



Appeal Decision

Site visit made on 22 October 2024

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2024

Appeal Ref: APP/W5780/W/24/3342184

1027-1033 High Street, Chadwell Heath, London RM6 4AU

- 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 Mario Kyprianou against the decision of the Council of the London Borough of Redbridge.
 - The application Ref is 0020/24.
 - The development proposed is described as a loft conversion with rear dormer and front Velux windows to form a self-contained one-bedroom flat with associated parking space, cycle and waste storage. Flat access via existing communal staircase being extended to this level.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would provide satisfactory living conditions for future occupiers, with particular regard to the provision of internal accommodation, private amenity space and outlook.

Reasons

3. The appeal site comprises a two-storey, end terrace building, which is located at the junction of High Road and Reynolds Avenue. The surrounding area is mixed in character, with commercial buildings predominantly fronting onto this side of High Road, with most two-storey, residential dwellings on the opposite side of the road. Reynolds Avenue is also predominantly residential in character, and there is a recently constructed apartment building on the opposite side of Reynolds Avenue to the appeal building.
4. The proposed development would involve the conversion and extension of the existing roof space to provide a one-bedroom, self-contained flat with associated car parking, cycle and refuse storage.

Internal Accommodation

5. The overall Gross Internal Area (GIA) of the proposed flat would measure approximately 41.4m². This would be below the minimum standard for a one-bedroom, two-person flat, which requires a minimum GIA of 50m². The double bedroom, as shown on the submitted plans, would meet the minimum size, measuring approximately 11.7m².
6. It is not disputed that the proposed flat would provide the minimum GIA for a one-person, one-bedroom flat. However, whilst I have had regard to the

appellant's statement which sets out that the proposed flat is intended to be a one-bed, one-person flat, it would nevertheless be capable of being occupied by two persons, as the bedroom meets the minimum size for a double bedroom, and the submitted plans indicate that the bedroom is of a sufficient size to accommodate a double bed and other furniture. It would not be reasonably possible to control and monitor whether the dwelling was occupied as a one or two-person dwelling.

7. The internal area of the dwelling would be approximately 9m² below the minimum standards outlined in the NDSS and Policy D6 of the London Plan for a one-bedroom, two-person unit. This would be a significant shortfall. As such, I find that it would provide inadequate internal space overall to meet the needs of future residents should this dwelling be occupied as a two-person dwelling. Thus, it would be detrimental to the living conditions of future occupants.

Private Amenity Space

8. Both Policy D6 of the London Plan 2021 and Policy LP29 of the Redbridge Local Plan 2015-2030, adopted March 2018 (the RLP) require a minimum of 5m² of private amenity space to be provided for 1-2-bedroom units within flatted development. The proposals make no provision for private amenity space.
9. Whilst I have had regard to the presence of public open spaces¹ within walking distance to the appeal site, it is nevertheless within a location identified as being an area with a public space deficiency and I have not been presented with any compelling evidence that the absence of private amenity space would be overcome by the availability of areas of public open space within the wider area. Furthermore, these open spaces would not be particularly functional for normal activities such as sitting out or drying washing.
10. Therefore, I find that the lack of private amenity space provision would mean that the proposed development would result in unsatisfactory living conditions for future occupiers. Thus, it would be contrary to the provisions of Policy LP29 of the RLP and Policy D6 of the London Plan 2021.

Outlook

11. The proposed flat would be single aspect, with the bedroom having rooflights as the only source of light. Whilst the rooflights would be of a good size and would provide adequate natural light, ventilation and views upwards of the sky, due to their location and height within the bedroom, they would provide very little direct outlook for future occupiers of the flat. Consequently, the proposed layout would result in unacceptable living conditions for future occupiers.
12. For the above reasons, I therefore conclude that the proposal would fail to provide satisfactory living conditions for future occupiers, with particular regard to the provision of internal accommodation, private amenity space and outlook. Thus, it would be contrary to Policies LP26 and LP29 of the RLP, and Policy D6 of the London Plan 2021. These policies, among other provisions, seek to provide high standards of accommodation for housing in terms of size, quality and arrangement of internal and external space.

¹ Including: St Chads Park, Crucible Park and Barley Lane Park.

Planning Balance

13. It is not disputed that that the Council is unable to demonstrate a five-year supply of housing sites and that the Housing Delivery Test (HDT) indicates that the delivery of housing was approximately 50% of the housing requirement over the previous 3 years. In such circumstances, Paragraph 11(d) of the National Planning Policy Framework (the Framework) requires that, due to the Council's Housing Delivery Test results, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
14. The proposed development would contribute to the Government's objective of significantly boosting the supply of homes and would also reflect the aim in the Framework for the effective use of land, particularly brownfield land. Economic and social benefits would also arise during construction and on subsequent occupation.
15. The site has a PTAL rating of 4 and the site is within 10 minutes walking distance of Goodmayes District Centre with good transport links. However, even in the context of the Council's housing delivery issues, the benefits are limited due to the small scale of the development.
16. The scheme would be acceptable in terms of design, the effect on living conditions of neighbours and the parking, cycle and refuse storage. However, the absence of harm in these respects is a neutral consideration that weighs neither for nor against the proposed development.
17. Set against these benefits would be the adverse impacts of the proposal, in that the proposal would fail to provide satisfactory living conditions for future occupiers. The Framework seeks to ensure that developments create places with a high standard of amenity for existing and future users. I afford this harm significant weight.
18. Therefore, I find that the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.

Conclusion

19. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations of sufficient weight that indicate the appeal should be determined other than in accordance with the development plan. The appeal is therefore dismissed.

K Lancaster

INSPECTOR