



Appeal Decision

Site Visit made on 15 June 2021

by David Cliff BA Hons MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2021

Appeal Ref: APP/W5780/W/20/3264011

9-15 York Road, Ilford, IG1 3AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Hampton by Hilton against the decision of London Borough of Redbridge.
 - The application Ref 0379/20, dated 5 September 2019, was refused by notice dated 1 July 2020.
 - The development proposed is described in the application form as 'demolition of existing 3 storey hotel and erection of a new 8 storey hotel'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. There is some ambiguity within the application and appeal documents regarding the matters for which approval is sought as part of the outline application. I sought clarification upon this from the appellant who has confirmed that all matters (including access, appearance, landscaping, layout and scale) are reserved for future approval. I have determined the appeal on this basis.
3. The submitted application documents, including the Design Statement and Feasibility study, include drawings showing a scheme layout, appearance and scale. However, as all detailed matters are reserved I have treated these as being for illustrative purposes only.
4. The London Plan 2021 ('the London Plan') was published on 2 March 2021 after the submission of the appeal. I have sought comments from both main parties on the implications of this for the determination of the appeal and have taken account of the responses to this in my determination of the appeal.
5. A revised National Planning Policy Framework ('the Framework') was published on 20 July 2021. As above, I have sought comments from the main parties on the implications of this for the determination of the appeal and have taken account of the responses in my decision.

Main Issues

6. The Council has confirmed that it no longer wishes to defend its first reason for refusal relating to the loss of existing dwellinghouses. Therefore, the main issues are:
 - i) The effect upon the character and appearance of the area;

- ii) Whether the proposal would satisfactorily safeguard archaeological assets;
- iii) The effect on the living conditions of the occupiers of neighbouring properties, with particular regard to sunlight, daylight, outlook and privacy; and
- iv) Whether the proposal would result in an unacceptable impact on highway safety, with particular regard to servicing and coach parking.

Reasons

7. Policy LP13 of the Redbridge Local Plan 2015-2030 ('the Local Plan') sets out the Council's general support for hotels in central and well-connected locations such as the appeal site subject to several matters, including criteria relating to the proposal being compatible with the character and appearance of the area, the amenities of local residents, transport and servicing matters. Local Plan policy LP13 also includes other criteria and I have considered these where relevant below. The site is located within an Opportunity Area and within the Ilford Investment and Growth Area identified under Policy LP1A of the Local Plan. Policy E10 of the London Plan also provides general support for hotel accommodation in town centres and Opportunity Areas.

Character and appearance

8. Whilst the application is in outline with all matters reserved, the application description makes clear that permission is sought for an eight storey hotel. Therefore, whilst matters of appearance, layout and scale are reserved for future approval, it remains necessary to consider whether, in principle, an eight storey building would be capable of being an acceptable form of development on this site. Whilst it is not binding, I have taken account of the submitted illustrative material in this respect, so far as it seeks to demonstrate how such a development might be acceptable.
9. The existing premises is part of a mainly three storey Victorian terrace located within the Ilford Metropolitan Centre on the north side of Ilford railway station. The surrounding properties in York Road and the immediate vicinity of the site comprise a mixture of two to four storey properties. Whilst considerably taller development (both existing and proposed) is located elsewhere within the town centre, the character of the area surrounding the site is of more modestly sized buildings providing a transition to a prevailing suburban form of residential development in the streets to the north of the site.
10. An eight storey building would be very substantially higher than existing surrounding buildings to the north of the railway. Even should the massing of the building be stepped back from the York Road frontage, it is most difficult to envisage how such a tall building could be satisfactorily assimilated with its surroundings in this location.
11. Despite the addition of a more contemporary building at 1 York Road of differing design and proportions, the remainder of the terrace between Nos. 1 and 19 forms a generally coherent group of buildings contributing positively to the streetscape along the road. Neither the permitted scheme for extensions to the existing hotel nor the separate permission granted at 17 York Road would appear to result in such a form of development that would be significantly detrimental to the appearance of the terrace as a whole. These permitted proposals would be in sharp contrast to an eight storey building that

- would be significantly out of keeping with both the existing terrace and surrounding buildings.
12. The site is located within the Ilford Investment and Growth Area wherein the Council places a particular emphasis on the delivery of growth and regeneration including new homes, retail floorspace and employment floorspace. However, there remains a need to ensure that proposals are of an appropriate size and scale taking account of the particular circumstances of each site.
 13. There are several examples of tall buildings being recently constructed and/or permitted within the Town Centre. Such developments are resulting in changes to its overall built form and appearance. However, the site is located in an area to the north of the railway station which differs in its character and built form to other parts of the town centre and has not been subject to such an intensive form of redevelopment as the other parts. Other permissions granted indicate that the principle of redevelopment in this area is encouraged. Nonetheless, the provision of a eight storey building in this location would be in such contrast to surrounding buildings to the north of the railway station that it would be likely to result in an excessively dominant and visually intrusive building in this location to the significant detriment of the character and appearance of the area.
 14. The appellant draws particular attention to the permitted development adjacent to Station Road and Cranbrook Road of up to 42 storeys. However, whilst not being far from the appeal site, it is a designated Opportunity Site and is located within a different urban context to the appeal site and within a different 'quarter' of the Town Centre. A building height that is acceptable in one part of the town centre might not necessarily be acceptable in another part of it. Indeed, as set out above, the character and townscape of the Town Centre is somewhat different on the north side of the railway station to other parts of the centre.
 15. Attention has also been drawn to permission being recently granted for a development of up to eight storeys at 126-148 Cranbrook Road. That site is located in a different context to the appeal site being adjacent to the corner of Coventry Road and Cranbrook Road with predominantly four storey neighbouring buildings. It is also located within a Tall Building Zone and is two storeys less than the appeal proposal. It therefore provides little justification for the development of the appeal site of the height proposed.
 16. The proposal for an eight storey building on this site would therefore be likely to result in significant harm to the character and appearance of the area, in conflict with the aim of Policy LP26 of 'the Local Plan' to achieve high quality design and the relevant design aims of D3 of the London Plan.

Archaeology

17. The site is located within a Tier 2 Archaeological Priority Area relating to the multi-period potential of central Ilford. Although the site has been previously developed this does not rule out potential impacts, particularly given the site's location within the Priority Area. The number of storeys proposed in this case may, for example, require deeper foundations than the existing building which could have implications for any archaeology.

18. An Archaeological Report was submitted with the planning application, but this provides little information and assessment of any potential effects upon any buried archaeological assets. Policy HC1 of the London Plan requires that development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation.
19. Whilst the application is in outline with all detailed matters reserved, an approval would represent a grant of planning permission. Any subsequent application for the approval of reserved matters would be an application for the approval of details pursuant to such a permission.
20. Given the lack of appropriate information and evaluation within it, the Archaeological Report provided does not amount to a satisfactory desk-based assessment. This inadequacy does not make it possible to make a robust archaeological assessment including any assets of potential significance, or to robustly conclude on the need for any further evaluation and/or any mitigation measures. Whilst the appellant suggests that this matter could be dealt with through a condition, the lack of information means that it is not possible to accurately frame the mitigation that might be needed within a condition (e.g. a programme of site investigation and/or preservation of remains in situ). Furthermore, there is no drafting of any suggested condition regarding archaeology before me.
21. Given the lack of satisfactory information and evaluation, the proposal would not accord with relevant archaeological protection and mitigation aims of Policy HC1 of the London Plan and Policy LP33 of the Local Plan.

Living conditions

22. Whilst the plans are indicative they provide a demonstration of how the proposed development of an eight storey hotel might be achieved on the site.
23. The properties within the existing terrace on either side of the appeal site appear to contain flats above ground floor level with rear facing windows. Given their close relationship to the adjoining site, a building of eight storeys would be significantly higher than the existing and adjacent buildings. Whilst there could be different ways of designing such a building than shown in the illustrative drawings, it is most likely that a building of such height and massing would be oppressively overbearing and would result in unacceptable harm to the outlook of the neighbouring flats.
24. The submitted daylight/sunlight report contains limited assessment of sun and daylight effects and does not indicate the precise location of neighbouring residential units or windows. Although the existing building has an extensive land coverage, as set out above the proposed replacement building of eight storeys would be most likely to have a much large height, bulk and massing. The indicative plans show how a building might be designed which projects at eight storeys towards the rear of the site with the side walls adjoining the respective side boundaries. The application does not provide an acceptable demonstration of how the building could be designed to preserve the reasonable day or sunlight standards of neighbouring rear facing flats. Given the location of the existing windows of the generally south facing neighbouring flats close to the proposal, it is most likely that the proposed eight storey

development would result in significant adverse impacts on the day and sun light currently enjoyed by neighbouring residents.

25. From the information provided, most of the existing residential units on York Place would be part of the new hotel proposal. However, the proposed eight storey form of the development would also result in the likelihood of adverse impacts on the living conditions of any remaining residential units, with particular regard to outlook and daylight impacts.
26. Whilst, in principle, it is possible for hotel uses to coexist near to residential properties as shown by other appeal decision¹, it remains necessary for each case to be considered on its individual merits and circumstances. In this case, the general eight storey size of the development being applied for leads to the concerns set out above.
27. It may be possible to avoid side facing main windows to upper floor rooms, on which basis there would be unlikely to be an unacceptable impact on the privacy of existing neighbouring residents. However, this does not override the harm in terms of other likely impacts on living conditions.
28. Considered overall, it is likely that the proposed development would result in unreasonably adverse effects upon the living conditions of neighbouring residents in respect of outlook, daylight and sunlight. This would be contrary to the amenity aims of Policy LP26 of the Local Plan.

Servicing and highway safety

29. It is likely coach parties might utilise the proposed hotel and there would certainly be regular arrivals and departures by taxi. The existing hotel will already be served by taxis and also be likely to be served, albeit less frequently, by coaches. For the eight storey building proposed, such activity would be likely to be materially greater than that associated with the existing hotel.
30. Whilst the relevant servicing details provided are limited, the site has a frontage onto York Road. This is a straight road and of reasonable width which does not appear to be subject to particularly high levels of vehicular traffic. Although overnight coach parking is unlikely to be able to be provided on site, it appears that coaches would be able to drop and pick up visitors without leading to unacceptable highway impacts.
31. Given the location close to the station, along with other existing uses on York Road and surrounding streets, there appears to be a reasonably high level of pedestrian activity along the road. Consequently, careful consideration and assessment would need to be given to the details and management of servicing for the proposed hotel. Nevertheless, from the information provided, there is no clear reason to suggest that it would not be possible to provide for satisfactory servicing.
32. The indicative drawings show a building oversailing York Place. Whilst this is an adopted highway, there does not appear to be an overriding impediment to such an arrangement being possible, subject to the approval of further details.

¹ APP/W5780/W/17/3182680 & 3182696, APP/W5780/W/17/3185999

33. I am therefore satisfied that such details, including appropriate management measures, would be capable of being dealt with by subsequent submissions and approvals. On this basis, the proposal would be unlikely to lead to unacceptable impacts on highway safety. There would be no significant conflict with the relevant servicing and highways aims of Policies LP13 and LP23 of the Local Plan.

Other Matters

34. Located within the Opportunity Area and Town Centre, the proposal would provide further investment to the overall town centre redevelopment with associated economic benefits.
35. The application is supported by a well-known hotel brand. This being so, a planning permission could potentially be implemented by another hotel group or developer. In any case, I have considered the benefits, including economic benefits, that would accrue from a larger new hotel in this location as part of the planning balance below.
36. Taking account of representations received and whilst lacking detailed supporting evidence, it is possible that a redevelopment of the type proposed could help to resolve or reduce the risk of crime and anti-social behaviour issues that might occur in the area. I have given this potential benefit moderate weight.

Planning Balance

37. The proposal would provide for a larger hotel than that existing on the site. Being accessible located in the Town Centre, it would bring benefits from the provision of new and potentially improved hotel accommodation for visitors along with associated economic benefits including job creation and support for other businesses in the area as well as contributing to the overall economic prosperity of the town centre as a whole. Benefits might also arise from the opportunity of a reduction in crime and anti-social behaviour.
38. Such benefits would cumulatively carry considerable weight. Nevertheless, they would be clearly outweighed by the significant harm I have found to result from the appeal proposals as set out above. This harm includes that arising from a proposed eight storey building in this location. Notwithstanding the need for and the economic benefits of the proposal, along with the presence of other planning and built development in other parts of Town Centre, it remains necessary to consider every redevelopment proposal on its own merits taking account of the site specific and townscape circumstances. Despite the policy support for the principle of new development, there is no overriding support for a building of the form and, most particularly, the height proposed in this location.
39. The proposal would not therefore amount to sustainable development as sought by the Framework.

Conclusion

40. The proposed development would conflict with the development plan considered as a whole. I do not consider that there are material considerations of such weight that suggest that the decision should be taken otherwise than in

accordance with the development plan. Therefore, having had regard to all other matters, I conclude that the appeal should be dismissed.

David Cliff

INSPECTOR