



Appeal Decision

Site visit made on 12 March 2025

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd of April 2025

Appeal Ref: APP/B5480/W/24/3352529

8 Wheatsheaf Road, Romford, Essex, RM1 2HJ

- 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 Mohammed Sadiq against the decision of the Council of the London Borough of Havering.
 - The application Ref is P0748.24.
 - The development proposed is a 5 bed HMO.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The property has been in use as a house in multiple occupation since 2019. I have determined the appeal on that basis.
3. I have amended the description of the appeal proposal in the banner heading to remove references that are not acts of development.

Main Issues

4. The main issues are:
 - The effect of the development on the supply of family housing,
 - Whether the accommodation provides an acceptable standard of living for occupiers; and,
 - The effect on the living conditions of neighbouring occupiers with particular regard to noise.

Reasons

Family housing supply

5. Policy 8 of the Havering Local Plan (the Local Plan) sets out the council's requirements for approving applications for Houses in Multiple Occupation (HMOs). One of the requirements is that the overall size of the original property to be converted is not less than 120 square metres. The intent behind this requirement is to preserve the stock of smaller family homes, for which a need has been identified in the Outer North East London Strategic Housing Market Assessment.

6. There is no dispute that the internal floor area of the property falls significantly below 120 square metres. The appeal proposal therefore conflicts with the identified requirement of policy 8 of the Local Plan.

Living conditions – occupiers

7. Local Plan Policy 8 also requires that an HMO provide communal space large enough for all the dwelling's occupants to use simultaneously, and that it meets the requirements of East London HMO guidance. This guidance recommends that in a 5 person HMO a combined living/dining room should be 16 square metres, and that kitchen facilities should be no more than one floor away from the letting.
8. The communal space comprises a kitchen/diner much smaller than the 16 square metres sought. It is sited on the ground floor, so is more than one floor away from the lettings on the second floor.
9. The East London HMO guidance recognises that the standards should be applied flexibly. However, the significant shortfall in communal space and its separation from the uppermost lettings indicates that the property overall provides a poor standard of accommodation for occupiers. The proposal therefore also conflicts with Policy 8 of the Local Plan in relation to this issue.

Living conditions – neighbours

10. The property has been in use as an HMO since 2019, and there is nothing to indicate that its ongoing use has caused disturbance to local residents. While the use of an HMO is not entirely like that of a family home as each letting is occupied independently, the property is small and the maximum number of tenants is similar to that of a typical family home. Had I otherwise been minded to allow the appeal I am satisfied that the continued occupation of the HMO by up to 5 tenants would not result in unacceptable noise or disturbance.
11. In relation to this issue the appeal proposal therefore accords with policies 7 and 8 of the Local Plan, which collectively state that HMOs must not give rise to significantly greater levels of noise and disturbance to occupiers of nearby residential properties than would a single family dwelling of equivalent size.

Other Matters

12. The appellant has expressed concern that the property was granted an HMO licence by the council without their being advised that planning permission would also be required. However this is a matter between the main parties and does not fall within my authority to address.

Planning Balance and Conclusion

13. The HMO provides accommodation that is presently let only to women. Gender is a protected characteristic as set out in the Equality Act 2010. I have therefore had due regard to this consideration in my determination of this appeal in accordance with the public sector equality duty.
14. Set against this the development involves the loss of a small family house, for which there is an identified need. The size and layout of the property also results in accommodation that fails to meet the expected standards, and so provides an

overall poor standard of accommodation. These considerations attract great weight overall.

15. There is no mechanism before me to guarantee that the accommodation would continue to only be let to women if permission were to be granted. This consideration therefore carries limited weight, which is not sufficient to outweigh the identified harms.
16. The proposal therefore conflicts with the development plan, and there are no considerations to indicate a decision other than in accordance with it. Therefore, the appeal is dismissed.

M Chalk

INSPECTOR