



Appeal Decision

Site visit made on 2 November 2022

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 December 2022

Appeal Ref: APP/W5780/W/22/3301702

18A Rutland Road, Ilford IG1 1EN

- 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 Chana Asset Management Ltd against the decision of the Council for the London Borough of Redbridge.
 - The application Ref 1079/22, dated 26 August 2021, was refused by notice dated 1 June 2022.
 - The development proposed is conversion of existing outbuilding into two bedrooms and reconfiguration of ground floor to existing House in Multiple Occupation (HMO).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the banner heading I have set out a truncated form of the description of the development in the application form, omitting that which is unnecessary to accurately describe the scheme

Main Issue

3. The main issue is whether the proposal would provide satisfactory living conditions for future occupiers of the outbuilding, with particular regard to outlook.

Reasons

4. The appeal proposal includes conversion of an existing outbuilding at the appeal property into 2 single bedrooms. The appeal site features an 'L' shaped rear garden, with the outbuilding occupying the widest part of the garden and sitting behind the rear fence of 18 Rutland Road. It is surrounded by boundary walls and fences, except for the proposed bedroom in the eastern portion of the outbuilding, which would benefit from front facing glazing and doors with an unobstructed view across the appeal site's rear garden.
5. The proposed bedroom in the western portion of the outbuilding would have a small window and glazed door on its front elevation, and a small window in its side elevation. I saw on site that a small side window and front glazed door were already in-situ. The existing side window appeared obscurely glazed and looks immediately onto the shared boundary with 16 Rutland Road. Similarly, the front facing door looks directly onto the tall rear boundary fence of No 18 at short distance. The proposed additional front elevation window would also look directly onto this fence. Accordingly, while each of these openings, along

- with the proposed roof light, would provide natural light to this bedroom, none would provide any meaningful outlook for future occupiers of that bedroom.
6. Though the rear garden of the appeal site is not proposed to be separated from the outbuilding by any boundary treatment, views towards the garden area from the western bedroom would be restricted in any event by the existing boundary fence to the rear of No 18 and considerably oblique. This would not therefore provide a good outlook for future occupiers.
 7. I am aware that since the Council's decision to refuse the appeal scheme, planning permission has been granted to convert the outbuilding into a double bedroom to be used in conjunction with the existing HMO. Although I do not have substantive details of the approved scheme, such as approved plans, a double bedroom across the whole building is a materially different form and layout of residential accommodation compared to the appeal proposal for two individual bedrooms with a different occupier in each. I therefore give the recent planning permission little weight.
 8. I therefore find that the proposal would fail to provide satisfactory living conditions for future occupiers of the outbuilding, with particular regard to outlook. It is therefore contrary to Policy LP26 of the Redbridge Local Plan 2015-2030, adopted March 2018, which amongst other things seeks to ensure development is of a high quality and provides a high standard of accommodation for housing.

Other Matters

9. The neighbouring fence at No 18 would undoubtedly provide privacy for future occupiers of the western bedroom. The proposal may also be compliant with various other provisions of the development plan and, ultimately, I have found no harm in relation to any matters other than the outlook for future occupiers of that bedroom. However, these are neutral factors that would not outweigh the failure of the proposal to provide satisfactory living conditions in terms of outlook, and the associated development plan conflict.
10. I acknowledge the outlook of the proposed western bedroom would be somewhat similar to that of the existing side facing ground floor bedroom within the main dwelling. However, I do not consider this to be an optimum arrangement and it does not provide justification for the identified harm and development plan conflict.
11. I also recognise the appellant has proactively sought to overcome concerns raised by making changes to the previously refused and dismissed proposal. However, this does not indicate that the appeal proposal before me is acceptable with respect to the main issue.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

Ryan Cowley

INSPECTOR