



Appeal Decision

Site visit made on 17 May 2021

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2021

Appeal Ref: APP/W5780/W/20/3264765

15A Electric Parade, Seven Kings Road, Ilford, Essex IG3 8BY

- 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 & Mrs A Masters against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 1682/20, dated 21 May 2020, was refused by notice dated 31 July 2020.
 - The development proposed is convert 1x 3 bedroom flat into 2x 1 bedroom self-contained flats.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. A revised London Plan (LP) was adopted in March 2021, after the determination of the application and the submission of this appeal. Both parties have had the opportunity to comment on the implications of the LP's adoption on their respective cases and I have determined the appeal accordingly.

Main Issues

3. The main issues are the effects of the proposed development upon;
 - The supply of larger family-sized housing within the borough;
 - Cycle parking and storage; and
 - The Epping Forest Special Area of Conservation (SAC).

Reasons

Housing

4. Redbridge Local Plan (RLP) policy LP5 sets out the Council's approach to securing a range of homes across the borough which contributes to the creation of mixed, inclusive and sustainable communities. To this end, whilst a range of dwelling sizes and tenures will be sought, it states that there will be a particular focus on the provision of larger family-sized¹ homes.
5. Whilst RLP policy LP6 pledges support for the conversion of larger homes into smaller self-contained units, this support is subject to a range of criteria being satisfied. Thus, amongst other factors, support will only be forthcoming where

¹ Defined within RLP policy LP as being 'three bed plus'

the gross floor area of the property (larger home) to be converted exceeds 130 square metres (sqm) in cases where two units are proposed. It also goes on to state that the conversion should provide at least one larger family sized home of 74sqm (3-bed plus) on the ground floor with access to a dedicated rear garden.

6. The appeal property is presently laid out as a 3-bedroom flat. I accept that it does not have any outdoor amenity space directly associated with it and that the absence of such may affect its attractiveness as a dwelling for a family with, particularly, young children. Nor, seemingly, does it benefit from dedicated off-street parking, a factor considered by the appellant to further discourage occupation by a family unit. However, neither are defining characteristics of larger family-sized homes as set out by the RLP. Rather, larger family-sized homes are defined in the RLP by the number of bedrooms.
7. For these reasons, I am satisfied that the appeal property constitutes a larger (family-sized) home as defined by the RLP. Nor is it disputed that the existing property falls significantly below the threshold set out within RLP policy LP6 as being a property of sufficient size for conversion and sub-division to two units. The resulting flats would both satisfy the minimum national space standards², and no concerns have been expressed regarding the site's location relative to a local centre or in respect of the proposal's effect on local character or amenity.
8. However, neither of the proposed flats would provide a larger family-sized home, whilst also resulting in the loss of an existing larger family-sized home as defined by the RLP. In the context of an identified need to focus on the provision of larger family-sized homes, the proposal's failure to accord with RLP policy LP6 leads me to conclude that it would also be contrary to RLP policy LP5 and would fail to contribute towards an appropriate mix and range of dwelling sizes. As such, the proposal would also fail to support the government's stated intention³ of significantly boosting the supply of homes, and homes of the right size.

Cycle parking and storage

9. Although the proposed flats would satisfy the minimum national space standards² for living accommodation there would be little meaningful provision for storage, particularly so with regard to the storage of cycles. The site is however well-located for convenient access on foot to transport options, and local services and facilities nor, the appellant advises, are cycle storage facilities not provided elsewhere on Electric Parade.
10. However, the latter factors do not persuade me that the proposal should not make adequate provision for cycles as a means to encourage alternative means of travel. The confines of the proposed flats would not allow for internal storage and it is not clear how or where secure external storage could be provided. The freeholder has, it is stated, agreed to storage being provided along the western boundary at the rear of Electric Parade, but I have no further details of such matters before me. As such, I cannot be certain that a conditioned approach to cycle storage would adequately resolve the matter in accordance with RLP policy LP6 or LP policy T5⁴. Thus, for the reasons I have

² 'Technical housing standards – nationally described space standard'

³ National Planning Policy Framework paragraph 60 *et seq*

⁴ Which replaces former policy 6.9 of the London Plan 2016

set out, it has not been demonstrated that the proposal would provide appropriate cycle parking and storage provision in accordance with RLP policy LP6 and LP policy T5.

Epping Forest Special Area of Conservation

11. The site lies within approximately 6km of the Epping Forest Special Area of Conservation (SAC) and within its 'Zone of Influence'. RLP policy LP39 and its supporting text sets out the Council's approach to addressing and mitigating potential impacts upon the SAC.
12. I have no evidence before me that the appellant has made the relevant contribution as described in the Council's officer report, nor do I have any mechanism before me to appropriately secure the payment or to bind the Council to spend the contribution in the appropriate manner if the payment has not already been made. As I am the competent authority under the Habitats Regulations (2017) in respect of the current appeal, I cannot be certain that the proposal would not adversely affect the integrity of the Epping Forest SAC. Thus, the proposal would be contrary to the Habitats Regulations, the guidance set out within the Framework and with RLP policy LP39. Although the third of the refusal reasons set out on the decision notice also refers to RLP policy LP38, and sets out the Council's approach to enhancing the landscape, I consider RLP policy LP39 to be of more relevance to the matter in hand in this instance.

Conclusion

13. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INPSECTOR