



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: 11 January 2021

Appeal Ref: APP/W5780/W/20/3251708

5-17 York Place, Ilford, IG1 3AA

- 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 the Lucky 8 Hotel against the decision of the Council of the London Borough of Redbridge.
 - The application Ref: 4656/19, dated 5 December 2019, was refused by notice dated 20 February 2020.
 - The development proposed is retention of existing premises as use of annex to existing hotel.
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Decision

1. The appeal is allowed, and planning permission is granted for change of use of the approved (C3) dwellings into a C1 hotel/short term air bnb at 5-17 York Place, Ilford, IG1 3AA, in accordance with the terms of the application ref: 4656/19, dated 5 December 2019 and subject to the conditions in the schedule at the end of this document.

Preliminary Matters

2. The proposed use commenced in 2018, prior to the application to the Council. Although the description of development includes "retention of existing premises", Section 55 of the Town and Country Planning Act 1990 describes 'development' as 'the carrying out of building etc. operations or the making of material changes of use' - and not as their 'retention' or 'continuation'.
3. I have used the Council's description of development as "Change of use of the approved (C3) dwellings into a C1 hotel/short term air bnb" as it is a more accurate specification for the proposal.

Main Issue

4. The main issue is whether the loss of the dwelling units would be acceptable having regard to development plan policies and the demand for residential accommodation.

Reasons

5. Nos. 5-17 York Place is a modern 3 storey residential terrace in a crescent shaped mews. The terrace is located at the rear of properties with retail, commercial and residential uses at York Road, and backs on to vegetation which borders the railway cutting of Ilford Station. Permission was granted in

- 2015 for 7 three-storey one-bed dwellings which comprise the terrace, and with no parking provision.
6. The development plan includes the Redbridge Local Plan 2015-2030 and the London Plan (2016). The emerging plan is the Publication London Plan. Local Plan policy LP2 indicates that the Council will deliver a minimum target of 16,845 new dwellings in the period 2015-2030. One of the measures to help achieve this will be resisting the net loss of accommodation. Local Plan policy LP13 supports proposals for new hotels and tourist accommodation provided that it does not result in the loss of residential accommodation. Policy 3.14 of the London Plan seeks to resist the loss of housing, including affordable housing, unless the housing is replaced at existing or higher densities with at least equivalent floorspace.
 7. The proposal would involve the loss of residential accommodation, albeit single bed dwellings, and would conflict in that respect with Local Plan policies LP2 and LP13. For the same reason it would also fail to comply with policy 3.14 of the London Plan.
 8. However, apart from the loss of residential accommodation, the proposal would comply with most of the criteria in Local Plan policy LP13 regarding hotels and tourist accommodation. The buildings are located within a Metropolitan District Centre with good transport connections via the adjacent Ilford railway station. Bus services to central London and national transport hubs are available at Cranbrook Road. Adequate servicing arrangements already exist through use of the rear yard of the hotel. Although there would be loss of residential accommodation, the proposed use would also comply with the objectives of policy 4.5 of the London Plan which seeks to support London's visitor economy and stimulate its growth.
 9. No changes to the appearance of the terrace are proposed and it would remain compatible with the character and appearance of the area. There would be no unduly harmful effect on the amenities of any local residents. No evidence of complaints has been submitted in this respect.
 10. There is limited car parking comprised of 7 spaces and one disabled person's space at the front forecourt to the hotel in York Road. Cycle parking is provided within the rear yard of the hotel. The level of car parking provision is acceptable in view of the proximity of public transport facilities. The Public Transport Accessibility Level (PTAL) rating for the site is 6. London Plan policy 6.13 sets out parking standards for hotels. In locations with a PTAL of 4-6 there are no maximum standards for hotels and on-site provision should be limited to operational needs, parking for disabled people and that required for taxis/coaches and deliveries/servicing.
 11. Turning to other material considerations, the surrounding area is generally well served by hotels. Although no information has been submitted to demonstrate that there is a need for additional hotel accommodation it is clear that the appellant has already operated the premises, considers that the use is viable and meets a need. A total of 21 additional hotel rooms would be provided, with the reception and breakfast facilities in the main hotel.
 12. The location of the terrace at the rear of other development means that it is mainly hidden from view from the footways and carriageway of York Road.

There is no significant private amenity space for the occupants and according to the appellant there is a noise issue associated with the proximity of the railway station. The appellant has also advised that there has been a public safety problem because the entrances to the dwellings are not overlooked and tenants have expressed fears of safety when entering at night, especially as there are dark unlit corners throughout the mews.

13. A letter has been submitted by the Ilford Business Improvement District (BID) Manager confirming the high level of crime and anti-social behaviour in the area and the situation whereby families and home dwellers are not encouraged to use the properties as fixed abodes for any length of time. Matters could potentially be improved through increased lighting and security measures such as CCTV. Nevertheless, I consider that there would be advantages and social benefit in terms of public safety if the accommodation were managed and controlled as part of the hotel.
14. The appellant has referred to draft policy E10: Visitor Infrastructure of the London Plan-Intend to Publish Version. Policy E10 seeks to spread economic and regeneration benefits by promoting tourism across the whole of the city. It provides some support to the principle of the appeal proposal, but I can only accord limited weight to the policies in this plan as it is not yet published.
15. The proposal would provide additional hotel accommodation in a sustainable location with economic benefits in accordance with the objectives of the National Planning Policy Framework.
16. Taking the above, other material considerations into account, I find that the loss of the dwelling units and conflict with relevant development plan policies would be outweighed by the social and economic benefits from providing hotel spaces in a sustainable location.

Conditions

17. I have considered the conditions suggested by the Council and commented upon by the appellant. Conditions are included to confirm the plans approved in this permission and to restrict the use as a C1 hotel as applied for. Confirmation of details of refuse/recycling and cycle storage facilities are also required in the interests of visual amenity, and sustainable modes of transport, respectively.

Conclusion

18. Although the proposal conflicts with development plan policies which seek to retain residential accommodation, I consider that, in the particular circumstances of this appeal, there are other material considerations of sufficient weight to indicate that, on balance, the proposal should be allowed.

Martin H Seddon

INSPECTOR

CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 2483/1, 2483/2, 2483/3, Design and Access Statement.
- 2) The C1 hotel shall only be used as a C1 hotel; and for no other purpose or use (including any other purpose or use within Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking, re-enacting, or amending that Order.
- 3) Within one month from the date of the decision notice of the development hereby permitted 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 within 3 months and retained at the site thereafter in accordance with the approved details at all times.
- 4) Within one month from the date of the decision notice of the development hereby permitted details of the proposed cycle parking 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 within 3 months and retained at the site thereafter in accordance with the approved details at all times