



Appeal Decision

Site visit made on 9 July 2024

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2024

Appeal Ref: APP/W5780/W/24/3338404

Rear of 413-415 Ilford Lane, Ilford, London IG1 2SN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Parvinder Singh against the decision of the Council of the London Borough of Redbridge.
 - The application Ref is 3227/23.
 - The development proposed is first floor rear extension to extend existing flats and proposed second floor extension to create 1x1 bedroom self-contained flat with associated waste/refuse, cycle store and amenity space. New roller shutters to ground floor side elevation, Alterations to fenestrations. Rear of 413 - 415 Ilford Lane Ilford IG1 2SN.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development upon the character and appearance of the area; and
 - whether the proposal would provide adequate living conditions for the future occupiers.

Reasons

Character and appearance

3. The appeal site is located on the corner of Ilford Lane and Loxford Lane. It comprises the end two units of a rendered terraced building with a distinctive and attractive curved and hipped roof with dormer windows set over three floors, which contributes positively to the area. The rear buildings are slightly disjointed from the frontage terrace and comprise contrasting large flat roof buildings, over 2 floors built from brick and white render. There is a narrow alleyway to the rear which separates the rear buildings from two-storey homes facing Loxford Lane. The appeal building at ground floor include retail uses and a car garage. Upper floors of the buildings comprise residential uses.
4. Although the wider area predominantly comprises streets and rows of two-storey residential properties of modest height and traditional design, Ilford Lane is vibrant, with a mixture of uses, and there are prominent purpose built buildings on corner sites and variety of building heights in the wider area. There is a three-storey modern flatted development on the corner of Norman

Road and Ilford Lane. The immediate area is also dominated by the substantial and imposing Loxford Polyclinic building. There are other large scale developments that have also been approved by the Council and under construction at No 408 Ilford Lane and No 356-358 Ilford Lane. As such I find that the immediate area around the vicinity of the appeal site does accommodate larger scale development juxtaposed with lower traditional residential properties in prominent corner locations. However, in contrast to the above comprehensive and complete redevelopment schemes, the appeal proposal seeks to add incremental extensions to the existing buildings.

5. Due to the corner location of the appeal site, the existing front and side of the appeal buildings are visible from the south from Ilford Lane. As the appeal buildings are positioned closer to the pavement than the rows of terraced homes on the northern side of Loxford Lane, part of the side and front of the appeal buildings are also visible from an easterly direction from this road. To my mind the appeal site largely reads as two distinct blocks within the area, with the rear buildings neither competing or dominating the frontage building, its residential neighbours or the streetscene.
6. However, the first floor flat roof extension would project from the curved terrace roof of the front building to extend existing flats and would fill an existing gap at first floor. It would create a greater visual link between the traditional and attractive terrace at the front and the large flat roof buildings at the rear. Whilst the overall height of the second floor extension is not excessive in the surrounding context of the Loxford Polyclinic, or significantly different to the other examples provided, the proposed first and second floor extensions would have contrasting forms, scale, massing and external appearance at odds with the front appeal buildings and would result in a bulky and uncharacteristic development very close to the lower residential properties.
7. A narrow alleyway runs to the rear of the appeal property which allows very limited close up glimpses of the proposed rear elevation and views of the development from Southbourne Gardens would not be prominent. Nonetheless, the exposed front and side elevations, would be visible from vantage points along Loxford Lane and Ilford Lane. Notwithstanding that it would be set in and set back from the first floor the proposed development would be seen in the same views and very close to the adjacent two storey homes to the east.
8. The resultant scale and design of the development would create a large extension with a disjointed appearance which would be visually intrusive in the streetscene between the traditional frontage building and adjacent terraced homes on Loxford Lane. I appreciate there are larger buildings in the vicinity of the site. However, I am mindful that that these are comprehensive and complete redevelopment schemes and they will have been determined under a different set of circumstances, and other evidence which is not before me in this appeal.
9. I therefore conclude that the proposal would harm the character and appearance of the area. There would be conflict with Policy LP26 of the Redbridge Local Plan 2015-2030 adopted 2018 (the RLP) which seeks to promote development that is of high quality design which whilst respecting the local character requires it to also make a positive contribution to its context, location and be well integrated with the surrounding area. Policy D3 of the

London Plan The Spatial Strategy for Greater London adopted 2021 (the LP) seeks similar provisions in relation to the form and layout of new development.

Living conditions

10. The Gross Internal Area (GIA) of the new second floor flat at 61 sqm would fulfil the requirements of Policy LP29 of the RLP. This states amongst other things that all proposals for housing development will be required to comply with the Technical Housing Standards – nationally described space standard 2015 (the NDSS). The GIA would also meet the London Plan minimum internal space standards for a one-bedroom two person flat set out in Policy D6.
11. The NDSS states that the minimum floor to ceiling heights should be 2.3 metres for a least 75 percent of the GIA. However, the more recently adopted Policy D6 of the LP specifies, amongst other things, that the minimum floor to ceiling height must be 2.5 metres for at least 75 percent of the Gross Internal Area (GIA) of each dwelling.
12. The supporting text for LP Policy D6 states that this is to address the impacts of the urban heat island effect in London. This is because the majority of housing developments in London are made up of flats, and therefore a minimum ceiling height of 2.5m for at least 75 per cent of the gross internal area is required so that new housing is of adequate quality.
13. The appellant has not disputed the overall height would be 2.4m across the entirety of the proposed flat. The proposal would fail to meet point 8) of Policy D6 of The London Plan. Whilst I note this is a minimal shortfall there is no evidence provided which would obviate this requirement in this location. Nor does Policy D6 include provision for a GIA which exceeds the minimum NDSS standards or the provision of outdoor amenity space would offset this requirement.
14. Whilst the proposal would not conflict with and LP29 of the RLP, it would conflict with Policy D6 of the LP. I attach greater to the more recently adopted policy and the specific reasons for applying it in this location compared to the NDSS. This policy seeks to ensure that residential development provides a high standard of accommodation for future occupiers, through providing adequately sized rooms.

Other Matters

15. The site is located within the zone of influence for the Epping Forest SAC which is a European designated site. The Conservation of Species and Habitats Regulations 2017 (the Habitats Regulations) require the Competent Authority to consider whether or not the proposal could adversely affect the integrity of the protected site.
16. While I am conscious of the requirement to undertake an Appropriate Assessment of the effects of the development on this designated site, I have not been provided with enough information from either party to determine the effects of the development on the SAC.
17. The officer report refers to the Strategic Access Management Measures, requiring a financial contribution to mitigate the harmful impacts arising from increased recreational activity. However, in the circumstances of this case where there is no formal agreement or undertaking through a planning

obligation provided as part of the appeal submissions, there is no certainty that the necessary contribution will be made and no means of securing it through the appeal process. There is no evidence that the required amount has already been paid to the Council either. However, as I am dismissing this appeal for other substantive reasons, I have not considered this matter any further, as it could not alter my overall decision.

Planning Balance and Conclusion

18. There is no dispute between the parties that the presumption in favour of sustainable development contained within paragraph 11d) of the Framework is engaged. This means granting permission unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed.
19. Insufficient information has been provided to determine the effect of the proposal on the Epping Forest SAC, which is a matter which weighs against the proposal. As identified in paragraph 11d) i, Footnote 7 and paragraph 187 of the Framework there would be a clear reason to refuse the development.
20. However, if the effects on the SAC could be suitably mitigated, the proposed improvements to existing flats, provision of a new one bed flat on a previously developed site close to shops and other services where it could be brought forward quickly, and the ensuing economic benefits, would be modest social and economic benefits which attract moderate weight.
21. The proposal could be designed to adequately deal with fire safety, water supplies, refuse and recycling. The effect on the highway and transport network and neighbouring living conditions would also be acceptable. The proposed development would provide outdoor space and suitable outlook, light and privacy for future occupiers, and alterations to the ground floor roller shutters would not be harmful. However, these are neutral factors in the overall balance.
22. On the other hand, the Framework places emphasis on good design and requires that developments are sympathetic to local character and seek to secure a high standard of amenity for future users. The proposed development would have an unacceptably harmful effect upon the character and appearance of the area and the living conditions of future occupiers. These are matters to which I attach significant weight.
23. Therefore, even considering the shortfall in housing land supply, the adverse impacts would significantly and demonstrably outweigh the modest benefits when assessed against the policies in the Framework taken as a whole. As such the proposal would not amount to sustainable development in the terms set out in the Framework.

Conclusion

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

K Williams

INSPECTOR