



Appeal Decision

Site visit made on 8 April 2024

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th May 2024

Appeal Ref: APP/B5480/W/23/3333987

66 Princes Road, Romford, Essex RM1 2SP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr Ming Cai against the decision of the London Borough of Havering.
 - The application Ref is P0397.22.
 - The development proposed is Change of use of occupation from single family dwelling (C3) to small HMO(C4) (Retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development and site address above from the appeal form. Although different to that given on the application they more accurately describe the development and site location.
3. During the appeal, the National Planning Policy Framework (the Framework) was revised. Its content in respect of the main issues has not been materially altered. Therefore, in this instance it has not been necessary to consult the parties on the revisions to the Framework.
4. The application has been submitted retrospectively, and I have determined this appeal on that basis.

Main Issues

5. The main issues are the effect of the development on:
 - the stock of family housing in the borough;
 - the living conditions of neighbouring occupiers, particularly as regards noise and disturbance; and
 - parking provision in the local area.

Reasons

6. The appeal relates to a semi-detached dwellinghouse within a predominantly residential setting. It is accepted by the main parties that the property has been subject to a change of use from a Class C3 dwellinghouse to a house in multiple occupation (HMO).

7. Policy 8 of the Havering Local Plan (LP) recognises that HMOs can make a valuable contribution to the private rented sector by catering for the housing needs of specific groups, but that is to be balanced with the potential harm that can arise. As such the Council support applications for HMOs where certain criteria are met.
8. The first criteria i. of LP Policy 8 is that the overall size of the original property to be converted is not less than 120m². The appellant does not dispute the appeal scheme would be contrary to this first criterion. Moreover, the appellant acknowledges LP Policy 8 seeks to deliver appropriate residential conversions whilst maintaining a supply of family housing.
9. While the appellant asserts that LP Policy 8 should be read as a whole the HMO use does not accord with criterion i. of LP Policy 8 given the size of the original dwelling. The change of use to a HMO has resulted in the loss of a family sized dwelling and there is no substantive evidence before me to demonstrate an oversupply of family housing. As such, the appeal scheme is contrary to LP Policy 8.

Living conditions

10. The properties nearby the appeal site appear to be in residential use. The appellant states that the HMO has no greater impact on the living conditions of neighbouring occupiers than if the property was occupied as a single-family dwelling.
11. Notwithstanding any current occupants of the property, the occupants will change over time in the four separate bedrooms. As such, the HMO comprises up to four unrelated individuals/couples, all of whom have their own separate work/domestic regimes and attract their own visitors and deliveries at different times during the day and evening. In this respect, the HMO use is likely to have increased the volume of movements to and from the property, than a single-family dwelling, and the range of times when these activities take place, as evidenced by a neighbouring objector.
12. Therefore, I conclude that the development has had a harmful effect on the living conditions of the occupiers of neighbouring properties, with particular regard to noise and disturbance. This conflicts with LP Policies 7 and 8, which amongst other matters, seek to avoid unacceptable levels of noise and disturbance.

Parking provision

13. The site lies within Public Transport Accessibility Level (PTAL) zone 2. As such, this makes the area a poor location in relation to accessibility of services, facilities and transport links regardless of proximity to bus stops. During my visit I also observed the appeal site is located some distance from Romford Station such that occupiers of the HMO are more likely to rely on a private motor vehicle to access goods, services and employment.
14. The appellant has not produced a parking survey. During my visit, while only a snap-shot in time, I noted that on street parking seemed to be at modest levels with reasonable capacity available. However, on-street parking demand is likely to be higher in the evenings and weekends putting greater pressure on parking capacity. In the absence of any substantive evidence to demonstrate otherwise I am therefore unconvinced that there is adequate on-street parking

available to accommodate the anticipated demand for parking associated with the HMO use.

15. The insufficient supply of parking would result in harmful highway safety effects due to anti-social parking and would prevent the use from functioning well. Moreover, I cannot be sure how successful enforcement action would be capable of remedying any unauthorised parking. The proposal would therefore be contrary to Policies 8 and 24 of the Local Plan and London Plan Policy T6.1 which together seek to address parking provision. It would also conflict with the Framework in so far as it relates to highway safety.

Other Matters

16. While the appeal scheme would offer some diversity in housing provision in the borough by type and tenure, this would not overcome the harms I have identified above.

Conclusion

17. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict.
18. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

A Hickey

INSPECTOR