



Appeal Decision

Site visit made on 2 December 2024

by M Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th of December 2024

Appeal Ref: APP/W5780/W/24/3353013

24 St George's Road, Ilford, IG1 3PQ

- 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 M Cikanavice of Top Rent Limited against the decision of the Council of the London Borough of Redbridge.
 - The application Ref is 1639/24.
 - The development proposed is change of use from single dwellinghouse to small HMO for up to 6 people.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the banner heading above I have used the description of development as set out on the decision notice and the appeal form, as this is more precise than the description provided on the planning application form.

Main Issues

3. The main issues are whether the proposal would represent an over-concentration of Houses in Multiple Occupation (HMOs) in the area; and whether it would provide satisfactory living conditions for future occupiers having regard to internal space.

Reasons

Over-concentration of HMOs

4. The appeal site relates to a two storey, bay fronted terrace property located on the northern side of St George's Road. It is within a mainly residential area characterised by family dwellings. The property is set back from the road, with a driveway to the front and a garden to the rear.
5. There is an Article 4 Direction in place in the Borough which withdraws permission for development consisting of the change of use of a dwelling to a use falling within Class C4 (HMOs), which enables the Council to manage small HMOs more effectively, particularly in relation to amenity, design, space standards and parking issues.
6. It is proposed to convert the property to a small HMO for occupation by up to six people. The Council's Housing Design, Supplementary Planning Document (2019) (the SPD) sets out criteria for assessing planning applications for HMOs. The first criterion requires that HMOs should not exceed 20% of all properties

along any road, and only one out of a consecutive row of five units may be converted to HMOs.

7. The evidence before me indicates that the proposal would not result in more than 20% of all properties on this road being HMOs. However, the Council says that there is already an HMO at 30 St George's Road. The appellant has not disputed this. Therefore, the change of use would result in two HMOs in a row of five properties. Consequently, the proposal represents an over-concentration of HMOs, with implications for the character of the area.
8. For the above reasons, I conclude that the proposed development would lead to an over-concentration of HMOs in the area, and it is therefore contrary to the guidance contained in the SPD.

Living conditions

9. The accommodation proposed includes a kitchen/dining area and two bedrooms at ground level, three bedrooms at first floor, and a further bedroom within the converted loft space.
10. The SPD requires that HMOs provide high standards of accommodation in terms of the quality and arrangement of internal space and provision of external space. The internal space standards contained in Appendix A of the SPD require a minimum combined floor area of 31m² of communal living space for a six person HMO. The SPD also contains minimum space standards for bedrooms.
11. The kitchen/dining area and the study in the loft space are narrow, confined spaces with a combined floor area of 19.44m², which is significantly below the minimum size required by the SPD. The SPD also requires HMOs with three or more bedrooms to provide two living spaces, for example a living room and kitchen/dining room. The proposal would not meet this requirement either. The under provision of internal communal space would result in cramped living areas for the intended number of occupiers. Moreover, the front bedroom at first floor level is 5.87m², falling short of the minimum 7.5m² required by the SPD. Therefore, these elements of the proposal do not comply with the SPD, indicating an inadequate level of internal space for future residents.
12. The Technical housing standards – nationally described space standard (2015) identifies a minimum floor to ceiling height requirement of 2.3m for at least 75% of the internal area. Policy D6 of the London Plan sets out a slightly higher minimum floor to ceiling height requirement. While the appeal scheme does not demonstrate that these standards would be achieved, equally there is no evidence before me to indicate that the proposal would not meet them. I was able to see that the pitched roof restricts the height of part of the loft space accommodation, but the ceiling height within most of the rooms is satisfactory.
13. Nevertheless, the proposal would fail to provide satisfactory living conditions for future occupiers, having regard to the size of the communal living space and front bedroom. Therefore, the proposal conflicts with Policies LP26 and LP29 of the Redbridge Local Plan 2015-2030 and Policy D6 of the London Plan which amongst other things require development to provide a high standard of residential accommodation, including in respect of the size, quality and arrangement of internal space.

Other Matters

14. I also note the other concerns raised by the third party, including in respect of noise and disturbance and waste management. However, as I am dismissing the appeal for the reasons set out above, it has not been necessary for me to consider these other issues further.

Planning Balance and Conclusion

15. The Housing Delivery Test results show that the Council delivered 50% of its housing requirement, which is significantly below the 75% requirement over the previous three years. Therefore, paragraph 11 d) ii. of the National Planning Policy Framework (the Framework) is engaged, and 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.
16. The provision of affordable accommodation is a social benefit to which I attach only limited weight in this instance given the small scale nature of the proposal. The failure to provide satisfactory living conditions for future occupiers, together with the effect of the over-concentration of HMOs in the area, weigh significantly against the proposal. Therefore, the adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, and the presumption in favour of sustainable development does not apply.
17. The proposal does not accord with the development plan and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, I conclude that the proposal is unacceptable and the appeal should be dismissed.

M Ollerenshaw

INSPECTOR