
Appeal Decision

Site visit made on 6 November 2020

by **J D Westbrook BSc(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 December 2020

Appeal Ref: APP/W5780/W/20/3253573

1 Fremantle Road ILFORD IG6 2BD

- 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 Khurram Razaq against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 0162/20, dated 13 January 2020, was refused by notice dated 25 March 2020.
 - The development proposed is the change of use from a dwelling (C3) to a small HMO for up to 6 people (C4).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed change of use on the housing supply in the Borough of Redbridge.

Reasons

3. No 1 Fremantle Road is an end-terraced house situated on the southern side of the road, close to its junction with High Street Barkingside. It has been significantly extended in recent times with a large roof dormer and single- and two-storey rear extensions. It has a long rear garden, although at the time of my inspection, the rear part of the garden area appeared to be fenced off from the main garden area and contained a separate area of land with a large outbuilding. This rear portion of the site has a separate access leading from an adjoining service road that runs along the side of the property. The outbuilding is referred to by the Highway Authority as a garage, but it appears now to have been converted from that use. Nevertheless, it is shown as part of the application site on the submitted Block Plan.
4. Fremantle Road is a residential street, while High Street is a major thoroughfare with commercial properties on both sides. The service road to the rear of the commercial properties on the west side of High Street runs between those properties and the appeal site. There is a bus stop outside of Nos 1 and 3 Fremantle Road.
5. Policy LP2 of the Council's Local Plan (LP) indicates that the Council will deliver a minimum target of 16,845 new dwellings in the period 2015 to 2030 by focusing and prioritising new homes in the Borough's Investment and Growth Areas, including Barkingside, and resisting the net loss of residential

- accommodation. Policy LP6 of the LP indicates that the Council will only support the conversion of a larger house into a Building in Multiple Residential Occupation where, amongst other things, the gross floor area of the property exceeds 180 sq metres; it is located in a Metropolitan, District or Local Centre; and it provides a Management Plan.
6. In this case, the appellant has provided a management plan. The appeal property is not located in a centre, although it abuts the busy commercial High Street and has good accessibility. However, the gross floor area of the building is a little under 150 sq metres, which means that it is substantially below the minimum threshold identified in Policy LP6 for conversion purposes, and it therefore conflicts with this policy.
 7. The appellant notes that the neighbouring properties at Nos 3 and 5 Fremantle Road are already HMOs and that the appeal property would be constrained between these properties and the commercial properties on High Street, with a busy service road adjacent. He contends that this would make the appeal property undesirable for use by a family as a family home.
 8. However, I note that the neighbouring properties have become HMOs as a result of permitted development rights over which the Council had no control. The Council has now adopted an Article 4 direction in the Borough to establish control over such conversions, and the development plan policies noted above therefore are the primary considerations in cases such as this.
 9. The Council contends that this proposal would involve the loss of a 4-bedroom house (as extended in the loft) with a garden. The Outer North East London SHMA (2016) identifies a 76% need for housing over 3 bedrooms. As noted above, Policy LP2 of the LP states that the Council will deliver a minimum target of 16,845 new dwellings in the period 2015 to 2030 by resisting the net loss of residential accommodation, and that the identified need for such accommodation is greater for family homes than single rooms.
 10. In this case, the property is a good size for a family unit and it has a good-sized rear garden, with or without the rear portion that is currently fenced off. This, together with the convenient location, would make it suitable for use by a family. Moreover, the prevailing character of the road is one of family-type dwellings, and No 2 on the opposite side of Fremantle Road, which has a similar situation to the appeal property with regard to adjacent commercial properties and a service road to the side, would appear to be functioning as a family dwelling house. Whilst I can understand the appellant's contention regarding the potential unpopularity of having family homes next to HMOs, there are only two HMOs close to the appeal property, and there is no reason for me to believe, in this case, that normal controls over noise and disturbance could not be applied should circumstances arise.
 11. In conclusion on the main issue, I find that, whilst the proposal would result in accommodation for a small number of house-sharing tenants, it would also result in the loss of a valuable large family home. On this basis it would be harmful to the balance of housing supply in the Borough and it would conflict with Policies LP2 and LP6 of the LP.

J D Westbrook

INSPECTOR