



Appeal Decision

Site visit made on 22 April 2022

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th May 2022

Appeal Ref: APP/W5780/W/21/3285735

13 & 15 Coventry Road, Ilford, IG1 4QR

- 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 Resolve Care Ltd against the decision of the London Borough of Redbridge Council.
 - The application Ref 2526/21 dated 10 February 2021, was refused by notice dated 24 August 2021.
 - The development proposed is demolish existing rear extension. Two storey rear extension to existing mother and baby parenting assessment centre with residential use.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have utilised the Council's description of the proposal as it more concisely describes the development on this occasion.

Main Issues

3. The main issues are i) the need for the proposal and the impact of the proposal upon neighbouring residential amenity, ii) the impact of the extension upon the character of the property and surrounding area, iii) the impact of the extension upon the amenity of existing and future occupants and iv) the standard of accommodation for prospective occupants.

Reasons

Need for the proposal and the impact of the proposal upon neighbouring residential amenity

4. The proposal seeks a notable increase in density which would essentially result in nearly double the capacity of families utilising the facility. Redbridge Local Plan 2018 (LP) Policy LP4 supports the sufficient supply of specialist accommodation in the borough where there is a demonstrable need, it contributes to creating a balanced and inclusive neighbourhood and is well integrated with the wider neighbourhood and does not unduly harm the amenity of neighbouring occupiers.
5. The appellant has submitted a letter, dated 27th October 2021, which confirms that there are an average of 6 -10 enquiries a day and that in 2020 there were 799 actual referrals with an increase to 894 referrals in 2021. The site is currently eight rooms, clients are usually at the facility for between 12 – 45

weeks and that the facility is usually at 100% occupancy. The facility also holds a waiting list. This evidence is not disputed in the Council's statement of case. Based on this, and the other information before me, I am satisfied that there is a demonstrable need for such specialist accommodation as is a requirement of LP Policy LP4.

6. A further requirement of LP Policy LP4 is that such a facility does not unduly harm the amenity of neighbouring occupiers. In so far as the actual use of the site for a more intensive facility of this nature is concerned I note the Council's concern regarding the density for the size of the site being unsuitable. From the evidence before me I understand a number of properties in the immediate area are flatted developments. I also noted at the time of my site visit that there are two schools in close proximity (one to the rear off Park Avenue) and more mixed use development a short distance down Coventry Road towards Cranbrook Road. The general area around the appeal site I found to be fairly busy with a good level of general activity and movement.
7. At the time of my site visit, whilst only a snapshot in time, I found the activity level in and around the facility itself (as a result of the facility) to be relatively quiet. Whilst there would be an increase in activity at the appeal site I find that given the site context, and general level of activity in and around the appeal site, I do not find the proposal would result in significant impacts to neighbouring amenity as a result of the intensified use which would warrant refusal.
8. With specific regard to these points discussed I find the proposal would be consistent with the requirements of LP Policy LP4 which allows for facilities to meet a demonstrable need and would not unduly harm the amenity of neighbouring occupiers as a result of the proposed use itself. I will deal with matters relating to neighbouring amenity, with specific regard to the proposed built form itself in the form of the two-storey rear extension, below under the relevant main issues.

Impact of the extension upon the character of the property and surrounding area

9. At the time of my site visit I stood in both of the gardens of the appeal site and noted that the character of the properties in the immediate area were varied in terms of their styles and finishes. Each case should of course be considered on its own merits – development on other sites does not set a precedent for proposals elsewhere. I note the appellant's reference to Gunveer Court and indeed saw this building this at the time of my site visit from within the appeal site. The appellant has submitted some details for Gunveer Court in the form of a print out of the application overview (3638/20), however, I have no plans before me. The information states that the proposal was for a Prior Approval Determination and it was not, therefore, a full planning application such as the appeal proposal which is before me. Reference is made to the Park School for Girls' extensions but I have no details before me as to the permissions or justification for that to allow me to attribute weight to it within this appeal.
10. Despite this I find that whilst there was a variation in character and materials the row of properties on this side of Coventry Road (with the exception of Gunveer Court), within which the appeal site stands, all have a uniform depth of outrigger. This is both visible on site and notable on the submitted location plans which show this uniformity. Whilst there are examples of extensions on some properties they do not extend beyond the depth of the original outrigger

and do not extend to the full width of the host buildings which lessens their impact upon the area and their host buildings.

11. I note that 13 Coventry Road already extends slightly further out than the neighbouring outriggers but the impact of this is limited in terms of character of the area due it being a single storey flat roof extension off the outrigger which is only a very small part of the overall width of the host property. By comparison, in terms of built footprint, the proposal would extend marginally further into the rear garden areas than the existing built form but would be wider and would be the full width of the host building. The submitted floor plans demonstrate the proposal compared to the existing extension to be demolished and highlight this increased width and scale.
12. I find that the scale and bulk of the design would result in built form full width at two storeys which would also project beyond the depth of the original outrigger. The proposal would contrast strongly compared to the sum of all the qualities which distinguish the area. Such an addition, in terms of footprint, may be acceptable at ground floor level as noted in the appellant's submissions but the proposed additions above this would result in scale, bulk and massing that would be out of scale with the character of the area which is outlined above. The depth and the width would be considerably larger in comparison to existing extensions to nearby properties.
13. In addition I find the proposal would be out of character with the host building due to the overall volume which would be added. The extensions above ground floor level mean that the foot print of the original property is almost being doubled and the proposal presents as dominant and disproportionate to the host building.
14. The proposal would be contrary to LP Policy LP26 which requires proposals to respect the local character of the area and make a positive architectural and urban design contribution to its context and location and be integrated well with regard and respect for the surrounding area in terms of massing, scale and design.

Impact of the extension upon the amenity of existing and future occupants

15. The Council's third refusal reason references a three storey rear extension which I believe to be an error carried over from the previous proposals which are stated by both parties to have been refused for similar reasons. The refusal reason is confirmed, within the delegated report, to consider the ground floor element of the extension acceptable. Above this there is limited set-in from the site boundary which would result close proximity to habitable windows on the rear elevations of the neighbouring dwellings. The separation distances for the widest part of the extension at first-floor would be to 1.1m to No.11 Coventry Road and 1.0m from No.17 Coventry Road. This would result in very close proximity to the shared boundaries with a significant increase in height and depth compared to the existing built form at the appeal site.
16. The proposal would fail the 45- degree rule test with regard to windows at No.11 Coventry Road. I note that the existing built form also fails to comply but despite this the extension before me would result in additional height and increased depth much closer to the shared boundary. This would result in further impact upon the amenity of the occupants of No.11 Coventry Road than is currently the case. I find that the combination of these factors would result

in impact to neighbouring amenity with regard to a loss of outlook and increased sense of enclosure which is unacceptable and would warrant refusal.

17. The appellant places great weight upon the relationship between Gunveer Court and its adjoining buildings, however, the relationship between other buildings which are not part of the appeal site is not a matter for consideration within this appeal. It falls to assess the impact of the proposal upon the neighbouring properties to the appeal site before me. As stated above the proposal at Gunveer Court appears to have been through a differing assessment process than the full application, to be assessed against the Local Plan, which is before me.
18. The proposal would be contrary to LP Policy LP4 which requires that such accommodation does not unduly harm the amenity of neighbouring occupiers and LP Policy LP26 which requires proposal not to result in an adverse impact upon the amenity of neighbouring occupiers in relation to daylight/sunlight and outlook.

Standard of accommodation for prospective occupants

19. The facility is not one which intends upon permanent occupation and the submissions confirm that clients are on site generally between 12 – 45 weeks. The appellant confirms that children at the facility are no older than six years old. The Council submit an extract from the House in Multiple Occupation (HMO) licensing room standards which are contained within the Housing Design SPD. It requires, for two occupiers (over ten years of age), an area of 18 sq./m and 13 sq./m for one occupant (over ten years of age) which includes room for sleeping, kitchen facilities within the room.
20. It would appear all of the proposed new rooms meet this with the exception of bedroom six. Bedroom six has an area of 16 sq./m, which would be suitable for a single occupant only, but I note the appellants submission that in some cases both parents would be not staying in the facility. Occupation could be managed according to room size and all of the other new rooms, as a result of the proposal, would be in excess of 18 sq./m which I find would provide sufficient space for two adults and a young child for the limited time period they are staying at the facility.
21. I have no evidence before me to support that the proposal is of an unsuitable self-contained nature. The appellant has evidenced, with their statement of case, that there is demand for step-down accommodation for families who require on-going support and guidance. This is not challenged within the Council's statement of case. I find that this explains both the change in the type of rooms provided as well as the current proposals before me. I note the Council's statement that the proposal has potential to operate more like a hostel (*sui generis*) or self-contained studio flats (use class C3), however, it falls to assess the proposal as it is submitted which is for a mother and baby parenting assessment centre (use class C2). Such alternative uses outlined would be within differing use classes and would be subject to further applications for planning permission for a change of use and/or would leave the Council with an enforceable position should this occur without permission.
22. The Council's other concern regarding privacy is not based upon windows of the rooms in question but rather the lack of a separating door between bedroom five and six which are stated, by the appellant, to be utilised by separate

families. Had the proposal been acceptable in other regards this matter could, I find, have been controlled by condition to ensure a door as appropriate to overcome this concern as to a lack of privacy between bedrooms five and six. I note the Council's delegated report outlines concern regarding rooms on the ground floor, however, the refusal reason is specific to privacy in relation to bedrooms five and six which I have dealt with above.

23. The proposal would be consistent with LP Policy LP26 which seeks to provide high standards of accommodation in terms of size, quality and arrangement of internal space, external space and external communal amenity area. I do not have a copy of the London Plan Housing Supplementary Planning Document, referenced in the fourth refusal reason, before me.

Other Matters

24. The starting point for determination is the Local Plan in accordance with S38(6) of the Planning and Compulsory Purchase Act 2004. The National Planning Policy Framework 2021, whilst a material consideration, does not change this and whilst the overarching objective of the Framework is sustainable development, in the case of this proposal, paragraph 11 is not engaged in the context of a planning balance. I have no evidence before me to justify a departure from the Local Plan policies before me in this case.

Conclusion

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

Eleni Randle

INSPECTOR