The Planning Inspectorate

Appeal Decision

Site visit made on 18 May 2021

by P. D. Biggers BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd June 2021

Appeal Ref: APP/W5780/W/20/3263039
104 Clayhall Avenue, Clayhall, Ilford IG5 0LF.

- 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 Abbas Saleem against the decision of the London Borough of Redbridge Council.
- The application Ref 1657/20, dated 26 May 2020, was refused by notice dated 11 August 2020.
- The development proposed is change of use from dwelling to a supported living home.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Use Class C3 (Dwelling Houses) is not necessarily restricted to occupation by single family households and can include occupation by not more than 6 residents living together as a single household which may or may not include elements of care and support. The application the subject of the appeal did not make it clear precisely the nature of the proposal and within the appeal documents the appellant talks about both an intention to care for adults with learning disabilities and homeless young adults without confirming which. On the basis that the description of development on the appeal form submitted by the appellant has been confirmed as "*Change of use from residential dwelling (C3) to a supported living accommodation (C2)*" I take this to be confirmation that a material change of use from a dwelling house is proposed and I will determine the appeal on that basis.

Main Issues

3. The main issues are:

   - The effect of the proposed development on the character of the surrounding area as a residential neighbourhood of principally single occupancy housing.

   - Whether the property and location are appropriate for a supported living home.

Reasons

Effect of the Proposed Use on the Character of the Area

4. The appeal site is located on the south side of Clayhall Avenue a wide busy road characterised by two storey, semi-detached houses built in brick and render under tiled roofs. As a result of side extensions to the houses there is

minimal side separation and the houses are closely spaced on this part of the road.

5. From my site inspection the area is one where the houses are largely in single occupancy. Whilst there is some evidence of houses sub-divided into flats this appeared to be the exception rather than the rule and the character of the area is as an area of single occupancy housing.

6. I have been referred to two cases where there are care homes on Clayhall Avenue. However, No 363 is a large detached house and No 406 is a purpose built care home. Both are some distance from the appeal site and the character of the Avenue at these locations, particularly in respect of No 406, is quite different. I do not consider these cases demonstrate sufficiently similar circumstances to be relevant and I will determine the appeal case on its own merits.

7. I acknowledge that it is not proposed to make any external changes to the property to accommodate the C2 use and the only internal change proposed would be to enclose the kitchen. Thus from the outside there would be nothing to visually differentiate the change of use although it is likely that additional refuse and cycle storage on the frontage would be required.

8. It has been put to me that the proposal would not result in the net loss of residential accommodation as the house would still provide residential accommodation and therefore *Redbridge Local Plan* (RLP) Policy LP2e) is not conflicted. However, notwithstanding the fact that there would be no significant physical change to the property, the application has been made for a change of use from a dwelling house. This would result in the loss of a larger house suitable for family occupancy in an area where this type of housing is the dominant characteristic and for which there is a significant need within the Borough as identified in the *Redbridge Strategic Housing Market Assessment.* I acknowledge that this may not be a permanent loss of this type of accommodation but it would certainly be a loss for the duration of the use.

9. In terms of the impact on the character of the area it is likely that the more intensive use of the property would result in more activity and comings and goings both by clients and by support staff although it is difficult to reach a view on this because of the lack of clarity on the intended client group. The extent of impact on the character of the area would in part be determined by how the supported living unit is managed. RLP Policy LP4e) requires proposals to provide the necessary level of supervision, management and care or support. The appellant has not provided any detail as to how the supported living home would be managed although there is some information provided about numbers of residents and staff and the type of support that would be offered if the home was to be for homeless young people. In the absence of details, it is impossible to conclude that there would be no impact on the character of the area as some types of supported living accommodation would be more compatible with the surrounding neighbourhood than others.

Location and availability of services and facilities.

10. I acknowledge that RLP Policy LP4 seeks to support specialist accommodation to meet the needs of older, vulnerable and homeless residents but this is

subject to certain qualifying conditions and, as discussed below, I am not satisfied that the proposal in this case meets these.

11. With respect to the first test (LP4a) it has been put to me that the appeal proposal would meet a need for additional specialist accommodation in Redbridge. Whilst at Borough level it is likely, that there will be unmet needs, it is not clear from the appeal documents what needs are proposed to be met in this case. Even after receiving a refusal, one of the reasons for which was insufficient evidence as to who the supported accommodation was to cater for, the appellant's statement is still not specific. It still refers to very different possibilities as to who would be the intended client group, talking initially about adults with learning difficulties and then later homeless young people, drug addiction and other needs. These are very different needs with significantly different support requirements. Although the appellant's statement provided a weblink to the Supported Living Accommodation page on *Mylife Redbridge* stating that there was an urgent requirement for accommodation, there was no information on the webpage indicating that this was the case or which groups in particular may be at greatest need.

12. As a result of this non-specific proposal it is difficult to reach a view on the extent to which the proposed use would be well integrated with the wider neighbourhood or the extent to which the property itself and location would be suitable for the accommodation proposed – (tests c, d and f) in RLP Policy LP4. I took the opportunity on the site visit to assess the availability of services and facilities in the area and whilst there are schools, medical and dental services in the vicinity, wider services are limited. The site is not close to a metropolitan, district or even local centre which, by definition, means access to services and facilities would be poor and would involve travelling but the location has a very low PTAL score of only 1a and Clayhall Avenue is only served by one bus route. There is only space for two cars on the property and limited opportunity for secure cycle parking to the front and no access through to the rear.

Conclusion

13. I have had regard to the Public Sector Equality Duty contained in the Equality Act 2010 and understand and respect the appellant's wish to provide supported accommodation for vulnerable groups by making effective use of an existing dwelling. However, the RLP at Policy LP4 sets out what tests need to be met to secure support for supported living accommodation and as set out above these have not been met in this case. Use of the dwelling to provide supported living accommodation without further justification, in particular details of the need, the type of supported living proposed and the management proposals would not justify the loss of a large dwelling house in an area predominantly characterised by single occupancy housing. This is particularly the case where the priority of the Development plan is to provide and retain provision of larger single occupancy houses for which there is currently a specific and quantified need within the Borough.

14. In reaching my decision I have had regard to the matters before me but, for the reasons above, the appeal should be dismissed.

P. D. Biggers

INSPECTOR