



Appeal Decision

Site visit made on 29 November 2021 by Elizabeth Davies BSc (Hons) MIEMA, CEnv

Decision by Martin Seaton BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 February 2022

Appeal Ref: APP/W5780/W/21/3275006

49 Wellwood Road, Seven Kings, Ilford, Essex, IG3 8TT

- 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 Dr. Toni Williams against the decision of London Borough of Redbridge.
 - The application Ref 3436/20, dated 16 October 2020, was refused by notice dated 27 November 2020.
 - The development proposed is conversion of large house into two self contained flats.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (the Framework). Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise.
4. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issues

5. The main issues in the appeal are:
 - Whether the proposal would result in the loss of a large protected single family dwelling; and
 - Whether the proposal would provide acceptable living conditions for the future occupiers of the proposed flats.

Reasons for the Recommendation

Loss of large single family dwelling

6. The appeal property is a two-storey end of terrace dwelling. The appeal relates to the conversion of the dwelling into two self-contained flats.
7. Policy LP6 in the Redbridge Local Plan 2015-2030 (March 2018) (the 'Local Plan') seeks, amongst other things to protect the stock of larger family sized dwellings in the interest of maintaining a mix of housing types within the borough and meet the demand for family dwellings. Local Plan Policy LP5 recognises a range of homes is needed, but also specifically highlights the need to provide larger family sized homes (three bed plus).
8. Policy LP6 states that the Council will only support conversions of larger homes into small self-contained units where six criteria are met. In the case of this appeal, it has been highlighted by the Council that two of the criteria (1(a) and 1(f)) set out in policy have not been met. Criterion 1(a) requires that the home for conversion should be located within a Metropolitan, District or Local Centre which the appeal property is not.
9. Criteria 1(f) requires that conversions provide at least one larger family sized home of 74 sq.m (3 bed plus) on the ground floor with access to a dedicated rear garden of the converted home. I note access to the garden would be provided from the ground floor flat. The Council also consider that the proposed 72.8 sqm floor space would be acceptable and I have no reason to conclude otherwise. However, the proposed ground floor flat would only provide two bedrooms and the proposal would therefore not wholly comply with criteria 1(f).
10. Whilst I note the appellant has examined the planning register of properties within a one-mile radius and found that the majority of properties remain in single family use and contends that the area does not experience conversion stress, I am not persuaded that this would be sufficient to set aside the application of Policy LP6 criteria 1(a) and 1(f) and the aim of Policy LP5 to ensure the provision of larger family sized homes, in this instance. There is no indication that the circumstances of occupation and housing type have altered in the area since the adoption of the Local Plan, and I therefore see no basis from which to determine that a material change of circumstance has subsequently occurred to warrant overriding the development plan in this regard.
11. I therefore conclude that the proposed development would contribute towards the loss of the stock of larger dwellings and contribute towards an increased concentration of smaller dwellings in the area. It would not comply with the requirements of Policy LP6 or LP5 of the Local Plan which seek to protect and provide larger family dwellings.
12. Local Plan Policy LP26 seeks, amongst other things to ensure development is not out of character and respects the surrounding area. Whilst I note the external appearance of the property would not change, the proposal would be contrary to Policy LP26 in the sense that the majority of the area is made up of larger family sized dwellings. The flat conversion would therefore be out of character with the prevailing house type in the area.

Living conditions for future Occupiers

13. I am satisfied that the development allows for the sub-division of the appeal property to result in two adequately sized dwellings. In terms of amenity space, the property has a large rear garden which can be accessed via the side of the property. The garden could be easily divided to provide adequate private amenity space for both flats, whilst the proposal currently allocates the garden to the ground floor flat, the appellant has confirmed that they would be happy to accept a planning condition requiring the submission of details to sub-divide the garden.
14. On this basis, I am satisfied that the proposal would therefore comply with Local Plan Policy LP29 which seeks to ensure, amongst other things, that new development meets suitable internal and amenity space standards.
15. With regard to Policy LP6, notwithstanding that the ground floor flat would only provide two bedrooms, I am satisfied that the internal floorspace that would be provided would be acceptable and a dedicated rear garden could be provided for both flats with the use of a suitably worded planning condition. The proposal would also comply with Local Plan Policy LP26 which seeks, amongst other things to promote good design and ensure high standards of accommodation for housing, including external private amenity space.

Planning Balance

16. I have found that the proposal conflicts with the development plan, taken as a whole. In particular, I have concluded that the proposal would conflict with the Council's spatial strategy set out in the development plan and would detrimentally erode the stock of larger dwellings within the Borough. I give significant weight to this conflict with the relevant policy clearly consistent with the Framework.
17. On the 14 January 2022 the Government published the 2021 Housing Delivery Test (HDT) results. The HDT measures net additional dwellings provided in a local authority area against homes required. For the London Borough of Redbridge, the HDT results indicate that in 2021 there was an over delivery of homes. However, during the process of requesting further submissions on this matter from the parties, the Council confirmed an inaccuracy in the HDT figure provided for the borough, clarifying that delivery is still substantially below their housing requirements. On this basis, the HDT sets out that there is a 'presumption' in favour of sustainable development, and that the tilted balance in paragraph 11 d) ii. of the National Planning Policy Framework needs to be applied.
18. There would be small scale economic benefits in terms of the investment in the sub-division of the dwelling and local employment during the construction process. In addition, economic benefits would arise via the proposal increasing local spend from residents of two dwellings compared to one. The proposal would also add one dwelling to the housing stock in a reasonably accessible area and contribute to the target for windfall sites and add to the range of dwelling sizes available. However, as the proposal is only for one additional dwelling these benefits taken cumulatively would be modest.
19. I recognise that the Council states the proposed development is acceptable with regard to a number of planning matters including, car and cycle parking,

outlook, light, privacy, amenity of occupiers of neighbouring properties and waste storage. In addition, I have found no harm would occur in relation to the living conditions of future occupiers. The lack of harm in these respects is nevertheless a neutral factor.

20. Therefore, I find that the adverse impacts of the development proposed would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The proposal would be contrary to the development plan and this conflict is not outweighed by other material considerations including the Framework.

Conclusion and Recommendation

21. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR