



Appeal Decision

Site visit made on 12 October 2021

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 November 2021

Appeal Ref: APP/W5780/W/21/3271476

315 High Road, Ilford IG1 1NR

- 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 Khalid of Radio Cars Ltd against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2075/20, dated 30 June 2020, was refused by notice dated 24 September 2020.
 - The development proposed is change of shop front to provide access to first floor erection of two storey rear extension to create two studio flats.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In March 2021, after the Council made its decision, the new London Plan was adopted. As a consequence, Policies 3.5 and 6.9 of the former London Plan (2016) referred to in the decision notice have been superseded. I have not therefore had further regard to it in my decision. The parties had the opportunity to comment on the new London Plan during the appeal.
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:
 - whether or not adequate living conditions would be created for future users, with particular regard to daylight, outlook, outside space and storage; and,
 - the effect of the proposal on the living conditions of the occupants of 313b and 317a High Road, with particular regard to outlook and light.

Reasons

Living conditions – future users

5. Paragraph 130 of the Framework, amongst other things, states that decisions should ensure that development will function well, using the arrangement of spaces to create welcoming and distinctive places to live, and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

6. 315 High Street is within a parade of commercial buildings. It contains a taxi business at ground floor, below a flat, with a yard space to the rear accessed off Thomson Close. Properties within the parade are fairly long and narrow, and most have extended into their rear yards. This is the case with the adjoining properties; the site is now bound at first floor by the flats 313b and 317a High Street and their associated outside terraces to the west and east respectively.
7. The scheme would reconfigure the existing flat to a studio arrangement and add a studio flat to the rear, atop an extension of the taxi business into the rear yard. The flat at the front (High Road) end would have three tall openings overlooking the active High Road street scene. At the back of the flat, windows would allow modest outlook and light to penetrate the kitchen and bathroom spaces. In my view, these measures would just provide adequate daylight and outlook to its users. Whilst I note the comments of an Inspector in relation to a previous appeal¹ at the site, they attract limited weight as I have not been provided with a full set of plans in relation to that previous proposal.
8. The rear unit would be served by two shorter apertures, contained within a dormer, offering a more mundane, singular outlook over the car parks and industrial buildings beyond Thomson Close. Given the limited height of these openings, the single aspect of the unit and its significant depth, users would have insufficient access to outlook within rear areas, particularly the kitchen. The shower room would have no outlook at all. As such, users would face a sense of confinement, which would not be mitigated by the use of rooflights.
9. The rear unit would not have entirely secure, private bicycle storage. Whilst the front unit would, its first-floor location would lead to a contrived and poorly functioning arrangement, with the user having to carry the bike through several doors and traverse a narrow stairwell. The same must be said for the refuse storage for the front unit, with its user likely required to make a lengthy round trip in order to place bins at the rear of No 315 on collection day.
10. The rear flat would have no dedicated outdoor space. This is a common issue along High Road, but Policy LP29 of the Redbridge Local Plan 2015-2030 (adopted 2018) (RLP) requires new housing units of this type to have at least 5 square metres of usable space. The appellant considers that this would be addressed by public facilities. However, the nearest named areas, South Park and Valentines Park, are a sizable distance away. Indeed, I note that this location is actually identified as deficient in public open space provision, which makes the need to secure adequate, dedicated outdoor space even more important.
11. I therefore conclude on this issue that the proposal would fail to create adequate living conditions for future users, with particular regard to outlook, outside space and storage. It would conflict with the relevant aims of Policies LP23, LP26 and LP29 of the RLP and the Framework.

Living conditions - 313b and 317a High Road

12. The rear extension would present the upper reaches of its flank walls to the respective outside spaces serving the adjoining first-floor flats. However, I observed during my visit that No 313b appears to occupy an untypically elevated position somewhat above other first-floor units along the parade. This means that the extent of flank that the scheme would present to it would be akin to a standard domestic boundary wall.

¹ Appeal Ref APP/W5780/W/18/3212414

13. Whilst the effect on No 317a would be more pronounced, most of its outside space would still enjoy a generous and open outlook to the north and north east. The existing first floor extension of the property on the other side of No 317a incorporates a declining roof form, probably enclosing a stairwell. This would serve to reduce any tunnelling effect that would be created to acceptable levels, within the context of this high-density urban environment.
14. Accordingly, I conclude on this issue that the proposal would have an acceptable effect on the living conditions of the occupants of 313b and 317a High Road, with particular regard to outlook and light. It would accord with the relevant aims of Policy LP26 of the RLP and the Framework.

Other Matter

15. The site is within influence of the Epping Forest Special Area of Conservation (the SAC). I cannot rule out that, when combined with other projects, the scheme would have likely significant effects on the integrity of the SAC through increased recreational use. Had I been minded to allow the appeal, it would have been necessary for me to consider this matter further within an Appropriate Assessment. As I am not, I have not had cause to do so.
16. The appellant has referred me to the recent development of 305 High Road close by. Whilst I observed that it certainly has visual similarities with the appeal proposal, its internal layout is not identifiable in the evidence before me. As such, it has not had a determinative influence on my reasoning insofar as it relates to the issue of the living conditions for future users.

Planning Balance

17. The failure of the proposal to create adequate living conditions for future users brings the scheme into conflict with the development plan reads as a whole.
18. The scheme would provide an additional residential unit at the site, using energy efficient construction techniques and methods, in an area with good connections to services and facilities. It would also provide investment and the extension of an existing business. The benefits of such would be modest and would not outweigh the conflict with the development plan. The absence of harm to the character and appearance of the area is a neutral factor.

Conclusion

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

Matthew Jones
INSPECTOR