom hotel on the upper floors. In addition, in June 2019 the Council granted permission (ref: 1734/19) for a change of use of the conjoined first floors of Nos.137-143 Cranbrook Road from office use to two 1 bedroom flats and one studio flat.

5. The appeal proposal would provide an extension to the ground floor retail unit and would provide four self-contained flats at first floor level. The proposals would include the placement of three rooflights in the roof at the front elevation facing Cranbrook Road. I consider that this would have no harmful effect on the character and appearance of the building.
6. The development to the rear would involve removal of the existing rear external staircase and the replacement of the existing single storey rear extension by a three storey flat roofed rear extension. The Council advises that it has no objection to the principle of extending the appeal property and converting the existing offices into residential flats. However, it considers that the proposal would form a visually intrusive and discordant development, out of scale and character with its immediate context.
7. The rear of the building is not easily seen from Beal Road. It could be seen from the rear windows of some of the facing properties at Mansfield Road. The extant permission for a four storey block at Nos.129-133 Cranbrook Road is a material consideration. The proposed extension in this appeal would project around 6.4 m from the rear main walls of No.137 Cranbrook Road. It would align with the rear elevation of the proposed four storey block. Although the proposed rear flat roofed extension would be bulky it would not be out of scale and character with the approved four storey block and it would have a similar degree of prominence.
8. I find that the proposal would cause no significant harm to the character and appearance of the area and would not conflict with Local Plan policy LP26 which seeks to promote high quality design.

Effect on living conditions

9. The Council considers that because of the scale and massing of the proposal it would create an overbearing impact. However, the nearest residential property facing the proposed rear extension would be No.22 Mansfield Road which, according to submissions, would be around 16.5-20 m away. I consider that there would be sufficient separation distance from the rear of properties along Mansfield Road to avoid any significant harm to the outlook of the neighbouring occupants of these properties. Although the view towards the proposed development would change, the outlook from the dwellings at Mansfield Road is already towards the bulk and massing of existing buildings and extensions at the rear of Cranbrook Road. I find that the proposal would cause no significant harm to the living conditions of neighbours in respect of outlook and it would not conflict with Local Plan policy 26 which seeks, amongst other things, to ensure that proposals do not result in an adverse impact on the amenity of neighbouring occupiers including outlook.

Other Matters

10. The site is located within 3 km of the Epping Forest SAC Zone of Influence. Natural England's advice requires suitable mitigation so that no adverse effects on the integrity of the SAC will arise. New residential units would require a financial contribution of £30 per unit and £90 monitoring fee. The appellant has confirmed that this requirement would be met.

Conditions

11. I have considered the conditions suggested by the Council and also the comments regarding these conditions submitted by the appellant.
12. In addition to the standard condition regarding the commencement of development, a condition is imposed specifying the approved plans in the interest of clarity. A condition requires details of the proposed external materials to be submitted in order to ensure that the development complements the appearance of the existing building and surrounding development.
13. Conditions require the submission of a scheme describing how future occupants of the development would be excluded from any local car parking permit scheme and details are required of cycle storage arrangements in the interests of sustainable travel. Details of refuse and recycling storage facilities are required in the interests of visual amenity. A construction management plan is sought in order to minimise impacts on the environment and amenity of neighbours.
14. A condition requires details of surface water drainage in order to ensure there would be no increased risk of flooding, to improve water quality and enhance biodiversity. A comprehensive energy strategy is also needed in order to ensure energy and resource efficiency.
15. The suggested conditions regarding compliance with the Building Regulations are inappropriate as these matters are the subject of separate legislation and control.

Conclusion

16. The proposal would provide additional housing accommodation as well as retail floorspace. I have taken all other matters raised into account. However, for the reasons given above I conclude that the appeal should be allowed subject to conditions.

Martin H Seddon

INSPECTOR

Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2522/1 Rev B; 2522/2 Rev B; 2522/3 Rev B

3. Before the development hereby permitted commences at the site, details/samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with these approved details.
4. Before the development hereby permitted commences at the site, a scheme shall be submitted to and approved in writing by the Local Planning Authority describing the means by which future occupiers (with the exception of a holder of a disabled persons badge) of this development shall be excluded from any Local Car Parking Permit Scheme which may be in force in the area at any time. The scheme shall ensure that such future occupiers are notified in writing that they are excluded from obtaining a residents parking permit and have waived their rights and entitlement to a residents parking permit in any controlled parking zone in the vicinity of the development. The development shall only be carried out, completed, and occupied in accordance with that approved scheme.
5. Before the use hereby permitted commences at the site, details of the proposed refuse and recycling storage facilities to be provided at the site shall be submitted to and approved in writing by the Local Planning Authority. The facilities as approved shall then be provided at the site prior to use hereby permitted first commencing and retained at the site thereafter in accordance with the approved drawings at all times.
6. The development hereby permitted shall make provision for off-highway cycle parking spaces to be provided at this site in accordance with the standards embodied in Policy LP23 of the Council's Local Plan.
7. Before the development hereby permitted commences at the site, a scheme shall be submitted to and approved in writing by the Local Planning Authority describing the means by which construction activity at the site and construction traffic to and from the site shall be controlled. The scheme shall include measures for:
 - 1) construction traffic routes;
 - 2) construction traffic washing;
 - 3) public highway cleaning;
 - 4) dust suppression;
 - 5) noise suppression;
 - 6) hours of work, and
 - 7) construction waste disposal.

The development hereby permitted shall only be carried out and completed in accordance with the approved scheme.

8. No development shall commence until details of the surface water drainage works, incorporating Sustainable Drainage Systems, have been submitted to and approved in writing by the Local Planning Authority. The applicant should provide details clearly demonstrating how the principles of Sustainable

Drainage Systems have been maximised at this site with the reasons for not using such techniques fully explained and justified.

9. Prior to first occupation/use a comprehensive energy strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate how the development will achieve at least a 35% improvement on Part L of the Building Regulations (building emission rate compared to target emission rate). The energy strategy shall include details of:
- a) baseline energy demand and carbon emissions (regulated and unregulated)
 - b) proposed energy efficiency measures
 - c) any proposed low carbon or decentralised energy (including location, energy source, output, connection arrangements), either on-site and off-site
 - d) the feasibility for appropriate renewable energy sources, having regard to the site and location, nature of development proposal, and carbon reductions already achieved through the energy hierarchy
 - e) calculation of the remaining energy demand and carbon dioxide emissions (regulated and unregulated)
 - f) plans detailing the location of the proposed technologies including any associated machinery and equipment
 - g) any associated air quality or noise management reports (including mitigation measures) The strategy shall also demonstrate that the development will achieve compliance with Building Regulations. The development shall thereafter not proceed other than in accordance with all the measures as recommended in the approved strategy, which shall be permanently retained and utilised as the main power sources for the development. The measures shall include the installation of a meter to monitor the energy output from the approved systems. The 'as built' stage Building Regulations Output Document from approved software shall be submitted to the Local Planning Authority within one month of occupation of the development, confirming that the development has achieved a minimum 35% improvement in carbon emissions on Part L of the Building Regulations.