



Appeal Decision

Site visit made on 11 October 2021

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 October 2021

Appeal Ref: APP/W5780/W/21/3271909

Garage Block Adjacent 1 Argyle Road, Ilford IG1 3BH

- 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 M Khan against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3828/20, dated 2 November 2020, was refused by notice dated 12 January 2021.
 - The development proposed is demolition of existing garage block, erection of new two storey building to provide 2 No studio flats.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In March 2021, after the Council made its decision and before the appeal was lodged, the new London Plan was adopted. As a consequence, Policies 3.5 and 7.6 of the former London Plan (2016) referred to in the decision notice are now superseded. I have not therefore had further regard to them in my decision. The parties had the opportunity to comment on the new London Plan during the appeal and I took the comments made into account in my decision.
3. Since the appeal was submitted the Government has also published a new National Planning Policy Framework (the Framework). The parties have had the opportunity to provide comments on the revisions therein and I have therefore had regard to the new Framework without prejudice to the parties.

Main Issues

4. The main issues are (i) whether or not the proposal would create adequate living conditions for future users and (ii) the effect of the proposal on the character and appearance of the area.

Reasons

Living conditions

5. The site is a garage block and associated land situated behind Nos 10 A, B and C York Road and aside 1 Argyle Road, close to Ilford Railway Station. There is extant permission to replace the garage block with a single dwelling¹.
6. Paragraph 130 of the Framework, amongst other things, requires decisions to ensure that developments use the arrangement of spaces to create welcoming

¹ Ref 1290/17 certified pursuant to Ref 3488/19

and distinctive places to live which promote health and well-being, with a high standard of amenity for future users.

7. The two-storey building proposed would be partly sunken down with each flat occupying a floor. Both flats would exceed the minimum internal space requirement for this type of housing set out by the Technical housing standards – nationally described space standard (2015).
8. However, the ground floor unit would have a single eastward aspect provided by two openings, which would look out directly onto a retaining wall and, just beyond that, a brick wall and railings. The unit would therefore have unacceptable access to outlook and light. Moreover, the position of the access to the upper unit would lead its occupants to walk directly past these openings, with a consequent severe lack of privacy for users of the ground floor unit.
9. Policy LP29 of the Redbridge Local Plan 2015-2030 (adopted 2018) (RLP) also requires a minimum of 5 square metres of private amenity space for flatted development of 1-2 person units. In this case, no suitably private outdoor space would be delivered. The proposed outside space to the front of the building would be far from private and, unlike the outside space that would serve the extant scheme, is predominately allocated for storage and access.
10. I therefore conclude on this issue that the proposal would not create adequate living conditions for future users. It would conflict with the residential amenity aims of Policy LP29 of the RLP and the Framework. There would also be conflict with Standard 28 of the Mayor of London Housing Supplementary Planning Guidance (adopted 2016).

Character and appearance

11. Argyle Road is a coherent street of Victorian terraced houses which are brought together by their shared alignment and architectural detailing. However, the site does not form part of the terracing but occupies one of two transitional areas between it and the rear of the properties facing York Street. The building would have a differential scale and a simple pitched roof which would lead it to maintain an innocuous presence within what is currently an ill-defined space. As such, the integrity of the street scene would be unharmed, as with the new dwelling on the corresponding plot on the similar and adjacent Mansfield Road.
12. Accordingly, I conclude on this issue that the proposal would have an acceptable effect on the character and appearance of the area. It would accord with the relevant aims of Policy LP26 of the RLP, the Framework and the referenced section of the Council's Housing Design Guide Supplementary Planning Document (adopted 2012).

Other Matters

13. The site is within influence of the Epping Forrest Special Area of Conservation (the SAC). I cannot rule out that, in combination with other projects, the scheme would cause likely significant effects on the integrity of the SAC through increased recreational use. Whilst the appellant has accepted the need for mitigation to be secured, no method to do so is before me. Had I been minded to allow the appeal, it would have been necessary to consider this matter within an Appropriate Assessment. However, as I am dismissing it for other reasons, I have not done so.

Planning Balance

14. The failure of the proposal to create adequate living conditions for future users attracts significant weight in my assessment and draws the scheme into conflict with the development plan when read as a whole.
15. There is no dispute that, owing to the Council's housing delivery performance measured against the Housing Delivery Test results, Paragraph 11d) of the Framework is engaged. At 59%, the delivery of housing over the last three years has been substantially below the housing requirement.
16. The proposal would assist in addressing the housing delivery issues in the area, consistent with the Government's objective to significantly boost supply. It would do so by reusing land in a highly accessible town centre location which is a priority area for housing and has a breadth of services and facilities. It would deliver single person housing, which is particularly needed here. Given the small quantum of housing that would be delivered, these social and economic considerations weigh moderately in favour of the proposal.
17. However, the delivery of homes should not come at the clear expense of the living conditions of its future occupants. Given my findings in relation to this issue, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Consequently, there are no other considerations which outweigh the conflict with the development plan in this case.

Conclusion

18. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR