



Appeal Decision

Site visit made on 22 February 2022

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 31st March 2022

Appeal Ref: APP/G5750/W/21/3280817

1 Coronation Road, Plaistow, London E13 9QB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Tengru Wang against London Borough of Newham.
 - The application Ref 21/00248/FUL, is dated 30 January 2021.
 - The development proposed is described as, 'conversion of single dwelling house into 1No. two bedroom flat and 1No. three bedroom flat, and associated works'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would accord with the Council's strategy for housing;
 - the effect of the proposed development on the living conditions of neighbouring occupiers with regard to noise; and
 - whether the proposed development would provide a suitable living environment for future occupiers with regard to private amenity space.

Reasons

Loss of family housing

3. Policy H4 of the Newham Local Plan 2018 states that the Council will specifically protect 3 bed and 4+ bed family housing. Notwithstanding this the Policy permits the conversion of 3+ bed housing subject to a number of criteria. Since the dwelling is sited outside the town centre, is not located above a commercial unit, has access to a private amenity space and does not have a poorly defined entrance, the proposal would conflict with this Policy.
4. Consequently, the proposed development would not accord the Council's strategy for the loss of family housing. Therefore, it would conflict with Policies H1, H4, S1 and S6 of the Newham Local Plan 2018 (LP) which seek, among other things, to a mix and balance of housing types, sizes and tenures and to protect family housing.
5. The proposal would also conflict with LP Policy SP1 which seeks to enhance the positive elements of the Borough among other things. Since LP Policy SP3 relates to urban design, it is not directly relevant to this main issue.
6. The scheme would also conflict with Policy GG4 of The London Plan The Spatial Development Strategy For Greater London March 2021 (London Plan) which seeks to create mixed and inclusive communities among other things. It would also

conflict with London Plan Policies H8 and H10 which require that the loss of existing housing should be replaced by new housing with at least the equivalent level of overall floorspace and seeks a range of unit sizes.

Living conditions

7. The proposal would result in two households occupying the same site. This would be likely to result in an increase of comings and goings on the site. In addition, the provision of a kitchen and living area on the upper floor would be adjacent to the bedrooms of the adjoining property. While the use of conditions could partially mitigate this harm, they would not substantially reduce the noise levels from the upper floor flat when the windows are open. As such, the scheme would result in an undue effect on the living conditions of neighbouring occupiers.
8. Consequently, the proposed development would harm the living conditions of neighbouring occupiers with regard to noise. Therefore, it would conflict with LP Policies H1, S2, SP1, SP2, SP3, SP8 and London Plan Policies GG1, GG3, GG4, D3 and D14, which together seek, among other things, high quality development, development that avoids an unacceptable exposure to noise and significant adverse noise impacts on health and quality of life. Since LP Policies H3 and H4 relate to specialist accommodation, and existing housing stock, they are not directly relevant to this main issue.

Living environment

9. The upper floor flat would not have access to a private amenity space. While they would have access to the front garden, given its location this area would not be private. The flat would have three bedrooms and could therefore be occupied by a small family. As such, given the importance of external space, particularly for families, the lack of private amenity space would result in an unsatisfactory living environment for future occupiers.
10. Consequently, the proposal would not provide a suitable living environment for future occupiers with regard to private amenity space. Therefore, it would conflict with LP Policies S1, S6, SP1, SP2, SP3, SP8 and H1 which together seek, among other things, development that improves housing quality and provide adequate external private open space. The scheme would also conflict with London Plan Policies GG4, D3 and D6 which seek, among other things, development of high standards of design, that deliver appropriate amenity and a minimum of 5 sqm. of private outdoor space.

Other Matters

11. I note the concerns regarding the service provided by the Council. However, I have assessed the proposal based on its planning merits and these matters have not altered my overall decision.

Conclusion

12. For the reasons given above, the proposed development would conflict with the development plan as a whole and in the absence of material considerations to indicate otherwise, the appeal is dismissed.

R Sabu INSPECTOR