



Appeal Decision

Site visit made on 18 April 2023

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th July 2023

Appeal Ref: APP/W5780/W/22/3305575

19 Grove Hill, South Woodford, London E18 2JB

- 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 Jastej Pal Singh Kandola against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 0881/22, dated 8 March 2022, was refused by notice dated 20 May 2022.
 - The development proposed is the change of use from two self-contained flats into a single dwellinghouse.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on
 - The overall supply of housing in the Borough; and
 - The supply of family sized accommodation.

Reasons

Overall Housing Supply

3. The appeal site accommodates a two-storey, end-of-terrace, property that is currently comprised of two, two-bedroomed, flats. The proposal seeks to convert these flats into a larger single dwelling.
4. The London-wide Strategic Housing Market Assessment and Strategic Land Availability Assessment has identified a need for 66,000 additional homes per year across London. Consequently, Policy H1 of the London Plan (LP) seeks to increase the supply of housing. In addition, Policy LP2 of the Redbridge Local Plan (RLP) seeks to deliver a minimum of 16,845 new dwellings in the plan period 2015 to 2030. To achieve this, it specifically resists the net loss of residential accommodation. Moreover, the Council has confirmed that it is failing its Housing Delivery Test and cannot demonstrate a five year supply of deliverable housing land. Accordingly, not only is there a clear need for residential accommodation in the Borough, but the existing housing stock will also be highly valued and there is a development plan strategy to conserve and enhance it.
5. The proposal could improve the current aesthetics of the site, which is in a street predominantly comprised of family sized properties. Nevertheless, it would result in the net loss of a residential unit. This would exacerbate the

Council's housing shortfall at a time when sufficient housing is not being delivered to meet the substantial need. Furthermore, the cumulative loss of residential accommodation would, over time, undermine the development plan's objectives of maintaining and increasing the supply of housing in the Borough.

6. It follows that the proposal would adversely affect the overall supply of housing in the Borough. It would therefore conflict with the strategy outlined by Policy H1 of the LP and Policy LP2 of the RLP insofar as they seek to boost the housing stock in London and resist the loss of existing residential accommodation.

Family Housing

7. There is a dispute between the parties as to whether or not the existing flatted units at the site constitute 'family sized accommodation'. There is no clear definition of such accommodation within the development plan. That said, my attention has been drawn to Policy LP6 of the RLP which suggests that this will constitute, amongst other things, a three-bedroomed dwelling of at least 74sq.m.
8. Regardless of the amount of floor space provided in each flat, neither currently offers three bedrooms. On this basis, I am not persuaded that the existing units are of a size that would constitute 'family sized accommodation'. I note that planning permission has been granted at the site for a loft conversion with rear and side dormers¹ and for a single storey rear extension². While these permissions could increase the overall amount of floorspace at each flat, neither has been implemented. In addition, they do not appear to propose an increase in the number of bedrooms. Consequently, these extant permissions do not alter my findings in relation to the nature of existing accommodation.
9. Taking the above into account, the proposal would not result in the loss of any family sized housing. Rather, it would result in the creation of such a property. For this reason, I conclude that the proposal would not adversely affect the supply of 'family sized accommodation' within the Borough. There would be no conflict with Policy LP2 of the RLP in this regard.

Other Matters

10. I sympathise with the appellant's aspirations to provide care for relatives and accommodate for a large family at an accessible location closer to their children's school. The environmental advantages associated with this are also acknowledged. Nevertheless, it is likely that these benefits to the appellant would be short term when compared to the permanent loss of a residential unit. This is therefore not a significant factor in my overall assessment.
11. Regardless of any of the Council's temporary planning policies during the recent pandemic, I have assessed this scheme in the light of the Council's current development plan as I am required to do.
12. It is not for me to consider the lawful use of the appeal building under this appeal process. However, from the evidence before me (including submitted floor plans), together with my observations on site, I have no good reason not to assess the scheme on this basis that the site accommodates two flatted

¹ Planning Application Ref: 2527/22

² Planning Application Ref: 2575/22

units. I appreciate that these flats have been vacant and are in a state of disrepair. Nonetheless, I have no substantive evidence to show that the residential use at each flat has been abandoned, nor that their renovation to provide an appropriate standard of accommodation would not be viable.

13. The use of the appellant's existing house as family sized accommodation following their move to the appeal site would not result in a net increase in the supply of such accommodation. Neither do I have any substantive evidence to show that their property could be used to increase overall housing supply. These factors do not alter my findings.

Planning Balance

14. The Council cannot demonstrate a five-year supply of deliverable housing land. Consequently, paragraph 11 of the Framework is engaged. This states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This is a matter which I address below.
15. The development plan seeks to significantly boost housing provision and retain existing housing stock. Contrary to these aspirations, the appeal scheme would result in the net reduction of housing within the Borough. It would therefore fail to fulfil the social objective of sustainability within the Framework. This carries significant weight against the proposal, particularly given the Council's housing shortfall and inadequate housing delivery rate.
16. I acknowledge that the proposal would be acceptable in a number of aspects, including its effect upon the character and appearance of the area, and living conditions at neighbouring properties. However, the absence of harm is a neutral factor which weighs neither for nor against the development.
17. On the other hand, it is acknowledged that the proposal would result in the creation of a family sized dwelling in a Borough with a high average household size. Furthermore, the Outer North-East London Strategic Housing Market Assessment (SHMA) indicates there is a need for larger units. However, the proposal's contribution in this regard would be minimal. Furthermore, social benefits associated with this would be tempered by the loss of two smaller units, for which the SHMA also identifies a need, and by an overall net loss of housing.
18. The absence of objections, together with support, from third parties is acknowledged. However, when considered in the round, in my view the adverse impacts of the scheme would significantly and demonstrably outweigh the benefits. The proposal would therefore conflict with the development plan when read as a whole and there are no material considerations, including the advice of the Framework, which outweigh this conflict.

Conclusion

19. For these reasons, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

K Lancaster

INSPECTOR