

Appeal Decision

Site visit made on 14 June 2021

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2021.

Appeal Ref: APP/Z5060/W/20/3265940

7 Sunningdale Avenue, Barking, IG11 7QF

- 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 Palli Manku on behalf of Eastway Property Services against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 20/01935/FULL, dated 25 September 2020, was refused by notice dated 3 November 2020.
 - The development proposed is a change of use of property from single dwellinghouse to house in multiple occupation (use class C4) for up to 6 people.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the housing mix with regard to the supply of larger dwellings; and the effect on the amenities of local residents with regard to increased levels of activity.

Reasons

3. The proposal is to utilise the existing house, which is shown as having four bedrooms, as a 'House in multiple occupation' (HMO). Policy BC4 of the Borough Wide Development Policies Development Plan Document 2011 (DPD) sets out the council's policy for such changes. It advises that the council is seeking to preserve and increase the stock of family housing in the borough and will resist proposals which involve the loss of housing with three bedrooms or more. The supporting text advises that a strict approach to preserving family housing and particularly four bedroom homes has been adopted given the current shortage in Barking and Dagenham (as highlighted in the Barking and Dagenham Housing Strategy 2007 - 2010). This proposal falls squarely within the above element of policy BC4 and is contrary to it.
 4. The policy goes on to state that other proposals for flat conversions or homes in multiple occupation will only be considered acceptable if a number of criteria are met including, but not limited to, consideration of the number of other such uses; and changes to the character of the area. However, as the proposal relates to a property of three bedrooms or more, I am not satisfied that this second element of the policy is applicable.
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5. Although I have not been provided with updated housing figures by either party, the Council have retained a similar policy in their emerging Local Plan which has recently been published for consultation. The proposal conflicts with Draft Policy DMH 4 of the Barking and Dagenham Draft Local Plan 2037 (Regulation 19 Consultation version). The emerging plan makes reference to the Article 4 Direction that the council imposed in 2012 to prevent further loss of family homes to HMO. It would appear unlikely therefore that the housing position has materially changed with regard to the need for family housing.
6. The London Plan 2021 has now been adopted and it acknowledges that HMO are an important part of London's housing offer, reducing pressure on other elements of the housing stock. It includes policy H9 which advises that boroughs should take account of the role of HMO in meeting local and strategic housing needs. The intention is that each borough considers provision in the light of their own particular circumstances. Given the existing and emerging policy documents, I am not satisfied that the London Plan policy is supportive of a change in the current approach.
7. The appellant has referred to the demand for single letting rooms and the benefits such occupiers bring to the wider economy. Furthermore, it is suggested that the accommodation brings significant benefits to the more vulnerable in society. The appellant considers that tenants would be unlikely to cause disturbance and may not have access to a private vehicle. In addition, it is suggested that the licencing regime would help to ensure that the property would be of a good quality; would not be overcrowded; and would be well managed, with adequate provision for refuse storage.
8. There are clearly a number of benefits to this type of property, to a range of occupiers; and these benefits are acknowledged within the development plan. Whilst I acknowledge the Council's concerns, even if I accept the appellant's contention that residents would be respectful of their neighbours and the proposal would not harm the character of the area, I would not be satisfied that the benefits of this use would outweigh the clear policy conflict and the loss of a family sized house. The evidence submitted does not suggest that the approach of seeking to retain family homes should be reversed. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR