



Appeal Decision

Site visit made on 15 July 2025

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 11 August 2025

Appeal Ref: APP/W5780/W/25/3362471

2 High Road, South Woodford, Redbridge, London E18 2QL

- 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 Emine Ibrahim against the decision of the Council of the London Borough of Redbridge.
 - The application Ref is 3372/24.
 - The development proposed is a change of use from dwellinghouse to a large HMO for up to 7 people (retrospective)
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Based on my observations during the site visit, the appeal site appears to already be in use as a house of multiple occupation (HMO). As such, I have determined the appeal on the basis that this aspect of the proposed development is being sought retrospectively.

Main Issues

3. The main issues are:
 - the effect of the development upon the living conditions of occupiers of the loft floor bedrooms, having particular regard to internal floor space; and
 - whether or not the proposal would make adequate provision for mitigating any impact to the Epping Forest Special Area of Conservation.

Reasons

Living Conditions – occupiers

4. Policy LP26 of the Redbridge Local Plan 2018 ('RLP') promotes high quality design by requiring that development provides high standards of accommodation for housing in terms of size, quality and arrangement of internal space, external private and external communal amenity space, and access to usable open space.
5. Policy LP6 of the RLP supports the conversion of larger homes into smaller self-contained units such that the gross floor area of the property must exceed 180 sq.m where three or more units are proposed. Any such conversion must also comply with national space standards.

6. The Council's Housing Design Supplementary Planning Document 2019 ('SPD') sets out minimum space standards for bedrooms in HMOs. A single occupancy bedroom must have a minimum floor area of 7.5 sq.m, while a double bedroom must be at least 12 sq.m. In addition, all habitable rooms are required to have a minimum floor-to-ceiling height of 2.14 metres across at least 75% of the floor area.
7. Policy D6 of the London Plan 2021 ('LP') requires that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context. It requires that all dwellings must meet minimum internal space standards, with regard to gross internal floor area and built-in storage area, as set out in table 3.1, which aligns with the national space standards. Additionally, further criteria clarify how private internal space should be measured. Criterion 5: Any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage. Criterion 6: Any other area that is used solely for storage and has a headroom of 0.9 1.5m (such as under eaves) can only be counted up to 50 per cent of its floor area, and any area lower than 0.9m is not counted at all. Criterion 8: The minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling.
8. The proposed scheme involves converting a five-bedroom dwelling into a seven-bedroom HMO. The accommodation would be distributed across the ground floor, first floor, and loft. The submitted plans show a total of six bedrooms, implying that one of the rooms is intended for double occupancy to accommodate the seventh resident. However, the plans do not specify which room is designated for this purpose. Notably, two of the proposed bedrooms are located within the loft space.
9. The front loft bedroom is served by a single rooflight positioned in the front roof slope. Notwithstanding its west-facing orientation, the rooflight is relatively large in proportion to the size of the room and is, therefore, sufficient to allow an adequate level of natural light into the room. While the views it offers are limited, primarily consisting of the rooftops of nearby dwellings, they would not be considered to result in a significantly poor outlook given the urban context of the area.
10. A substantial portion of the front loft bedroom is constrained by the sloping roof, which significantly limits the usable floor space. Accordingly, during my site visit, I observed that the room appeared cramped due to the restricted height and presence of furniture, such as a bed and wardrobes, which further restricted access to the storage compartments within the eaves. This is a key consideration, as the limited internal height directly affects both the placement and quantity of furniture that can be reasonably accommodated within the room. Such concerns are particularly relevant in HMOs, where occupants typically spend more time in their bedrooms compared to those in single-family dwellings.
11. Although external elevation plans have been provided, no section drawings are available to confirm the internal height of either loft bedroom. As a result, it is unclear whether the bedrooms meet the headroom requirements set out in Policy D6 of the London Plan or the SPD. Consequently, this raises uncertainty in my mind, as to how the stated floor area of 11.6 sq.m has been calculated, and whether this figure accurately reflects usable space with sufficient headroom. This uncertainty was a matter raised by the Council in its concerns with this space.

12. Additionally, with regard to the front loft room, the plans do not specify whether is intended for single or double occupancy. However, a double bed was observed during the site visit, suggesting that there are no restrictions preventing its use as a double bedroom. As such, based on the plans and supplied floorspace figure, the usable floor area of this room in any case falls below the required threshold of 12.sq.m for a double bedroom. In the absence of section drawings or other supporting evidence to confirm the internal headroom, it cannot be clearly demonstrated that the room complies with the relevant space standards. In any case, I observed that this room appears cramped due to the limited space available for furniture and the restricted headroom. Accordingly, I am not satisfied that the front loft bedroom would meet the required standards or would ensure appropriate living conditions for occupants.
13. In conclusion, the development would not provide appropriate living conditions for occupiers, having particular regard to internal floor space. It would fail to provide high standards of accommodation, contrary to Policy LP26 of the RLP. It would also fail to provide adequately-sized rooms, contrary to Policy D6 of the LP.

Epping Forest Special Area of Conservation

14. The appeal site is located within the 6.2 kilometre zone of influence of the Epping Forest Special Area of Conservation (SAC), which is important for its value in respect of beech trees and wet and dry heaths and for its population of stag beetle. It is likely that additional residents within this zone of influence, including from the increased units and related intensification of use on the appeal site, would place further recreational pressure on the SAC and harm its integrity.
15. Consequently, Natural England has provided advice that any scheme for new residential development within this zone is required to provide suitable mitigation to ensure that no adverse effects arise on the integrity of the SAC. The necessary mitigation measures include contributions to both the Strategic Access Management and Monitoring and Suitable Alternative Natural Greenspace.
16. These contributions are expected to be secured through a s106 agreement, by way of a financial contributions to be paid prior to commencement of the development, to ensure that the proposal would not, either alone or in combination with other projects, be likely to have a significant and adverse effect on the integrity of this habitat site.
17. In this case, the appellant has indicated a willingness to make arrangements to secure and sign the necessary legal agreement. However, I do not have a completed agreement before me as part of this appeal. It follows that I am unable to conclude that the proposal, either alone or in combination with other schemes, would not have a likely significant and adverse effect on the integrity of the SAC.
18. Consequently, I conclude that the proposal would not meet with these legislative requirements of the Conservation of Habitats and Species Regulations 2017. The scheme would therefore also be in conflict with Policy LP39 of the RLP which seeks to ensure that development does not adversely affect the SAC, except for reasons of overriding public interest, and only where adequate compensatory measures are provided.
19. The Council also cites conflict with Policies LP33 of the RLP. However, this policy primarily relates to heritage considerations and is not directly relevant to this main

issue under assessment. Moreover, I have not been drawn to any wording in these policies that relate to this main issue. Accordingly, it has not been referred to in my conclusion.

Other Matters

20. Interested parties have raised concerns regarding potential noise and disturbance, loss of privacy, antisocial behaviour, parking stress, and bin storage. While I acknowledge these concerns, the Council has not objected on these grounds. Accordingly, I have found no reason why they should be matters that weigh or fall against the proposal.

Planning Balance

21. As noted above, the scheme would not provide occupants with suitable living conditions and would not mitigate the likely harm to the SAC. These are very significant shortcomings with the scheme and result in conflict with the development plan as a whole. Collectively these harms and policy conflicts should be attributed substantial weight against the scheme.
22. Conversely, the Council acknowledges a shortfall in housing delivery. Based on 2021 to 2022 performance, the indicative figures report that only 1438 dwellings were delivered against a target delivery of 2899 dwellings. This equates to approximately 50% of the required housing target over this monitoring period. Although the 2023 Housing Delivery Test results have not yet been published, the Council considers it likely that there will be no material change in its housing delivery position. This constitutes a very significant level of under delivery.
23. Nonetheless, the presumption in favour of sustainable development in accordance with paragraph 11d of the National Planning Policy Framework ('Framework') is not engaged, because the harm to the SAC provides a strong reason for refusing the development. This is the case because footnote 7 of the Framework includes habitat sites, and paragraph 194 of the Framework states that SACs are afforded the same level of protection as habitat sites. Furthermore, paragraph 195 of the Framework confirms that the presumption does not apply where a plan or project is likely to have a significant effect on a habitats site. As a result, the proposal should be assessed against the normal planning balance.
24. Given the very significant level of under delivery, it is recognised that the scheme would provide a worthwhile boost to housing supply. Additionally, there would be social and economic benefits to the local economy through the increase in occupancy. The HMO use would be provided on an existing site within a built up area, in a location that offers good access to local services and facilities via sustainable transport options. However, given the relatively modest number of additional occupants, I consider that the benefits should be attributed limited weight in favour of approval.
25. In conclusion, the harm and related policy conflicts, which are attributed substantial weight, would not be outweighed by the benefits of the scheme, which are afforded limited weight.

Conclusion

26. The proposal conflicts with the development plan taken as a whole and material considerations do not indicate that the appeal should be determined other than in

accordance with it. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

S Lo

INSPECTOR