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# Appeal Decision

Site visit made on 5 November 2020

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

**an Inspector appointed by the Secretary of State**

**Decision date: 15 January 2021**

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**Appeal Ref: APP/W5780/W/20/3250826**

**2 Brook Road, ILFORD, IG2 7EY**

- 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 Naveed Zafar against the decision of the Council of the London Borough of Redbridge.
  - The application Ref 4346/19, dated 11 November 2019, was refused by notice dated 17 December 2019.
  - The development proposed is described as the conversion of a dwelling house into a 1x3 bedroom and a 1x2 bedroom dwelling (retrospective).
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## Decision

1. The appeal is dismissed.

## Main Issues.

2. The main issues in this case are the effects of the conversion on:
  - The living conditions of the occupiers of the two converted dwellings by way of living and amenity space,
  - Highway safety by way of parking provision, and
  - The living conditions of the occupiers of neighbouring properties by way of noise and disturbance

## Reasons

3. No 2 Brook Road is a large end-terraced house that has been significantly extended to the side and rear. It has recently been converted into two separate dwellings. One dwelling has three double bedrooms and occupies much of the original house and rear ground floor extension. The other dwelling has two single bedrooms and occupies the two-storey side extension and some of the rear of the house and rear extension.
4. Policy LP6 of the Council's Local Plan (LP) indicates that the Council will only support the conversion of a larger home into smaller self-contained units where it is located in a Metropolitan, District or Local Centre; the gross floor area of the property exceeds a set standard; no significant loss of character or amenity occurs to the area as a result of increased traffic, noise and/or general disturbance; appropriate car and cycle parking provision are provided; it meets the national space standards; and the conversion provides at least one larger family sized home of 74 sqm (3 bed plus) on the ground floor with access to a dedicated rear garden of the converted home.

5. In the case of No 2 Brook Road, it is not located in a designated centre, although it is reasonably accessible to facilities and public transport routes. The gross floor area of the original house exceeds the required standard and the conversion provides at least one larger family sized home of 74 sqm (3 bed plus) on the ground floor with access to a dedicated rear garden of the converted home. The other requirements of Policy LP6 will be considered further below.

*Space and amenity standards.*

6. Policy LP26 of the LP indicates that new development should provide high standards of accommodation for housing in terms of size, quality and arrangement of internal space and external private amenity space. The 3-bedroom dwelling that occupies much of the original house appears to meet all internal space standards as set out in the Technical Housing Standards - nationally described space standards (THS), and as required by Policy LP29 of the LP. However, the 2-bedroom dwelling falls short of acceptability in a significant number of ways. In particular:
- the overall Gross Internal Area of the dwelling is some 18 sq metres below the minimum standard set for a 2-bedroom dwelling in the THS. Moreover, included in that figure is a significant amount of circulation space and space that is effectively unusable, by virtue of its shape.
  - One bedroom is of a single-bedroom size only, and the other is marginally below the required single-bedroom size. The THS requires that a dwelling with two or more bedspaces should have least one double (or twin) bedroom
  - The living room is long but narrow, having a maximum width of only some 2.4 metres at the front, decreasing to a little over 1 metre at the rear. In addition, much of the limited space available is taken up with a staircase, and the room has only a small window at the front that is set well back under a canopy roof, resulting in a very limited amount of natural light to serve the room,
  - The kitchen is wholly internal and has no natural light,
  - One bedroom can only be accessed through the kitchen,
  - External amenity space totals only around 4 sq metres, and this is triangular in shape leaving much of it virtually unusable. Since the two-storey dwelling has a front and back door, it may be considered a house, in which case it should have some 50 sq metres of external amenity space, as required by Policy LP29. Even if it were considered to be a flat, it would still fall short of the required 5 sq metres of external amenity space. Furthermore, the amenity area is bounded by the two-storey wall of the rear extension, and the side boundary of the property, resulting in a somewhat oppressive environment emphasised by the lack of fully usable external space.
7. In conclusion on this issue, I find that the 2-bedroom unit is significantly substandard with regard to living and amenity space, both in terms of absolute space and the effective functionality and liveability of that space. As such, it is harmful to the living conditions of its occupiers and conflicts with Policies LP6, LP26 and LP29 of the LP, and with the internal space requirements of the THS.

### *Parking provision*

8. Policy LP23 of the LP indicates that the Council will ensure new development provides sufficient cycle and car parking by, amongst other things, seeking new development to meet the minimum and maximum parking standards set out in the London Plan; requiring secure accessible and sheltered cycle parking in accordance with the London Plan; and requiring regular car parking spaces to achieve a minimum size of 4.8 m by 2.4 m.
9. No 2 is situated on the eastern side of Brook Road. Many of the dwellings in the vicinity have vehicular crossovers, with cars parked in the front garden area. From my inspection of the area, it is clear that most parked cars, even relatively small ones, project over the front boundary onto the pavement, and some effectively block the front door to the property as well. Most of the street frontage of No 2 has no crossover, though there is a small element of crossover at the southern end of the plot. Moreover, the effective depth of the plot at the front is only around 4 metres, which is well below the required standard depth of 4.8 metres.
10. The London Plan indicates that the 3-bed dwelling would require up to 1.5 spaces per unit and the 2-bed unit would require less than 1 space per unit. The Council contends that due to the site's average PTAL rating of 3, each dwelling would likely have one car. The appellant contends that the proximity of the site to local facilities would mean that private cars would not be needed, and that, in any case, the property as a single dwelling would generate as many cars as the same property converted into two dwellings. I consider this unlikely, and in any case, whilst the front of the property could accommodate accessible and sheltered cycle parking, it could not provide safe car parking provision due to its inadequate depth and the potentially dangerous manoeuvring requirements resulting from the lack of a crossover. It would, therefore, fail to meet the requirements of the London Plan and Policy LP23 of the LP with regard to the inadequacy of its car parking provision, and it would, as a consequence, be harmful to highway safety along Brook Road.

### *Noise and disturbance*

11. The Council contends that the sub-division of No 2 Brook Road would lead to a material intensification of the site and associated increase in the number of refuse bins, level of noise, disturbance and general activity within the site, which would result in significant harm to the living conditions of the neighbouring residents.
12. The appellant contends that the number of bedrooms and potential residents at No 2 would not increase by virtue of the conversion, and that there would not necessarily be any increase in noise or disturbance. However, as noted by the Council, the subdivision of the property results in two separate households with additional requirements for services such as refuse disposal, and different sets of visitors, potentially with extra parking pressures. Whilst this additional general activity may not result in a significant amount of disturbance, there is clear potential for some further disturbance to take place, and this adds to my concerns about the harmful effects of the conversion. On this basis, the proposed conversion would conflict with Policy L6 of the LP, and with Policy LP26 of the LP which requires that development should not result in an adverse impact upon the amenity of neighbouring occupiers in relation to noise.

## **Other Matters**

13. The appellant contends that the conversion would result in an additional unit of accommodation in a Borough that has a shortage of housing. This may be the case, but it would be only one unit, and it is not a reason to allow a wholly inadequate dwelling in terms of its substandard provision of space, lack of effective parking provision, and the potential for increased disturbance.
14. The Council notes the changes to the porch at the property which, it is claimed, makes it much more pronounced and undermines the prominence of the bay window. I concur with that view. Furthermore, at the time of my visit, the extended porch had a second front door inserted which creates a somewhat confused appearance. In addition, the extension to the porch has resulted in a reduction in the size of the front window serving the living room of the smaller dwelling, such that it now appears cramped in the front elevation and out of scale with the main windows in the rest of the front elevation. This is a relatively minor issue, but it adds further to my concerns regarding the harmful impacts of the conversion, including those impacts on the character of the property as a whole.

## **Conclusion**

15. I find that the conversion of No 2 Brook Road would be significantly harmful to the living conditions of the future occupiers of the 2-bedroom dwelling by way of inadequate internal and external space. The conversion would also fail to provide suitable parking provision, likely to result in harm to highway safety. Finally, it has the potential to cause an increase in noise and other disturbance to the residential amenities of neighbouring residents. For these reasons, I conclude that it would conflict with policies LP6, LP23, LP26 and LP29 of the Council's LP, and with standards set out in the London Plan and in the THS. Accordingly, I dismiss this appeal.

*J D Westbrook*

INSPECTOR